



**REPUBLIC OF KENYA**

**High Court at Nairobi (Nairobi Law Courts)**

**Petition 188 of 2012**

**AGNES NEMAKONDE GALAWU .....PETITIONER**

**AND**

**THE HON. MINISTER OF STATE FOR IMMIGRATION AND**

**REGISTRATION OF PERSONS .....1<sup>ST</sup> RESPONDENT**

**THE HON. ATTORNEY GENERAL.....2<sup>ND</sup> RESPONDENT**

**KITUO CHA SHERIA.....3<sup>RD</sup> RESPONDENT**

**RULING**

1. The nationality and status of the petitioner is in doubt and it is the subject of this petition. The petitioner also challenges the nature of holding facilities at the Lang'ata Women's Prison. While the matter was pending, the UNHCR agreed to facilitate her residence at their facilities. Unfortunately, due to her conduct, she compromised the UNHCR's ability to discharge its functions for the benefit of persons in similar need. In fact her appearance, in court was pursuant to a warrant of arrest.
2. Counsel for the petitioner has asked the court not to return the petitioner to Langata Women's Prison on account of the challenge made to those facilities in the petition. He also suggests that she should be free and the court should impose an order for her to report to the Police Station periodically.
3. I am sympathetic to the petitioner's plight but the proper holding place known is the Lang'ata Women's Prison where she was being held prior to the intervention of the UNHCR. Pending judgment she shall be held in that facility.
4. The judgment in this matter shall be read on 5<sup>th</sup> December 2012 at 2.30 pm.

**DATED and DELIVERED at NAIROBI this 6<sup>th</sup> day of November 2012**

**D.S. MAJANJA  
JUDGE**

**COURT – Ruling read and delivered in open court.**

**D.S. MAJANJA  
JUDGE**