

Volume 4 Issue 1

# JUSTICE

## Newsletter



*Kenya School of Law*

*Rising from the Pandemic*



The Kenya School of Law



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# CONTENTS

**01** From the Editor

**02** • Word from the Chairperson  
• Word from the Director/Chief Executive

**06** Departmental Briefs

**03** Milestones  
• Technology Saviour  
• Law Students to Benefit from MoU between the Kenya School of Law and HELB  
• Covid-19 :The Silver Lining

**21** Students Corner

**27** Issues of Interest  
• To Do Or Not to Do : A Critical Look Into The Dignity And Welfare Of Persons With Disabilities In The Legal Profession  
• Rising through the pandemic from the lens of Trial Advocacy trainers  
• Transitioning from the Virtual Workplace to the Physical Office  
• Acquiescence To The New Normal: What Is Its Future?  
• Analysis of the Petition No 120 of 2020 on curfew guidelines  
• My Passion

**37** Just for 'lawghter'

**38** KSL Events Highlights

**44** Covid - 19 Awareness



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# From the Editor

Welcome to Volume 4 issue 1 of the Justice Newsletter. In the last one year we have found ourselves in difficult and uncertain times due to the Covid-19 pandemic. This has had a profound effect on our lives and utterly disrupted our education system. The School has navigated from complete uncertainty and dimmed hope to getting back on track hence our theme for this issue Kenya School of law: Rising from the pandemic.

In this issue, we have endeavoured to demonstrate the School's resilience in the face of the Covid-19 pandemic through a wide range of articles from various contributors. We have featured articles covering the online classes in both Advocates Training Programme (ATP) and Paralegal Training Programme (PTP) and insightful articles from our students

demonstrating how they navigated through the Covid-19 turbulence. We have covered the milestones achieved by the School including the benefit of HELB for KSL and departmental briefs and events. Finally we have engaging articles on issues of interest such as Trial Advocacy training from the lens of trainers and a critical look into the dignity and welfare of people living with disability in the Legal profession.

We are grateful to the Board and the Management of the School for their continued support and to all contributors who have aided in the success of this publication. Special gratitude goes to the Editorial Committee whose effort and dedication made it possible to publish this issue.

Enjoy the read!

*Christine Kungu is an Advocate of the High Court of Kenya and a Senior Lecturer at the Kenya School of Law*

## The Editorial Team



*From Left to right: Sammy Makokha, Samuel Akhwale, Agnes Mwai, Christine Kungu, Ann Waithira, Anastasia Otieno, Ruth Githaiga, and Fredd Wakimani.*

## Word from the Chairperson, KSL Board



Professor Fatuma Chege  
Chairperson,  
Kenya School of Law

On behalf of the Kenya School of Law Board of Directors, I take this opportunity to congratulate the management for publishing the first issue for this year - Volume 4 Issue 1 of the Justice Newsletter. The Newsletter is an important communication tool for informing and showcasing the School's activities to all our stakeholders.

The theme for this issue is "Kenya School of Law: Rising from the Pandemic." This theme is timely as it resonates with what our country and the world at large has been going through for the past one year,

which is recovering from the effects of current public health challenges. The pandemic has changed how we work, travel, communicate, shop, our lifestyle and so on. Furthermore, the pandemic has increased people's use of digital tools in life and business to stay connected in a world that is physically disconnected. All this and more has been covered in the enlightening articles that are not only useful but also engaging.

## Word from the Director/Chief Executive



Dr. Henry Kibet Mutai  
Director/Chief Executive Officer  
Kenya School of Law

I would like to welcome you to the Justice Newsletter publication, Volume 4 issue 1 of 2021. This is a publication aimed at keeping our stakeholders abreast of notable activities that have taken place at the School. In March 2020, the outbreak of Covid 19 in Kenya led to the closure of learning institutions throughout the country, including the School. This closure adversely affected

learning in both our Advocates Training Programme (ATP) and the Paralegal Training Programme (PTP). As a result of this the School had to find means of surviving in the abnormal times. Through employing technology and following the government guidelines concerning reopening of institutions, the School has been able to resume its operations.

Online classes for the ATP started in July 2020 having done a pilot study in June 2020 and the Paralegal Studies online classes started in November 2020. Both programmes are continuing on the online platform and their syllabus will be completed through the same platform. I am also pleased to inform you that in March 2021 the School introduced optional in person revision classes for the ATP at our Karen Campus.

However, there were strict guidelines in place that provided students had to register in advance for purpose of planning and adhering to Covid-19 protocols.

The School has also put in place

several measures in the journey to recover from the Covid-19 pandemic. These include having a Covid-19 MOH Compliance Committee comprising representatives of relevant departments needed to make critical reopening decisions that will help us achieve 2021 objectives. The School also continues to create more awareness to all staff by having hygiene protocols signage at designated places within the School. The signage indicate guidelines such as to keep social distance, wear mask at all times, regular washing of hands or use of hand sanitizer. Additionally, there are thermal guns for taking body temperatures at strategic entry points. On behalf of the School, I urge all our stakeholders to continue observing the guidelines that the government has issued for containing the spread of Covid -19.

Finally, I would like to thank the Editorial Committee for their tireless efforts in ensuring that Volume 4 Issue 1 of the Justice Newsletter 2021 has been published.



## Technology A 'Savior' During Covid-19

By Kennedy Dende

The Covid-19 pandemic has posed unprecedented challenges requiring the teaching fraternity to embrace virtual teaching. Before March 2020, the Kenya School of Law (KSL) teaching mode was the physical classes, where students were convened in lecture halls. This mode of teaching required students to listen to their lecturers, work individually or in groups, and reproduce knowledge in assessments. By contrast, Information Communication and Technology (ICT) use was limited.

The School lockdown confronted lecturers, students, and parents with an entirely new situation. Since, continued teaching and learning was only possible through alternative means of schooling. Our lecturers had to change to virtual teaching, requiring them to use various digital tools and resources to solve problems and implement new approaches to teaching and learning. KSL made plans for virtual teaching taking into account the emerging advice and guidelines from the Kenyan Government on Covid-19 through the Ministry of Health.

However, prior to the pandemic the School had considered implementing an e-learning platform being one of the objectives in the Strategic Plan. The School had developed a draft eLearning policy. The virtual teaching was made possible by the E-learning

committee appointed by the School Director. The committee comprised School staff in the Advocates Training Programme, Academic, ICT among other departments. The team worked in close collaboration with students in order to capture their learning needs in the best way possible. This is evident that the School realized early enough that technology can no longer be seen as a utility working in the background.

A pilot study was done towards shifting to a virtual learning process. The pilot study started with selection and development of the platform (Moodle and Teams) to be used. Then, implementation of the eLearning including, training of students, lecturers and academic staff on the use of the platform. The School settled on Teams platform owing to the number of participants it accommodates and the superior streaming capabilities during online engagements. The School has also adopted the platform in holding webinars for different departments in the School. The School is using Moodle as a learning management system due to ease of access, ease of integration, user friendly interface, content management, blended learning features, assessment, testing, reporting and tracking.

Due to the Covid-19 pandemic it required rapid transition to online teaching. This took place amidst a wider ICT transformation process in the educational systems. One of the advantages is that there was an ongoing ICT translation in the education system. A major challenge to E-learning process was the

bandwidth capacity and student inability to afford the data bundles. In our case the School is providing 10GB on a monthly basis to all our students to ease the burden to students. One of the threats to online teaching is cybercrime. This is manifested in increase in cyber threats, data breaches and ransom. This is one of the elements that keeps KSL ICT staff alert at all times since any breaches to the E-learning systems and platforms may have catastrophic consequences to the whole program. The School has also invested heavily on the cyber security.

Although on-campus life will keep playing an essential role for students, there is little doubt that online learning will remain a strong option, particularly for those students who might be unable to attend classes or who need to combine work with their studies. It's time now for ICT specialists and academicians to work together to offer students the best and safest online education experience.

*Kennedy Dende is the Senior ICT Officer at the Kenya School of Law*





## Law Students to Benefit from MoU between the Kenya School of Law and HELB

By Ruth Githaiga and Ruth Gichuki

The Kenya School of Law has entered into a Memorandum of Understanding (MOU) with the Higher Education Loans Board (HELB). The MOU forms a partnership to form a revolving fund which will help the Advocates Training Programme students get the HELB loan to finance part of their tuition fee. This was after the School realised that many needy students are not able to complete their Advocates Training Programme course due to financial constraints occasioned by many factors.

Those who will qualify for the HELB loan are students admitted to the ATP at the School. The first beneficiaries of the loan will be for the 2020-2021 Financial year. This will consist new students. Additionally, those already servicing their HELB undergraduate loans will not be prejudiced from benefiting from the Kenya School of Law fund. The Advocates Training Programme consists of nine (9) courses which are: Civil Litigation, Criminal Litigation, Probate and Administration, Legal Writing and Drafting, Trial Advocacy, Professional Ethics and Practice, Legal Practice Management, Conveyancing and Commercial Transactions.

The total tuition fee for a Kenyan Resident is Kenya Shillings One Hundred And Forty-Five Thousand only (Ksh.145,000/-). This includes the cost for the nine units, library fee and Pupillage supervision fee. For a student to pass the Advocates Training Programme one must score at least 50% on the aggregate of the project work, oral examination and written examination. In addition, one must satisfactorily undertake the supervised pupillage programme. The Kenya School of Law administers the course in two modes of study: the full-time classes and Evening and weekend Classes

The portal would be open from 1st April 2020 while the closure date would be 15th May 2021. Applicants are advised to visit the HELB website [www.helb.co.ke](http://www.helb.co.ke) to access the HELB Students' Portal, register, create and activate their account and ensure that they use their personal mobile number. The HELB website can be also be accessed through a link on the Kenya School of Law website. Once registered then an applicant should select Kenya School of Law Tuition Loan 2020-2021, first time loan application form. The applicants should read and appraise themselves on the Financial Literacy program Access and fill the online loan application form. After that the applicants will be required to print two copies of the duly filled Loan Application Forms. The forms should be appropriately filled, signed, and stamped by the relevant authorities. Thereafter, the applicant will be

required to present one copy of the duly filled Loan Application Form and all the attached support documents at the Kenya School of Law Offices in Karen as well as retain a copy of the duly filled and signed Loan Application Form.

The duly filled forms will then be forwarded to the Higher Education Loans Board. The first-time application forms are only accessible through the HELB student portal on [www.helb.co.ke](http://www.helb.co.ke). In case of any queries, applicants are advised to seek assistance ONLY from the Kenya School of Law or HELB officers. It is also important to note that students who provide false information will be penalized as per the HELB Act. The Technical Working Group comprising of staff from the Kenya School of Law and HELB will award and give a feedback to the successful students by 15th June 2021.

*Ruth Githaiga is the Corporate Communications Officer at the Kenya School of Law*

*Ruth Gichuki is the Principal Accountant at the Kenya School of Law*



## Covid-19: The Silver Lining

By Anastasia Otieno

It is said that every cloud has a silver lining. That the Covid-19 pandemic has been quite devastating is not lost to me but in some instances we also have to see the silver lining in certain situations.

When the first positive case of the Covid 19 case was announced in Kenya on 13th March 2020, I was, to say the least disappointed. The reason was that I knew that it would interfere with my plans for my classes as the term was almost coming to an end. On the other hand, I was also grappling with how I would deal with my expected outputs of designing and rolling-out training on an e-learning platform.

On e-learning, my biggest challenges were the budget, budgetary cuts due to economic issues, and resistance, both overt and subtle. I realised my opportunity at the closing of the school due to Covid-19. All the issues that appeared insurmountable were soon dealt with, and we were able to roll out the e-learning programme for both the Advocated Training Programme (ATP) and Paralegal Training Programme (PTP).

The next challenge was how the PTP would conduct examinations. The faculty had met and had decided that we could not conduct paralegal examination online due to various issues. This left me as the coordinator of the programme with the task to ensure that the paralegal students come back on campus, two weeks after beginning e-learning, to do examinations without an incident. It had also

been decided that the examinations could not be carried out on the town campus but in the Karen campus, which was more spacious. A consensus had to be built with the students, some of whom had resisted going online in the hope that Covid-19 was a temporary thing, and yet now they were being asked to come but to sit for an exam. The students extended us the grace, and now it was time to ensure that the exams took place on campus without incident. We were very much alive to the disaster; it would have been should an incident like that have occurred.

I approached the Human Resource Department with a proposal to demarcate the school to comply with the Ministry of Health (MoH) Covid-19 guidelines. I was appointed to chair the School's Covid-19 Compliance Committee, whose job was to ensure that the exams went on without incident and ensure that the school was Covid 19 compliant. This meant that the committee had to carry out research to determine what the government policies were and what other institutions were doing. Kenya School of Law, not being a university or a Technical Vocational Education and Training (TVET) institution, meant that the Ministry of Health (MoH) guidelines to these institutions were not quite aligned. As such, we had to adopt the ones for TVET and from the hotel industries. The research revealed that we had to carry out a mapping exercise of the school in order to realize the needs for each section. This then informed the needs of what to procure. We also realised that the school's various sections needed different rules of engagement, for instance the reception areas, the hostels, the cafeteria, library, the field and swimming pool area, and the offices. The information communication materials were

different for each section. This meant many back and forth between the service providers, the procurement section and the committee.

Due to the urgency of the examinations being done within two weeks, the committee prepared a preliminary report which dealt with the areas needed for the exams. Within the two weeks, the Karen campus lecture theatres were ready for the examination, with the chairs well-demarcated indicating a distance of at least 1.5 metres in compliance with the Ministry of Health guidelines. We also had hand wash stations at the gate and sanitisers at the door. The examinations went on without incident.

Even as the examinations were ongoing, the committee's work continued, and we were able to come up with all the other requirements and a checklist for each section. The committee members were very innovative, coming up with new ideas. The school was able to demarcate the whole school, including the town campus and mount extra thermometers and handwashing points. This was another silver lining in our cloud as the school was due for ISO recertification, and this was an audit requirement. Further, even as the government made it a requirement that students go back to physical classes, the school was already compliant with the MoH covid-19 guidelines.

*Anastasia Otieno is an Advocate of the High Court of Kenya, Coordinator of the Paralegal Training Programme and a Principal Lecturer at the Kenya School of Law*



## Departmental Briefs

### E-learning: The Journey so far.

By Fredd Wakimani

It would have been nearly impossible for one to predict the impact that Covid-19 would have on our lives when the pandemic started to spread in early 2020. From complete uncertainty and dimmed hope, to getting back on track with life albeit with adaptations to protect ourselves against the virus, the journey has been a scary, but interesting one.

At the Kenya School of Law, it has been a learning process with the School transitioning from face to face classes, to e-learning as the primary mode of delivery for the ATP programme. This transition was not easy. But it was necessary. With the world being forced to adjust its modus operandi, the School was no exception. To start off, the School engaged the students, in seeking their views on e-learning. There was some obvious opposition, but this was expected. Doubts abounded on how a clinical program could be delivered online. Some students were apprehensive that they would get a raw deal. These fears were understandable considering the School had never embarked on e-learning before. As for the teaching staff, apprehension was also rife. E-learning meant that new skills had to be learnt, and a re-evaluation on how to deliver on the objectives of the course using a virtual platform was necessary. But these challenges were but minor setbacks and new found opportunities for growth.

In response to this, the School prioritized the training of students as well as the teaching staff, which went on successfully. Lecturers and students all jumped on board the e-learning bus with ease. There were a few hiccups

here and there in relation to some of the features of the platforms used, but these issues were quickly addressed, more so with the help of the ICT department. Once training was complete, the School embarked on a pilot phase, where the ATP programme was delivered online for the first time marking a significant milestone for the School. In partnership with Safaricom the School supplied the students with mobile phone data to enable them to log in into the classes from wherever they were during the lockdown. The pilot phase was a resounding success.

The School then decided to go full blast with the online programme and we have never looked back. Lecturers have come up with ingenious way to engage students and engrain practicality in the lessons as much as possible. This has not been easy. Students have also had to adapt because unlike in a physical class, they have to be more proactive in engaging the lecturer. In my experience some chat sessions after class have been positively engaging especially where the student was unable to raise their question during the virtual class. This goes to show that the prudent student will still find ways to connect with their lecturer despite not being in the same physical space with them.

It should be mentioned that the students also embraced the online mode of teaching positively, despite the difficulties of poor network connections, noisy environments and lack of virtual etiquette from a few students. Overall it can be said that the online classes have been largely successful considering the Covid -19 situation. With the contemplation that we may never have physical classes as we had before Covid-19, the options available are still effective and sufficient for the ATP program.

Options such as hybrid classes of smaller groups, that incorporate physical classes with online classes and better use of asynchronous tools will greatly improve delivery. A look at other academic institutions in Kenya and internationally show that, institutions of higher learning are embracing this hybrid approach with lots of success. Additionally, the legal profession is also going high-tech. With court processes like filing, being automated and virtual court proceedings being normalized, the legal practitioner of the future has to be tech-savvy and flexible. They should be at home in the court room as well as behind the computer screen. Moreover, even the typical client is changing. They are also just as tech savvy, more informed and aware of automated process that were once only delivered through an advocate. It therefore makes sense for the students at the ATP to acquaint themselves with general online skills as they interact with lecturers and other students online through the virtual platforms used at the School, laying the foundation for what awaits them when they are admitted to the Bar.

To sum up everything that has been stated so far, Covid -19 has been a gift and a curse. The pandemic has not only forced us to change how we operate on a day to day basis, but it has also forced us to find solutions to doing things faster and in a more efficient way. It has forced us to think outside the box for solutions that we may have never considered before. This actively demonstrates that the human spirit can be dimmed but never put off. That life must go on and go on successfully!

*Fredd Wakimani is an Advocate of the High Court of Kenya and a Senior Lecturer, at the Kenya School of Law*



## Impact Of The Covid-19 Pandemic on Academic Services at the Kenya School Of Law: An Insider's Perspective

*By Lawrence Ndirangu*

The Academic Services department plays a central role in the relationship management of a student, as an administrative function of the School. This entails management of student administrative services. They include professional services such as recruitment, admissions, enrolment, student affairs services, counselling examinations and administrative support.

Academic services as a social process involves a certain degree of in-person engagements in the office environment. The nature of the School's academic services administrative work is mostly office-based as most of the roles involve face-to-face contact with the various clientele (i.e. lecturers, students, prospective students, and parents). Thus, the performance of these functions has undoubtedly been impacted by the COVID-19 pandemic.

With the COVID-19 pandemic forcing closure of institutions and a ban on group gatherings since 16th March 2020, following the presidential directive on COVID-19 protocols, the School like other academic institutions scaled down in-person service engagements as an attempt to curb the spread of the virus. Relatedly, the impact of the containment measures prescribed by the government such as cessation of movement between counties and restriction of numbers in social gatherings, has impaired the offering of in-person administration services

The examination processes which is a necessary step in a student's career progression were adversely affected. During the early stages of the pandemic when the nature of the coronavirus was still unknown, the School made the decision to temporarily avoid in-person contact resulting in postponement of the Diploma in Law (Paralegal Training Programme) examinations which were moved from April 2020 to October, 2020.

As Covid-19 continues to spread rapidly across the country its secondary effects pose fundamental challenges to the student administration services which lie at the heart of academic service activities. The pandemic has resulted in significant loss in investment in the School's business process automation initiatives such as the suspension of the fingerprint biometric attendance system used in recording of student and staff attendance. The concern was that the use of finger scanners entail multiple touches, posing potential transmission risks. Consequently, the School has reverted to the use of manual attendance tracking upon resumption of limited in-class attendance of second year paralegal students. This is laborious and ineffective in data analysis for decision making.

The closure of secondary schools and university schools of law due to Covid-19 containment measures interrupted their academic programmes resulting in an adverse ripple effect to the School traditional admission dates and the number of applicants.

In spite of the School extending scheduled admissions deadline for both Paralegal Training Programme (PTP) and the Advocates Training Programme (ATP), the School enrolment in the 2020/21 academic year has recorded a decline in number of applications received. In the Paralegal programme for the 2020/21 academic year the School received 163 applications for admissions as compared to 211 in 2019/20. By the time of writing, the School had received 1704 applications for the 2021/22 ATP intake as compared to 2034 applications received in 2020/21 academic year.

The Covid-19 pandemic has amplified the need to accelerate the digital transformation of the School infrastructure beyond the virtual teaching. Mindful of the risks in paper-based processes, the School is currently exploring the possibility of moving the entire admission process online right from application to selection and enrolment through provision of an integrated Enterprise Resource Planning (ERP) System-based online admission portal. The online portal will allow prospective students to electronically place their applications to join the School and also allow processing and evaluation of these applications by the admissions team. The online admission management process seeks to address the concerns such as reduction of human involvement, and paperwork in the admission process which are risk factors in the spread of coronavirus. Similarly, the online portal aims to maximize the availability, transparency, accuracy,

reliability and productivity of the School admission process.

Video conferencing technology is not a new idea but its use in the pre- Covid-19 era at the School as a tool to communicate both internally and externally with clients was low. However, the pandemic has caused an accelerated diffusion of this technology for providing services remotely making virtual team meetings a desirable alternative to face-to-face meetings. The most notable characteristic of this technology is that it provides convenience and flexibility to lecturers and students, especially in scheduling online meetings regardless of location with cost savings due to lower travel costs and travel time. In addition, these online platforms have been effective in

providing psychosocial support to students through webinar counselling sessions, recording of classes and study group meetings and sharing of documents using Google Meet and Microsoft Teams video-call services.

To mitigate limitation on social gathering and for continuity of learning, the School made provision for data bundles for online learning, adopted paperless initiatives of paper to digital conversion through an integrated scanning and email system and social media platforms in managing student-School communication. In an effort to suppress predisposition factors to COVID-19 infections at all client-facing service points, the school has put in place preventive responses such as display of posters, promoting respiratory hygiene,

hand-washing, temperature-screening and wearing of facemasks. There is no denying that the Covid-19 pandemic has upended business as usual for the School, with its significant disruption to delivery of School academic services.

Nobody can quite foretell when and how things will return to normal, if indeed they will. But true to the proverbial saying, 'every dark cloud has a silver lining', the pandemic has catapulted the School, into new forms of service delivery that have forced new and innovative online techniques to engage with our clients. While so much is still unknown about the Covid-19 pandemic, the current enhanced uptake of digital technology services at the School portrays good fortunes in ensuring the continuity of our academic service engagements.

*Lawrence Ndirangu is the Senior Officer, Academic Services at the Kenya School of Law*



*A Kenya School of Law staff attending to a student*



## Delivering Continuing Professional Development Programmes Despite Covid-19 Challenges

By Isaac Simiyu Kuloba

Solutions to human problems more often than not require triggers. This is partly the basis of a saying that “necessity is the mother of invention.” The announcement by the President of the Republic of Kenya that there would be partial lockdown of the country with effect from 15th March 2020 appeared to cast a dark shadow of doubt on the School’s ability to continue mounting trainings for Continuing Professional Development (CPD). Triggered by the detection in Kenya of the severe acute respiratory syndrome (SARS) viral respiratory disease now simply referred to as Covid-19, the lockdown meant that regular physical meetings for training would be suspended immediately.

With the change in the operating environment in mid-March, the CPD Division quickly shifted its focus to innovative training products that could be delivered through the online platform and hence in May, July and August 2020, a few online courses were undertaken. The CPD calendar of courses that ran from July 2019 to June 2020 was therefore not concluded in the last quarter of the financial year 2019/2020. Nonetheless, as we prepared for the current financial year 2020/21, we purposed to restart physical training in September, which was realised so successfully to our pleasant surprise! Between September to December 2020, we conducted training in Mombasa, Naivasha, Kisumu and the School’s Karen Campus that were well attended. The courses included the following: Andragogy for Law Lecturers; Introduction to New Land Regulations; Legal Audit and Compliance; Legal Compliance and

Audit in Human Resource Management; The In-House Lawyer and the Procurement Process; Tax Compliance for Lawyers; Public Policy and the Legislative Process; Trial Advocacy, and Legal Audit and Compliance (in collaboration with the Law Society of Kenya Young Lawyers Committee).

We intend to continue with physical training while ensuring that the Government’s protocols on health and safety of the participants are observed. We shall also continue offering online courses (lasting 1-2 hours) or customised to a client’s needs, and may take up to 4 days. The approach of offering online courses is in cognizance of the reality that the Covid-19 pandemic could persist. There is also, independent of Covid-19, the need to embrace diversity in delivery of courses to meet the changing needs of the client, especially the need to integrate technological innovations in delivery of services.

The School has, through the CPD Division, continued to undertake consultancies for both the public and private sectors. CPD is delighted that during the period of partial lockdown, we were able to complete a consultancy on regulatory impact assessment of draft regulations on behalf of a state corporation under the Ministry of Agriculture, Livestock, Fisheries and Irrigation. We have also recently concluded some legal and governance audit consultancies and there are others that are currently ongoing. These consultancies have been undertaken by taking advantage of technology in data collection and interviews using virtual platforms.

A public institution that wishes to engage the School to carry out legal or governance audit, regulatory impact assessment or any other legal consultancy may write a letter to the School requesting for those services on given terms of reference. A proposal would then be prepared and provided in response to the request. This procedure as an exemption to the requirements of the Public Procurement and Asset Disposal Act, No. 33 of 2015 is provided in section 4(2) (c) on services provided by a government ‘department’.

The CPD Division is focused on completing the delivery of courses that are lined up till end of June, 2021. The training calendar may be accessed on the School website at [www.ksl.ac.ke](http://www.ksl.ac.ke). The training calendar for the financial year 2021/2022 will be available on the School website by 31st May 2021. Through the ICT department, the School is in the process of establishing an online booking and reservation portal that will ensure that customers apply for training online, and are able to register for courses and attend without much physical documentation. The portal will enable the Division to monitor enrolment and payment for courses in a more efficient and effective way. This is an overdue milestone which will add another feather of success to the CPD programmes.

I wish to thank the CPD team for their hard work, professionalism and unity exhibited in ensuring that the objectives of the Division and the School at large are realised. The team is made up of Isaac Kuloba (HoD), Dr. Erick Komolo, Mr. Samuel Akhwale, Mr. Kefa Simiyu, Ms. Ann Waithira, Ms. Naserian Sitelu, Ms. Jacqueline Mararo and Ms. Christine Mwanza.

This team ensures that the training and consultancies undertaken by the Division meet the threshold of quality and relevance, and also meet customer expectations. The Division is in the process of reorganization to ensure that it takes advantage of the diverse and rich human resources to expand on the products and services that can be processed and marketed in the Division.

Finally, we constantly seek feedback from our customers on the services provided by the Division. We request our customers and potential customers to respond to online surveys that we send to them from time to time in order to help us to improve service delivery.



*In-house Training for the Kenya School of Law Finance department*

*Isaac Simiyu Kuloba is an Advocate of the High Court of Kenya and the Assistant Director in the CPD Department*



*Participants of the Legal Audit and Compliance Course organised by Kenya School of Law's CPD Department in collaboration with the Law Society of Kenya*



## Andragogy Training: Effective E-Teaching

By Ann Githinji Ng'ang'a

Every year, Kenya School of Law's (KSL) Continuous Professional Development, Projects and Research (CPD, P & R) Department conducts an Andragogy Training to equip educators, including lecturers and trainers, in Andragogy related skills and capacity building. The training has secured the attendance of participants from both the public and private sector. Key participants in this training are lecturers drawn from the Advocates Training Programme and Paralegal Training Programme (ATP & PTP) Department. The collaboration between CPD and ATP & PTP has seen to it that the lecturers benefit from the annual training.

Last year's Andragogy Training adopted a theme of e-teaching. Titled, Andragogy for Lecturers: Methods and Skills for Effective E-Teaching, the training featured relevant topics that focused on enhancing the participants' knowledge and skills in effective lecture delivery and specifically, in e-teaching. The three-day course ran from 14th to 16th December 2020 and was held in Naivasha. In addition to participants from ATP & PTP, the training attracted participation of members from other departments, namely the Academic Services, Library and Information Services and ICT. Unlike previous years training,

2020 training did not include participants from outside the School fraternity. From the onset, participants were reminded to observe safety measures, i.e. properly wear a mask, wash hands or sanitise, and observe social distance. The hotels in which the participants trained and resided had also taken cautionary measures.

The Covid-19 pandemic that hit the world since late 2019 has had significant impact on the education sector. The Government's safety measures introduced to intervene included closure of education institutions. Indeed, the government only recently permitted the physical reopening of schools, and even then, in gradual phases. The theme of 2020's Andragogy course was conceptualised against this background, upon observing that many educators had been caught unawares by the pandemic and compelled to commence e-teaching without sufficient training or skills. As a result, there were likely gaps in effectiveness of transmission of knowledge from the lecturer to the student in the e-learning environment.

The training began with a keynote address by Dr. Mercy Deche, at the time a Commissioner with the Judicial Service Commission titled "Beyond Publish or Perish, Digitize or Die". In her address, Dr. Deche observed

that the onset of digital learning is irreversible and significant in its impact. It is therefore imperative to establish measures to align teaching to optimise digitalisation. She urged participants to embrace digitalisation in delivery of learning because it comes with its advantages. For example, ICT places a bigger obligation on the lecturer to equip students with far more superior ability to research. It calls for change in our examination methods from the traditional to open book. Instead of committing knowledge to memory and regurgitating in a two-hour exam, we shall be refocusing students' ability to look for information and engage it critically. She observed that there are indeed challenges in implementing e-teaching. Some of the challenges include integrity concerns, say, where one cannot confirm the actual attendance of students; inequity because some students may not have access to the internet, and costs incidental to ICT such as infrastructure and system related costs. However, the benefits of digitalisation far outweigh its challenges. In her closing remarks, the Commissioner identified strategies that can be considered in applying ICT; some are that ICT should be used to meet the needs of both the student and the teacher, and that the e-teaching platforms should be easily accessible, user friendly, transparent, interactive and attractive to students and lecturers.

Her observations were reiterated throughout the course by the subsequent facilitators. Drawn from a pool of highly qualified and experienced trainers and scholars in education, law and (ICT), the facilitators discussed relevant topics on effective lecture preparation and delivery; matching learning objectives to teaching methods, and adult learning principles. Further, participants were sensitised on the critical role of research ethics, for the learner as well as the lecturer. These topics were tailored to provide a necessary foundation for new lecturers on how to effectively train adult learners. They also served as a refresher course for the lecturers who have been teaching. With specific regard to e-teaching, the facilitators discussed how to effectively integrate E-Learning in teaching courses; utilisation of Learning and Content Management Systems (LCMS), and

how to conduct effective Online Assessments and Feedback mechanisms. Internet and data governance considerations in an e-learning environment were examined too. The discourse was intended to equip participants with skills on effective e-teaching and online assessment. It was also intended to enhance the support skills of participants from the Academic Services, Library and ICT Departments in order to provide a seamless e-teaching environment. Moreover, participants were guided on how to address the technical challenges, specifically, ICT related challenges which they face during e-teaching, and we got an opportunity to draw lessons from other learning institutions on their Covid-19 adaptation. The training wound up with a practical session in which an online lesson on Trial Advocacy was simulated.

The training concluded with remarks

from the KSL heads of departments and the Chief Executive Officer, Dr. Henry Mutai, who observed that E-learning is irreversible and therefore all efforts need to be made to ensure that it is conducted effectively and seamlessly. On the social side, participants got a chance to catch up during a cocktail party. The caution from the Covid-19 restrictions dampened an otherwise merry moment. That said, the getaway from the hustle and bustle of the city provided a moment to refresh and return rejuvenated. Our return to Nairobi was uneventful. We thank God for the journey mercies and care throughout our stay.

The feedback received from participants was that the training had been enlightening. We look forward to this year's!

*Ann Githinji Ng'ang'a is an Advocate of the High Court of Kenya and a Lecturer at the Kenya School of Law*



*KSL Academic staff during the Andragogy 2020 training*

*Train with Experts*



**THE KENYA SCHOOL OF LAW** ISO 9001:2015  
CONTINUING PROFESSIONAL DEVELOPMENT(CPD)

**CALENDAR OF COURSES/SEMINARS: JULY 2020-JUNE 2021**

NO.	COURSE TITLE	DURATION	DATE	FEES(SHS (INCL. 16% VAT)	VENUE
1.	LEGAL AUDITS: KEY CONSIDERATIONS	1 DAY	13 JULY 2020	2,000.00	ONLINE
2.	PATENTS & COPYRIGHTS: TRENDS & OPPORTUNITIES	1 DAY	20 JULY, 2020	2,000.00	ONLINE
3.	LEGAL COMPLIANCE IN ICT	1 DAY	22 JULY, 2020	2,000.00	ONLINE
4.	MASTERING LAWYER BUSINESS PLANNING	SERIES	3 AUGUST, 2020	2,000.00	ONLINE
5.	OVERVIEW AND IMPACT OF THE INCOME TAX BILL 2020	1 DAY	18 AUGUST, 2020	2,000.00	ONLINE
6.	PUBLIC PROCUREMENT LAW AND REGULATION: UNDERSTANDING RECENT CHANGES	5 DAYS	31 AUG-4 SEPT, 2020	57,500.00	KSL, KAREN
7.	INTERNATIONAL COMMERCIAL DISPUTE	2 DAYS	10-11 SEPT, 2020	23,800.00	KSL, KAREN

8.	MANAGING PROCUREMENT RISKS: SYNERGY BETWEEN LEGAL & PROCUREMENT SERVICES	5 DAYS	21-25 SEPT, 2020	88,000.00	NAIVASH
9.	ESSENTIALS OF TRIAL ADVOCACY	3 DAYS	23-25 SEPT, 2020	34,700.00	KSL, KARE
10.	LEGAL AUDIT AND COMPLIANCE	5 DAYS	28 SEP-2 OCT. 2020	92,000.00	MOMBASA
11.	THE BILL OF RIGHTS, DATA PROTECTION AND THE LAW	4 DAYS	6-9 OCT, 2020	70,400.00	NAIVASH
12.	IMMIGRATION & LABOUR LEGISLATION & POLICIES IN THE EAST AFRICAN COMMUNITY	3 DAYS	14-16 OCT, 2020	34,700.00	NAIROBI
13.	PUBLIC PRIVATE PARTNERSHIPS	5 DAYS	19-23 OCT, 2020	88,000.00	NAIVASH
14.	MONITORING AND MANAGEMENT OF REGULATORY COMPLIANCE	5 DAYS	26-30 OCT, 2020	92,000.00	MOMBASA
15.	BANKING AND THE THREAT OF CYBER CRIME: LEGISLATIVE AND POLICY OPTIONS	5 DAYS	2-6 NOV, 2020	88,000.00	NAIVASH
16.	PUBLIC SECTOR HR AUDIT AND LEGAL RISK MANAGEMENT	5 DAYS	9-13 NOV, 2020	92,000.00	KISUMU
17.	BOARD OPERATIONS AND PROCESSES	5 DAYS	16-20 NOV, 2020	92,000.00	MOMBASA
18.	2 <sup>ND</sup> KSL ANNUAL CONFERENCE: "LAWYERS, CONSTITUTIONALISM & GLOBALIZATION"	2 DAYS	23-24 NOV, 2020	6,000.00	KSL, KAREN
19.	ANDRAGOGY FOR LECTURERS: METHODS AND SKILLS FOR EFFECTIVE E-TEACHING	3 DAYS	2-4 DEC 2020	54,000.00	NAIVASH
20.	CORPORATE GOVERNANCE AND THE LAW	5 DAYS	7-11 DEC, 2020	95,000.00	NAIVASH
21.	CERTIFICATE IN LEGISLATIVE DRAFTING	9 WEEKS	JAN/FEB, 2021	295,000.00	KSL, KAREN
22.	RISK MANAGEMENT FOR LEGAL ESTABLISHMENTS	1 DAY	19 FEBRUARY, 2021	5,000.00	ONLINE

	(ONLINE)				
23.	DEVOLUTION OF HEALTH SERVICES: POLICY & LEGISLATIVE OPTIONS	5 DAYS	22-26 FEBRUARY, 2021	95,000.00	MOMBASA
24.	PROCUREMENT AND FINANCIAL RISK MANAGEMENT	5 DAYS	22-26 FEBRUARY, 2021	92,000.00	NAIVASHA
25.	LEGAL AUDIT & COMPLIANCE (In Collaboration with LSK Young Lawyers Committee)	4 DAYS	1-4 MARCH, 2021	34,000.00	KSL, KAREN
26.	FINANCIAL MANAGEMENT FOR LAW FIRMS	3 DAYS	3-5 MARCH, 2021	54,000.00	NAIVASHA
27.	PUBLIC PROCUREMENT LAW AND POLICY (In Collaboration with the LSK Procurement Committee)	4 DAYS	8-11 MARCH, 2021	34,000.00	KSL, KAREN
28.	CAPITAL MARKETS: DEVELOPMENT AND REGULATION	3 DAYS	15-17 MARCH, 2021	35,300.00	NAIROBI
29.	LEGISLATIVE DRAFTING	5 DAYS	22-26 MARCH, 2021	58,500.00	KSL, KAREN
30.	INVESTIGATION AND COURT ROOM SKILLS FOR ENFORCEMENT OFFICERS	5 DAYS	12-16 APRIL, 2021	90,000.00	NAIVASHA
31.	LEGAL AUDIT AND COMPLIANCE (In Collaboration With the Law Society of Kenya) <i>[Minimum 40 participants to proceed]</i>	4 DAYS	19-22 APRIL, 2021	34,000.00	ELDORET
32.	LEGAL AUDIT AND COMPLIANCE	5 DAYS	26-30 APRIL, 2021	95,000.00	MOMBASA
33.	STRATEGIES IN ANTI-CORRUPTION AND CRIMINAL LITIGATION	1 DAY	3 MAY, 2021	12,100.00	NAIROBI
34.	CORPORATE COMMUNICATION: LAW, POLICY AND PRACTICE	5 DAYS	10-14 MAY, 2021	90,000.00	NAIVASHA
35.	STRATEGIC MANAGEMENT FOR IN-HOUSE	SERIES	MAY, 2021	2,000.00	ONLINE

36.	REGULATORY IMPACT ASSESSMENT & COMPLIANCE REVIEW	5 DAYS	7-11 JUNE, 2021	95,000.00	MOMBASA
37.	MEDIATION OF FAMILY DISPUTES	4 DAYS	22-25 JUNE, 2021	46,900.00	KSL, KAREN

**Pre-requisites:** There are no prerequisites for attending a course. Prior legal training is an advantage but not a prerequisite.  
**Apply:** Download Application Form at: [http://www.ksl.ac.ke/wp-content/uploads/2018/04/CPD\\_REGISTRATION\\_FORM.pdf](http://www.ksl.ac.ke/wp-content/uploads/2018/04/CPD_REGISTRATION_FORM.pdf)

**Tuition Fee:** The applicant should confirm their participation with the School, register and pay for the course at least seven (7) days before commencement of the course. Payment may be made directly to the School's CPD account (Account No. 202 2029 110 Barclays Bank of Kenya, Barclays Plaza Branch, Nairobi, Kenya) and banking slips or evidence of electronic funds transfer presented to the Finance Office. The fees quoted are inclusive of all taxes, tuition, lunch, refreshments and conference facilities. Non-East Africans pay 25% above the quoted rates.

**Accommodation:** For courses conducted at the Kenya School of Law, Karen Campus, accommodation facilities are available within the Campus. Please contact our Hospitality Department on telephone number 020 2699581/6 ext. 223/311 and note to make early reservations.

**NOTE:**

- Please note that for Calendar courses, we require a minimum of ten (10) participants (for training at the School or online) and fifteen (15) participants (for training out of Nairobi) for a course to be confirmed, and where this is not possible, the School reserves the right to reschedule the course to another date, or in exceptional cases, to cancel the course. If a participant has confirmed attendance and has paid, but decides to cancel attendance within 7 days to the date set for training, the School shall deduct 25% from tuition fee as cancellation charges.
- During the Covid-19 pandemic period, the School reserves the right for sufficient cause, to reschedule, or change the venue for, any courses, with prior notice to those who have confirmed attendance.
- CPD points will be awarded to members of the Law Society of Kenya on payment of additional 1,000.00 (1.2 & 3 CPD points for a 1, 2 or 3 days course, respectively. Maximum number of CPD points is 3 for any course of duration exceeding 3 days.
- Customer-tailored courses: The Kenya School of Law also offers courses tailored to the customer's requirements upon request and the fee is as shall be agreed upon.

For course enquiries, please contact Mr. Isaac Kuloba (Asst. Director, CPD), Christine or Jacqueline, at the Kenya School of Law, Langata-South Road, Karen, P.O Box 30369-00100, Nairobi on telephone number 020 2699581/6 ext. 300/302/317. You may also email us at [cpd@ksl.ac.ke](mailto:cpd@ksl.ac.ke) or visit our website: [www.ksl.ac.ke](http://www.ksl.ac.ke)

  
**ISAAC S. KULOBA**  
**FOR DIRECTOR/CHIEF EXECUTIVE OFFICER**



## Library: An Important Resource During the Covid -19 Pandemic

By Agnes Mwai

The sudden and unexpected outbreak of the novel coronavirus disease challenged the ways library used to function worldwide. Kenya reported its first positive case of the novel coronavirus (Covid-19) on 12th March 2020. This was followed by the government announcement to close all schools and institutions of higher learning in the county.

As a result the Kenya School of Law (KSL) had to suspend all Advocates Training Programme (ATP) and Paralegal Training Programme (PTP) lectures indefinitely from 16th March 2020. However, because libraries are an important institutional resource, they remained open from 9.00am to 4.00pm on week days; strictly for borrowing and returning of books but not for sit and study. Other library services were offered virtually.

When the indefinite suspension of all ATP and PTP lectures happened, Library and Information Services department was in the middle of conducting an Information Literacy and Competence Training (ILCT) for ATP students. This meant suspending the training too. The department took an immediate initiative to facilitate remote access to library services for business continuity during the period as follows:

- i. Students whose ILCT training dates were slotted between 16th and 19th March, 2020 and therefore not trained received invitation to the Box platform.

They were required to respond to the invitation by completing the process remotely after which they would have full access to all the material uploaded.

- ii. For the same students, individual ProQuest accounts (Ebrary) were created and activated to enable access and download of eBooks.
- iii. For the ongoing ATP students, individual off campus login credentials for access to e-resources were sent to their specific email address.

On 6th April 2020 the government placed some counties in partial lockdown to contain the spread of the virus. However, the lockdown came with severe consequences which presented unique challenges in the provision of library and information services. This forced not just students but also librarians to adapt and adopt technology as a viable and valuable option to ensure fulfilment of the core School mandate.

The suspension of in-person services and access to physical collections at the institutions' libraries left the students, faculty and library professionals with consideration of adopting the technology which is the only way out in this challenging time. The Kenya School of Law library staff demonstrated their skills, empathy and flexibility during lockdown to respond to the rapidly evolving situation. In the circumstances, online communication became an essential and dynamic platform to connect and serve the targeted users.

In July 2020 when the pandemic

infection curve seemed to flatten, the government lifted restriction for movement and announced that schools and institutions of higher learning could open for physical learning. The School library opened the reading space for its users while still observing the set guidelines by the World Health Organization.

The following are our operating guidelines for the Library and Information Services department during the Covid-19 period:

### Maximum numbers of users in the library

- i. In order to observe physical and social distancing, a limited number of users are allowed in the Library at any given time. The numbers are restricted to one person per table; allowing the library to host about 50 users at a time. Any user who fails to adhere to the set physical distancing is requested to leave the library building.

### Ensuring Hygiene within the library

All library users are expected to observe the following hygiene regulations

- i. Mandatory sanitizing at the entrance to the library buildings
- ii. Mandatory wearing of mask in the library
- iii. Windows to remain open throughout to maximize ventilation inside the library
- iv. Keeping surfaces clean, including tables, chairs and library computers
- v. Clean and disinfect frequently touched items (door handles,

- shared desks, keyboards and front desk counter).
- vi. Payments for library overdue fines to be made via MPESA only
  - vii. Physical and social distancing is ensured in staff working areas

### Safe Handling of Materials

- i. All returned library books are quarantined for 7 days.
- ii. Hand sanitizer is available to all the Library staff handling library books
- iii. Library staff work in shifts in provision of services
- iv. All user advisory services (reference, consultation and research assistance) is provided using online techniques
- v. Continued promotion of online services and resources in order to limit numbers looking to visit the library
- vi. Communicate clearly about any new rules to library users, both online and onsite, and provide regular updates

### Conclusion

The School Library has continued working hard to provide access to collections and services remotely, investing time and effort in ensuring that there is no disruption in access to electronic resources and systems. User support services have continued both on site and remotely through social media, mobile phone calls and emails.

*Agnes Mwai is the Principal Librarian at the Kenya School of Law*



*Kenya School of Law's Library Electronic Resource Centre(ERC)*



*The reading space in our Town Campus Library*



## Organizational Resilience in the Face of Covid-19 Pandemic

By John Malombe

The origin of the Corona virus disease, now popularly known as Covid - 19 is still unknown. However, the first outbreak occurred in Wuhan, Hubei, China in late 2019. Thanks to globalization which permits rapid movement of people from one corner of the world to another, the virus spread very fast to other parts of the globe.

In Kenya, the first official case was reported on 13th March, 2020 by the Health Cabinet Secretary, Hon. Mutahi Kagwe. This announcement set the country in the state of panic. The government issued various advisories that needed to be adhered to in an attempt to contain the spread of the virus in the country. Consequently, businesses closed abruptly which meant instant job losses across various sectors of the economy. The circumstances required that organizations come up with innovative ways to ensure continuity in the face of the raging global disaster.

In the School, a number of measures were instituted to ensure business continuity while safeguarding staff health safety. To start with, we had to address the issue of physical distancing among staff in line with World Health Organization's (WHO) guidelines. To achieve this, we quickly embraced the shift system. Heads of departments were advised to develop flexible duty rosters which guaranteed that only a small number of staff were in the physical workspace at any one given time.

Over and above the shift system, the heads of departments undertook an assessment and disaggregation of

duties to determine those duties that could be carried out in the office and those that could be undertaken at home. In addition to this, the use of touch-based fingerprint biometric system was temporarily suspended to avoid the likelihood of infections through this medium.

Further, to ensure that training programs continued without much interference, the Academic Services, ICT, ATP and PTP departments chose a digital platform on which lessons could be carried out virtually. This transition required retooling of our training services and the related staff to be able to conduct lessons virtually without much challenge. In this regard, training sessions were held for the ATP and PTP staff to equip them with the necessary skills accordingly. Covid-19 came with adverse psychological challenges. The stress and anxiety caused by the sudden disruption of social order and also having loved ones infected by the virus called for measures to be put in place to deal with staff psychological needs. The department organized regular webinars through which staff were equipped with life skills and knowledge on how to navigate the Covid-19 era.

Most importantly, communication was up scaled. The staff were updated on Government decisions with regard to Covid -19 control measures in the public sector institutions.

They were also informed of the hygiene measures that they needed to observe in order to limit the spread of the disease. These included; regular hand washing and sanitizing hands in the absence of water.

To ensure that these hygiene measures are followed, the School through the

hospitality section procured and installed sanitizer cans at all entry points. We also ensured that there was sufficient water and soap in the various convenient points for use by the staff, students and visitors. In addition, thermo guns were acquired and put to use at various entry points to ensure that all persons entering the School premises had their temperatures taken. The staff were always reminded to stay at home in case they experienced Covid-19 related symptoms and how to contact health personnel for further attention and help.

To ensure that the workplace remains as safe as possible from Covid-19, regular fumigation and disinfection programmes have been put in place to ensure a virus free environment.

In conclusion, it is important to note that Covid-19 still remains a global reality. New variants are being reported in various parts of the world. Countries all over the world are rolling out the vaccination programs. Our staff are being encouraged to take the vaccine in addition to the measures that have been put in place in hope that lasting solution to the pandemic will soon be found.

Finally, Dr. Steve Maraboli, a globally renowned motivational speaker, while commenting on the raging pandemic says, *'Life doesn't get easier or more forgiving, we get stronger and more resilient.'*

*John Malombe is the Assistant Director, Human Resource and Administration at the Kenya School of Law.*



# Risk In Procurement Process

By Mariam Mahmoud

**R**isk is exposure to loss as a consequence of uncertainty. There are a variety of risks faced during the procurement process. When procuring goods, works and services, it is important to consider the risks attached at every stage, from unreliable vendors to late deliveries, risks of poor procurement are diverse. Procurement can be challenging, especially with so many potential risks littered along the supply chain. Luckily with a little forethought, the supply chain management team can plan ways to manage the risks within the procurement system. The most common procurement risks include:

## 1. Inaccurate internal needs analysis

When a department identifies the need for a product or service, it kicks off the procurement process. At this stage, the risks are obvious and include:

- √ Overstatement or understatement of the need
- √ Unrealistic timescales and schedules
- √ Inadequate budget
- √ Poorly designed requirements,

While it's obvious that these risks result in wasted time and money, the real problem lies in their knock-on effects

Incorrect forecasting or estimates costs at the beginning of the procurement process may cause a chain of incorrect decisions down the line.

## 2. Poor vendor selection

For smooth –running operation, you need a reliable and stable source of supply. The risks of poor vendor selection include:

- √ Low quality products
- √ The vendor might not deliver what they say they can
- √ The supplier might not deliver on time
- √ The vendor might not uphold the correct ethical standards
- √ The supplier could be non-compliant

## 3. Disorganized vendor management

To prevent mishaps due to breakdowns in vendor relationships you may need to assess the following risks:

- √ Communications and supplier buyer relationship
- √ In house supplier processes you may have to work with

## 4. Non compliance

Issues of compliance is key and any supplier who misses on the compliance which are mandatory with government regulations can expose a procurement entity to a very big risks, This should be addressed at the time of evaluating bids documents at the beginning of the exercise,

## 5. Delays in procurement

Constant mistakes in the procurement process lead to delays as your procurement team is constantly tasked with fixing problems rather than moving procurement

process along.

It is important that all stakeholders involved in the procurement process are involved throughout the cycle. This include:

- √ Preparation and submission of procurement plan for consolidation to supply chain management
- √ Giving the right estimate costs in the procurement plan
- √ Preparing and submission of the Terms of Reference, Samples and Bill of quantity together with the requisition in good time during implementation
- √ Participating in the evaluation exercise when required
- √ Participating in the Inspection and acceptance exercise

## CHECKLIST OF POTENTIAL RISKS- GOODS AND SERVICES PROCUREMENT PROCESS

- I. Identifying the need and planning the purchase
- II. Developing the specification
- III. Selecting the procurement method
- IV. Purchase documentation
- V. Inviting, clarifying and closing offers
- VI. Evaluating the offers/bids received
- VII. Selecting the successful bidder
- VIII. Contract Management
- IX. Evaluating the procurement process

From the above examples, it is evident that risk in procurement process is broad and with emerging issues in procurement risk can still be encountered.

## Risk In Procurement Process

An example of the risk in the process, its likely consequences and action plan can be illustrated in the column below.

### 1. Identifying the need and planning the purchase

Risk	Likely consequences	Action
Understatement of the need	Purchase of unsuitable product or service Money wasted Need not satisfied	Analyse need accurately
Overstatement of the need	Greater expense Poor competition	Analyse need accurately Use functional and performance requirements
Misinterpretation of user needs	Totally unacceptable purchase or not most suitable product or service Time lost Increased costs Possible downtime	Improve consultation with users Obtain clear statement of work and definition of need
Insufficient funding	Delay in making the purchase Additional costs for re-tender	Obtain appropriate approvals before undertaking process Improve planning
Impractical timeframe	Inadequate responses from tenderers Reduced competition Delivery schedule not met	Improve forecasting, planning and consultation with users Improve communication with potential tenderers
Probity issues	Increased procurement costs Most suitable product not obtained Unethical conduct	Implement best practice policies, guidelines and practices Maintain ethical environment Put suitable controls and reviews in place

*Mariam Mahmoud is the Principal Supply Chain Management Officer at the Kenya School of Law*



## Impact of Covid-19 on the School's Strategic Planning

By Doreen Otieno

It is often said that “if you don't plan you are planning to fail” - (Benjamin Franklin) and that “what is not

measured cannot be improved - (Peter Drucker)”. The Kenya School of Law takes cognizance of this sayings. In the Financial Year 2018/2019, the School Board and Management developed and approved the School Strategic Plan (SP) that prepares the School for the dynamic environment and rapidly changing landscape of legal Education. The approved SP can be accessed on the School Website <https://www.ksl.ac.ke/wp-content/uploads/2019/02/STRATEGIC-PLAN-2018-2022.pdf>.

The School strategic focus is Legal Training, Continuing Professional Development, Research, Consultancies and Projects, Financial Sustainability, Institutional Capacity and Operational Excellence, Customer Focus. All these are geared towards helping the School stabilize, grow student enrollments, and increase registrations to programmes as well as access to the services that the School offers. This ensures that the School remains the best for all stakeholders.

The Financial year 2019/2020, was a year that hit hard the Strategic Plan's implementation process. A number of activities are either pending implementation or under achieving in the Plan's target due to

the Covid-19 Pandemic. Among the School's core mandate activities affected were, the conducting of onsite learning, prison visits through the Legal Aid Clinics, participation in moot court competitions and the provision of physical CPD short courses among other targets.

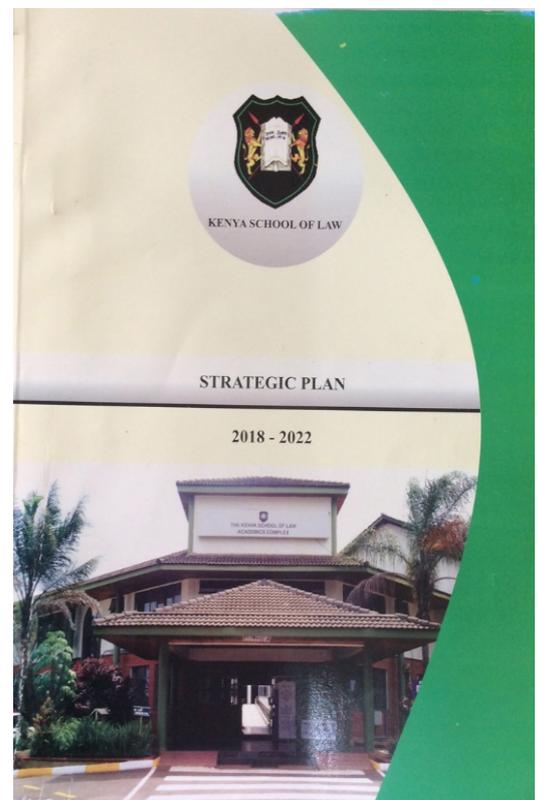
However, amidst the disruption, the School did adopt ways that ensured programme continuity with e-learning being implemented at the peak of the Covid-19 pandemic.

A year ago, just before the pandemic, e-learning looked complex and impossible, recording a 0% implementation status in FY 2018/2019, until the pandemic hit and technological uptake was key. This resulted in 100% implementation of the e-learning programme as presented in the mid-term strategic plan review report accessed at <https://drive.google.com/file/d/1MDUOmrE0zZphP1pa3p7eM-zfUcXOcPwx/view?usp=sharing>. Indeed, E-learning is a programme that the School looks at sustaining with the hope of increasing future student enrollments and increased client registrations to our programmes.

It is however, important to note that the pandemic came at a time when the Strategic Plan was due for a mid-term review. This gave the School an opportunity to relook at the strategic activities and rethink on the best strategies amidst Covid-19 pandemic. The strategic planning process greatest value is in identifying uncertainties and options for business

re-engineering and continuity. To this end, in preparation for the next strategic planning cycle, the School is looking into comprehensively determining the risks and uncertainties that may affect its processes and design innovative strategies aimed at enhancing business continuity and post Covid-19 recovery.

*Doreen Otieno is the Senior Officer Planning, Monitoring and Evaluation at the Kenya School of Law*





## From the Sports desk

By Samuel Mwaniki

As the saying goes, all work and no play makes Jack a dull boy. Of course the same is true for Jill as well! In recognition of this truism, the School, through the Sports Committee, organizes various sporting activities for both students and staff.

The outdoor sports facilities available at the School include a football pitch, a volleyball pitch, a running track, a badminton court, table tennis and a swimming pool. In addition, there are facilities for indoor sports such as darts, weightlifting, scrabble and chess. There are plans to construct more sports facilities at the Gate D grounds. The School's sports

facilities are also open to members of the public at a nominal fee. Apart from the sports activities held at the School, students also participate in many games organized by various institutions in the country. These include the annual Egerton University sports festival, Kenya rugby sevens, the Catholic University of Eastern Africa annual sports festival, the annual Law Society of Kenya Justice Cup and the annual International Committee of Jurists Cup. Likewise there are occasional invitational sports visits both in and out of the country.

It is regrettable however, that in the 2020/2021 academic year, sporting activities were adversely affected by the Covid-19 pandemic, making it

impossible to participate in team sports. It is to be hoped that sports activities will resume fully in the 2021/2022 academic year which commences in May, 2021.

The KSL Sports Committee invites all staff and students to take advantage of the School's sporting facilities. As advised by the Ministry of Health, regular exercise is of great benefit not just for the body but also for the mind and soul! Tukutane viwanjani!

*Samuel Mwaniki is an Advocate of the High Court of Kenya, a Senior Lecturer and the Chairperson of the Sports Committee at the Kenya School of Law*



*Kenya School of Law students during a past sports day event at the JKUAT Karen Campus.*



### My Experience of Pupillage during the COVID-19 Pandemic

By Mike Atieno

The pupillage program gives a pupil the opportunity to learn the practical aspects of the law and to engage with their peers on legal matters. My first month of pupillage at the Office of the Attorney General and Department of Justice (the State Law Office) was enlightening and educative. The State Law Office offered me a great opportunity to learn and interact with some of the leading legal minds in the country. I got to learn how to handle matters dealing with civil litigation, international law, Public Trustees, marriages, commercial transactions and legislative drafting, among others. I attended client interviews, drafted pleadings and attended court sessions.

My course on becoming an Advocate of the High Court of Kenya seemed smooth and normal until the Cabinet Secretary for Health announced the first Covid-19 patient in Kenya on 12th March 2020. Having attended court sessions in Milimani Law Courts under the instructions of several Senior State Counsel, I was sure that within six months I would have duly filled my workbook

and cleared with the Kenya School of Law pending my admission to the Bar. Following issuance of Covid-19 measures and regulations by the Ministry of Health, pupils at the State Law Office were instructed to stay at home until further notice. Hence, this forced me to cease attending pupillage for a period of four months, until mid-August. All my dreams of being admitted in 2020 were shattered. The State Law Office was very keen to protect its staff and pupils from Covid-19. Hence, despite other pupils from private law firms continuing with their pupillage, most of the staff at the State Law Office were instructed to work from home, where possible. As a pupil, it would be difficult to be supervised at home since there were no courts to attend and client meetings were done virtually.

The world had changed and the change did not favour pupils. We could not attend courts, neither physically nor virtually. The stay-at-home directive put everything concerning pupillage on hold. This was sealed by the Kenya School of Law's notice instructing pupils to cease attending pupillage due to the Covid-19 disease.

A program that was supposed to take six months lasted for a period of

eleven months. In December 2020, cleared my pupillage program and the Office of the Attorney General and Department of Justice has been kind enough to offer some of us post-pupillage positions pending our admission to the Bar. The Kenya School of Law and State Law Office subsequently lifted their notice. After the long break, we resumed the pupillage program. All pupils were tested to confirm their Covid-19 status. We were required to report to work twice a week and work from home during the rest of the days.

This arrangement made it difficult to learn and keep track of events. The experience in civil litigation and client interviews was narrow and shallow. Service and filing were done virtually and only the State Counsel attended courts virtually. In other words, the normal court experience had been barred by the pandemic. Moreover, the fears of contracting Covid-19 gripped everyone and the pupils were no exception.

*Mike Atieno is a student at the Kenya School of Law*



## National Legal Aid Service: Road Map To Access To Justice

By Peter M Penda

The National Legal Aid Service (the Service) was by far one of the more interesting departments I got the pleasure of working at while on pupillage. The Service is located in a small somewhat stuffy office lacking good infrastructure. This however does not degrade the integral position it plays at furthering the goal of access to justice.

The child of the then National Legal Awareness Programme, the Service has in time grown in stature from an amalgamation of pilot projects centred around major towns and cities to a fully-fledged Service backed statutorily by the Legal Aid Act No. 6 of 2016 (the Act).

The Service plays an integral role in access to justice by providing Wanjiku an opportunity to not only familiarise themselves with the law but also by enabling proper access to courts and legal resource materials. It is by far the embodiment of the Spirit of the Constitution. The Service provides legal aid in form of advice, legal representation, personal training and mediation in resolving disputes. Although I never had the pleasure of

attending one, legal aid clinics are also provided by the Service. Though the Act provides a broad mandate to include matters touching on civil law, criminal law, constitutional law and matters of public interest, this deals mainly with family law matters, including child welfare (parental responsibility, guardianship and custody)..

One, however, cannot help but notice the need to fully operationalise the Service by an increase in funds. For instance, the offices of the Service need a paint job. The Legal Aid Fund which is provided for in the Act requires to be jumpstarted like a stalled Mazda.

It is to be noted that even though the Service targets all Kenyans, it needs to reach out to the male folk more. The Service by my anecdotal observation serves a lot more women than men. Perhaps great efforts should be made to ensure that the Service broadens its operational capacity to cater for areas of the law that affect men. An example would be factoring in an Office of the Public Defender majoring in criminal briefs. This will to ensure adequate legal representation of young men caught up in poverty and crime.

On a personal note, the day to day contact with clients can exhaust one physically and emotionally. It includes long and emotional mediation sessions sometimes punctuated with animated clients who can make one wish for the presence of a police officer in the room.

In conclusion, the role of the Service, though its office seems small in size, should not be underplayed.

In an effort to improve access to justice, public interest litigation has for a while been lauded as an innovation that has served Kenyans well. It is time the work of the few at the Service who meet Kenyans of all walks of life providing great service with friendly faces is glorified.

*Peter M Penda is a student at the Kenya School of Law currently on post pupillage at the Office of the Attorney General and Department of Justice*



## Embracing Technology in Legal Practice

By Lorrain Akinyi

When news broke out of the first reported case of the corona virus in Kenya, I had just done one month of my pupillage. Gradually, businesses began to shut down and even courts were closed. Legal work reduced significantly, with no court appearances and no physical meetings. Adjustments had to be made to ensure work was done in the midst of the pandemic. Immediately, my pupil master put in place work –from- home measures. However, beginning of April 2020, pupillage was suspended and the future seemed bleak as the virus ravaged the economy.

The Judiciary had to step up and embrace technology, something that was long overdue. The e-filing platform was launched and litigants had to adjust to the new system as courts exclusively used video link for court appearances and filing was through the e-filing platform.

In mid-June 2020, pupillage resumed and there was a flicker of hope. We embraced the new normal; remote working and use of technology in practice. I went on to successfully complete my pupillage in November 2020 with a lot of lessons learnt.

The incorporation of technology in legal practice is now with us. Despite the teething problems encountered when the e-filing platform was launched, the

system and other technologies used have proven to be efficient in a number of ways:

1. Filing documents is now faster as one just needs to upload the documents on the portal and pay filing fees at the comfort of their home or office without having to go to the court registry;
2. Filing can be done at any time of the day or night and even on weekends;
3. Court appearance is virtual through video link on platforms such as Microsoft Teams;
4. Justice is dispensed faster because of few adjournments as counsel are able to appear in court wherever they are through video link;
5. Courts have largely embraced written submissions for non-complex matters to dispense with matters faster.

However, the use of technology has had its challenges too:

1. The e-filing system is not entirely electronic as litigants have had to physically follow up with court officers on the progress of their matters where the system has been inefficient;
2. The e-filing system does experience downtime;
3. Lack of clear guidelines and communication from the court on the conduct of hearings;
4. Slow response by court officials to queries by litigants.

If the challenges of the system are addressed, legal practice would be streamlined. One thing the incorporation of technology in practice has done is ensure that advocates adopt it in almost all

aspects of practice. Firstly, litigants have embraced the practice of electronic service.

It is common practice nowadays for litigants to serve each other documents via email or even WhatsApp. This has ensured that service is quicker and cheaper.

Secondly, time is not wasted on the road travelling for mentions or hearings in far-flung courts. Most of the courts have embraced virtual sessions with court sessions ending on time. Time that was previously spent travelling to courts can now be used by advocates to handle other matters.

Although technology has made practice quite efficient, advocates should avoid laxity and remain formal to uphold the dignity of the legal profession. Court etiquette needs to be observed even as they attend court from the comfort of their offices or homes. This includes formal attire and addressing the court in the right manner.

I am glad to have done my pupillage during a period of great transformation in legal practice in Kenya. Doctrinal knowledge of the law is simply table-stakes and additional technology skills are needed to augment it to meet the needs of the 21st century. Technology in legal practice is now the new normal.

*Lorrain Akinyi is an intern at the Kenya School of Law*



## Rising Up To The Challenge: Kenya School of Law: I Truly Weathered The Storm

By Ibrahim A Issack

*"There are many ways of breaking a heart. Stories were full of hearts being broken by love, but what really broke a heart was taking away its dream – whatever that dream might be" -Pearl Buck*

Covid-19 came calling with all indications of shattering my dreams of achieving my target within certain time. The Paralegal Training Program and other programmes of the school were disrupted by the novel corona virus. It is notable that Kenya School of Law immediately took steps to enhance the exchange and sharing of information, technical assistance, monitoring and reviewing processes of learning. Many guidelines were immediately introduced to provide a harmonized framework to safeguard the various interests in dealing with this hidden danger.

As a class president, I would receive numerous questions from my fellow students about the way forward regarding classwork. This was due to the fact that we had covered quite a large part of the syllabus and were just about to sit for the final exams.

Thankfully, Madam Anastasia Otieno, the programme Coordinator and Mr. Fredd Wakimani, lecturer, were always

kind to share information and guide us accordingly throughout this difficult period. Such a benevolent gesture meant a lot, at a time when things looked uncertain as we waited for official communication on the way forward.

Many health agencies and experts at the time viewed Covid a new thing and warned of a fast approaching unprecedented wave of mental health, depression, substance abuse, post-traumatic stress disorders, etc. People were really afraid of the unknown.

Understandably, most students being jobless – there was that anxiety that came with the school life disrupted by Covid-19. Their major concerns were money to pay fees, coverage of the remaining topics, way forward, exams, replacement of lost school identity cards, and access to the library among others..

Additionally, the school continued to work on a raft of measures to beat the odds. These measures included introducing virtual classes and purchasing data bundles for all the students to mitigate the costs of attending classes. This proved to be very handy indeed and worth replicating.

A WhatsApp group was formed that accommodated class presidents and school management. This groups interactive chat was used to answer

common concerns during the onset of the novel Corona virus and even going forward.

The online classes were concluded and subsequently CAT and exams were conducted at the Kenya School of Law Nairobi's Karen Campus. This experience of having the exams in school's main campus had been such a fulfilling experience. Looking back at this Journey, it can be described as resilient recovery from the moment things looked bleak!

*Ibrahim A Issack is the class president of the Paralegal Training Program at the Kenya School of Law*



## My Kenya School of Law Journey as Punctuated With Covid-19 Pandemic.

By Rayner Teresia M

I am Rayner Teresia M. a visually impaired diabetic student at the Kenya School of Law. I hold a Bachelor's Degree in Law from Kenyatta University. My journey at Kenya School of Law began on 5th February 2020 after my admission into the School. I was assigned to class F having Mr Justus Munyithya as my class supervisor and the class elected Mr. Immanuel Barasa Fwamba as my school president and class representative. My other class representative was Ms. Angela Nyambura Ngigi.

On my first day at the School, I got acquainted with my environment with the assistance of fellow students with whom we were in the same university. Through them I gradually got acquainted to the other students and made new friends. They helped me in mastering my new environment, studying through discussions and accessing any necessities I would need around School. This included visiting the school administration offices to make my requests and challenges known to the school during the initial physical classes.

I was then introduced to Ms. Annah Konuche, the School's ATP Assistant Director who offered to help me settle in the School to the best of her ability.

I also met Mr Munyithya my class supervisor who offered to talk with the lecturers who taught in my class to see how best they could help me.

Mr Barasa helped me draft a letter to the School Director and the other school departments to inform them officially of my situation as advised by Ms Konuche. The lecturers took notice of my situation and they helped me as much as they could.

However, when the pandemic struck on or about the 15th of March 2020 things took a completely different turn.

The School was officially closed till further notice and everyone returned to their respective homes. Being a diabetic and visually impaired it became really challenging for me as I needed to attend hospital for my appointments. This is due to my recent surgery on the left eye and attending diabetic clinics. These two conditions left me vulnerable to the virus due my weak immunity. I therefore needed to be highly alert in order to avoid infection.

I have been visually impaired since birth and was later diagnosed with diabetes on 13 December 2006. I had undergone my first eye surgery immediately after birth the more recent one being the third. At the moment I have very minimal sight in my left eye and can only differentiate light from darkness, while my right eye is completely blind. I also currently rely on injections to control my diabetes. At one point in time I could use my eyes to read and write but things worsened in my second year in university when my retina detached. I began using visual aids until I had the second surgery to

correct the retina. In my third year I developed a cataract which grew fast so during my third and partly fourth year before the third surgery I could no longer rely on visual aids. Kenyatta University, where I was a student, was very supportive. The teaching staff and fellow students always gave me support until I graduated and I thank God.

I am not well versed with braille and when I came to KSL I had to rely on a screen reader for my lessons. With physical classes being out, due the covid-19, things became harder. I had to stop using the reader, I further had not learnt to operate on my own as I had relied on fellow students to study through discussions. This was not possible at this time.

On 1st June 2020, the pilot phase of online classes was introduced and it was very challenging operating from home. Network problems, lecturers being fast. I tried to tell them to slow down but in nature of human beings they often forgot to do so. Some of them explained that they could not slow a class on account of one student. I had not come up with a solution working. I liaised with Mr Barasa but not much could be done.

On 1st August 2020 the online classes began officially and I was in a big dilemma. I talked with Mr Barasa and Ms Ngigi and we wrote a letter to the school once again.

I was referred to the school Director Dr Henry Mutai and Assistant Director ATP Ms Anna Konuche who met me in person.

I explained to them my case and they gave me some suggestions to try to help overcome my challenges and give them feedback. I kept on with this follow up until it worked.

In order to assist me the Director permitted me to return to the school hostels. I was allowed to buy food from the main cafeteria at a subsidized price. I was introduced to the members of the ICT department headed by Mr Dende who gave me suggestions to see me through. I passed these suggestions by the Assistant Director Ms Konuche and after a trial of two weeks, they were more favourable than the previous ones. The ICT department helped with network issues and accessing recordings

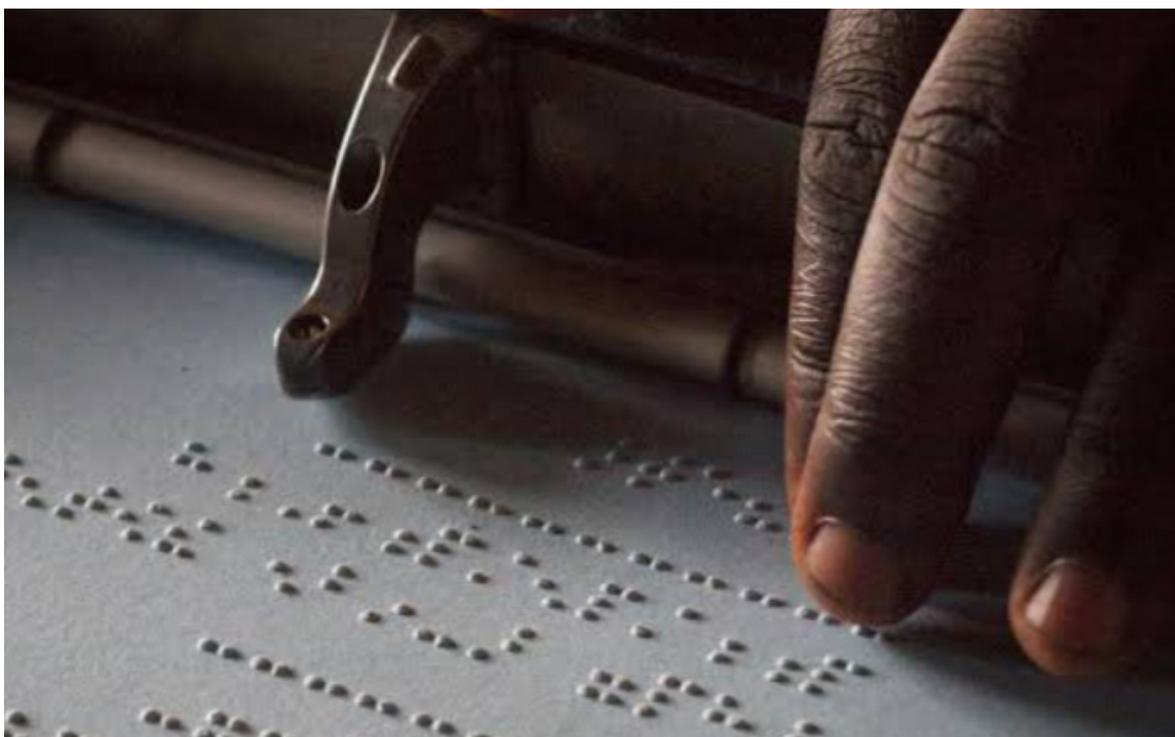
where possible. Fellow students also helped through online discussions. With time, even though I still had various challenges including data bundle issues and network I gradually adjusted. Days passed and soon we neared our oral examinations. Mr Barasa helped me to get in touch with Mr Ndirangu in the Academic Services Department and he together with Ms Konuche helped to see me through this time by providing favourable conditions during my oral examination. Later on, the School issued me with a completion letter to aid during the pupillage application process just before the School closed for a short break on the 18th December 2020.

The School later resumed on 4th of January 2021 for the third semester. The lecturers were moving at a fast pace as we drew closer to the bar exams. This period was very challenging and keeping up in class was hard.

Desperate times call for desperate measures and I needed to adapt to circumstances. I remained focused on revision as the exams approached. As I pen this, revision classes have begun and I still have challenges related to my health issues. I am receiving support from all angles, including from my parents, colleagues, friends the School and the society at large. I thank God and may His blessings continually be with every person who has contributed in seeing me through this journey.

I would strongly propose that the school considers having in place a disability policy that will help the school sustainably and efficiently respond to person living with disability such as myself.

*Rayner Teresia M, is a Student at the Kenya School of Law*



*Reading using Braille*



## To Do Or Not to Do : A Critical Look Into The Dignity And Welfare Of Persons With Disabilities In The Legal Profession

By Ouma Kizito Ajuon

### Introduction

According to the 2019 census, 2.2% of Kenyans live with some form of disability. This translates to 0.9 million people which is a significant number of the population. While getting accurate data on disability is challenging due to inter alia the lack of universally accepted standards of counting persons with disabilities (PWDs) and challenges of stigma, the 2019 census conservatively recorded a prevalent rate of 3.5%. These numbers support these two conclusions: Firstly, that the number of persons living with disabilities is rising. Secondly, PWDs do not only form an important fabric of the population in Kenya, but are distributed in every sector, area, and profession including the legal profession.

This article therefore, focuses on the dignity and welfare of persons living with disabilities in the legal profession. It argues that there is need for the legal profession to step up and take care of their members with disabilities. It posits that the legal profession and fraternity have a duty to not only promote and protect the rights of persons with disabilities in Kenya, but also to advocate for and safeguard the gains within the Constitution of Kenya, 2010.

This article further discusses the challenges that members with disabilities go through within the profession. It suggests that while there is often a distinction between the legal education and the legal profession, it is but the egg and the chick philosophy. It therefore challenges the legal fraternity 'to do' and put in place welfare programs for members with disabilities.

### Disability and the Legal Education in Kenya

As stated in the introduction, legal education is a big component of the legal profession. It is the gate-pass to the legal profession. It is important to acknowledge that legal education in Kenya is governed by the Legal Education Act, while the Law Society of Kenya Act (LSK Act) applies to matters involving advocates, hence the distinction. This does not however mean that members of the legal fraternity cannot intervene. Section 4 of the LSK Act gives power to the Society to not only advise the Government on legal issues and related matters, but to also improve the standards of learning and knowledge acquisition of advocates.

For persons living with disabilities, acquiring legal education comes with a number of challenges. The curriculum used in the universities

and the Kenya School of Law (KSL) is not accommodative to learners with disabilities. Learners with hearing impairments or visual impairments are usually the most affected as, for example, learning materials are not available in braille.

The other challenge is getting placement for the pupillage program. Many firms and institutions that offer pupillage are not situated in friendly environments for learners with disabilities. Additionally, learners with disabilities are often exposed to mobility challenges and accommodation challenges. The cost of acquiring legal education is also a huge barrier to learners with disabilities as a lot of them usually come from poor backgrounds.

### Disability and the Legal Profession in Kenya

Many advocates living with disabilities in Kenya face a myriad of challenges upon admission to the bar. Employment of advocates with disabilities is a challenge. As much as the Constitution of Kenya, 2010, Article 54 (2), stipulates that at least 5% of appointive and elective positions are slotted for persons with disabilities, there is no private or Government institution that has reached that threshold. A number of reasons are given for the challenges

of employment of professionals with disabilities such as lack of skills. When it comes to the legal profession however, the barrier to employment is law firms and institutions that are not disability friendly and these include the courts.

The challenge of mobility and housing is a reality for any advocate with physical disabilities: Think of an advocate on a wheelchair and files in hand working within the set-up of the city of Nairobi with its horrible transport system and perhaps the point will hit the mark. It is also strange that even though housing is part of the big four agenda, few remember that the disabled are disadvantaged when it comes to finding disability friendly houses. The other challenge that persons with disabilities in the legal fraternity experience is getting documentation such as Income Tax Exemption Certificates or Duty Exemption Certificates for vehicle importation as much as

these are rights in the law, supported by statute and the Constitution, the red tape and bureaucracy from the Kenya Revenue Authority (KRA) and other Government institutions is but a nightmare.

#### **What LSK Can Do**

LSK has the mandate and power to change a few things. Working together with the Council for Legal education, it can work on a curriculum that is inclusive and advise the Government and advocate for disability friendly courts and institutions of higher learning. For example, it does not make sense that many courts in Kenya do not have ramps and lifts, yet they are public places.

LSK can work with and advise the Government on regulations to make the public transport disability friendly for PWDs. LSK may also help by working with institutions such as KRA, the National Council for Persons with Disabilities and its parent Ministry to remove the red tape in tax exemptions for persons

with disabilities. LSK has to have data on its members with disabilities. This is important in understanding the challenges of these members and designing appropriate welfare programs. The Society may engage its membership so as to create a placement program for advocates with disabilities. Furthermore, young advocates with disabilities may be exempted from taking out practicing certificates as an affirmative program. This exemption can also apply to fees for continuous legal education.

#### **Conclusion**

LSK is therefore challenged to recognise and work towards tangible welfare programs to

the legal fraternity inclusive.

*Ouma Ajuong is a State Counsel in the Office of the Attorney General*



*A section of a ramp at the Nakuru Law Courts*



## Rising Through the Pandemic: From the Lens of Trial Advocacy Trainers

By Samuel Akhwale and Njoki Mboce

The Kenya School of Law (KSL) started a collaboration with Justice Advocacy Africa (USA) (JAA) and Kituo cha Sheria in the year 2009. The collaboration sought to equip pro bono advocates and KSL students with skills in trial advocacy. JAA is a non-profit organisation, dedicated to promoting access to justice. It accomplishes this through equipping advocates with court room advocacy skills and encouraging these trained advocates to engage in pro bono work. In order to achieve greater efficiency in logistical preparation for such courses, a local entity, Trial Advocacy Training Institute (Kenya) (TATI) was incorporated in 2018. TATI has the same objectives as JAA. A number of advocates trained under this programme as trial advocacy trainers have served as trainers at the Kenya School of Law Advocates' Training Programme and Law Society of Kenya's Continuous Professional Development programmes.

The training ideally runs for five days. It applies the 'learning by doing' training technique. This technique entails the participants performing the trial advocacy skills while training. Looking back at the year 2020, the trial advocacy training programme by TATI in conjunction with JAA, has risen through the pandemic! TATI had planned to hold an in-person training in Nairobi in March, 2020. Some potential participants had paid for the course. When the Government of Kenya and the Ministry of Health announced a number of restrictions against physical gatherings as part of the

measures to control the Covid-19 pandemic, the glaring alternative was to cancel the training.

Nevertheless, the wheels of justice nationally continued to turn. The number of arrests for covid-19 violations continued to soar. Indigents within the legal system continued to be processed through the legal grind. Access to justice under Trial Advocacy became a glaring dire need. The training had to happen! On this basis, an online training was set up. Those who had registered for the in-person training were informed of this alternative. Some took up the online training, others opted to undertake the in-person option when it would next be available. There were also those who opted to first survive the pandemic, and deal with everything else later.

### Planning for the Online Training

The basic principle applied for the virtual training was to uphold the quality of the in-person training. A series of online meetings were held between potential trainers from the USA and from Kenya. The focus was to equip all potential trainers with necessary skills for implementing the quality virtual training. No detail was left to chance, including how to ensure sufficient camera lighting and minimising disruption.

The next preparatory stage was to hold a simulation of the training. This was done over a period of three evenings, from 5:30pm to 7:30pm on 17th, 18th and 19th November 2020. Most of the participants were lawyers and law students. The focus was on case analysis, examination in chief and cross examination.

### Rolling out the actual training

Having ascertained that it was possible to hold an online Trial Advocacy training that uphold the quality of the in-person training, the planning for training went into full gear.

A course schedule was developed, based on a fictional matrimonial property dispute, affected by the Covid-19 pandemic, making it impossible to participate in team sports. from 18th to 29th January 2021. This was based on research which established that the meaningful duration for an intense online training was two hours per day. The course therefore run from 5:30pm to 7:30pm on each day. The time was scheduled to accommodate trainers from both the USA and Kenya.

The training was carried out like any other trial advocacy training with participants making opening statements, closing submissions, and carrying out examination in chief and cross examination. The trainers also gave the participants feedback on their performance.

### Benefits of Online Trial Advocacy Training

Training trial advocacy virtually has a number of benefits as was learnt from this experience. One, the participants can join in the training without undue restriction by location. While the participants in this maiden virtual course were mainly from Nairobi, there was also participation from lawyers in Eldoret, Lodwar and Mombasa. Two, a varied and experienced faculty is enjoyed without expenses of travel and accommodation. This course saw trainers offering their guidance from various States in the USA, and from Nairobi, Malindi and Mombasa Counties in Kenya.

Third, the number of both domestic as well as US faculty was unprecedentedly high during the online training. Another benefit was the cost cutting with respect to transportation and accommodation, for both faculty and participants. This is more so because US faculty finance their air fare.

### Challenges of Online Trial Advocacy Training

An immediate crippling concern was the traditional perception

of online learning as an inferior alternative. To mitigate this factor, various pre-trainings were conducted for faculty and participants on technical aspects of e-learning. The organisers also procured an e-learning platform that had advanced features. Mock training sessions were held and feedback acted upon to enhance the quality of learning. The time difference between countries i.e. between the USA and Kenya.

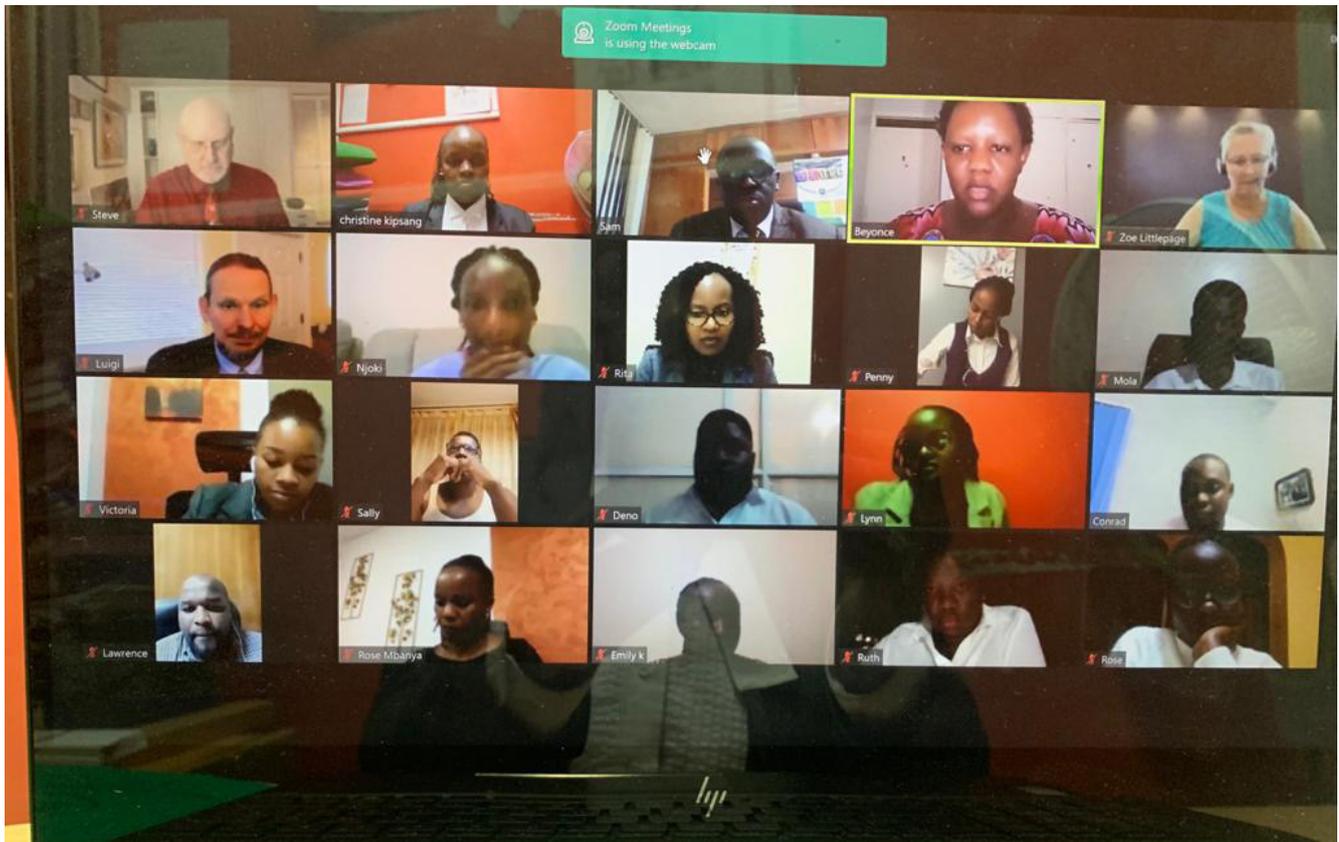
### Way Forward

The experience of this maiden

online trial advocacy training presents a silver lining where a number of lawyers, no matter their location, can at a reasonable cost get skills in trial advocacy which they can use in offering pro bono services. The skills obtained in this course can also better the standards of online court appearance by advocates. Finally, it is hoped that other practical trainings for lawyers can pick from this and rise through the pandemic.

*Samuel Akhwale is an Advocate of the High Court of Kenya and a Senior Lecturer at the Kenya School of Law*

*Njoki Mboce is an Advocate of the High Court of Kenya*



*Participants during an Online Trial Advocacy session*



## Transitioning from the Virtual Workplace to the Physical Office

By Margaret Mounde

As a new employee of the Kenya School of Law, I had a lot of fears as I was starting work in an unfamiliar environment in the middle of a pandemic. This was exacerbated by the fact that, previously, eighty per cent of my work was conducted from my home office, where I had complete control of the surroundings. As a person with a self-diagnosed Obsessive-Compulsive Disorder, I saw the need to prepare myself.

This I did by familiarizing myself with some of the guidelines and policies with regard to prevention and control of the Covid-19 virus that has been put in place by the Ministry of Health. Some of these are the Occupational Safety and Health Advisory on Covid-19, Covid-19 Quarantine Protocols, Final Nutrition Messages for the Population, Guidance for Infection Prevention & Control for Covid-19 in Homes and Residential Communities, among others. The Ministry of Health official website has quite a minefield of useful information that aided in my preparedness. Although some of the guidelines and policies are specifically meant for health practitioners, this does not diminish their usefulness to a legal practitioner and lecturer.

Other than familiarizing myself with the guidelines and policies, I also sought advice from various medical practitioners who deal with numerous patients, including patients suspected of having Covid-19. The idea behind this is because they work in areas with high

human traffic and consequently considered as high risk of contracting Covid-19 hence have knowledge on how to prevent the disease. Their working environment can be likened to the office of a lecturer and/or legal practitioner, who also have to deal with high human traffic albeit not as high as that of a medical practitioner. These medical practitioners emphasized that I should not let my guard down on the protocols that have been put in place. They insisted that the onus of preventing the spread of infection starts with me, as an individual, before moving on to others. This advice has been proven to be very effective in the prevention of transmission of the Covid-19 virus.

I must admit that all these fears were unfounded as the Kenya School of Law is very keen on enforcing the mandated Ministry of Health guidelines that are geared towards mitigating the rate of transmission of the Covid-19 virus. Once I was allocated an office, the members of staff charged with sanitation were mandated to clean the office. I was also provided with a personal bottle of hand sanitizer. The School was also extremely receptive to any reasonable suggestions that I had. The school allayed any fears that I may have had.

The School insists on maintaining social distance at all times, avoiding contact, wearing face masks; it prohibits sharing of personal items, including food and drinks; washing hands regularly and avoiding congested areas. The School also mitigates transmission of the virus by assigning designated sitting areas to

members of staff. It is suggested that staff consistently wipe down surfaces and desks with appropriate cleaning products, especially after receiving visitors.

The School needs to enhance its paperless system as far as possible. It is acknowledged that some work is done in paper form, so in the event that a member of staff handles such material, they should sanitize. With regard to the cafeteria, it is suggested that staff members avoid placing their face masks on the tables while having lunch and use their pockets or bags instead. Alternatively, if they do not have anywhere to place the mask, they should put a barrier, such as a serviette, between the table and the mask.

It is suggested that we obtain information on Covid-19 from verified sources. We should also ensure that we comply with the protocols that have been put in place in order to avoid infections. After an assessment of the implementation of the Ministry of Health protocols put in place by the school, the Ministry of Health guidelines and the information obtained from the medical practitioners, I can confidently say that I have a routine in place that reassures me that I am not only keeping myself safe but that I am also not placing anyone else at risk. It is important to note that as individuals, we must never relax our own personal practices that help in reducing transmission of the Covid-19 virus. It is also important that we work together to end the stigma associated with Covid-19 by educating ourselves on the disease.

*Margaret Mounde is an Advocate of the High Court of Kenya and a Lecturer at the Kenya School of Law*



## Acquiescence To The New Normal: What Is Its Future?

By Alice Bitutu Mongare

The Kenya School of Law class of 2020 /2021, started in January 2020 on a very high note. I felt greatly honored by the School administration, when I was asked to coordinate the civil litigation class. However, following the outbreak of Coronavirus, the whole world was put into a momentary panic mode, calling for drastic measures being put in place. The global pandemic saw countries adopt almost similar measures in the hope of containment. One of these measures was national lockdowns and imposition of curfew hours. Kenya was no different. In a few days after reporting of the first case in March, there was in place a national lockdown with dusk to dawn curfew hours to be observed by the citizenry.

The Covid-19 pandemic negatively impacted almost every country in the world. Apart from causing alarming and massive death tolls, the virus led to huge losses socially and economically. The Kenyan administration recognizes that the pandemic is a great threat to human security, and it continues to interrupt various economic activities. The pandemic has led to unemployment, bringing education to a standstill and raising the poverty level among Kenyans. Drastic measures were put in place to curb the effects of the pandemic.

On or about mid-March 2020, President Uhuru Kenyatta recognised that Article 23

t8 of the Constitution 2010, illustrates that Kenya's definition of security is not only concerned with traditional state security, involving protection against external threats, but is also cognizant of other categories of security such as human security, social security among others.

He thus, placed the country under partial lockdown with curfew hours running from 7.00p.m to 5.00 a.m. The Covid-19 pandemic presented the government with unique challenges that forced it to engage in a balancing act of taking radical measures to contain the spread of the deadly disease, which infringed on the rights of the citizens. Videos were captured by media stations and human rights organizations showing police brutality while enforcing the curfew regulations, including the beating of citizens who were found to have contravened the regulations. While enforcing curfew hours, the law enforcers were seen crowded in the police vehicles, thus breaking the Covid-19 restriction rules by failing to maintain social distance. The Law Society of Kenya quickly moved to court and obtained orders to protect the citizenry.

The School of law on the other hand, had its own challenges as a result of the pandemic. The in person classes came to a standstill, everybody was in shock because of the alarming deaths around the world. However, the school management quickly came up with measures to align itself with the new normal. It all began with pilot

online classes.

This noble measure faced internet accessibility challenges on the part of the students and faculty. Further, students feared that their diplomas would not be recognised because they had been trained online. They famously referred the online mode of delivery and the end result thereof as "vifaranga vya computer" meaning incompetent ICT by-products!

The challenge of accessibility was sorted out by the School partnering with internet service providers who provided data bundles to students, while others made their own arrangements to move to towns where they could access the internet. The lecturers who were unable to log into the online portal were provided with well-furnished and equipped rooms to teach from. The ICT experts of the School were readily available to assist. The online classes picked up but there were challenges of students not dressing decently and failing to conduct themselves as advocates. Others were logging in and would forget to mute their microphones interrupting the class with their overt disturbing businesses. However the ICT staff always came to the lecturers aid by promptly muting or removing the noisy students from the classes.

The School management once again being aware of all these challenges, as well as the looming bar exams, stretched further by coming up with both online and in

person revision classes.

Unfortunately, the third wave of the pandemic hit most counties of the country this time even harder than the first time with more deaths reported. Nairobi County where the School is situated was affected.

The President once again, by Executive Order, instituted curfews in the most affected areas. In addition to these measures, he directed the closing of schools among a raft of other orders. Fortunately the School had already completed the ATP in training programme and the students were waiting for the exam to be administered by Council of Legal Education (CLE)

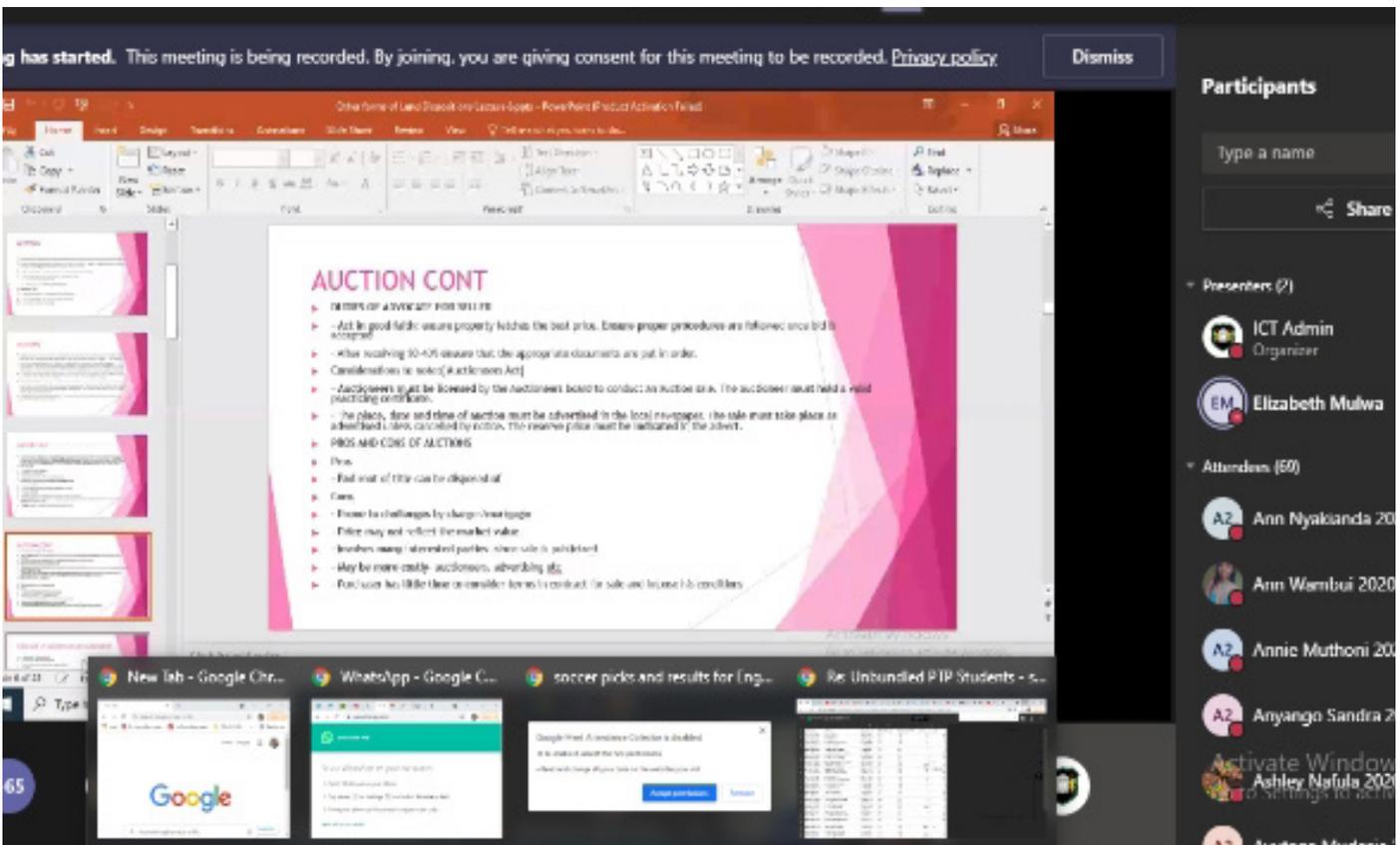
When the third wave hit us most students felt that CLE ought to have confirmed earlier that exams were still on as scheduled. Finally, when CLE confirmed that exams were on as scheduled some students felt that they were not ready. As at the time of writing CLE has since deferred the exams indefinitely. From the biblical point of view when Nehemiah and his team were building the temple for God they were constructing with one hand and holding the weapon with the other meaning they were ready for any eventuality. When Gideon was choosing the men who would go to war, God told him to choose the ones who were drinking water as they watched what was happening around them.

The question is what is the future

of the new normal? In my view, we can-not just sit back and wait until the pandemic is over. At the time of writing this, for example the School is proceeding with the new intake 2021/22.

Remember the Government Inspector in Nikolai Gogol's book, who was to come incognito? Let us remain prepared for the CLE examinations.

*Alice Bitutu Mongare is an Advocate of the High Court of Kenya and an adjunct Lecturer at the Kenya School of Law*



*An online class in session*



## Analysis Of The Judgement Petition No. 120 Of 2020 (Covid 19)

By Jemimah Aluda

### A. INTRODUCTION

The Kenyan Government had put in place various measures in an attempt to halt or slow the relentless march of the Covid-19 virus. One of the steps taken is the imposition of a night curfew published as Legal Notice No. 36 - The Public Order (herein after referred to as the State Curfew) Order, 2020 under the Public Order Act (POA), Cap. 56 on 26th March, 2020.

The Law Society of Kenya (LSK), being a statutory body mandated by Section 4 of the Law Society Act, 2014, inter alia, to protect and assist the public in Kenya in all matters touching, ancillary or incidental to law, moved to court on 30th March, 2020 against the Curfew Order with various prayers including:

- a) An order directing the Cabinet Secretary in Charge of Health to exercise his powers under section 36 of the Public Health Act, and issue proper guidelines for curfew, quarantine, containment of COVID-19 Coronavirus that specifies
- b) A declaration that access to justice by Kenyans or the public via the courts, the institution of the Judiciary and its processes, even in instances of public curfews or a state of emergency is necessary in a free and democratic society

### B. PETITIONER'S CASE

LSK challenged the Curfew Order as being illegal, illegitimate and un-proportionate but also a contravention of Section 8 of the Public Order Act by failing to expressly provide for written

permits and thus penalising vulnerable persons and persons who venture out strictly to perform essential services, obtain essential goods or services, or who seek emergency, lifesaving or chronic medical attention. At the time of filing the petition, it had been alleged that the curfew had resulted in the arrest or terrorisation of persons performing or seeking essential services.

### C. RESPONDENT'S CASE

The IG averred that he did not issue any order to the National Police Service (NPS) to unleash the so-called campaign of terror on members of the public. He, nevertheless, deposed that he could not act upon the allegations of abuse of power by police officers as no complaint had been lodged in his office. He reiterated that there exist adequate and elaborate rules and regulations on how the NPS undertakes its duties (the force Standing Orders) and thus no need for the addition of special guidelines.

### D. THE CASE FOR INTERESTED PARTIES

KNHCR, FIDA Kenya, IPOA and Legal Advice Center  
KNCHR had documented numerous instances of alleged violation of human rights by police officers under the command of the 1st Respondent. Further, that the violations had resulted in grievous injury and actual fatalities in Mombasa, Nairobi, Kwale and Migori.

According to FIDA Kenya, the police had inhumanely handled women and children during the enforcement

of the curfew and urged the court to order the Cabinet Secretary for Health to provide and share information and guidelines for pregnant women during the Covid-19 pandemic as required by the WHO.

According to IPOA, the agency was carrying out investigations into various allegations of use of excessive force by police officers and thus, there was an urgent need to include the justice system, legal services and police oversight services in the list of essential service providers. The Legal Advice Center stated that, police officers enforced the curfew in the most un-proportionate and brutal manner despite the fact that most people in informal settlements were not aware of it.

### E. JUDGEMENT

Justice Weldon Korir took the view that the POA was applicable to health emergencies like the one posed by the Covid-19 pandemic. It is possible that the provisions of the Public Health Act (PHA) may need to be supplemented by those of the POA. The curfew was important to reinforce the provisions of the PHA. The court stated that even though the curfew order had been issued under the precautionary principle, the main problem was the manner in which the implementation of the curfew was done. It, however, observed that unconstitutional and illegal acts that occur in the implementation of the order do not render that order unconstitutional. The court appreciated that there was need to address the problems that

arose from the implementation of the curfew order. The court took judicial notice that the work of advocates is not limited to court work and that advocates also attend to persons arrested by the police. Therefore, there was merit in having the advocates exempted from the operations of the curfew order so that they can assist in the protection of the rights guaranteed by Article 49 of the Constitution whenever called upon to do so.

The orders made include:

- a) A declaration that the Respondent's unreasonable use of force in enforcing the Public Order (State Curfew) Order, 2020 is unconstitutional; and
- b) An order of mandamus against the CS Interior compelling him to amend the Schedule to the Public Order (State Curfew) Order, 2020 so as to include the LSK and IPOA in the list of "services, personnel or workers" exempted from the provisions of the Public Order (State Curfew) Order, 2020.

#### F. ANALYSIS OF THE CASE

Access to justice in paramount during such moments and courts must be operational to ensure citizens are able to access court services. The arrested persons must be able to have legal

representation in order to process the bail/bond terms. This is especially important due to the need to maintain the social distancing in order to curb the pandemic. Thus, legal services are essential services and it was paramount for the court to declare so. During the enforcement of the curfew, there were great violations of human rights by the security agencies against

the civilians especially in informal settlements.

IPOA had received a total of 324 complaints while, IMLU had documented 41 cases of torture as of 8th May, 2020. Most of the arrested citizens had been exposed to the Covid-19 infection especially in the police cells and the prisons.

*Jemimah Terresiah Collins Aluda is an Advocate of the High Court of Kenya, Former Prosecution Counsel and Resource person for KSL CPD Courses*



*Police force ferry passengers to lie down after firing tear gas and detaining them in Mombasa, Kenya [The Associated Press]*

## My passion

Peter Omondi is a chef at the Kenya School of Law. He has a hearing-impaired condition. But his condition does not hinder him to performing his duties to the best. Our Corporate Communication Officer had a one on one interview with him to share his work experience..



### 1.How long have you worked at the Kenya School of Law?

I have worked at the Kenya School of Law for 3 years in the Hospitality department as a chef.

### 2.Is your job at Kenya School of Law something you have always liked?

Since childhood I have enjoyed trying different recipes and that is how I ended up being a chef. Before joining the Kenya School of Law, I worked at Light Academy, and Feed the Children. The School has really helped me more so during this pandemic period. I enjoy working at the School the staff are friendly and welcoming.

### 3.What is a typical day at work for you at KSL?

I arrive at the School by 7.30 a.m. My first task is to prepare

the meat for the day's lunch menu. After which I prepare tea for the 10 o'clock tea break. Then I prepare the vegetables for the day lunch. By noon I start to prepare the set up for lunch it takes an hour to do so. We serve lunch between 1.00 p.m. -2.00 p.m. After lunch I prepare snacks that is pastry for the 4. O'clock Tea. After which I start cleaning the kitchen. By 4.00 p.m. we are done with the day's task and then I am free to go home. Before proceeding home, I like doing exercises, I can either go for swimming or play football. From which I head home to Ngong at around 6.30 p.m

### 4.Which were the most challenging aspects of Covid-19 on your work?

We also closed the Cafeteria in mid-March 2020 to end of April 2020 this was after the announcement of cases of Covid-19 in the Country.

Less customer turn – out and this is affecting our section and also results to loss of income for the School. The Covid-19 protocols we have to observe such as keeping social distance which is a challenge at a time when the work need to be done collectively to save on time.

### 5.As we resume near normal status, what do you look forward to?

I look forward to joining the staff in a team building and a busy guest schedule to make me busy at work.

### 6.What word of encouragement would you have for staff, students and other stakeholders of KSL?

As for students just to cope with the pandemic challenge, accept the situation and move on. For staff and students keeping fit is important for our own health, that is jogging, playing soccer and swimming. It will be important if the School would train few staff and students in sign language which is a challenge to many. I encourage youth to be able to at least have a profession for their own good.



## Just for 'Lawghter'

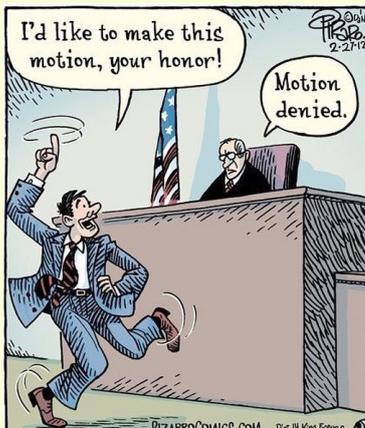
- A man sued an airline company after it mislaid his luggage. Sadly, he lost his case
- A man went to a lawyer and asked what his fee was Ksh10, 000 for three questions," answered the lawyer. "Isn't that a little expensive?" said the man. "Yes," said the lawyer. "Now, what's your third question?"
- An investment banker decides she needs in-house counsel, so she interviews a young lawyer. "Mr. Peterson," she says. "Would you say you're honest?"

"Honest?" replies Peterson. "Let me tell you something about honesty. My father lent me \$85,000 for my education, and I paid back every penny the minute I tried my first case." "Impressive. And what sort of case was that?"

"Dad sued me for the money."

- The importance of remaining silent: Arrested on a robbery charge, our client denied the allegations. So when the victim pointed him out in a lineup as one of four men who had attacked him, our client reacted vociferously.

"He's lying!" he yelled. "There were only three of us."



Lawyer: "All your responses MUST be oral, OK?"  
Witness: "OK."  
Lawyer: "What school did you go to?"  
Witness: "Oral".

Compiled by Fredd Wakimani

# KSL Events Highlights



*Mr. Fredd Wakimani(left) with Head of Legal at Salaries and Remuneration Commission (SRC), Mr. James Sitienei, during a pupillage accreditation visit*



*Mr. Justus Munyithya (first left) during a pupillage accreditation meeting at the Janus Continental Group Ltd.*



*The School Finance department staff during an in-house training that was conducted by the CPD Department.*



*Participants attending a legislative drafting training*



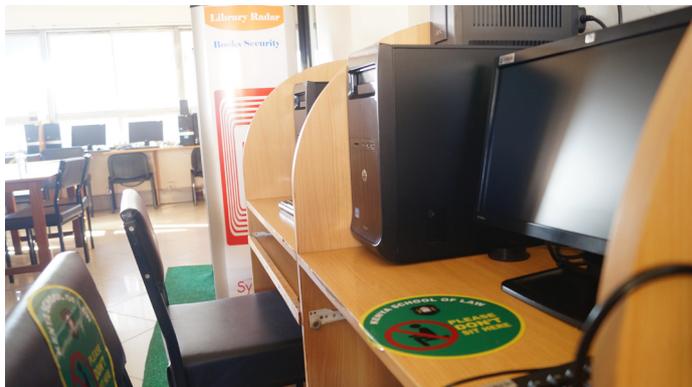
*Mr. Sabastain Mwangangi (right) Marketing Officer at KLS present a branded T-shirt to the KCA University Vice Chancellor Professor Isaiah Wakindiki.*



*In-house training for KSL Hospitality staff*



*A KSL conference room with a capacity of 100 persons.*



*KSL Town campus Library Electronic Resource Centre*



*A student washing hands at the Academic Complex in Karen Campus.*



*KSL interns with the Marketing Officer on a marketing drive*



*KSL Director/CEO Dr. Henry K. Mutai briefing the newly recruited staff during an orientation session.*



*A security officer at KSL Town Campus checks the temperature of a School staff.*



## KENYA SCHOOL OF LAW FIRST TIME APPLICATIONS FINANCIAL YEAR: 2020-2021

The *Kenya School of Law (KSL)* has partnered with the *Higher Education Loans Board (HELB)* to set up the Kenya School of Law Tuition Loan to offer loans to students pursuing their Advocates Training Program. The Application portal will be opened from **1<sup>st</sup> April 2021**.

### Eligible Students

Applicants **Must** be Students pursuing the *Advocates Training Program* at the *Kenya School of Law*.

### How to Apply

1. Applicants should visit the HELB website [www.helb.co.ke](http://www.helb.co.ke) to access the *HELB Students' Portal* to register, create and activate account (ensure you use your personal mobile number)
2. **Log in**, and click **Loan Application Tab, on the left dashboard**.
3. From the view window, select **KSL Tuition Loan 2020-2021** First Time Loan Application Form.
4. Read and appraise yourself on The Financial Literacy program
5. Access and fill the loan application form online.
6. **Print TWO copies** of the duly filled Loan Application Form. Ensure you preview the form and correct where necessary before you submit for printing.
7. Have the forms appropriately filled, signed, and stamped by the relevant authorities. The Guide is provided on the last page of the form.
8. Read, understand and sign to accept the **Loan Terms and Conditions** and **Data Protection Consent form**
9. **Present one copy** of the duly filled Loan Application Form and all the attached support documents at KSL Offices in Karen.
10. **Retain a copy of the duly filled and signed Loan Application Form [This is mandatory]**

### How to Apply

1. Read, understand, and follow the instructions provided at the beginning of the online loan application process.
2. The opening date for the loan application is **1<sup>st</sup> April 2021** while the closure date is **15<sup>th</sup> May 2021**.
3. The KSL Tuition Loan application is **FREE**.
4. The first-time application forms are only accessible through the HELB student portal on [www.helb.co.ke](http://www.helb.co.ke)
5. **DO NOT PAY** anyone to process your HELB loan application unless the requisite service charges if applying from a Cyber Café.
6. In case of any queries, seek assistance **ONLY** from Kenya School of Law or HELB officers.
7. Students who provide false information will be penalized as per the HELB Act.

KSL website and Social Media Pages are :- [www.ksl.ac.ke](http://www.ksl.ac.ke)  @KenyaSchoolofLaw  @SchoolofLawKE

 @thekenyaschooloflaw  @thekenyaschooloflaw

## EMPOWERING DREAMS

 [www.helb.co.ke](http://www.helb.co.ke)  Anniversary Towers University Way **USSD \*642#**  +254711052000  [contactcentre@helb.co.ke](mailto:contactcentre@helb.co.ke)   @HELBPAGE



## COUNCIL FOR LEGAL EDUCATION & HIGHER EDUCATION LOANS BOARD FIRST TIME APPLICATIONS FINANCIAL YEAR: 2020-2021

The Council of Legal Education (CLE) has partnered with the Higher Education Loans Board (HELB) and set up Bar Examination Loans for students sitting their Bar Examinations for the first time. Applications are therefore invited for **First Time 2020-2021 Bar Examination Loan**.

### **Eligibility:**

Salaried and non-salaried candidates sitting for their Bar Examinations.

### **How to Apply:**

1. Applicants should visit the HELB website's **Student Portal** <https://studentportal.helb.co.ke/auth/signin> to register, create and activate account (applicant should use own personal mobile number).
2. **Log in**, and click **Loan Application Tab, on the left dashboard**. From the view window, eligible applicants should select the applicable product (**2020/2021 Bar Examination Loan Application Form** for non-salaried students OR **2020/2021 Bar Examination Loan Application Form for Salaried** students).
3. Read and appraise yourself on The Financial Literacy program.
4. Access and fill the loan application form online.
5. Ensure you preview the form and correct where necessary before submitting online.
6. **Print TWO** copies of the filled Loan Application Form.
7. Have the forms duly signed and stamped by the relevant authorities. The Guide is provided on the last page of the form.
8. Read, understand and sign to accept the **Loan Terms and Conditions** and **Data Protection Consent form**.
9. Deliver one copy of the duly completed application form with the relevant supporting documents in a sealed envelope to **CLE Offices Karen Office Park Acacia Block 2nd Floor, Nairobi**.
10. **Retain a copy of the filled and signed Loan Application Form [This is mandatory]**

### **Please note:**

1. Read, understand, and follow the instructions provided at the beginning of the online loan application process.
2. The closing date for the loan application is **30<sup>th</sup> June 2021**.
3. The Bar Examination Loan application is **FREE**.
4. The first-time application forms are only accessible through the HELB student portal on [www.helb.co.ke](http://www.helb.co.ke)
5. **DO NOT PAY** anyone to process your HELB loan application.
6. In case of any queries, seek assistance **ONLY** from Council for Legal Education or HELB officers.
7. Students who provide false information will be penalized as per the HELB Act.

## **EMPOWERING DREAMS**

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# KENYA SCHOOL OF LAW

## PARALEGAL TRAINING PROGRAMME

### BACKGROUND

The Kenya School of Law is an institution established under the Kenya School of Law Act, No 26 of 2012. In exercise of its mandate the School offers a two year Diploma in Law under its Paralegal Training Programme.

### TARGET GROUP

- 1) Form four leavers who meet the below entry criteria.
- 2) The staff working in National Police Service, Kenya Prisons, the Judiciary, the State Law Office, the Bar, Non-governmental organizations, the corporate world and National & county Government departments among other stakeholders who meet the entry requirements.

### OBJECTIVE

To train middle cadre to support legal professionals at the practicing Bar, the corporate world, government institutions and Non-governmental organizations.

### ENTRY REQUIREMENTS

To be eligible for admission into the Diploma in Law in the Paralegal Training Programme at the Kenya School of Law an applicant must:

1. Have a mean grade of C (C Plain) in the Kenya Certificate of Secondary Education (KCSE) (or equivalent examination) and a minimum grade C+ (C Plus) in English.
2. At least one Principal pass at the Kenya Advanced Certificate of Education (KACE/A-Level) examinations.
3. A distinction or credit pass at Diploma level in a relevant field.

### LOCATION

The Paralegal Training Programme is conducted at the Kenya School of Law town campus, which is situated at Development House, 5th Floor, Moi Avenue Nairobi.

### CONTACT US

Kenya School of Law,  
Karen Langata South Road,  
P.O Box 30369 – 00100 GPO,  
Nairobi.  
Telephone 0202699581 /2/3/4/5/6  
[www.ksl.ac.ke](http://www.ksl.ac.ke)



A KEBS ISO 9001:2015 Certified Organization

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# KENYA SCHOOL OF LAW CONFERENCE AND RETREAT CENTRE



## About Us

Located in a serene environment with green and well manicured gardens suitable for outdoor functions such as Weddings, Team Building Events, Retreats, etc.

We have different conference rooms that are well suited for all levels of meetings.

We have spacious ensuite rooms served with wifi connection and DSTV.

## Our Services

- Day Conference
- Accomodation
- Outside Catering
- Grounds Hire
- Sports Facilities

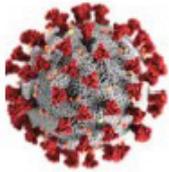
✉ 30369 - 00100, Karen, Nairobi.

🏠 [reservations@ksl.ac.ke](mailto:reservations@ksl.ac.ke)

📞 +254 020 269 9581/2/4/6

🌐 [www.ksl.ac.ke](http://www.ksl.ac.ke)

# What You Should Know About COVID-19 to Protect Yourself and Others



## Know about COVID-19

- Coronavirus (COVID-19) is an illness caused by a virus that can spread from person to person.
- The virus that causes COVID-19 is a new coronavirus that has spread throughout the world.
- COVID-19 symptoms can range from mild (or no symptoms) to severe illness.



## Practice social distancing

- Buy groceries and medicine, go to the doctor, and complete banking activities online when possible.
- If you must go in person, stay at least 6 feet away from others and disinfect items you must touch.
- Get deliveries and takeout, and limit in-person contact as much as possible.



## Know how COVID-19 is spread

- You can become infected by coming into close contact (about 6 feet or two arm lengths) with a person who has COVID-19. COVID-19 is primarily spread from person to person.
- You can become infected from respiratory droplets when an infected person coughs, sneezes, or talks.
- You may also be able to get it by touching a surface or object that has the virus on it, and then by touching your mouth, nose, or eyes.



## Prevent the spread of COVID-19 if you are sick

- Stay home if you are sick, except to get medical care.
- Avoid public transportation, ride-sharing, or taxis.
- Separate yourself from other people and pets in your home.
- There is no specific treatment for COVID-19, but you can seek medical care to help relieve your symptoms.
- If you need medical attention, call ahead.



## Protect yourself and others from COVID-19

- There is currently a vaccine to protect against COVID-19. The best way to protect yourself is to avoid being exposed to the virus that causes COVID-19.
- Stay home as much as possible and avoid close contact with others.
- Wear a cloth face covering that covers your nose and mouth in public settings.
- Clean and disinfect frequently touched surfaces.
- Wash your hands often with soap and water for at least 20 seconds, or use an alcohol-based hand sanitizer that contains at least 60% alcohol.



## Know your risk for severe illness

- Everyone is at risk of getting COVID-19.
- Older adults and people of any age who have serious underlying medical conditions may be at higher risk for more severe illness.

*If you feel unwell, have a cold or a cough or fever, please call 719 or text \*719# which is a toll-free number provided by the Government of Kenya.*

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