

EXECUTIVE OFFICE OF THE PRESIDENT

# THE POWER OF MERCY ADVISORY COMMITTEE (POMAC)

STRATEGIC PLAN

2024 - 2028





EXECUTIVE OFFICE OF THE PRESIDENT

# **THE POWER OF MERCY ADVISORY COMMITTEE (POMAC)**

STRATEGIC PLAN

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## **VISION**

“Excellence in rendering advice on the Power of Mercy”

## **MISSION**

To receive and consider petitions by convicted criminal offenders, research and collaborate with other relevant organs and expeditiously render independent advice to the President on the exercise of Power of Mercy

## **CORE VALUES**

Integrity

Professionalism


Collaboration

Equity

Transparency and Accountability

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# ACRONYMS AND ABBREVIATIONS

AU	:	African Union
BETA	:	Bottom-Up Economic Transformation Agenda
CEO	:	Chief Executive Officer
CoK	:	Constitution of Kenya
DCI	:	Directorate of Criminal Investigation
EAC	:	East Africa Community
ePOMPMIS	:	Electronic Power of Mercy Petitions Management Information System
FAQs	:	Frequently Asked Questions
GoK	:	Government of Kenya
ICT	:	Information, Communication Technology
KRAs	:	Key Result Areas
MDAs	:	Ministries, Departments and Agencies
MOU	:	Memorandum of Understanding
MTEF	:	Medium Term Expenditure Framework
MTP	:	Medium-Term Plan
NGO	:	Non-governmental Organizations
POMAC's	:	Power of Mercy Advisory Committee
QMS	:	Quality Management Systems
SDGs	:	Sustainable Development Goals
UN-GA	:	United Nations General Assembly

# DEFINITION OF CONCEPTS AND TERMINOLOGIES

**Key Activities:** Actions taken or work performed through which inputs are mobilized to produce outputs.

**Baseline:** A description of initial state of an indicator before the start of a project/programme, against which progress can be assessed or comparisons.

**Key Performance Indicators (KPIs):** These measurable values demonstrate how effectively its key business objectives will be attained.

**Key Result Areas:** These are broad areas in which you are expected to deliver results.

Outcome: The intermediate results generated relative to the objective of the intervention.

**Outcome Indicator:** This is a measure of whether the plan is achieving the expected effects in the short/medium or long term.

**Output:** Immediate results, tangible or intangible resulting directly from implementation of activities or applying inputs.

**Risk:** An adverse event that may negatively affect business, investment or project.

**Strategic Issues:** These are problems or opportunities emanating from situational analysis that an organisation has to manage in order to fulfil its mandate and mission.

**Strategic Goals:** General qualitative statements on what the organisation is hoping to achieve in the long run.

**Strategic Objectives:** These are what the organisation commits itself to accomplish in order to achieve strategic goal.

**Target:** A result to be achieved within a given period.

**Monitoring:** Taking a periodic look on the progress of a plan or activity.

**Prerogative of mercy:** The discretionary power of a supreme Court, such as a national president or sovereign, to commute a death sentence, change the method of execution, or issue a pardon.

# FOREWORD



**T**he Power of Mercy Advisory Committee is a constitutional committee established through Article 133 of the Constitution of Kenya, 2010 and operationalized by the Power of Mercy Act, 2011. The Committee, which comprises of the Attorney General, the Cabinet Secretary responsible for Correctional Services and seven professional part-time members appointed by the President, is mandated to advise the President of the Republic of Kenya on the exercise of the power of mercy.

This Strategic Plan covering the period 2023 to 2027 identifies four strategic objectives that are foundational to the Committee. The strategies are geared towards making the Committee and the Secretariat more effectively responsive to the numerous petitions made to the President for the exercise of mercy in line with the laid down legal framework.

In developing this Strategic Plan, the Committee took cognizance of the various individuals, government entities, institutions and independent offices and provisions of the law, governing the exercise of power of mercy. These include, the President and the Presidency; Correctional Services and in particular the responsible Cabinet Secretary and the respective Principal Secretary; petitioners for exercise of the power of mercy; victims of the crime in respect to the exercise of the power of mercy; the Judiciary and both state and non-state actors.

The plan also takes into account the reforms in the Power of Mercy Policy framework, 2023, the Power

of Mercy (Amendment) Bill, 2024 and the reforms in the criminal justice system. The plan therefore places premium on research and adoption of relevant global best practices to continuously improve the Kenyan process of the exercise of the power of mercy.

The Committee will continue to work closely with state organs responsible for correctional services to educate persons in correctional facilities on the power of mercy besides collaborating with nonstate actors in educating the public on the nature and implications of the power of mercy. This Strategic Plan will therefore guide the Committee in the next five years as it discharges the responsibilities bestowed upon it by the Constitution, the primary one being to advise the President on the exercise of the power of mercy.

As the Chairperson of the Advisory Committee, I will lead the process and expect dedication, teamwork and commitment from all Committee members and the secretariat staff. I enjoin every person who has a role in the processes of the exercise of the power of mercy to fully subscribe to the Committee's core values of integrity, transparency, accountability, social justice, professionalism and teamwork.

**Hon. Dorcas A. Odour (Mrs.), SC, EBS**

Honourable Attorney-General & Chairperson  
Power of Mercy Advisory Committee

## PREFACE AND ACKNOWLEDGEMENT



This second Strategic Plan covering the period 2023 – 2027 outlines approaches that the Power of Mercy Advisory Committee will apply in undertaking its mandate as enshrined in Article 133 of the Constitution and the Power of Mercy Act, 2011. The plan is built on the successes, challenges and lessons learned from the previous implementation period as well as the current e and emerging opportunities. Among them being the need for embracing technology by automating processes, establishing reliable funding mechanisms, instituting robust systems and structures to facilitate the exercise of power of mercy and strengthening internal capacity to deliver the institutional mandate.

Development of this Strategic Plan entailed involvement of various stakeholders. Through consultative meetings, strategic issues were identified that informed formulation of commitments and interventions to be pursued in the Strategic Planning period. The Strategic issues informed the development of strategic objectives, strategies, activities and respective budgets that fed into the implementation matrix for the strategic plan.

The Strategic Plan outlines the vision, mission, core values, objectives, strategies and activities that will guide the development of the Committee's Annual Work Plans and programmes for the plan period. The Strategic Plan further expounds the organizational

structure by clarifying the roles of each functional unit in the organization. The Strategic Plan is hinged on the national development agenda as guided by the country's development blueprints including the Kenya Vision 2030, the second Medium Term Plan of 2013 - 2017, Medium Term Expenditure Framework and other government development policies that are aimed at steering growth and development in the country. In this regard, the Committee has underlined the important role played by both the national and county governments at all stages of its activities. These ranges from preparation of home reports of convicts who apply for pardon to the eventual support of resettling those released by the President under the power of mercy.

The Committee envisages continued partnerships with key stakeholders who include but not limited to the Kenya Prison Service, Probation & After Care Service, State Department for Correctional Service, Kenya Police Service, the Judiciary, State Law Office, Kenya Law Reform Commission (KLRC) and the Presidency amongst others who support realization of the Committee's mandate. The Committee's position at the end of the criminal justice system necessitates liaison with those agencies that handle a convict from the time of offence being committed. The Strategic Plan further incorporates necessary measures to ensure effective monitoring and reporting on implementation of this Plan.

Finally, I cannot overstate the debt owed to those who brought in their expertise to bear on the development of our strategy through consultation, offering their insights, experience and ideas. The Committee provided vital direction and oversight in the process. The Chairman was supportive in the compilation of this strategic plan. Without those contributions, we would not have been able to develop a plan, which was directed at the right targets and one that will work in the real world.



**DR. Lydia Muriuki, EBS**

Secretary & Chief Executive Officer  
Power of Mercy Advisory Committee

# EXECUTIVE SUMMARY

The power of mercy in Kenya is a constitutional authority vested in the President under Article 133 of the Kenyan Constitution. This power allows the President to grant pardons, commute sentences or remit fines for convicted individuals. Exercised through the Advisory Committee on the Power of Mercy, it serves as an instrument of restorative justice and rehabilitation.


In order to effectively implement and deliver on this function, POMAC developed a five-year Strategic Plan for the period 2023-2027. This plan is aligned with Article 133 of the Constitution of Kenya, 2010, and underscores POMAC's commitment to equity, inclusivity and sustainable development. Development of this plan was informed by the changes in the policy and legal frameworks in the exercise of power of mercy and the Kenya's national development aspirations as envisaged in the Kenya's Vision 2030, the Fourth Medium Term Plan, the Bottom-Up Economic Transformation Agenda (BETA) as well as global and regional frameworks such as the Sustainable Development Goals (SDGs), the East African Vision 2050 and African Union Agenda 2063.

Serving as a blueprint for exercising the Power of Mercy, the Plan focuses on four key strategic areas namely, Petition processing advisory services, Research and Investigation, Outreach and Stakeholder Engagement and Institutional Capacity Strengthening. Through these focus areas, POMAC envisages advocating for reforms that enhance a fair, efficient,

transparent and timely clemency process; ensuring adherence to national and international legal standards; and supporting self-reliance and sustainable growth through reintegration. The plan reflects POMAC's dedication to promoting equity, reducing social inequalities and fostering peace among the communities. It emphasizes the importance of fostering partnerships and collaboration as well as shared responsibility in achieving its objectives.

A consultative approach was adopted during the strategic planning development process that entailed engaging a wide range of stakeholders cutting across POMAC secretariat, government Ministries, Departments and Agencies (MDAs), civil society organizations, development partners and the general public. These stakeholders provided invaluable insights that shaped the Committee's strategic priorities and commitments.

The plan presents a detail analysis of human and financial resources required to implement this plan. An analysis on human resource captured the skills gap, necessary competencies, ideal governance structure and systems meant to guide POMACs operations. Activities under every strategy were costed and total strategic plan budget requirement estimated at Kshs. 852 Million (Eight hundred and fifty-two million Kenya Shillings) expected to be financed through government budgetary allocation. Further, the plan outlines a comprehensive risk framework with clearly mapped out risks and mitigation mech-



anisms proposed as well as a comprehensive monitoring and evaluation mechanisms to track progress, assess impact and continuously improve its operations.

In addition, the plan highlights innovative approaches and strategies to enhance prudent resource management geared towards achieving excellence in the exercise of the Power of Mercy. Through this Strategic Plan, POMAC reaffirms its commitment to build public trust, strengthen governance, and contribute to a more equitable and prosperous Kenya, ensuring that clemency remains a vital tool for national cohesion, socio-economic transformation and sustainable development.

# 1. CHAPTER ONE: INTRODUCTION

## 1.0 Overview

This chapter captures the rationale for strategy in driving organizational success; the context within which the plan was prepared; historical background of POMAC and the methodology that was adopted in developing the Strategic Plan.

### 1.1. Strategy as an Imperative for Organizational Success

Strategic planning was adopted in the public service in the year 2004 as a Results Based Management tool with an aim of improving efficiency and effectiveness in performance, productivity and service delivery. Thereafter, the strategic planning concept was entrenched in the public service through the Public Service Commission (Performance Management) Regulations, 2021. The regulations oblige all public institutions to be developing five-year Strategic Plans in conformity with the guidelines issued by the Ministry responsible for Planning. Since adoption, Strategic Plans continue to play a central role in informing critical government processes including budgeting under Medium Term Expenditure Framework (MTEF), performance contracting, annual work planning and staff performance appraisal.

In July 2023, the State Department for Planning developed and issued the Revised Guidelines for preparation of the Fifth Generation Strategic Plans 2023-2027. The guidelines provided a framework for not only aligning respective strategic plans with the National development aspirations and priorities but

also entrenching norms and standards in planning, implementation, monitoring and reporting across government Ministries, Departments and Agencies (MDAs).

As an entity, strategic planning process provides POMAC with an opportunity to assess the environment, review previous performance and document challenges and lessons learned that will guide envisioning of the desired future. The process provides a platform for POMAC to align institutional commitments and interventions to the National Development aspirations and priorities by leveraging on emerging opportunities and adjusting to changes in the policy environment for enhanced service delivery.

### 1.2. The Context of Strategic Planning

This Strategic Plan was developed in consideration of constitutional provisions, changes in the policy and regulatory environment governing the exercise of the power of mercy and evolving social-economic landscape. In addition, the process is anchored on Strategic Planning Guidelines issued by the State department for economic planning that guided MDAs on how to mainstream national development aspirations captured in the Bottom-Up Economic Transformation Agenda, Vision 2030 and its Fourth Medium-term Plan (MTP IV), regional and global development plans as well as international and regional treaties and conventions as detailed in the subsequent sections.



### **1.2.1. United Nations 2030 Agenda for Sustainable Development**

Sustainable Development Goals (SDGs) consist of 17 global goals that were adopted by the United Nations General Assembly (UN-GA) in 2015. SDGs' focus is on combating poverty, hunger, disease, illiteracy among others with an end goal of shared peace and prosperity for people and the planet, now and into the future. As a government entity, POMAC will address social inequalities by facilitating reintegration of the pardoned offenders into society, fostering social cohesion and ensuring inclusive and supportive structures and systems for the pardoned offenders. Through this, POMAC will be contributing to the implementation of SDG 10 on Reduced Inequalities and SDG 16 on Peace, Justice, and Strong Institutions.

### **1.2.2. African Union Agenda 2063**

African Union (AU) Agenda 2063 is blueprint and master plan for transforming Africa into a global powerhouse by the year 2063. The agenda aspires to have an integrated continent, politically united and based on the ideals of Pan-Africanism and the vision of Africa's Renaissance. In this plan period, POMAC will promote fairness, human dignity, strengthen institutions and foster trust in governance systems thereby contributing to the aspiration three (3) "An Africa of good governance, democracy, respect for human rights, justice and the rule of law" and aspiration Four (4) "A peaceful and secure Africa". Through this, POMAC will enhance inclusivity and prosperity as envisioned in Agenda 2063.

### **1.2.3. East Africa Community Vision 2050**

The Vision 2050 lays out a broad East Africa's perspective for the region to optimize and utilize existing resources towards narrowing the gap in terms of social wellbeing and productivity. Consistent with the vision's aspirations, POMAC envisages pursuing strategies and interventions geared towards reducing inequalities, fostering social cohesion, enhancing productivity and inclusive citizenry through reintegration of pardoned offenders. In the process, POMAC

will contribute to regional peace, security and shared prosperity as envisioned under the "Good Governance, Defence, Peace and Security" pillar of the EAC Vision 2050.

### **1.2.4. Constitution of Kenya**

Power of Mercy Advisory Committee (POMAC) operates within the confines of the Constitution of Kenya (CoK) 2010. Article 133 of the CoK provides for the power of mercy to be exercised by the President in accordance with the advice of the Power of Mercy Advisory Committee and Article 2(5) that makes general rules of international law part of the law of Kenya.

### **1.2.5. Kenya Vision 2030 Bottom – Up Economic Transformation Agenda and Fourth Medium-Term Plan**

#### **1.2.5.1 Kenya's Vision 2030**

Vision 2030 is the long-term development blueprint, which seeks to transform Kenya into a newly industrializing upper middle-income country providing a high quality of life to all its citizens by 2030. POMAC will contribute to the vision's pillars of political, social and economic development through reducing social inequalities, promoting inclusivity, creating a cohesive society and promoting productivity through reintegration which aligns with the vision's goals on enhancing prosperity among all Kenyans.

#### **1.2.5.2 Bottom – Up Economic Transformation Agenda**

The Bottom-Up Economic Transformation Agenda (BETA) aims at promoting inclusive growth through a value chain approach. POMAC through reintegration of pardoned offenders into society contributes to community development, reduces social and economic disparities, and fosters self-reliance thereby ensuring no one is left behind. This will drive sustainable and inclusive economic transformation as envisaged in the Bottom-Up Economic Transformational Agenda (BETA).

#### 1.2.5.3 Fourth Medium-Term Plan (MTP IV)

The Kenya Vision 2030 and BETA aspirations and commitments are implemented through the Fourth Medium Term Plan (MTP IV) that aims to implement strategic interventions and commitments geared towards driving economic recovery while reducing poverty and income inequality. POMAC will seek to establish robust systems and structures for promoting the exercise the power of mercy thereby promoting Governance and Public Administration Pillar of the Medium-Term Plan IV.

#### 1.2.6. Sector Policies and Laws

There exists an elaborate policy, legal and regulatory framework guiding the exercise of power of mercy in Kenya. Key among them include the Constitution of Kenya, 2010 and The Power of Mercy Act No. 21 of 2011. Other laws include the Prisons Act (Cap 90), Criminal Procedure Code (Cap 75); Penal Code (Cap 63); Mental Health Act (Cap 248), Probation of Offenders Act (Cap 64), Community Service Orders Act, 1998, Kenya Defence Forces Act, 2012; National Police Service Act (No. 11A of 2011); and High Court (Organization and Administration) Act, 2015.

### 1.3. History of Power of Mercy Committee

#### 1.3.1. Origin of Clemency and Pardon of Offenders

Power of mercy also known as prerogative of mercy draws its origins in ancient Babylonia. The kings in Ancient Babylonia would grant a general discharge from both civil and criminal liabilities. This was followed centuries later by the ancient Greeks who granted general amnesties and the Romans who exercised several forms of clemency. In medieval Europe, clemency was granted by local authorities or the church, until the sixteenth century. This was when the prerogative of mercy began to be exercised as the absolute prerogative of the sovereign for three main purposes, given that convicted offenders had no statutory right of appeal against either conviction or sentence. The three include: forgiving crimes committed by children, the mentally ill or in self-de-

fence; providing for alternatives to incarceration such as forced military service or banishment to the colonies; and erasing the legal/societal consequences of a criminal conviction. Currently, power of mercy, also referred to as 'clemency' or 'pardon' as practiced in various jurisdictions, is exercised by the Executive branch of government in the form of a President or Prime Minister or other relevant branches of government.

#### 1.3.2. Origin of Power of Mercy in Kenya

In Kenya, the power to grant mercy to convicted offenders has long been existent and derives from the colonial government. This power was previously implemented pursuant to section 27 of the Constitution 1963, which vested the President with the power to grant reprieves and pardons for offences. Furthermore, sections 28 and 29 of the Constitution 1963 established an Advisory Committee on the Prerogative of Mercy and vested it with the function of advising the President on the exercise of the power of mercy as set out in section 27. The Promulgation of the constitution of Kenya in 2010 ushered in a new era in the exercise of power of mercy. Article 133 of the Constitution of Kenya, 2010 provided for the power of mercy to be exercised by the President in accordance with the advice of the Power of Mercy Advisory Committee. The article grants four reliefs namely a free or conditional pardon to a person convicted of an offence; postponing the carrying out of a punishment, for a specified or indefinite period; substituting a less severe form of punishment; or remitting all or part of a punishment. To operationalize Article 133(2) of the CoK 2010, the government established the Power of Mercy Advisory Committee (POMAC) through enactment of the Power of Mercy Act No. 21 of 2011.

#### 1.3.3. Exercise of Power of Mercy in Kenya

The power of mercy has been exercised from time to time since independence. In 1983, President Moi granted conditional pardon to 597 former air force servicemen and university students who had been charged for plotting to overthrow the government. In

2003, President Kibaki commuted 223 death row offenders to life imprisonment. Further, in 2009, President Kibaki commuted 4,000 death row prisoners to life imprisonment. In 2014 and 2015 President Uhuru Kenyatta released 47 and 48 long-term offenders respectively. In October 2016, President Kenyatta released 101 long-term offenders and 7,000 petty offenders from prison and further commuted the death sentences of all 2,747 prisoners (2,655 men and 92 women) who were on death row to terms of life in

prison. In June 2022, President Uhuru Kenyatta pardoned 3,908 inmates who were serving sentences of six months and below. In 2023, President William Ruto pardoned 37 long term convicts, commuted the death sentence imposed on 662 capital offenders and released 5,061 short term inmates who were serving sentences of six months and below.

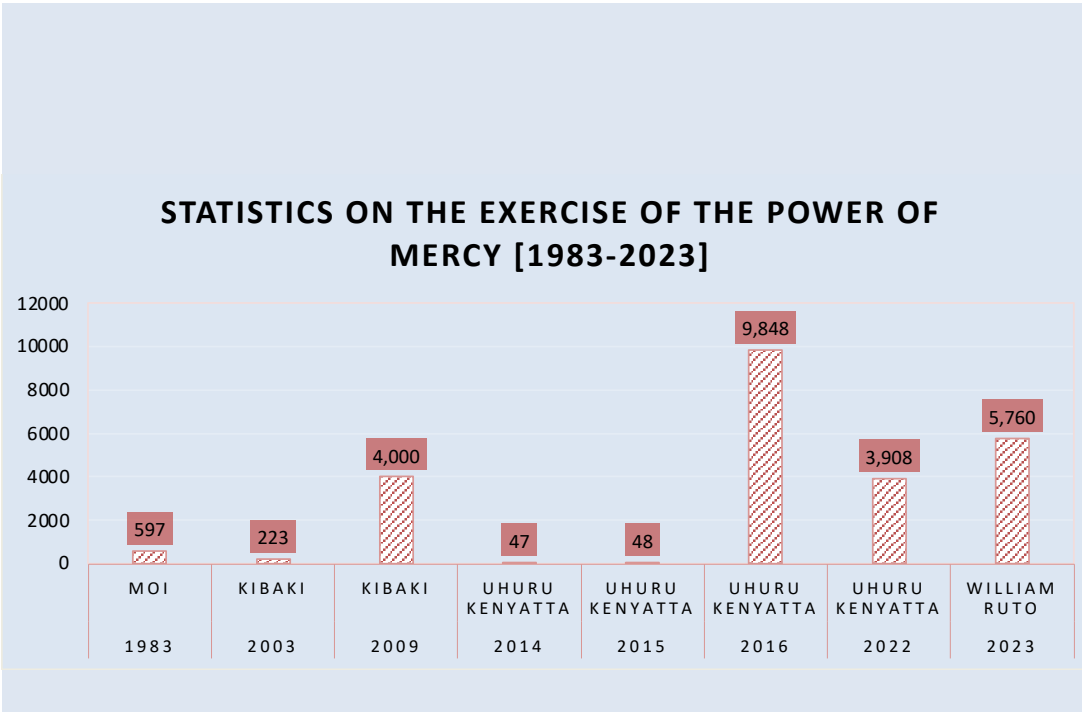


Figure 1.1: Statistics on the Exercise of Power of Mercy Between 1983-2023

#### 1.4. Methodology of Developing the Strategic Plan

A participatory approach was adopted in the development of the POMAC 2023-2027 strategic plan. This entailed a multi-stage process constitution of teams to spearhead the process, undertaking desk review and collection requisite data and information, holding multi-level stakeholder forums with key stakeholders where the strategic direction was de-

vised, drafting of the document done, validation of the draft undertaken, comments incorporated and the subsequent launch and dissemination exercise. Figure 1.2 below provides a pictorial presentation of the stepwise process that was followed in coming up with the strategic plan.

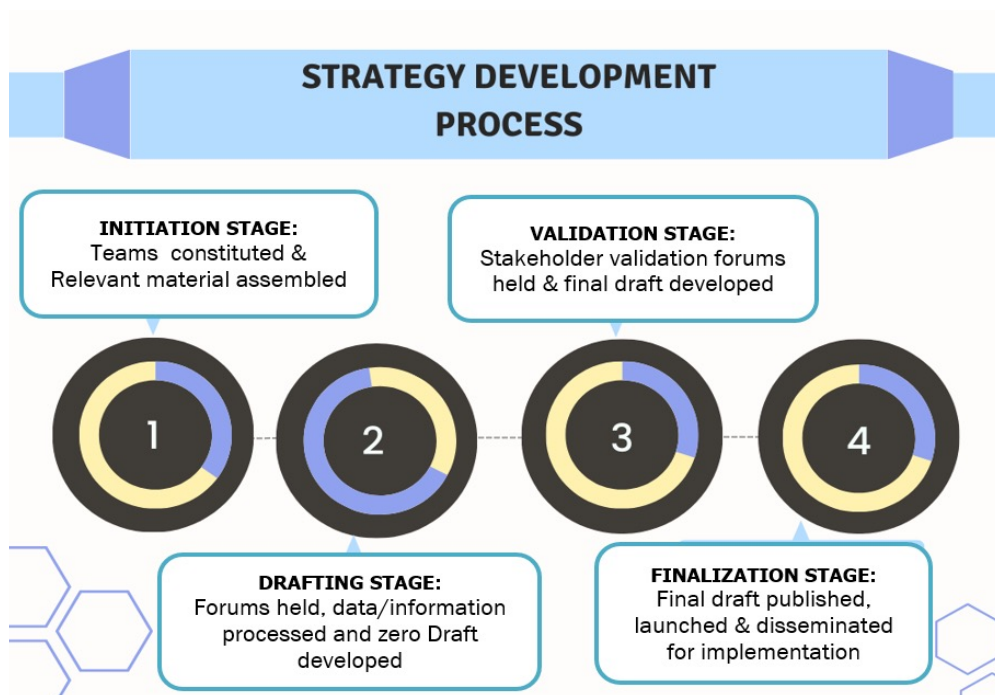


Figure 1.2: The Strategic Planning Process

# 2.

## CHAPTER TWO: STRATEGIC DIRECTION

### 2.0 Overview

This chapter presents the mandate of POMAC, the vision, the mission and the strategic goals, core values and the Quality Policy Statements.

### 2.1. Mandate

The Power of Mercy Advisory Committee (POMAC) is a constitutional committee established pursuant to Article 133 of the Constitution of Kenya 2010, and operationalized by The Power of Mercy Act No. 21 of 2011. Article 133(2) of the Constitution of Kenya provides that the President may exercise a power of mercy in accordance with the advice of the Advisory Committee by:

- a) Granting a free or conditional pardon;
- b) Postponing the carrying out of a punishment, either for a specified or indefinite period;
- c) Substituting a less severe form of punishment; or
- d) Remitting all or part of a punishment.

The committee's core mandate is to advise the President on the exercise of the Power of Mercy. The Act provide for the appointment, tenure of office of the members, powers and functions of the Power of Mercy Advisory Committee and connected purposes. For effective delivery of the mandate, the Advisory Committee is empowered by Section 14 of the Act to:

- a) Undertake or commission research and collect data on matters relating to the

- power of mercy;
- b) Work with State organs responsible for correctional services to educate persons in correctional services on the power of mercy and procedures relating to applications for its exercise;
- c) Carry out any necessary investigations required to make a determination on petition for power of mercy;
- d) Partner with State and non-state actors to educate the public on the nature and implications of power of mercy;
- e) Undertake such other activity as may be necessary for the discharge of its functions and the exercise of its powers; and
- f) Carry out any other functions as may be conferred on it under any other written law.

### 2.2. Vision Statement

Excellence in rendering advice on the Power of Mercy.

### 2.3. Mission Statement

To receive and consider petitions by convicted criminal offenders, research and collaborate with other relevant organs and expeditiously render independent advice to the President on the exercise of Power of Mercy

## 2.4. Strategic Goals

To facilitate exercise power of mercy, POMAC will pursue the following four Strategic Goals:

- a) Enhance petition processing efficiency in exercising the Power of Mercy
- b) Promote evidence-based decision making in the exercise of the Power of Mercy
- c) Enhance stakeholder involvement in the exercise of the Power of Mercy
- d) Strengthen institutional internal capacity for enhanced service delivery

## 2.5. Core Values

The culture around which the Advisory Committee operate is embodied by the following core values:

**Integrity:** The demonstration of impartiality, fairness and honesty while upholding the highest ethical standards.

**Collaboration:** POMAC shall foster mutual respect, and collective responsibility in achieving common objectives. This will be manifested through promoting open communication, trust, and constructive feedback within stakeholders.

**Transparency and Accountability:** POMAC shall Maintaining high standards of openness, candidness and precision clearness as well as taking responsibility for all actions taken

**Equity:** POMAC shall always seek to address systemic injustices, granting clemency to reformed individuals, and ensuring fair access to justice for marginalized and vulnerable populations.

**Professionalism:** Respecting commitment to efficiency and effectiveness demonstrated by continuous improvement through innovation, creativity, high level of knowledge, skills and standards in service delivery

## 2.6. Quality Policy Statement

POMAC is committed to delivering equitable, transparent, and efficient clemency processes that promote, good governance, inclusivity and national development. In conformity with the core values, POMAC strives to align its operations with national values, development goals and global standards through:

1. Advocating for and implementing policy and legal reforms that enhance fairness, accessibility, and efficiency in exercise of the power of mercy;
2. Enforcing compliance and standards in all POMACs operations and the exercise of the Power of Mercy;
3. Promoting equity, fairness, self-Reliance and meaningful societal participation in the exercise of the power of mercy; and
4. Upholding transparency, ethical conduct and accountability in all the committees' operations in the exercise of the power of mercy.

Through this quality policy statement, POMAC reaffirms its dedication to fostering trust in governance, strengthening the rule of law and advancing Kenya's national development objectives.

# 3.

## CHAPTER THREE: SITUATIONAL ANALYSIS AND STAKEHOLDER ANALYSIS

### 3.0 Overview

This chapter present a view of the external and internal environment within which the Committee operates. It further presents a review of POMACs' previous performance and an analysis of stakeholders influencing the Committees operations.

### 3.1. Situational Analysis

#### 3.1.1. External Environment

A detailed analysis of the committee's external environment both the micro and macro perspectives are as presented in the subsequent sections.

Table 3.1: PESTEL Analysis

Factor	Description
Political Changes:	Changes in political leadership comes with re-organization of Government. This also comes with shift in government priorities and refocusing of resources, which considerably influence positively or negatively the operations of the Committee. The current government, under the Fundamental Rights and Administrative of Justice, advocates for the rights of the prisoners including offenders and therefore indicating a political good will in favor of the operations of the Advisory Committee. On the other hand, occurrence of political unrest and agitations may slow down POMAC operations.
Economic Changes:	Low economic growth may lead to failure by government revenue targets occasioning budget cuts. High inflation rates lead to high cost of commodities hence increased operation costs and poverty levels among the communities and livelihoods of the pardoned offenders.
Social Changes:	Social cultural beliefs and practices affect reintegration processes of pardoned offenders. Cases of social stigma, deprivation of property or disinheritance leaves pardoned offenders landless, homeless and depriving the access to basic needs such as clothing in the process making the revert to crime. Technological advancements present an opportunity for leveraging on new technology such as automation of the petition process therefore enhancing service delivery. However, high costs associated with modern technologies hinder the rate of adoption and use of such technologies thereby curtailing full delivery of the institutional mandate. Further, high costs associated with training human resources limits full deployment and use the advanced technology.

Factor	Description
Technological Changes:	Technological advancements present an opportunity for leveraging on new technology such as automation of the petition process therefore enhancing service delivery. However, high costs associated with modern technologies hinder the rate of adoption and use of such technologies thereby curtailing full delivery of the institutional mandate. Further, high costs associated with training human resources limits full deployment and use the advanced technology.
Environmental Factors:	Climate change comes with changing rainfall patterns and increased droughts and floods. This has manifested by loss of livelihoods hence affecting the economic and social wellbeing of the pardoned offenders.
Legal environment:	Sound policy, legal and regulatory environment is critical in supporting institutions implement and deliver on their mandates. The Constitutional of Kenya 2010 ushered in a new dispensation by harmonizing processes in the administration and exercise of the power of mercy. However, delayed review, alignment and harmonization of the attendant policies, laws and regulations continue to create loopholes that affect the performance of the function of the Advisory committee.

### 3.1.1.1. Macro-environment

### 3.1.1.2. Micro-environment

The Advisory Committee budgetary allocation to finance operations is limited. The existing systems, structures, policy and regulatory framework are also inadequate to fully support the process of exercise of the power of mercy. Further, the acceptance rates during re-integration of pardoned offenders are still low and characterised with stigmatization thereby accessioning limited access to opportunities for growth and self-reliance of ex-convicts.

## 3.1.2. Summary of Opportunities and Threats

Table 3.2: Summary of Opportunities and Threats

Factor	Opportunities	Threats
Political	<ul style="list-style-type: none"> <li>Political good will</li> <li>Supporting manifesto focusing on inclusivity</li> </ul>	<ul style="list-style-type: none"> <li>Interference and vested interest in the petition process</li> </ul>
Economical	<ul style="list-style-type: none"> <li>Potential Public-Private Partnerships</li> <li>Collaborating for increased financial support.</li> </ul>	<ul style="list-style-type: none"> <li>Austerity measures and underfunding</li> <li>High inflation &amp; foreign exchange rates</li> </ul>
Social	<ul style="list-style-type: none"> <li>Educated society to supply the required labour</li> <li>Existence of lobby and advocacy groups supporting exercise of the power of mercy</li> </ul>	<ul style="list-style-type: none"> <li>Hostility during petition processing</li> <li>Stigmatization and victimization</li> <li>Custody of patriarch offenders</li> </ul>
Technological	<ul style="list-style-type: none"> <li>Technological advancement for digitization and automation of petition process</li> </ul>	<ul style="list-style-type: none"> <li>Capital intensive ICT infrastructure</li> <li>Cyber-crime and data security</li> </ul>



Factor	Opportunities	Threats
Environmental	<ul style="list-style-type: none"> <li>Existence of stakeholders for partnership</li> <li>Supportive media for enhanced awareness and championing of the rights of ex-offenders</li> <li>Goodwill from the government and Stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>Health risk and possible infections for the convicts</li> <li>Improper management and disposal of convicted criminal's property</li> </ul>
Legal	<ul style="list-style-type: none"> <li>Existence of supportive policies and legislation</li> <li>Ratification of treaties, Protocols and conventions championing exercise of power of mercy</li> </ul>	<ul style="list-style-type: none"> <li>Unharmonized policy and legal framework championing exercise of power of mercy</li> <li>Legal disputes/challenge</li> </ul>

### 3.1.3. Internal Environment

A compressive analysis of the internal environment encompassing governance and administrative structure, internal processes and resource capabilities was undertaken as captured below.

#### 3.1.3.1. Governance and Administrative Structures

The current structure consists of Advisory committee and the Secretariat. The Committee is the bearer of the Constitutional mandate and carrier of the vision. The Secretary to the Committee provides the managerial services and technical support required to ensure optimal performance and efficiency. Uniformed Prison Staff appointed in line with section 17 of the Power of Mercy Act and stationed at correc-

tional facilities across the country and report directly to the Committee. Under the secretariat, there exists four departments namely: Petitions, Administration and finance, research and compliance as well as the education and outreach with clear functions. However, as currently structured, the advisory committee is unable to fully execute mandate since majority of its staff being on seconded from the Executive Office of the President. The committee relies on Pardon Officers under command of the Commissioner General Prisons transferable from one facility to another in preparation of reports. The movement of these officers affects preparation, follow up and determination of petitions for exercise of power mercy.

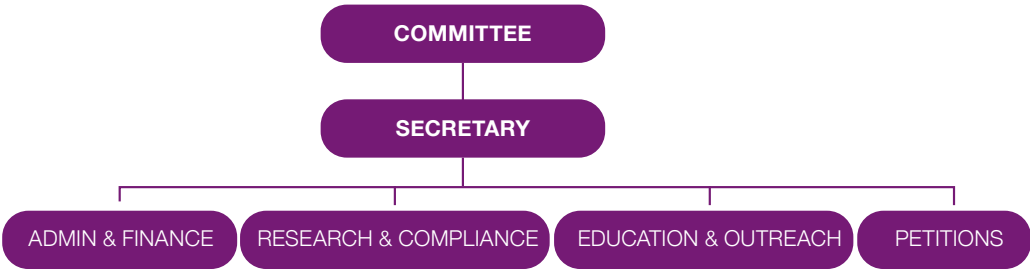


Figure 3.1: Presents POMAC Organization Structure

### 3.1.3.2. Internal Business Processes

Implementation and delivery of POMAC function has been based on established structures and support systems as anchored in the existing policies, laws, regulations, manuals as well as circulars issued from time to time. However, regardless of the structures and systems, the Advisory Committee still faces challenges including lack of elaborate structures and systems to support the welfare of pardoned offenders; lack of a recall clause to revoke pardon for offenders who breach the conditions of their release; systematic issues on dealing with vulnerable; as well as retention of the criminal records of rehabilitated offenders. Further, the levels of automation and adoption of technology in petition processing is still

low affecting smooth delivery of the power of mercy function.

### 3.1.3.3. Resources and Capabilities

POMACs organizational strengths lie in the nature of the function that is directly anchored on the president and therefore committing the top government leadership. In addition, the diverse committee membership is not only capable of championing the required policy and legal reforms but also have an ability to influence processes and outcomes in favor of the committee. However, staffing levels at the secretariat are still low and budgetary allocation limited to fully fund operations.

### 3.1.4. Summary of Strengths and Weaknesses

Factor	Strengths	Weaknesses
Governance and Administrative Structures	<ul style="list-style-type: none"> <li>Expanded and enriched mandate and functions of pardon officers</li> <li>Clarity on mandate and functions of the committee</li> <li>Good will from top leadership</li> </ul>	<ul style="list-style-type: none"> <li>Weak reporting structures of pardon and seconded officers</li> <li>Backlog of petitions due to high number of applicants</li> </ul>
Internal Business Processes	<ul style="list-style-type: none"> <li>Established petition management Committees at prison level</li> <li>Supportive policy, legal and regulatory framework</li> </ul>	<ul style="list-style-type: none"> <li>Slow uptake of technology</li> <li>Inadequate structures and systems for handling petitions</li> </ul>
Resources and Capabilities	<ul style="list-style-type: none"> <li>Stakeholder support funding</li> <li>Skilled staff with vast experience</li> <li>Diverse expertise and skills in the committee membership</li> <li>Influential committee members to drive policy, legal and regulatory reforms</li> </ul>	<ul style="list-style-type: none"> <li>Inadequate funding</li> <li>Lack of financial autonomy</li> <li>Inadequate working tools and equipment</li> </ul>

TABLE 3.3: Summary of strengths and weaknesses

### **3.1.5. Analysis of Past Performance**

An evaluation of the past performance was undertaken based on the level and/or extent of achievement of the objectives in the previous strategic plan. The outcome from the evaluation process capturing the achievements, challenges and lessons learnt are as outlined in the subsequent sections.

#### **3.1.5.1. Key Achievements from the POMAC Strategic Planning 2015-2018**

The 2015-2018 Strategic Plan had five objectives. The achievement under the various objectives is as outlined below.

##### **Strategic Objective 1: *Advise the President on the exercise of the Power of Mercy and ensure that the Committee's recommendations are enriched by the diverse expert advice of the members***

The major achievements under this objective included:

- i. Pardoning of three thousand and thirty-three (3033) petitioners by H.E. the President
- ii. Sensitizing of persons in Sixty-five (65) correctional facilities on the power of mercy and related procedures
- iii. Developing five (5) Annual Reports for each of the consecutive financial year to H.E. the President and the Parliament
- iv. Commissioning of two research to build knowledge base and data on the doctrine of Power of Mercy in collaboration with the National Crime Research Center
- v. Gazetting of a taskforce on Review of the Laws related to the exercise of the power of mercy by Hon. Attorney General on the 25th September 2020. The taskforce, among many other activities, held 48 sensitization forums across 25 Counties.

##### **Strategic Objective 2: *Develop and enhance the human and technological capacity of the***

##### ***Committee for efficient and effective delivery of services in the Exercise of the Power of Mercy***

This objective had four (4) strategies. Major achievements included in the plan period include:

- i. Developing and securing approval of the staff establishment by Public Service Commission
- ii. Acquisition of one vehicle to facilitate transport services across correctional facilities.
- iii. Acquisition of ICT hardware and software to establish a centralised data management centre
- iv. Developed and operationalized the institutional policies, procedures and guidelines

##### **Strategic Objective 3: *Ensure sound financial position of the Committee***

The financial capacity of the Committee was increased in the Plan period from Kshs.29 million to Kshs.61million through normal MTEF process.

##### **Strategic Objective 4: *Create, maintain and enhance strategic partnerships to support implementation of the Committee's mandate***

Under this strategic objective, the committee entered into strong partnership with organizations namely the Kenya Prisons Service, Probation and Aftercare Service, Petitioner, Judiciary, National Crime Research Centre, County Government/ Council of Governors, National Police Service, Office of the Director of Public Prosecutions, Kenya National Commission on Human Rights, National Council for Administration of Justice, Kenya Law Reform Commission, Ministry of Health, Ministry of Defence, Ministry of Foreign Affairs, National Government Administration Office, National Intelligence Service, National Committee on Community Service Orders, Ethics and Anti-Corruption Com-

mission, Victim, Non-State Actors, Media and General Public.

**Strategic Objective 5: *Promote acceptance of the principle of the Power of Mercy and pardoned convicts by the public***

The key achievements by the committee included:

- 1) Sensitization persons in 65 correctional facilities during the period under review.
- 2) Holding 48 Stakeholder engagements forums in the criminal justice sector.
- 3) Developing and distributing Information, Education and Communication materials including brochures and Frequently Asked Questions (FAQs) pamphlets across all correctional facilities.
- 4) Holding 36 post convict monitoring visits in collaboration with Probation and After-care Services and National Government Administration Office.
- 5) Holding 43 forums across counties in collaboration with State and Non-State actors to educate public on the nature and implications of the power of mercy.
- 6) Development of strong partnership with civil society organizations such as Faraja Foundation and Father Groll Foundation to build societal acceptance and understanding.

**3.1.5.2.Challenges**

A number of challenges cutting across financial,

technical, administrative and human related aspects as follows, derailed implementation and delivery on the planned targets.

- Financial: The challenges in financing its operations including: inadequate funding and reliance on exchequer funding, The 2018-2022 Strategic Plan was estimated to cost Kshs. 510 Million. However, during the period under review, POMAC received a budget of Kshs 340 Million from GoK, resulting in a deficit of Ksh. 170 Million, which affected the implementation of the previous plan.
- Human Resource: To effectively deliver on POMAC mandate, adequate human resources and technical expertise are required. During the implementation, human resource related challenges included understaffing and lack of key technical skills.
- Technical Challenges: Technical and operational constraints during the period under review were weaker systems for stakeholders' involvement in project implementation, weak ICT infrastructure and inadequate plant, machinery and equipment.
- Administrative Challenges: Administrative challenges during the period under review included inadequate policy and legislative framework to fully support POMAC operations and weak systems supporting public participation.

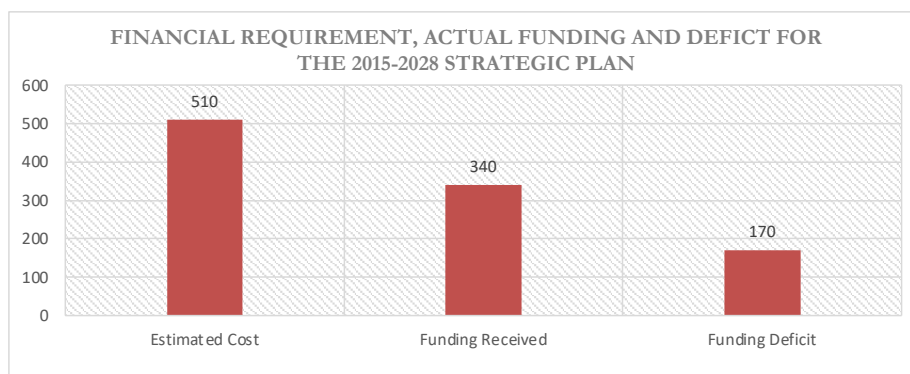


Figure 3.2: 2015-2018 Strategic Plan Funding Requirement, Actual Funding and Deficit

### 3.1.5.3. Lessons Leant

The lessons from the previous implementation period include:

- (a) Operational and Budgetary autonomy is critical in facilitating delivery of the institutional mandate
- (b) Need for policy and legal reforms to facilitate smooth operations of the Advisory committee
- (c) Forging collaborations, partnerships and synergies with stakeholders diversifies resource streams towards financing POMAC operations
- (d) Establishing an integrated petition management information system is critical in enhancing efficiency in tracking of the petition process
- (e) Economic empowerment of the pardoned offenders is critical ingredient in improv-

- ing welfare and settlement of pardoned offenders
- (f) Public participation and citizen engagement facilitate smooth resettlement and reintegration of pardoned ex-convicts, and
- (g) Enhancing human resource capacity for effective and efficient implementation of the Committee mandate

### 3.2. Stakeholder Analysis

Stakeholders play significant roles in facilitating the implementation and delivery of the Committee mandate. The stakeholders, respective areas of collaboration and strategic actions are as highlighted in table 3.

Table 3.4: Stakeholder Analysis

Stakeholder Name	Role	Stakeholder Expectations from POMAC	POMAC Expectations from Stakeholder
Petitioners/ Convicted criminal offenders	Making a petition for exercise of power of mercy	<ul style="list-style-type: none"> <li>Timely processing of the petition</li> <li>Sharing of the information</li> <li>Timely sharing feedback on status of progress of petition processing</li> </ul>	<ul style="list-style-type: none"> <li>Cooperation in petition processing</li> <li>Volunteering information and Feedback</li> </ul>
Kenya Prisons Service	Host of the petitioners and their records	<ul style="list-style-type: none"> <li>Facilitate gazettement of pardoned Officers</li> <li>Petition process management</li> <li>Research and data management</li> <li>Case assessment and reviews</li> <li>Educate/sensitize inmates and prison officers</li> </ul>	<ul style="list-style-type: none"> <li>Availing petitioners for hearings and interviews</li> <li>Sharing of relevant data and information</li> <li>Collaboration and partnership</li> <li>Petitioner's progress report</li> <li>Support capacity building initiatives</li> <li>Appointment of prison officers as pardon officers</li> </ul>
Probation and Aftercare Service	Re-integration and resettlement of ex-convicts	<ul style="list-style-type: none"> <li>Information sharing and data management</li> <li>Capacity building</li> </ul>	<ul style="list-style-type: none"> <li>Collaboration and Partnership in petition process and data collection</li> </ul>

Stakeholder Name	Role	Stakeholder Expectations from POMAC	POMAC Expectations from Stakeholder
Council of Governors	Establishing structures and systems supporting re-integration of ex-convicts	<ul style="list-style-type: none"> <li>Re-integration and resettlement of ex-offenders</li> <li>Sensitization and education on power of mercy</li> </ul>	<ul style="list-style-type: none"> <li>Lobby for implementation of the MOU signed between Kenya Prisons Services and the Council of Governors</li> <li>Collaboration with county leadership in the re-integration and resettlement of ex-offenders</li> <li>Collaboration and partnership in public training and sensitization on administration of power of mercy</li> </ul>
The President	Granting the power of mercy Appoint the members of the POMAC	Report and recommendation on exercise of power of mercy	Exercise of power of mercy
Public Service Commission	Staffing of the Secretariat	<ul style="list-style-type: none"> <li>Requests for staffing</li> <li>Human resource tools and instruments for approval</li> </ul>	<ul style="list-style-type: none"> <li>Approval on Human resource instruments</li> <li>Recruit Secretariat staff</li> </ul>
Ministry of Interior	Maintaining law and order and support the monitoring, resettlement and reintegration of the ex-offenders	<ul style="list-style-type: none"> <li>Data and Information sharing</li> <li>Sensitization and public education</li> </ul>	<ul style="list-style-type: none"> <li>Sharing information on petitioners and padronees</li> <li>Support sensitization and training forums (Public Barazas)</li> </ul>
Office of the Attorney General	Provide legal advice to the Committee	<ul style="list-style-type: none"> <li>Requests for legal opinion and advisories</li> </ul>	<ul style="list-style-type: none"> <li>Collaborate in resolving policies and legal challenges</li> </ul>
Ministry of Health	Management of psychiatric offenders	<ul style="list-style-type: none"> <li>Health records from offenders</li> </ul>	<ul style="list-style-type: none"> <li>Consider progress reports and recommendations on psychiatric offenders</li> </ul>
The Judiciary	Provide all court records	<ul style="list-style-type: none"> <li>Processed petitions</li> <li>Maintenance and provision of judicial records</li> </ul>	<ul style="list-style-type: none"> <li>Provide court records in petition hearings</li> </ul>
Kenya Law Reforms Council	Strengthen the committee's legal framework through partnership	<ul style="list-style-type: none"> <li>Proposals for policy and legal reforms</li> </ul>	<ul style="list-style-type: none"> <li>Review the Power of Mercy Act</li> <li>Review rules of procedure as necessary</li> </ul>

Stakeholder Name	Role	Stakeholder Expectations from POMAC	POMAC Expectations from Stakeholder
Victim Protection Board	Support victim participation in Committee processes.	<ul style="list-style-type: none"> <li>Data and information on petition processing</li> </ul>	Collaboration and partnership in processing petitions
National Assembly	Review annual report from the committee	<ul style="list-style-type: none"> <li>Draft bills on exercise of power of mercy</li> </ul>	Legislation and oversight on exercise of power of mercy
The Public	Resettlement and reintegration of pardoned offenders	<ul style="list-style-type: none"> <li>Awareness on exercise of power of mercy</li> </ul>	<ul style="list-style-type: none"> <li>Participation in policy and legal review process</li> <li>Share information and feedback</li> </ul>
Media	Public education and awareness	<ul style="list-style-type: none"> <li>Timely sharing of accurate information</li> </ul>	<ul style="list-style-type: none"> <li>Publicity</li> <li>Branding of the institution</li> </ul>
Development Partners/ Private Sector/ NGOs Faith based organizations	Technical assistance and resource mobilization  Spiritual and psycho-social support	<ul style="list-style-type: none"> <li>Proposals on financial support</li> </ul>	<ul style="list-style-type: none"> <li>Partnership, technical support and financing</li> <li>Collaboration to support pardoned offenders</li> </ul>
National Police Service and Office of the Director of Public Prosecutions	DCI provide criminal records of offenders	Collaboration in petition processing	Seal criminal records of pardoned offenders
National Intelligence Service	Vet petitioners considered for mercy	equest for information on petitions	Collaboration in petition processing through research
National Council on the Administration of Justice	Support access to justice by the petitioners	Data and information on petitioners	Collaboration and partnership Openness and transparency in administration of justice
Witness Protection Agency	Provide the Committee with advice on petitioners for mercy	Request for information on petitions	Advisory on emerging issues in petition processing

Stakeholder Name	Role	Stakeholder Expectations from POMAC	POMAC Expectations from Stakeholder
Office of the Auditor General	Audit the financial statements of the Committee	Financial statements	Clearance of the financial statements and recommendations on way forward
Kenya National Commission on Human Rights	Review the Committee's and stakeholder practices	request for information on petitions	<ul style="list-style-type: none"> <li>• Collaboration and partnership</li> <li>• Openness and transparency in administration of justice</li> </ul>
National Crime Research Centre	Conduct research related to the power of mercy through partnership with the committee	Request for information on petitions	<ul style="list-style-type: none"> <li>• Support research and petition processing</li> </ul>
National Community Service Orders Committee	Processing of offenders whose sentences may be commuted to community service through partnership with the committee	Request for information on petitions	<ul style="list-style-type: none"> <li>• Collaboration and partnership</li> <li>• Openness and transparency in administration of justice</li> </ul>



# 4.

## CHAPTER FOUR: STRATEGIC ISSUES, GOALS AND KEY RESULT AREAS

### 4.0 Overview

This chapter outlines the strategic issues, strategic goals as well as the key result areas that will guide implementation and delivery of the function of exercising the power of mercy in Kenya.

### 4.1. Strategic Issues

Consistent with the constitution, POMAC conducted a situation analysis and identified four (4) strategic issues to guide interventions in this planning period. The strategic issues, as captured in the subsequent sections, encompass long-term policy choices that need to be addressed in the plan period.

#### 4.1.1. Petition Processing and advisory services

Article 133 of the Constitution of Kenya, 2010 establishes the Power of Mercy Advisory Committee whose primary mandate is to advise His Excellency the President on the exercise of the power of mercy. Article 133(1) of the Constitution of Kenya provides that on petition of any person, the President may exercise a power of mercy in accordance with the advice of the Advisory Committee by: Granting a free or conditional pardon to a person convicted of an offence; Postponing the carrying out of a punishment either for a specified or indefinite period; Substituting a less severe form of punishment; or remitting all or part of a punishment.

#### 4.1.1.1. Petition Processing

Delivery on this mandate calls for robust and supportive systems and structures. However, currently POMAC has inadequate supportive systems and structures to support the same. These cut across inadequate supporting systems and structures to facilitate exercise of the power of mercy; fragmented petition process; unharmonized internal processes in petition processing affecting full delivery of the to effectively carry out the institutional mandate. Based on these, POMAC will implement strategies geared towards harmonising the petition process and exercise of the power of mercy. Among the interventions will include establishment of regional officers for administration purposes in the former eight provinces in the short term and county offices in the long run as well as development of tools

#### 4.1.1.2. Advisory Service

Exercise of power of mercy is facilitated advisory services provided by the Power of Mercy Advisory committee. This is through preparation of an and submitting to H.E. the President an Annual Reports with details and recommendations on the outcome of the processed petitions from convicted criminal offenders. This is achieved through a thorough process entailing [you can outline the process of coming up with the report]. Delivery of this calls for establishment of support systems to facilitate the process. In this plan period, POMAC envisages establishing multi-agency committees in the regions that will be responsible in supporting the petition process and effective resettlement and re-integration of the pardoned offenders

back to the communities. This will also be coupled up with the establishment of a cement of criminal record unit to facilitate and complete the pardon process as envisaged in the POMAC policy.

#### **4.1.2. Research and Investigation**

##### **4.1.2.1. Research and knowledge management**

POMAC has a mandate of undertaking or commissioning research and collecting data on matters relating to the power of mercy. Research plays an essential role in the exercise of the power of mercy by providing a comprehensive, evidence-based foundation for making decisions, building knowledge base and data and adoption of relevant global best practices on the doctrine of Power of Mercy. To achieve this, POMAC shall continuously identify topical and thematic issues, undertake research and utilize the findings in decision making to improve the process and service delivery.

##### **4.1.2.2. Investigation and information verification**

POMAC is mandated to carry out any necessary investigations required to make a determination on applications for exercise of the power of mercy. Investigations are central in providing detailed and verified information to support well-grounded decisions on granting or denying pardon. This may cut across verification of case details, behavioural assessment and risk assessments before decision making, impact on victims and community, health and psychological evaluation, consistency and precedent and legal and ethical compliance. In this plan period, POMAC will prioritize and enhance internal capacity for undertaking investigations for making fair, informed and transparent decisions regarding pardons and commutations.

##### **4.1.3. Education, Capacity Building and Stakeholder Engagement**

Stakeholder play a critical role in supporting the rehabilitation and re-integration of the ex-convicts back to the society. Therefore, stakeholder engagement

is very central in facilitating exercise of the power of mercy. Through education and capacity building programs, stakeholders' capacity is enhanced towards supporting the process of exercise of power of mercy. However, the scope and effectiveness in undertaking of the stakeholder engagement and education and capacity building programs is hindered by POMACs' limited funding and low staffing levels. It is against this that the committee will endeavour to establish mechanisms fostering education and capacity building] leveraging on partnerships and collaborations with strategic stakeholders.

##### **4.1.4. Institutional Capacity Strengthening**

The capacity to deliver on the institutional mandate depends on a supportive policy and legal framework; sound governance systems enhancing transparency and accountability; adequate human capital with necessary skills and experience; systems and structures supporting automation and digitization of processes; conducive work environment with requisite working tools and equipment; independent systems for accessing funds and resource mobilization as well as supportive planning, monitoring and reporting systems.

Despite these requirements, there still exists grey areas and loopholes in the existing laws. Various laws are yet to be reviewed to comply with provisions of Article 133 of the Constitution creating jurisdictional overlaps of respective mandates and contradictions that have affected the implementation of the Committee's mandate. Further, POMAC experiences operational shortcomings arising from the inadequate organisation structure and fragmented petition process affecting smooth flow of the processes especially on staffing at the prison levels. The levels of automation and digitization of processes and staffing levels are still low with limited opportunities for expansion therefore calling for review of the human resource tools and instruments.

To address these loopholes, POMAC envisages spearheading review and harmonizing the existing laws and regulation with an end goal of providing an enabling environment for exercise of power of mer-

cy. In addition, the advisory committee will promote good governance, transparency and accountability in the exercise of power of mercy. Other interventions to be pursued in the plan period will include establishing supportive structures for planning, monitoring and reporting; investing in systems and structures supporting automation and digitalization; strengthening human resource function through training and skills development; hiring and deployment of staff; availing requisite working tools and equipment as well as pursuing resource mobilization strategies for funding POMAC programs.

#### 4.2. Strategic Goals

Based on the policy choices informing the four strategic issues, POMAC developed strategic goals defining the desired outcomes meant to addressing the strategic issues identified. They include:

- a) Enhance petition processing efficiency in exercising the Power of Mercy
- b) Promote evidence-based decision making in the exercise of the Power of Mercy
- c) Enhance stakeholder involvement in the exercise of the Power of Mercy
- d) Strengthen institutional internal capacity for enhanced service delivery

#### 4.3. Key Result Areas

The Key Result Areas (KRAs) comprise the corresponding broader thematic issues informing interventions that will be pursued to achieve the desired outcomes. Consistent with the four (4) strategic goals, ten (10) KRAs were identified to guide investments as captured in table 4.1 below.

Table 4.1: Strategic issues, goals and key result areas

Strategic Issue (S.I)	Strategic Goal (S.G)	Key Result Area (KRA)
S.I.1: Petition processing and advisory services	S.G.1: Enhance petition processing efficiency in exercising the Power of Mercy	KRA1.1: Petition processing and administration
		KRA1.2: Petition support systems and structures
S.I.2: Research and Investigation	S.G.2: Promote evidence-based decision making in the exercise of the Power of Mercy	KRA2.1: Research and knowledge building
		KRA2.2: Investigation and information verification
S.I.3: Outreach and Stakeholder Engagement	S.G.3: Enhance stakeholder involvement in the exercise of the Power of Mercy	KRA3.1: Community Outreach program
		KRA3.2: Stakeholder engagement and partnerships
S.I.4: Institutional Capacity Strengthening	S.G.4: Strengthen institutional internal capacity for enhanced service delivery	KRA4.1: Policy, legal and regulatory reforms
		KRA4.2: Governance structures and support systems
		KRA4.3: Human resource performance and capacity development
		KRA4.4: Institutional capacity strengthening and service delivery

# 5. CHAPTER FIVE: STRATEGIC OBJECTIVES AND STRATEGIES

## 5.0 Overview

This chapter outlines the strategic objectives and strategic choices reflecting POMACs development aspirations in the planning period.

## 5.1. Strategic Objectives

Based on the identified strategic issues, goals and key result areas, POMAC developed the strategic objectives, outcomes, respective outcome indicators and projected targets as presented in table 5.1.

TABLE 5.1: Outcome annual projections

Strategic Objective	Outcome	Outcome Indicator	Projections				
			2023/24	2024/25	2025/26	2026/27	2027/28
KRA1.1: Petition processing and administration							
S.O.1.1: To facilitate petition processing in administration and exercise of power of mercy	Increased number of pardon advisories presented to the president	Proportion of petition processed	100	100	100	100	100
KRA1.2: Petition support systems and structures							
S.O.1.2: To develop support systems and structures for processing of petitions	Enhanced efficiency in petition processing	% level of automation	70	80	90	100	100

Strategic Objective	Outcome	Outcome Indicator	Projections				
			2023/24	2024/25	2025/26	2026/27	2027/28
KRA2.1: Research and knowledge building							
S.O.2.1: To facilitate decision making through research and knowledge management	Data-driven; evidence-based decisions making process	% reliance on evidence for decision making	100	100	100	100	100
KRA2.2: Investigation and information verification							
S.O.2.2: To enhance accuracy in petition processing	Enhance reliability on petition process	% level of petitions investigated and advisory issued	100	100	100	100	100
KRA3.1: Community Outreach Programs							
S.O.3.1: To enhance awareness on matters related to the exercise of power of mercy and its implications	Increased levels of awareness on exercise of the power of mercy among stakeholders	% level of coverage of prisons and key stakeholders involved in the exercise of power of mercy	100	100	100	100	100
KRA3.2: Stakeholder engagement and partnerships							
S.O.3.2: To enhance stakeholder involvement in the exercise of power of mercy	Enhanced stakeholder involvement in the exercise of power of mercy	% level satisfaction level	70	75	80	85	90
KRA4.1: Policy, legal and regulatory reforms							
S.O.4.1: To provide a conducive environment for the exercise of the power of mercy	Harmonized operations in the exercise of the power of mercy	% level of petitions processed to completion and successful re-integration	100	100	100	100	100
KRA4.2: Governance structures and support system							
S.O.4.2: To promote good governance, compliance and accountability	Enhanced compliance to legal and statutory obligations	% reduction of complaints received	100	100	100	100	100

Strategic Objective	Outcome	Outcome Indicator	Projections				
			2023/24	2024/25	2025/26	2026/27	2027/28
KRA4.3: Human resource performance and capacity development							
S.O.4.3: To develop human resource capacity for enhanced delivery of the institutional mandate	Enhanced human capacity for service delivery	% staffing levels	5	15	30	70	100
		% completion, adoption and implementation of HR instruments	50	75	85	90	100
		Employee satisfaction index	20	30	70	90	95
KRA 4.4: Institutional capacity strengthening and service delivery							
S.O.4.4: To strengthen institutional capacity for enhanced service delivery	Enhanced customer satisfaction	% level of funding	100	100	100	100	100
		% level of automation	80	85	86	90	95

## 5.2. Strategic Choices

POMAC undertook a comprehensive assessment and evaluation of feasible alternatives courses of actions and formulated strategies to be implemented towards delivering on the strategic objectives. Table 5.2 presents the strategic choices developed to drive achievement of the set objectives.

Table 5.2: Strategic objectives and strategies

Key Result Area	Strategic Objective	Strategies
<b>KRA1.1:</b> Administration and petition processing	<b>S.O.1.1:</b> To facilitate petition processing in exercise power of mercy	<b>S.1.1.1:</b> Facilitate Petition processing
		<b>S.1.1.2:</b> Enforce data protection requirements
<b>KRA1.2:</b> Petition process support systems and structures	<b>S.O.1.2:</b> To develop structures and systems supporting petition processing	<b>S.1.2.1:</b> Develop support structures and systems for petition processing
<b>KRA2.1:</b> Research and knowledge building	<b>S.O.2.1:</b> To facilitate decision making through research and knowledge management	<b>S.2.1.1:</b> Invest in research and data management
		<b>S.2.1.2:</b> Monitoring and report on program implementation
<b>KRA2.2:</b> Investigation information verification	<b>S.O.2.2:</b> To enhance transparency and accountability in petition determination	<b>S.2.2.1:</b> Undertake investigations on petitions received

Key Result Area	Strategic Objective	Strategies
<b>KRA3.1:</b> Community Outreach Programs	<b>S.O.3.1:</b> To support resettlement of pardoned offenders to the society	<b>S.3.1.1:</b> Implement community outreach programs
<b>KRA3.2:</b> Stakeholder engagement and partnerships	<b>S.O.3.2:</b> To enhance stakeholder involvement exercise of power of mercy	<b>S.3.1.2:</b> Develop strategic partnership and collaborations with stakeholders
<b>KRA4.1:</b> Review of policy, legal and regulations framework	<b>S.O.4.1:</b> To provide a conducive environment for the exercise of the power of mercy	<b>S.4.1.1:</b> Review POMAC policy, legal and regulatory frameworks
<b>KRA4.2:</b> Governance structures and support systems	<b>S.O.4.2:</b> To promote good governance, compliance and accountability	<b>S.4.2.1:</b> Establish supportive governance systems and structures
		<b>S.4.2.2:</b> Enforce compliance to statutory requirements
<b>KRA4.3:</b> Human resource performance capacity development	<b>S.O.4.3:</b> To develop human resource capacity for enhanced delivery of the institutions mandate	<b>S.4.3.1:</b> Strengthen Human resource function
		<b>S.4.3.2:</b> Improve work environment and staff welfare
<b>KRA4.4:</b> Institutional capacity strengthening and service delivery	<b>S.O.4.4:</b> To strengthen institutional capacity for enhanced service delivery	<b>S.4.4.1:</b> Strengthen ICT function for Automation and digitization
		<b>S.4.4.2:</b> Improve communication, visibility and branding
		<b>S.4.4.3:</b> Improve financial capacity and operation autonomy

# 6.

## CHAPTER SIX: IMPLEMENTATION AND COORDINATION FRAMEWORK

### 6.0 Overview

This Chapter presents the implementation, coordination and risk frameworks to guide the operations of the Advisory Committee in delivery on the planned targets.

### 6.1. Implementation Plan

The implementation plan contains the action plan, its linkage with annual work planning and performance contracting processes.

#### 6.1.1. Action Plan

The Action Plan, as captured in annex 1, outlines the strategic issues and goals; the key result areas; strategic objectives and outcomes; respective strategies, activities and expected outputs; the annual targets, budgets for five years and the respective implementing directorates and departments.

#### 6.1.2. Annual Workplan and Budget

At the commencement of every year, the Advisory committee is obligated to develop an Annual Work Plans to guide operations for the year. This strategic plan therefore forms a basis for development the Institutional and Departmental workplans by providing the annual targets and respective budgets for implementation and delivery of the planned activities.

#### 6.1.3. Performance Contracting

Performance Contracts in public sector are tools for driving accountability and ensure efficiency in service delivery. Development of performance contracts will form a platform for cascading implementation of this Strategic Plan by making commitments and cascading their implementation to all levels of the Institution and employees through the staff appraisal systems.

### 6.2. Coordination Framework

The coordination framework covers POMAC's current institutional framework, and proposed staff establishment, skills set and competence development requirements; ideal institutional leadership, systems and Procedures required to drive the implementation and delivery of the planned targets.

#### 6.2.1. Institutional Framework

The Advisory Committee reviewed and secured an approval of a new organization structure. Unlike the previous, the current structure is progressive and reflects the institutions' growth requirement in terms of matching the policy and legal changes, best governance practices, emerging trends and organization needs. Full implementation of the structure will guarantee effectiveness in delivering of this strategic Plan commitments.



7.2.1.1. Organization structure

Organisation structure for the Power of Mercy Advisory committee secretariat is captured in figure 1 below

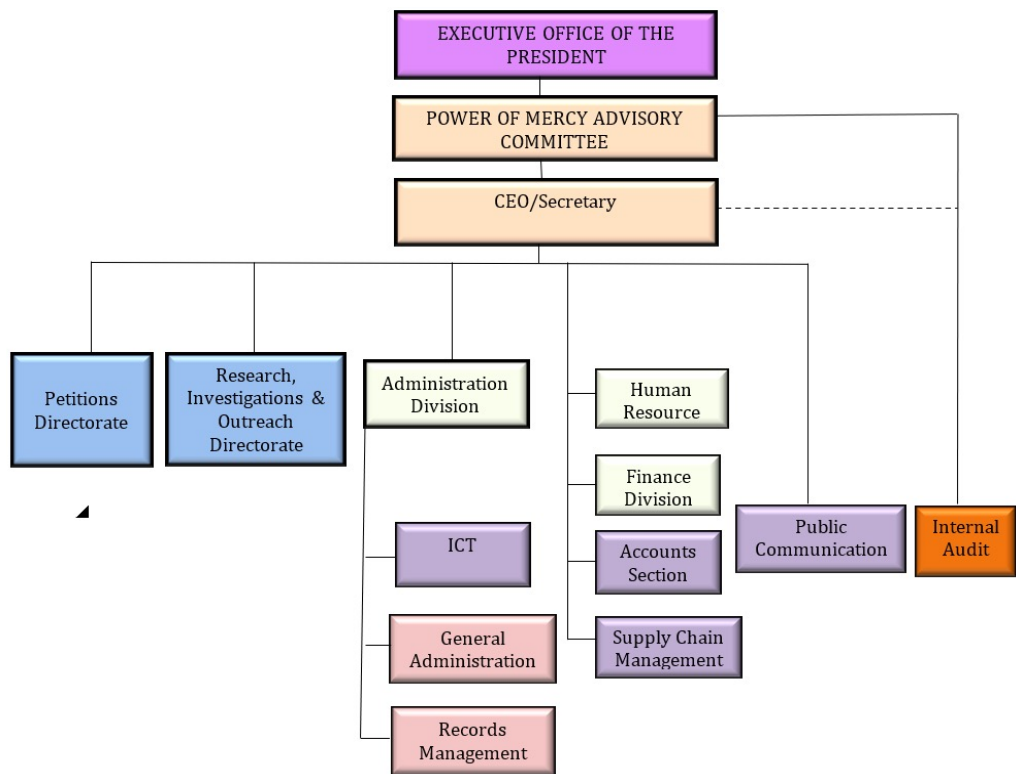


Figure 6.1: Organization Structure

7.2.1.2. Policies, Rules and Regulations

Consistent with its establishment, POMAC shall continue operating within the confines of the provisions of Constitution of Kenya 2010. In addition, the committee shall pursue finalization of the pending POMAC bill and approval of the policy framework to facilitate and harmonize operations. The committee will further develop and implement internal policies, procedures, manuals and guidelines to enhance harmony in delivery of services.

6.2.2. Staff Establishment, Skills Set and Competence Development

The current authorized staff establishment for POM-AC is Eighty-one (81), with only Fourteen (14) positions filled across the various functional areas. This leaves a shortfall of Sixty-Seven (67) staff members. The current staffing levels are as outlined in Table 6.2.

Table 6.2: Current Staff Establishment

Cadre	Approved Establishment	Optimal Staffing Level	In-post	Variance
	A	B	C	B-C
Top management	2	2	1	1
Middle management	35	35	5	30
Operational officers/technical	38	38	3	35
Support staff	6	6	5	1
Total	81	81	14	67

Key: Top Management: Levels 3-5; Middle level: Levels 6-8; Operational: levels 9-11; Support staff: levels 12-15

Figure 6.2 presents graphic presentation of POMAC approved staffing levels

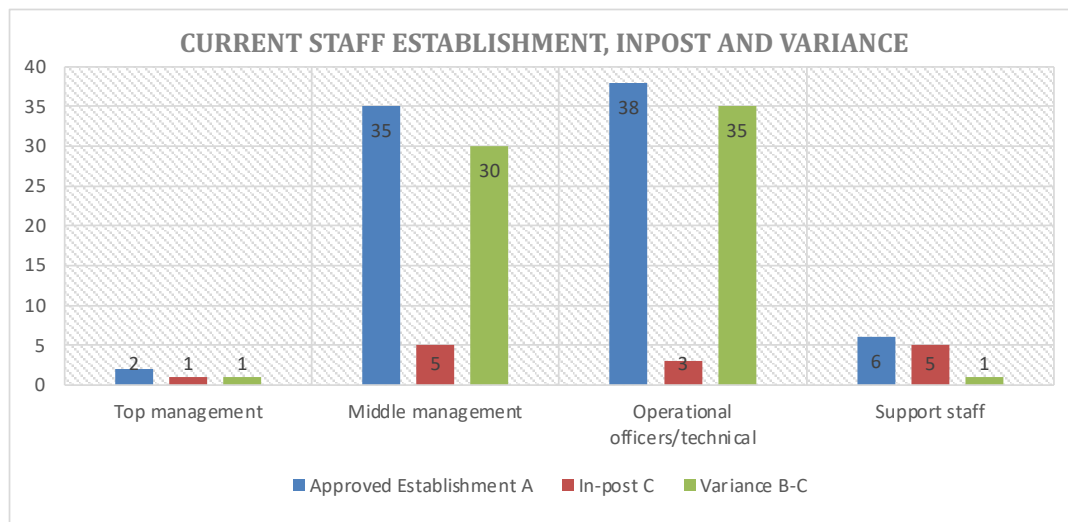


Figure 6.2 POMAC's Staffing Levels

Table 6.3: Skills Set and Competence Development

Cadre	Skills Set	Skills Gap	Competence Development
Top Management	Policy development; Performance management; Strategic Leadership & planning; Decision making; Conflict Management; Risk Management	Strategic leadership skills; Managerial skills; Communication skills; Relationship Building and Negotiations Skills	Undertake Skills Gap analysis, Training Needs Assessment, Annual training projection.  Undertake actual training and capacity building program for the Advisory Committee Staff.
Middle Management	Planning, Project Planning and Management; ICT Skills; Creativity and Innovation; Risk Management; Development Performance Management; Communication skills	Managerial skills Monitoring and Evaluation skills; Financial Management skills; Report writing skills; Public Relations skills; Communication skills	In addition, coaching and mentorship programs will also be undertaken in relevant technical areas.
Operational Officers	Supervisory skills; Planning, Organizing and Delivery of Work; Technical skills; ICT Skills; Creativity and Innovation, Teamwork and Interpersonal Relations; Performance Management	Managerial Skills; Technical skills Supervisory skills Communication and Report Writing; ICT skills; Records management skills; Analytical skills; Interpersonal skills; Customer care skills	
Support Staff	Customer care; Catering skills; Communication skills	Communication skills; ICT skills; Customer care skills;	

### 6.2.3. Leadership

Strategic theme teams formed to drive the implementation of this Strategic Plan based on the skills required are as outlined in Table 6.4.

Table 6.4: Key Result Areas and Strategic Theme Leaders

S/No	Strategic Issue (S.I)	Key Result Area (KRA)	Strategic Theme Team(s)	
			Lead	Support
1.	Petition processing and advisory services	Petition processing	CEO	Petitions directorate, Finance, Public Communication, ICT, HRM, Records Management
		Petition process support systems and structures		
2.	Research and Investigation	Research and knowledge building	CEO	Research, Investigation and Outreach Directorate, Finance, Public Communication, ICT, HRM, Records Management, Accounts Division
		Investigation and clemency		
3.	Outreach and Stakeholder Engagement	Community Outreach program	CEO	Administration Division, Finance, Public Communication, ICT, HRM, Records Management, Accounts Division
		Stakeholder engagement and partnerships		
4.	Institutional and Capacity Strengthening	Policy, legal and regulations reforms	CEO	Administration Division, Finance, Public Communication, ICT, HRM, Records Management, Accounts Division
		Governance structures and support systems		
		Human resource capacity development		
		Institutional capacity strengthening and service delivery		

### 6.2.4. Systems and Procedures

Implementation of POMAC's mandate requires robust internal systems processes and standard operating procedures to drive the implementation and delivery of this plan. The plan prioritizes digitalization and automation of processes through acquisition and operationalization of the ePOMPIS, interactive website and social media communication platforms, and end-user computing devices. Further, the committee will develop and implement Business Continuity Plan and Disaster Recovery Plan as well as implement Quality Management Systems (QMS) to enhance service delivery.

### 6.3. Risk Management Framework

Risk Management will involve a set of coordinated activities towards controlling risk that may jeopardise realising POMACs aspiration as captured in this Strategic Plan. This will involve taking actions to reduce the likelihood and impact of the risk thereof. Table 6.5 highlights the possible risks that POMAC is likely to encounter, likelihood of their occurrence, impact and mitigation measures.

Table 6:5: Risk Management Framework

Risk Category	Risk Description	Likelihood (H/M/L)	Impact (H/M/L)	Overall Risk Level	Mitigation Measures
Strategic Risk	Un-harmonised legal framework	Medium	High	High	Review of relevant statutes Upscale sensitization and awareness Creation of stakeholders and the public on the Power of Mercy
Technological Risks	Inadequate ICT infrastructure  Computerization of government systems	Low	Medium	Medium	Develop ICT infrastructure Keep abreast with technological advancements
Financial Risk	Inadequate funding	High	High	High	Lobby for enhancement of the Committee's budgetary allocation and prompt release Source for funds from development partners Enhance planning and scheduling of Committee activities
Organizational Risks	Non-operationalization of the Committee's organizational Structure Inadequate office space Inadequate staffing Inadequate technical skills	Medium	Medium	Medium	Engage relevant government agencies to operationalize the organizational structure Identify and acquire adequate and conducive office space Undertake Training Needs Assessment and organize training programs

# 7.

## CHAPTER SEVEN: MOBILIZATION STRATEGIES

### 7.0 Overview

This chapter highlights the financial resource requirements, gaps and strategies to mobilize and manage resources in the plan period.

### 7.1. Financial Requirements

The total resource requirement for implementation of this plan is Kshs. 851.87 Million covering both the recurrent and development expenditures from GoK allocation. The annual budgetary requirements per the Strategic issue and Key result areas are as captured in table 7.1

Table 7.1: Financial Resource Requirement

Key Result Area (KRA)	Budget(KS.Mn)					Total
	2023/24	2024/25	2025/26	2026/27	2027/28	
<b>KRA1.1:</b> Petition processing and administration	7	7	7	7	7	35.00
<b>KRA1.2:</b> Petition process support systems and structures	13.5	14.5	13	10.5	10.5	62.00
<b>KRA2.1:</b> Research and knowledge building	9	10	9	9	9	46.00
<b>KRA2.2:</b> Investigation and information verification	1	2.5	3	3.5	4	14.00
<b>KRA3.1:</b> Community Outreach program	9	9.5	12.5	14	17	62.00
<b>KRA3.2:</b> Stakeholder engagement and partnerships	4	4.5	5.5	6.5	7.5	28.00
<b>KRA4.1:</b> Policy, legal and regulatory reforms	4	8	10	2	3	27.00
<b>KRA4.2:</b> Governance structures and support systems	4.7	9.25	8	8.75	8.9	39.60
<b>KRA4.3:</b> Human resource capacity development	9	19.2	50	56	43.5	177.70
<b>KRA4.4:</b> Institutional capacity strengthening and service delivery	8.5	16	19	15	14	72.50
<b>Total Budget KRAs 1–4</b>	<b>69.70</b>	<b>100.45</b>	<b>137.00</b>	<b>132.25</b>	<b>124.40</b>	<b>563.8</b>
Recurrent budget	46.4	73.87	58.3	51.2	58.3	288.07
<b>TOTAL BUDGET</b>	<b>116.1</b>	<b>174.32</b>	<b>195.3</b>	<b>183.45</b>	<b>182.7</b>	<b>851.87</b>

The projected GOK budget allocation for the plan period is Kshs. 288.07 Million. This is against the costed strategic plan budget requirement of KSh. 851.87 Million occasioning a budget deficit of Kshs. 563.8 Million. The table 7.2 below gives a breakdown of the strategic plan annual resource allocation, resource requirement and the financing gap.

Table 7.2: Resource Gaps

Financial Year	Estimated Financial Requirement (Ksh. Mn)	Estimated Allocations (Ksh. Mn)	Variance (Ksh. Mn)
2023/24	116.1	46.4	69.7
2024/25	174.32	73.87	100.45
2025/ 26	95.3	58.3	137
2026/27	183.45	51.2	132.25
2027/28	182.7	58.3	124.4
Total	851.87	288.07	563.8

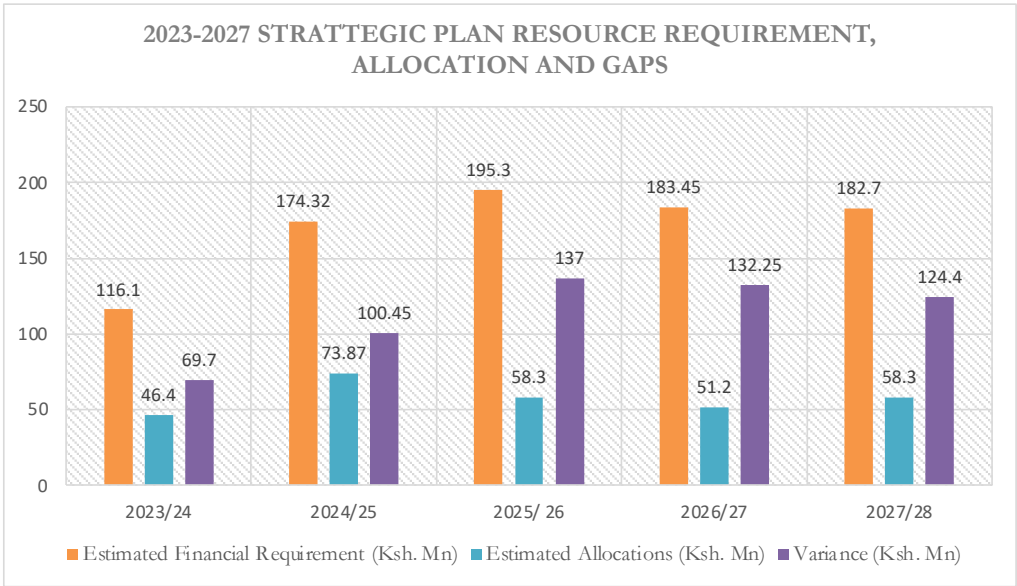


Figure 7.1: 2023-2027 Resource Requirements and Funding Gap

### 7.2. Resource Mobilization Strategies

To cover the financing gap, the Advisory Committee will lobby for increased funding through the normal MTEF budget process. In addition, POMAC shall seek partnerships and collaborations with government agencies, development partners, private sector and the community with an objective of diversifying the sources of funding.

### 7.3. Resource Management

The Advisory Committee envisages instituting mechanisms meant to optimize utilization of existing resources including regular maintenance of movable and immovable assets, embracing paperless communication, embracing technology and automation processes as well as continued use of fuel cards.

# 8.

## CHAPTER EIGHT: MONITORING, EVALUATION AND REPORTING FRAMEWORK

### 8.0 Overview

This chapter presents the monitoring, evaluation and reporting framework of the Strategic Plan.

### 8.1 Monitoring Framework

Monitoring implementation of the Strategic Plan calls for instituting systematic and robust structures and systems for tracking activities and reporting on the progress. This will entail continuous collection and analysis of data and information based on the output/outcome indicators, and targets to ensure the envisaged outcomes are achieved. The process shall be informed by the implementation plan in captured in annex I which outlines clear outcomes, outputs, output indicators and targets for the next five-year. The results will be used administratively to make corrective actions, improve implementation of activities, and inform necessary and subsequent interventions for the organization.

To ensure effectiveness and success in implementation, tracking and reporting, POMAC shall establish sub-committees both at the Management and at the Advisory Committee levels. The sub-committees shall be preparing periodic progress reports to the Advisory committee outlining achievements, challenges and corrective actions for consideration. The committee shall be developing Annual Work Plans outlining annual targets, linking resources to outputs and cascading the strategic plan commitments to Performance Contracts and performance

appraisal for employees to measure their performance.

### 8.2 Performance Standards

The Established committee with support from the Strategic theme teams, as outlined in Table 6.4, will support data collection and analysis in conformity with established national monitoring, evaluation and reporting standards. Data collection and reporting templates as provided in tables 8.2 and 8.3 shall be applied during quarterly and annual reporting. Elaborate systems and structures for data management shall be established and strategic teams trained to effectively undertake the function. Authenticity and accuracy of data and reports developed shall be ensured through peer review forums with relevant stakeholders. Further, stakeholders shall also be engaged in the monitoring and evaluation process to ensure participation and enhance ownership.

### 8.3 Evaluation Framework

Evaluation will entail a systematic process for assessing the level and extent of achievement of the set objectives towards attainment of the strategic goals along respective KRAs. Defined outcome indicators, baselines and targets as summarised in table 8.1 and the reporting template in table 8.4 shall inform evaluation exercise. Mid-term and end-term evaluation shall be undertaken or if need be on ad hoc basis.



Table 8.1: Outcome Performance Matrix

Key Result Area	Outcome	Outcome Indicator	Baseline		Projections	
			Value	Year	Mid-Term	End-Term
KRA1.1: Petition processing and Administration	Petitions processed for consideration of power of mercy	Proportion of petition processed	100	2023	100	100
KRA1.2: Petition process support systems and structures	Enhanced efficiency in petition processing	% automation level of petition process	80	2023	80	100
KRA2.1: Research and knowledge building	Data-driven; evidence-based decisions making process	% reliance on evidence for decision making	100	2023	100	100
KRA2.2: Investigation and information verification	Enhanced reliability on petition outcomes	% level of petitions investigated and verdict issued	100	2023	100	100
KRA3.1: Community Outreach Programs	Increased levels of awareness and acceptance of the pardoned offenders	% level of targeted population	100	2023	100	100
KRA3.2: Stakeholder engagement and partnerships	Enhanced stakeholder involvement in the exercise of power of mercy	% stakeholder satisfaction levels	x	2023	70	95
KRA4.1: Review of policy, legal and regulatory framework	Harmonized operations in the exercise of the power of mercy	% level of petitions processed to completion and successful re-integration	x	2023	70	95
KRA4.2: Governance and support structures and support systems	Enhanced compliance to legal and statutory obligations	% reduction of complaints received	100	2023	100	100
KRA4.3: Human resource performance capacity development	Enhanced human capacity for service delivery	% staffing levels	10	2024	70	95
		% completion, adoption and implementation of HR instruments	30	2024	80	100
		Employee satisfaction index	x	2023	50	95
KRA4.4: Institutional capacity strengthening and service delivery	Enhanced customer satisfaction	Customer satisfaction index	x	2023	70	95
		% level of automation	x	2024	85	95

### 8.3.1. Mid-Term Evaluation

Mid-Term Evaluation will be undertaken in the financial year 2025/26 where appropriate tools including the template in table 8.4 shall be applied. A report shall be developed to provide a scorecard on the extent to which the commitments have been achieved and identify bottlenecks and emerging issues that may hinder attainment of the envisaged goals and objectives.

### 8.3.2. End-Term Evaluation

A comprehensive evaluation will be undertaken at the end of the plan period to assess the impact of the program implemented on the target beneficiaries. Appropriate tools and customized templates will be developed and applied to measure the efficiency, effectiveness, impact and sustainability on the projects undertaken by the end of the plan period and lessons learnt will inform preparation of the subsequent Strategic Plan.

Table 8.2: Quarterly Progress Report: Quarter Ending.....

Output Indicator	Annual Target (A)	Quarter for Year.....			Cumulative to Date			Remarks	Corrective Intervention
		Target (B)	Actual (C)	Variance (C-B)	Target (E)	Actual (F)	Variance (F-E)		

Table 8.3: Annual Progress Report: Year Ending

Output Indicator	Achievement for		Year.....		Cumulative to Date			Remarks	Corrective Intervention
	Annual Target (A)	Target (B)	Actual (C)	Variance (C-B)	Target (E)	Actual (F)	Variance (F-E)		

Table 8.4: Evaluation Reporting Template for the .....

Key Result Area	Outcome	Outcome Indicator	Baseline		Mid-Term Evaluation		End of Plan Period Evaluation		Remarks	Corrective Intervention
			Value	Year	Target	Achievement	Target	Achievement		

# ANNEXES

# Annex I: The Implementation Matrix

Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target		Budget(KS.Mn)						Responsibility					
					2023/24	2024/25	2025/26	2026/27	2027/28	2023/24	2024/25	2025/26	2026/27	2027/28	2023/24	2024/25	Lead	Support
S.I.1: Petition processing and advisory services																		
S.G.1: Enhance efficiency in the petition processing for exercise of power of mercy																		
KPA1.1: Petition processing and administration																		
S.O.1.1: To facilitate petition processing in administration and exercise of power of mercy																		
Outcome: Increased number of pardon advisories presented to the president																		
S.1.1.1: Facilitate Petition processing	Establishment and operationalization of the regional POMAC offices	Regional offices operationalized	No. of operational regional offices	8	-	1	4	3	-	0	1	4	3	0	3	0	CEO	Petitions Directorate
	Receive, Process and generate petition numbers for all online Petition applications	Petition processed and petition number generated	% of cases processed	100	100	100	100	100	100	0.1	0.1	0.1	0.1	0.1	0.1	0.1	CEO	Petitions Directorate
	Undertake due diligence on received petitions by requesting, verifying and uploading to the system petitioner reports from various stakeholders	Petitioner stakeholder reports received, verified, records updated, uploaded and petition summary generated	% coverage of the petitions receives	100	100	100	100	100	100	0.1	0.1	0.1	0.1	0.1	0.1	0.1	CEO	Petitions Directorate
	Conduct Petition Hearings sessions and make recommendations	Petition hearing forums and recommendations for interviews done	No of forums held	20	4	4	4	4	4	4	4.2	4.2	4.2	4.2	4.2	4.2	CEO	Petitions Directorate
	Conduct Petition Interview sessions and make recommendations	Petition interview forums and recommendations done	No of forums held	20	4	4	4	4	4	2	2	2	2	2	2	2	CEO	Petitions Directorate

Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target						Budget(KS.Mn)						Responsibility	
					2023/24	2024/25	2025/26	2026/27	2027/28		2023/24	2024/25	2025/26	2023/24	2024/25	2025/26	Lead	Support
	Conduct security appraisal of Petitions recommended for possible consideration of mercy and make final recommendations	Security appraisal done and final recommendations forwarded	% coverage of the petitions received	100	100	100	100	100	100		0.5	0.5	0.5	0.5	0.5	0.5	CEO	Petitions Directorate
	Develop Reports on the Exercise of power of mercy by the President	Annual Reports	No. of Reports/ legal instruments	5	1	1	1	1	1		0.1	0.1	0.1	0.1	0.1	0.1	CEO	Petitions Directorate
	Implement final recommendations in the padrone warrant	Pardoned offenders released	% level of implementation	100	100	100	100	100	100		0	0	0	0	0	0	CEO	Petitions
	S.1.1.2: Enforce data protection requirements	Develop and implement institutionalised data protection policy	No. of policies	1	-	-	1	-	-		0	0	1	0	0	0	CEO	Head Planning
KRA1.2: Petition process support systems and structures																		
S.O.1.2: To develop structures and systems supporting petition processing																		
Outcome: Enhanced efficiency in petition processing																		
	Develop/Review and disseminate petition processing tools across all correctional centres	Petition processing tools developed/	No. of tools developed/reviewed	5	1	1	1	1	1	1	1	1	1	1	1	1	CEO/ Committee	Petitions directorate
		Reviewed																
	Acquire and operationalize the Electronic Power of Mercy Petitions Management Information System (ePOMPMS)	ePOMPMS Operationalized	% Level of operationalization	100%	70	80	90	100	100		5	5	5	5	5	5	CEO/ Committee	Petitions directorate

Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target			Budget(KS.Mn)					Responsibility			
					2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2023/ 24	2024/ 25	2025/ 26	2023/ 24	2024/ 25	Lead	Support
S.1.2.1: Develop support structures and systems for petition processing	Develop guidelines, frameworks and manuals guiding petition process in unpacking the four reliefs pursuant to Article 133	Guidelines and manuals developed	No of manuals and guidelines	5	1	1	1	1	1	4	4	4	4	4	CEO/ Committee	Petitions directorate
	Establish and operationalize multi-agency teams and committees	Multi-sectoral teams and committees established and operationalised	No. of operational teams and committees	10	2	4	4	-	-	2.5	2.5	2.5	0	0	CEO/ Committee	Petitions directorate
	Structures and systems of sealing of criminal records established and implemented	Record sealed for pardoned offenders	% coverage of the pardoned offenders	100	100	100	100	100	100	1	2	0.5	0.5	0.5	CEO	Petitions directorate/ DCI
	<b>Sub-Total</b>									<b>13.5</b>	<b>14.5</b>	<b>13</b>	<b>10.5</b>	<b>10.5</b>		
S.1.2: Research and Investigation																
S.G.2: Promote evidence-based decision making on clemency																
KRA2.1: Research and knowledge building																
S.O.2.1: To facilitate decision making through research and knowledge management																
Outcome: Informed decisions based on research and knowledge management																
S.2.1.1: Invest in research and data management	Undertake periodic risk/needs assessment among the ex-convicts and local communities	Risk assessment reports	No. of assessment reports	50	10	10	10	10	10	2	2	2	2	2	CEO	DIRECTOR, (R.I.O)
	Design and carry out research to build the knowledge base on Power of Mercy	Research reports and publications	No. of research reports	5	1	1	1	1	1	5	5	5	5	5	CEO	DIRECTOR, (R.I.O)

Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target			Budget(KS.Mn)					Responsibility			
					2023/24	2024/25	2025/26	2026/27	2027/28	2023/24	2024/25	2025/26	2023/24	2024/25	Lead	Support
S.2.1.2: Monitor and report on program implementation	Establish mechanisms for reporting and feedback on the offenders released through the Power of Mercy  Monitor the process of reintegration of the pardoned ex-convicts	Monitoring and reporting structures established  Progress reports developed	No. of reports  No. of reports	5  10	1	1	1	1	1	1	2	1	1	1	CEO	DIRECTOR, (R.I.O)
															CEO	DIRECTOR, (R.I.O)
	Sub-Total									9	10	9	9			
KPA2.2: Investigation and information verification																
S.O.2.2: To enhance transparency and accountability in petition determination																
Outcome: Enhanced reliability on petition process																
S.2.2.1: Undertake investigations in petitions received	Initiate and undertake investigations on received petitions	Investigation reports prepared	% of cases referred	100	100	100	100	100	100	1	2.5	3	3.5	4	CEO	
	Sub-Total									1	2.5	3	3.5	4		

Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target				Budget(KS.Mn)				Responsibility			
					2023/24	2024/25	2025/26	2026/27	2027/28	2023/24	2024/25	2025/26	2026/27	2024/25	Lead	Support
S.I.3: Education and capacity building and Stakeholder Engagement																
S.G.3: Enhance stakeholder involvement in the exercise of the Power of Mercy																
KRA3.1: Community education and capacity building program																
S.O.3.1: To enhance awareness on matters related to the exercise of power of mercy																
Outcome: Increased levels of awareness and acceptance of the pardoned offenders																
S.3.1.1: Implement community outreach programs	Hold forums to educate persons in correctional services on Petition processing procedures and the exercise of the Power of Mercy	Correctional service officers trained	No. of correctional facilities	137	12	15	30	40	40	7	7.5	8.5	10	12	CEO	DIRECTOR, (R.I.O)
	Hold forums to educate leaders and the public on the Exercise of Power of Mercy	Public sensitization forums held	No. of public sensitization forums	55	3	7	10	15	20	2	2	4	4	5	CEO	DIRECTOR, (R.I.O)
	Sub-Total									9	9.5	12.5	14	17		
KRA3.2: Stakeholder engagement and partnerships																
S.O.3.2: To enhance stakeholder involvement exercise of power of mercy																
Outcome: Increased levels of acceptance of pardoned offenders back to the society																



Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target			Budget(KS.Mn)					Responsibility			
					2023/24	2024/25	2025/26	2026/27	2027/28	2023/24	2024/25	2025/26	2023/24	2024/25	Lead	Support
S.3.3.2: Develop strategic partnership and collaboration with stakeholders	Identify and create strategic partnerships with key stakeholders through signing of Memorandum of understanding (MOUs)	MOUs and collaboration agreements Signed	No. of MOUs/Agreements signed	5	1	1	1	1	1	1	1	1.5	1.5	1.5	CEO	DIRECTOR, (R.I.O)
	Hold periodic Stakeholder's forums to Strengthen partnership with Power of Mercy Advisory agencies	Stakeholder engagement forums held	No. of forums held	5	1	1	1	1	1	3	3.5	4	5	6	CEO	DIRECTOR, (R.I.O)
	Sub-Total									4	4.5	5.5	6.5	7.5		
S.I.4: Institutional Capacity Strengthening																
S.G.4: Strengthen institutional capacity for enhanced service delivery																
KRA4.1: Policy, legal and regulatory reforms																
S.O.4.1: To provide a conducive environment for the exercise of the power of mercy																
Outcome: Harmonized operations in the exercise of the power of mercy																
S.4.1.1: Review POMAC policy, legal and regulatory frameworks	Develop/review POMAC workplace policy policies, procedures and manuals	Power of mercy Act No. 21 of 2011 reviewed	Number	1	-	1				2	6	0	0	0	CEO	DIRECTOR, (R.I.O)
		POMAC policy and legal framework reviewed and approves	No of laws enacted	5	1	1	1	1	1	1	1	2	1	1	1	CEO
	Develop guidelines for implementing four reliefs as provided for in Article 122 of the CoK 2010	Guidelines developed	Number	4	-	4				0	0	6	0	0		
	Sub-Total									4	8	10	2	3		

Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target				Budget(KS. Mn)				Responsibility		
				2023/24	2024/25	2025/26	2026/27	2027/28	2023/24	2024/25	2025/26	2023/24	2024/25	Lead	Support
KRA4.2: Governance structures and support systems															
S.O.4.2: To promote good governance, compliance and accountability															
Outcome: Enhanced compliance to legal and statutory obligations															
S.4.2.1: Establish supportive governance systems and structures	Establish structure and systems for complaint handling	Complaint handling committee in place	Number	1	1	1	1	1	1	1.5	1.5	2	2	CEO	DIRECTOR, (R.I.O)
		Complaint received and conclusively handled	% Level	100	100	100	100	100	0.5	1	1	1	1	1	CEO
S.4.2.2: Enforce compliance to statutory requirements	Prepare and submit statutory reports to relevant bodies	Statutory reports submitted to relevant agencies	% level of compliance	100	100	100	100	100	0.2	2	2	2	2	CEO	DIRECTOR, (R.I.O)
	Develop and implement Strategic Plans and annual work plans for the secretariat	Strategic plans and annual work plans	Number	7	2	1	1	2	1	3	1.5	1.5	1.5	CEO	DIRECTOR, (R.I.O)
	Develop and implement institutions performance contract	Performance contract	Number	5	1	1	1	1	1.5	1.5	1.5	1.5	1.5	CEO	DIRECTOR, (R.I.O)
	Sub-Total								4.7	9.25	8	8.75	8.9		
KRA4.3: Human resource performance capacity development															
S.O.4.3: To develop human resource capacity for enhanced delivery of the institutions mandate															
Outcome: Enhanced human capacity for service delivery															

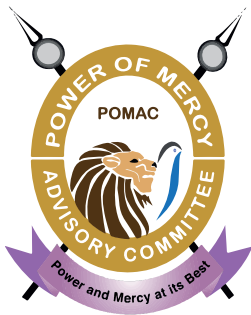
Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target				Budget(KS.Mn)					Responsibility		
					2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2023/ 24	2024/ 25	2025/ 26	2023/ 24	2024/ 25	Lead	Support
S.4.3.1: Strengthen Human resource function	Entrench performance Management and Appraisal System	Staff enrolled on appraisal system	% level of coverage	100	100	100	100	100	100	1.0	1.0	1.0	1.0	1.0	CEO	DD/HRM Head Planning
	Develop Human resource tools and instruments (career progression guidelines, Staff remuneration structure, Organization structure)	HR tools and Instruments	Number	5	0	2	1	1	1	0	2	1	1	1	CEO	DD/HRM
	Training Needs Assessment (TNA) and skills Gaps analysis	Reports	Number	1	0	0	1	0	0	0	0	2	0	0	CEO	DD/HRM
	Undertake recruitment of staff as per the approved staff establishment	Number of officers Recruited	Number	66	0	5	20	26	15	0	5	15	15	10	CEO	DD/HRM
	Undertake training as per the annual training projections	Staff trained	Number	81	4	10	30	26	21	5	3	10	10	10	CEO	DD/HRM
	Conduct Employee Satisfaction Survey	Survey Report	Number	5	0	1	0	0	1	0	0.5	0	0	0.5		

Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target				Budget(KS. Mn)				Responsibility			
					2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2023/ 24	2024/ 25	2025/ 26	2023/ 24	2024/ 25	Lead	Support
S.4.3.2: Improve work environment and staff welfare	Furnish the acquired POMAC office premises	Offices furnished	% level of furnishing	100	100	100	100	100	100	2.0	3	5	7	4	CEO	SDS
	Acquire vehicles to facilitate internal Operations	Vehicles procured	No. of vehicles acquired	20	0	7	7	6	0	0	10	15	10	CEO	SDS	
	Implement the Occupational Safety and Health requirements	Compliance reports	% level of compliance	100	-	100	100	100	100	2	2	2.5	2.5	2	CEO	SDS
	Develop and implement institution welfare policy	Welfare policy	Number	1	-	1	-	-	1	1	1	1	1	1	CEO	SDS
	Conduct Employee Welfare Needs Assessment	Employee Welfare Needs Assessment Reports	Number	4	-	1	1	1	1	0	0.2	0.5	1	1	CEO	SDS
	Develop and implement a knowledge management policy	Policy	Number	1	-	1	-	-	0	1	1	1	1	1	CEO	SDS
		Policy implementation	% level of implementation	100	100	100	100	100	1	1.5	2	2.5	3	CEO	SDS	
	<b>Sub-Total</b>									<b>9</b>	<b>19.2</b>	<b>50</b>	<b>56</b>	<b>43.5</b>		
KRA 4.4: Institutional capacity strengthening and service delivery																
S.O.4.4: To strengthen capacity for enhanced service delivery																
Outcome: Enhanced customer satisfaction																
S.4.4.1: Strengthen ICT function for Automation and digitization	Procure and install requisite ICT equipment to facilitate POMAC operations	ICT equipment installed	% level of ICT requirements addressed	100	100	100	100	100	100	1.0	3	7	8	6	CEO	SDS
	Digitization of the petition process through a petition management information system	Petition management information system established	% level of operationalization	100	100	100	100	100	100	5	7	10	6	5	CEO	SDS

Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target				Budget(KS.Mn)						Responsibility	
					2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2023/ 24	2024/ 25	2025/ 26	2023/ 24	2024/ 25	Lead	Support
S.4.4.2: Improve communication, visibility and branding	Develop and implement a public awareness and communication strategy for the committee	Public awareness and Communication Strategy	No. of Strategies	1	-	-	1	-	-	0	0	2.5	0	0	CEO	SDS
	Develop and share IEC materials on exercise of power of mercy	Assorted IEC material developed & disseminated	No. of assorted IEC materials produced	10	2	2	2	2	2	1	5	5	5	5	CEO	SDS
			% IEC material disseminated	100	100	100	100	100	0.5	1	1	1	1	CEO	SDS	
	Develop and operationalize social media platform	Website, WhatsApp, Twitter, Facebook	No. of media platform operationalized	4	4	4	4	4	4	4	1	1	1	1	1	CEO
	Sign MoUs with local mainstream media	Signed MOUs	No. of MOUs signed and running	1	1	1	1	1	1	0.5	0.5	0.5	0.5	0.5	CEO	SDS

Strategy	Key Activities	Expected Output	Output Indicators	5 Year Target	Target					Budget(KS.Mn)					Responsibility	
					2023/24	2024/25	2025/26	2026/27	2027/28	2023/24	2024/25	2025/26	2023/24	2024/25	Lead	Support
S.4.4.3: Improve financial capacity and operation autonomy	Seek additional funding through the GoK MTEF cycle	Increased budgetary allocation	% increase in funding	100	20	20	20	20	20	1	1	1	1	1	CEO	SDS
	Develop proposals for partnership, technical support and financing	Funding proposals developed	No. of proposals	5	1	1	1	1	1	1	1	1	1	1	CEO	SDS
	Develop and sign financing agreements with like-minded donors and development partners	Financing agreements signed on successful Proposals	% level of successful proposals	100	100	100	100	100	100	1.0	1	1	1	1	CEO	SDS
	<b>Sub-Total</b>									<b>8.5</b>	<b>16</b>	<b>19</b>	<b>15</b>	<b>14</b>		
	<b>Grand Total</b>									<b>69.7</b>	<b>100.45</b>	<b>137</b>	<b>132.25</b>	<b>124.4</b>		





All Enquiries and Petitions to be sent to:

**THE POWER OF MERCY ADVISORY COMMITTEE**

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Website: [www.powerofmercy.go.ke](http://www.powerofmercy.go.ke)

*Make a petition online via [epmis.powerofmercy.go.ke](http://epmis.powerofmercy.go.ke)*