



**Paul v Republic (Criminal Revision E121 of 2024)
[2024] KEHC 17147 (KLR) (1 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 17147 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MAKUENI
CRIMINAL REVISION E121 OF 2024**

TM MATHEKA, J

MAY 1, 2024

BETWEEN

MUTUA NZUKI PAUL APPLICANT

AND

THE REPUBLIC RESPONDENT

RULING

1. Upon Perusal of the record and the report in the file, the push factors for the offender committing the offences he has been convicted of have been identified as poor parenting, and parental neglect by the step father, dysfunctional family. The offender's family and the local administration are of the view that the offender has not learnt any lesson from committal to KYCTC, The family instead of making it possible for him to learn a skill are of the view that the place he can learn a skill is in prison, a sentiment that was approved by the PACs officer and the court.
2. Family trauma cannot be cured by imprisonment. Incarceration cannot restore years of neglect by the parents , and the Criminal Justice system should guard itself from misuse by people who shirk their responsibilities.
3. The offender requires community rehabilitation and reintegration. It is evident he never got that when he came back from KYCTC, and the family holds it against him. There is nothing in the report to show what follow up PACs made upon the offender coming home from KYCTC.
4. From the foregoing: the offender's sentence is revised to months Probation Supervision Order by PACs Makueni who are to work with the family and the local administration to assist the offender to stay out of Prison.

A PO to issue accordingly.

SIGNED BY: LADY JUSTICE MATHEKA, TERESIA MUMBUA

