



Volume 7 Issue 1

The Kenya School of Law

JUSTICE

Newsletter



*Kenya School of Law Beyond 60 Years :
Celebrating Quality Legal Education*



The Kenya School of Law is ISO 9001:2015 Certified

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Justice Newsletter

From the Editor

Welcome to Volume 7 Issue 1 of the Justice Newsletter.

The theme for this edition is Kenya School of Law beyond 60 years: Celebrating Quality Legal Education". This is a theme that resonates with the great strides the School has made from inception to date. The Kenya School of Law (KSL) continues to record great milestones as the sole institution mandated to offer the Advocates Training Programme in Kenya (ATP). Over the last sixty years, KSL has maintained high standards of professionalism and competence in offering quality legal education.

In this publication, we have published enlightening articles under this theme. We have featured an article exploring diverse perspectives of Copyright Law in Kenya under the CopyrightX course which is being offered at KSL. We have covered an article revolving around the changing landscape of legal aid based on the students' experiences through the legal aids attended by both Advocates Training Programme(ATP) and Paralegal training Programme (PTP). This edition also features Departmental briefs and events from the various School's Departments. These include; ATP and CPD

departmental briefs, CPD training in a digital environment, sports at KSL, risk management in a growing institution and the KSL Library chronicles: reflections of decades of struggle and triumph.

Finally, we covered insightful articles with a wealth of information on issues relating to reshaping legal education: understanding the quality matrix, training the Gen-Z lawyer, KSL a paradoxical hell or heaven, Law and mental health and the Rights of an arrested person, reality or an illusion.

We are grateful to the Board and the Management of the School for their continued support and to all the authors and contributors specifically our staff and students who have contributed to the success of this publication.

Special gratitude goes to the Editorial Committee for their dedication and effort in publishing this issue.

Enjoy the read.

The Editorial Team



*From Left to right: Sammy Makokha, Samuel Akhwale, Raphael Ogello, Margaret Malika
Linnett Odawo, Fredd Wakimani*

Seated Left to right: Ruth Githaiga, Christine Kungu, and Carolyn Marete, .

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Prof. Joseph Mworio Wamutitu
Chairperson, Kenya School of Law Board

On behalf of the Kenya School of Law Board of Directors, I take this opportunity to congratulate the School Management for publishing Volume 7, Issue 1, of the Justice Newsletter. The Justice Newsletter is one of the School's key Information, Education and Communication (IEC) tools that help in communicating to the School's internal and external stakeholders about the School's activities that have taken place within a specific duration.

The theme for this edition is "Kenya School of Law Beyond 60 Years: Celebrating Quality Legal Education". This is a theme that resonates with KSL as we look back and appreciate the journey from its establishment to date. Prior to Kenya's independence in 1963, there were very few legal practitioners owing to lack of institutions that offered basic Legal Education and practical learning. Recognizing

Word from the Chairperson, KSL Board

that there was need for Kenya, as a territory of the UK to have its own legal practitioners, who would assist in administration of independence, the Crown therefore in October 1960 established the Committee on Legal Education for students from Africa.

The idea of having a legal training Institution was established based on the Denning Committee Report between 1960 and 1961. The implementation of this report led to the initial set-up of KSL in 1963. Since then, there have been other ministerial reports; The Akiwumi Taskforce in 1993, and the Githu Taskforce in 2004. The legal education in Kenya has undergone various reforms through the ministerial task force on status and management of KSL. Some of the recommendations were to address internal reforms in legal education, which impacted on the formation, structure and implementations of KSL programmes.

In terms of leadership, KSL has had various leaders within a span of 60 years. There have been four Principals as follows, R. M. Munro 1968 - 1970, Tudor Jackson - 1971-1987, the late Justice Leonard Njagi 1988 - 2002 and Justice (Rtd) Paul Kihara Kariuki former Attorney General, 2002 - 2003. As a result of law reforms that were geared towards having quality legal education in the Country, the

leadership title changed from Principal to Chief Executive Officer (CEO) beginning with Prof. W.Kulundu Bitonye 2004-2014, Prof. PLO Lumumba 2014-2018 and Dr. Henry K. Mutai 2018 -to date.

KSL has also grown in resources from human resource capital, infrastructure, number of students and participants due to the beneficial partnerships extended to the School by her various stakeholders. There is an African proverb that says "If you want to go fast go alone, if you want to go far, go together". This resonates with KSL and the School acknowledges great support that it has been offered across the board from all its stakeholders. Without their commitment and dedication KSL would not have accomplished what it has accomplished this far. We truly thank you.

In conclusion, in this publication, there are enlightening and educative articles revolving around the said theme. It is our hope that you will find the articles published educative and will positively improve the KSL image and brand.

Thank you,
Prof. Joseph Mworio Wamutitu
Chair, KSL Board



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

Word from the Director/Chief Executive Officer

I welcome you to this issue of the Justice Newsletter, Volume 7, Issue 1 of 2024. This publication aims at keeping our stakeholders informed of the activities that have taken place within a given period. Over the period covered by this issue, the School has managed to achieve a number of milestones and hold various events. The highlights include the Kenya School of Law 60th Anniversary Celebrations and the 8th Graduation and Prize-Giving Ceremony.

The 60th Anniversary Celebrations were marked with a charity luncheon held at the School on 8th December 2023. The event enabled the School to reflect back and appreciate some of the key landmark since it was established in 1963. From admitting its inaugural class of eleven students to currently admitting thousands of students in its academic programmes, that is, the Advocates Training programme (ATP) and the Paralegal Training Programme (PTP), the School has grown immensely in terms of its intake. The School has relocated from, its original campus on Ralph Bunche road to its current

spacious campus in Karen, while also having a campus for paralegal students in town. The School transited from offering its classes solely through in-person physical lectures to the current mixed mode where classes are offered both physically and virtually/online. The virtual classes have facilitated access to the School's programmes for those who work on a full-time basis as well as for those residing outside Nairobi. The virtual classes have also helped the School to be flexible and adapt to technology which is vital in the modern days we are living in. The School also has the Continuing Professional Development (CPD) department, which provides short courses for professionals across different sectors and also carries out consultancies in different areas including legal and governance audits.

On 1st December 2023, the School held its 8th Graduation and Prize-Giving Ceremony at the headquarters in Karen Campus to celebrate the 2022/2023 academic year cohort. The number of graduands who attended the event comprised of 118 ATP students and 57 PTP students. Apart from that, the School also honored 15 ATP students and 2 PTP students who had excelled in their examination.

In discharging its mandate, the School has continued to train candidates undertaking both the Advocates Training Programme (ATP) and the diploma in Paralegal Training Programme (PTP).

The registration of ATP students' class of 2024/2025 academic year was successfully concluded and the School enrolled 1707 students of whom 932 are female, while 775 are male. The classes are ongoing whereby we have both virtual and physical classes. On the other side, the PTP intake for 2024/2025 academic year is ongoing and the deadline for application is 30th April 2024.

As a means of enhancing the student experience outside class set up, the School has continued to support students in various activities. The ATP students have participated in Inter -Class Moot Court Competitions. Another activity that our students have engaged in is providing legal aid by involving both ATP and PTP students across the country. This has been done in prisons, community settings and local churches. The legal aid activities help students apply some of the knowledge and skills learned to assist people in the society and those awaiting disposal of their cases. Provision of legal aid is also one of the ways by which the School gives back to the society. Other extra curricula activities such as games and sports, a cultural event and gala awards.

Finally, I would like to thank the Editorial Committee for their tireless efforts in ensuring that Volume 7 Issue 1 of the Justice Newsletter 2024 has been published.



Milestones

Exploring Diverse Perspectives of Copyright Law in Kenya: A CopyrightX Special Event

By Fredd Wakimani

The CopyrightX Special Event held at the Kenya School of Law (KSL) on April 6th, 2024, was a vibrant convergence of legal minds, scholars, and industry experts. Under the theme “Exploring Diverse Perspectives of Copyright Law in Kenya,” participants engaged in thought-provoking discussions, shared valuable insights, and celebrated the intricate world of intellectual property (IP) law. The event was organized by Fredd Wakimani Senior Lecturer, at KSL and Alex Gakuru: Director, Centre for Law and Information Technology (CLAW-IT). There was a confluence of minds at the lecture hall at the KSL Karen Campus which buzzed with anticipation as lawyers, students, and professionals from various fields gathered. The event was a unique blend of legal expertise, technological innovation, and creative vision—a testament to the evolving landscape of copyright law.

CopyrightX: A Global Context

At the heart of the event lay the CopyrightX course, an intellectual

journey affiliated with Harvard Law School and the Berkman Klein Center for Internet and Society. Led by the esteemed Prof. William W. Fisher III, this course transcended traditional legal boundaries. It explores copyright not merely as a legal construct but as a cultural force, an economic driver, and a catalyst for creativity. The panel discussions were the intellectual pulse of the event. Participants grappled with critical questions:

1. Digital Rights and Fair Use:

How can creators protect their works while ensuring access and fostering creativity? The debate resonated with the changing dynamics of content consumption in the digital age.

2. Emerging Technologies:

The impact of artificial intelligence (AI), blockchain, and digital platforms on copyright enforcement fascinated both legal minds and tech enthusiasts. Kenya, like the rest of the world, faces novel challenges in this arena.

3. Global Perspectives:

Comparing Kenya’s copyright landscape with international practices revealed nuances and opportunities. As the world becomes more interconnected, harmonizing copyright laws across borders gains significance. Below is a summary of the deliberations from the guests.

Innovation Showcase: Gosheng’s Trailblazing Solutions

The event spotlighted innovation. Gosheng, a local tech company, stole the show. Their cutting-edge solutions for safeguarding digital content left attendees in awe. Duncan Ogwen, Gosheng’s CEO, shared his journey—from cataloging the vibrant “Sheng” dialect to translating the Kenyan Constitution’s Bill of Rights and the Traffic Act into sheng. He highlighted how he navigated various challenges from critics to issues touching on copyrights especially with his translated works. Despite skepticism, he demonstrated that passion, dedication, and vision can transform a linguistic endeavor into a sustainable career.



Participants during the Copyright X Special Event at the School.



Mr. Fredd Wakimani a Senior Lecturer at the School presenting a gift to Ms. Joy Mboya, Executive Director of the Godown Arts Centre during the Copyright X special event.

Legal Insights: Strategies for an Evolving Landscape

David Katee, an advocate of the High Court of Kenya and an IP lawyer, wove practical case studies into his session. From his humble beginnings, his struggle through the KSL to his experience with various Kenya artists, and his stellar career in IP. One of the cases Katee discussed and which he was the counsel on record for the plaintiff, was the landmark case in which the Kenyan musical artist and icon Nonini sued Syinix and Brian Mutinda for copyright infringement. Thanks to Katee's legal prowess, Nonini was awarded KES 1 million. His message was clear, legal strategies must adapt to the digital era. As piracy, remix culture, and global collaborations redefine creativity, lawyers play a pivotal role in shaping the future of copyright protection.

Nelson Tunoi from Kenya Law, who is also part of the teaching faculty of the copyrightx programme,

took the students through the Kenya Law website and highlighted the various cases on copyright and IP and additional resources that most students did not know about, including the publications and resource centre. Additionally, he graciously donated gift items for the class marshals and the guests.

Career Narratives: Lessons from Trailblazers

Dr. Elizabeth Ndunge, an AI specialist, urged students to be fearless learners. In the ever-evolving field of AI, adaptability and curiosity are essential. Her words echoed beyond copyright law, inspiring all to embrace emerging technologies.

Joy Mboya, Chief Guest and Executive Director of the Godown Arts Centre, embodied versatility. From architecture to arts and leadership, she exemplified a multidisciplinary approach. Her journey with the copyrightx programme began a decade ago when she hosted the first CopyrightX course in Kenya.

Joy emphasized the need for open-mindedness, urging attendees to stay relevant in a rapidly changing world.

A Fusion of Tradition and Progress
As a nod to tradition, students donned African attire—a symbolic blend of heritage and modernity. The event wasn't just about legal discourse; it was a celebration of creativity, resilience, and the power of ideas. In closing, the CopyrightX Special Event left an indelible mark. It reminded us that copyright law isn't static; it's a living canvas where innovation, culture, and legal acumen converge. As Kenya continues its journey toward a knowledge-based economy, events like these illuminate the path forward.

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



KSL Beyond 60 Years: Celebrating Quality Legal Education

By Ruth Githaiga

The Kenya School of Law (KSL) celebrated its 60th anniversary commonly referred to as the Diamond Jubilee of training advocates on 28th October 2023. Perhaps you are wondering what the difference between an advocate and a lawyer is as per the Kenya laws. Well, the distinction between an advocate and a lawyer is that; a lawyer is a person who has successfully completed a Bachelor of Laws referred to as an LL.B. While an advocate is a person who has been admitted to the bar by the Chief Justice and issued with an admission number for practice. An advocate is entitled to appear before the courts to represent a client either as a plaintiff or a defendant.

On the 28th day of October 1963, KSL admitted its inaugural class of eleven students. The first student to be admitted to KSL was Senior Omesh Kapila, SC. He was admitted to the School on Monday 28th October 1963. By then the School was located on 4 acre plot on Valley Road where the University of Nairobi's Dental School currently stands. Currently, the School is located in a modern and spacious premise at Karen. During its initial days, the School was a department of the Attorney General's Office until July 2001, when it acquired the

status of a semi-autonomous government agency. Further developments took place and the School is currently an independent legal entity by the enactment of the Kenya School of Law Act, 2012, which provides that the School shall "be a public legal education provider responsible for the provision of professional legal training as an agent of the Government". Currently, the School has two campuses: the main Campus is located in Karen along Langata South Road Nairobi, while the town campus is located within the Central Business District (CBD) along Moi Avenue – Development House, 5th & 6th Floor

The School's specific functions as per the Kenya School of Law Act (2012) include: Train persons for admission to the Bar; Offer continuing professional development training; Provide para-legal training Provide other specialized legal training Develop curricula, training manuals, conduct examinations and confer academic awards; Undertake projects, research and consultancies. The School implements the core mandate through two divisions: the Academics Division and the Continuing Professional Development Research and Projects Division. The School has maintained ISO 9001:2015 certification because of its desire to maintain high standards of service delivery that satisfies the need of the customer through continual improvement. All KSL processes and strategies are such that they all work toward the goal of excellence.

Since its establishment, the School has continued to graduate thousands of

students both at Advocates Training Programme (ATP) and Paralegal Training Programme (PTP) level. The ATP's objective is to train lawyers for entry into the legal profession. Training is conducted in 18 months; 12 months in-house and 6 months' pupillage. For one to successfully complete ATP, one has to pass (obtain a score of 50% and above) the Bar examinations in all the 9 units commonly referred to as the 9PS in the legal sector: Civil Litigation, Criminal Litigation, Probate and Administration,

Legal Writing and Drafting, Trial Advocacy, Professional Ethics and Practice, Legal Practice Management, Conveyancing, Commercial Transactions. Assessment of the Programme is in four phases: project work (20%) (1st Term), Oral examination (20%) (2nd Term), Written examination (60%) (3rd Term) and Supervised pupillage not graded but is compulsory (4th Term). On the other hand, PTP is intended to create a middle -level cadre in the legal profession to support the legal profession in such places as lawyers' offices, State Law Office, the Office of the DPP, the Judiciary and others. The Programme takes the learner a minimum period of two (2) academic years comprising three (3) terms of lectures offered by the School in each year. The Programme consists of twenty-four (24) subjects mainly in law but with a few on other related disciplines.

This Programme is offered at the School's Town Campus situated at Development House, 5th Floor, Moi Avenue Nairobi.

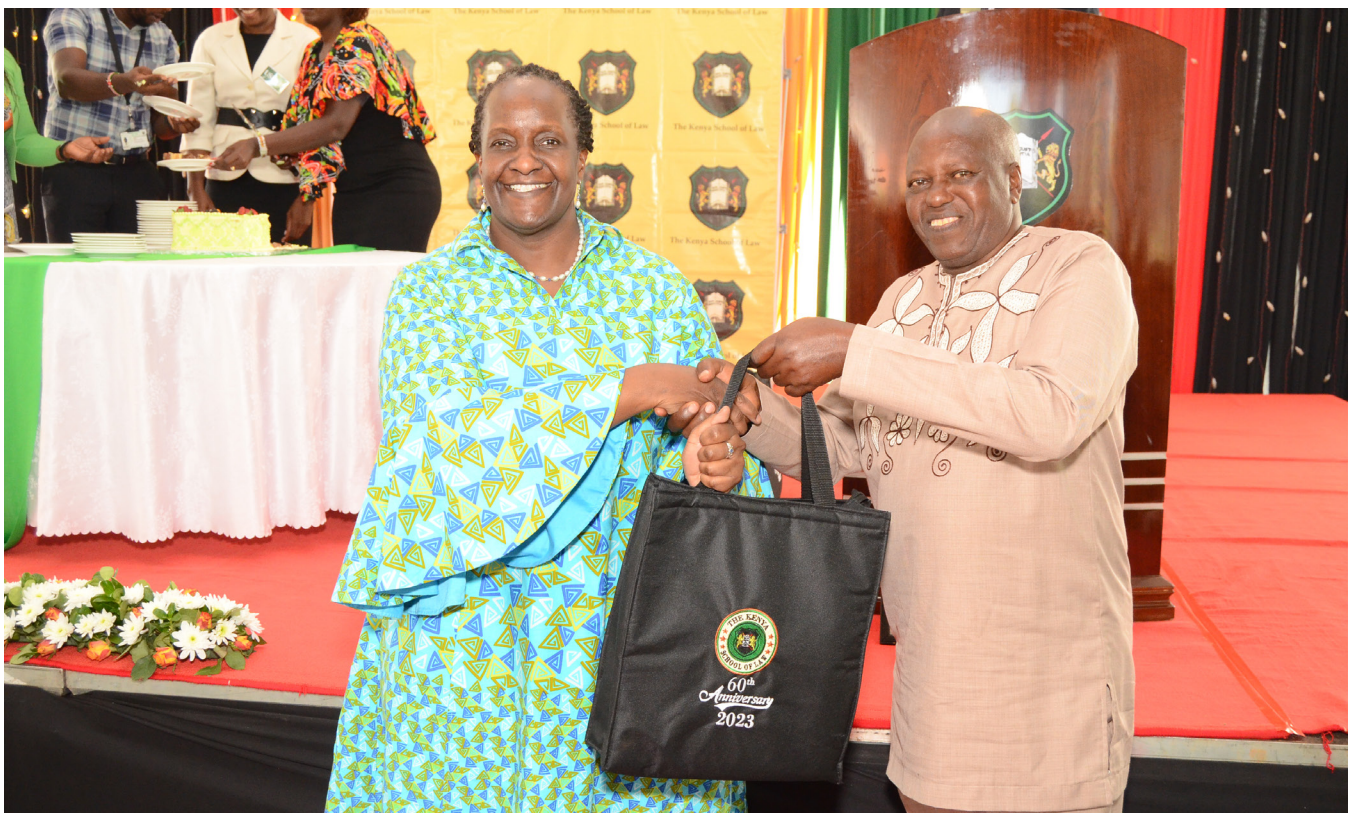
The Continuing Professional Development Research and Projects Division was conceptualized to bridge the gap in knowledge. The division exists to offer skills-based training in law and related disciplines for the professional development of lawyers and other professionals both in the public sector and the private sector. Through the Division, the School develops an annual training calendar, consisting of those short courses that are considered relevant in the market.

Apart from the calendar courses, the Division prepares, at the instance of a customer (usually an institution) customer-tailored courses that fit the specific needs of the customer. Through the department of Research and Projects, the division also undertakes research and consultancy projects. So far, the flagship consultancy that the division has undertaken since the year 2012 has been legal audit and compliance, and more recently, governance audit. Legal and governance audits are now an important exercise that address institutions' legal and governance risks, and seek to mitigate or manage those risks most effective and efficiently, mainly through institutionalizing continual preventive measures. The two types of audit are now required of every

State corporation under the Mwongozo Code 2015.

Other than offering quality legal training, the School has excellent hospitality facilities for conferences, workshops, trainings, social events, accommodation, and a cafeteria, that are available at competitive rates. There are also auxiliary services such as a swimming pool, hire of transport, laundry services, sauna, and sports facilities. These facilities may be hired by the general public when they are not in use by students. The School takes pride in offering quality services to all our stakeholders.

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



Prof. Joseph Wamutitu, the Kenya School of Law Board Chairperson presents a gift to Ms. Christine Agimba, Chairperson, Kenya Law Reform Commission during the KSL at 60 celebration held at the school.



Departmental Briefs

The Advocates Training Programme: Offering Quality Legal Education

By Christine A.Kungu

In discharging its mandate, Kenya School of Law (KSL) has continued to train students under the Advocates Training Programme (ATP). The School retains the standard practices in molding the next generation of Advocates for our country and indeed the world.

The ATP received a new cohort of students for the current academic year. Their reporting to the School was preceded by Pre-Bar examinations that were offered between 8th January 2024 and 10th January 2024. Registration of the new cohort commenced on 15th January 2024 and ended on 31st January 2024 with a briefing by the Director of the School Dr. Henry K. Mutai. Term One training commenced on 2nd February 2024. This was inaugurated by the Student Orientation Programme also baptized as the Director's briefing.

In terms of classroom instructions, the lectures started on 4th February 2024 and concluded on 19th April 2024. Students were issued with their project work which will be submitted towards the end of Term 2. The Second term has just begun which will conclude in Mid-July 2024 to pave way for the dreaded KSL Oral examinations.

In the course of term 1, a group of 20 students participated



The Kenya School of Law student council President Joshua Okayo (Standing) during a community legal aid clinic at Jomvu.

in provision of legal aid to inmates at the Kapenguria GK Prison in March 2024. It was probably their first 'live' client interaction. Under the watchful eye of the ATP Principal Lecturers Ms. Anastacia Otieno and Mr Albert Simiyu, the students engaged with remandees and convicts. They offered legal advice on what a trial entails. They also guided convicts on preparation of Petitions and Memoranda of Appeal and the general structure and content of Records of Appeal. The objective of this engagement is to prepare the students for the practical world that awaits them upon admission to the bar.

The students were also engaged in guest lecture sessions from various Judges. The first session was a hybrid session held on the 22nd February 2024 by Judges from the Environment and Land Court which was graced by Justice Edward Wabwoto and the Deputy Registrar, Vincent Kiplagat titled Environmental Litigation.

Lady Justices Anne Omollo and Jackline Mogeni attended virtually. On the 18th April 2024, we were privileged to have Justice Alfred Mabeya present a guest lecture on Structuring Legal Arguments: A perspective from the bench. The session was well attended by ATP students and members of the Academic faculty and provided an opportunity for students to understand legal writing from the perspective of a judge and this indeed enriched the classroom experience for the ATP students.

Pupillage runs for a period of six months, with supervision rounds across the country conducted by Pupillage supervisors from the ATP with support from other departments. These aspects of training for ATP students are tailored to expose them to practical training in readiness to join the legal profession.

Christine Kungu is an Advocate of the High Court of Kenya and a Senior Lecturer at the Advocates Training programme.



The Integral Place of Pupillage in the Training of the Advocate

By Kibet Sang

Pupillage is a key component of the Advocates Training programme (ATP) that is offered by the Kenya School of Law (the School). It is the placement of the ATP student (Pupil) for a period of at least six (6) months under the tutelage of an Advocate of not less than five (5) years post-admission experience (Pupil Master). It entails attendance and receipt of instructions in proper business, practice and employment of an advocate.

Pupillage is a creature of law. Section 13 of the Advocates Act CAP 16, Laws of Kenya, requires that before a person is admitted as an Advocate in Kenya, s/he must have attended as a pupil and received from an advocate of such class as prescribed, instruction in the proper business, practice and employment of an advocate. Regulation 10 and 12 of the Kenya School of Law (Training Programmes) Regulations set pupillage as a course and part of the ATP. Part III of the Second Schedule of the Legal Education Act CAP 16B prescribes a 6 months pupillage as one of the courses undertaken at the postgraduate (professional) level of legal training, which is the ATP.

Additionally, the School has also rolled out guidelines and policies that govern the pupillage. The Pupil Master needs to have taken out a practising certificate for at least 5 years, whether successively or cumulatively. Whereas a Pupil Master is allowed to supervise a maximum of 2 Pupils concurrently, s/he may be exempted by the School to take more where s/he demonstrates capacity.

Pupillage may be undertaken in Advocate's chambers, Office of the Attorney General (OAG), Office of the Director of Public Prosecutions (ODPP), and other accredited/approved institutions (pupillage centres). In order to widen pupillage opportunities, the School continuously accredits certain institutions to offer pupillage. An institution whose business includes legal practise, or one that has a legal department, and with qualified advocate/s (of 5 years experience) may apply to the School for accreditation to offer pupillage. Upon due assessment, the School may approve the institution as a pupillage centre to offer pupillage for a period of 3 or 6 months. Currently, there are at least 125 accredited pupillage centres, in addition to the Advocates chambers, OAG and ODPP. Other institutions are undergoing assessment.

The School organises pupil master workshops annually, targeted at the stakeholders in the pupillage programme, including the School,

the Pupil Masters, the Pupils, the Judiciary; the Law Society of Kenya; the OAG; the ODPP; and other institutions that engage in the practise or business of law. Among the objectives of the workshop is the sensitization of the pupillage programme with an aim of optimising on the same and widening the opportunities for pupillage; as well as getting necessary feedback for improvement.

A major challenge that faces the pupillage programme is the rise in demand for pupillage opportunities as a result of increased access to law study as the ever-attractive career of choice by many students. Among the solutions pursued by the School is the accreditation of more suitable institutions to offer pupillage and also allowing an Advocate to take more than 2 pupils where the necessary capacity exists. The School ought to also review its policies and spearhead law reform with the aim of addressing the shortage of pupillage opportunities and also align it to the evolving nature of legal practice.

Kibet Sang is a Principal Lecturer at the Advocates Training Programme.

The Kenya School of Law – Approved Pupillage Centres

6 MONTHS

1. Law Firms
2. State Law Office
3. Office of the Director of Public Prosecutions
4. FIDA: Nairobi & Mombasa offices
5. Judiciary
6. Kituo cha Sheria
7. Mumias Sugar Company
8. Kenya Ports Authority – Mombasa
9. Law Society of Kenya
10. National Council for Law Reporting
11. County Government of Bomet (if the pupil master has been in practice for at least 5 years)
12. Kenya Copyright Board
13. Parliamentary Service Commission
14. Kenya Power & Lighting Company (KPLC)
15. Rift valley Railways
16. East Africa Breweries Limited
17. Agricultural Finance Corporation
18. Nairobi City County Government
19. UAP Holdings Ltd
20. Kenya Airports Authority
21. IEBC
22. Kenya Revenue Authority
23. Mombasa County Government
24. EACC
25. Nakuru County Government – OAG
26. Nyandarua County Government – OAG
27. Telkom Kenya Limited
28. Janus Continental Group Ltd
29. Meru County Government
30. Ken Gen
31. Moi Teaching & Referral Hospital
32. Office of the County Attorney – Kakamega County
33. Office of the County Attorney – West Pokot County
34. Office of the County Attorney – Kisumu County
35. Office of the County Attorney – Kiambu County
36. Office of the County Attorney – Nyeri County
37. Kenya Pipeline Corporation
38. County Government of Kwale

3 MONTHS

1. Chase Bank Limited
2. Kenya Commercial Bank
3. Gulf Bank Limited
4. Ecobank Limited
5. Equatorial Commercial Bank
6. Equity Bank Limited
7. National Environmental Management Agency (NEMA)
8. Consolidated Bank Limited
9. CFC Stanbic Bank
10. First Community Bank
11. Kenya National Commission on Human Rights
12. Safaricom Limited
13. The Commission on Administrative Justice
14. AMACO Insurance
15. The Refugee Consortium of Kenya
16. Family Bank
17. ABC Bank
18. K-REP Bank
19. Standard Chartered Bank
20. Oilibya Limited
21. Retirement Benefits Authority
22. Insurance Regulatory Authority
23. Bharti Airtel International Netherlands BV
24. Capital Markets Authority
25. Housing Finance Corporation
26. Price waters house Coopers
27. Access Kenya Limited
28. Centum Investment
29. International of Jurists Kenya
30. Katiba Institute
31. The Cooperative Bank of Kenya
32. United States International University
33. Kenya Railways Corporation
34. Kenya Law Reform Commission
35. Article 19 Eastern Africa
36. National Gender and Equality Commission
37. Britam Kenya
38. Haki Africa
39. The HIV/AIDS Tribunal
40. Bomet County Assembly
41. Madison Insurance
42. International Justice Mission
43. Commercial Bank of Africa
44. Communications Authority of Kenya
45. Center of Reproductive Rights
46. Anti-counterfeit Authority
47. KPMG Advisory Services Limited
48. Judicial Service Commission
49. SBM Bank

50. Amnesty International Kenya
51. Kenya Literature Bureau
52. KELIN
53. Salaries & Remuneration Commission
54. Lawyers Hub
55. ICT Authority
56. Agriculture & Food Authority
57. National Construction Authority
58. KCA University
59. County Government of Laikipia (Office of the County Attorney)
60. Council of Governors
61. Office of the Registrar of Political Parties
62. Kenya Maritime Authority
63. National Land Commission
64. Anti-Doping Agency (Kenya) ADAK
65. Rural Electrification & Renewable Energy Corporation (REREC)
66. Google Kenya Ltd
67. LSK Nairobi Branch
68. The Monarch Insurance Co. Ltd
69. Competition Authority of Kenya
70. Commission on Revenue Allocation
71. Kaimosi Friends University College (KAFUCO)
72. Unclaimed Financial Assets Authority
73. Water Resources Authority
74. American Tower Corporation (ATC)
75. Hashi Energy Ltd
76. Diamond Trust Bank
77. Business Registration Service (BRS)
78. National Environment Tribunal
79. Kenya Wildlife Service
80. Jamii Telecommunication Ltd
81. Public Procurement Regulatory Authority
82. SASRA
83. KCAA
84. SokoWatch Ltd
85. Davis & Shirtliff
86. Mwalimu Sacco
87. Kenya Deposit Insurance Corporation
88. British American Tobacco Kenya (BAT)
89. Geminia Insurance Co. Ltd

Pupil Master Workshop, 23rd May 2024
School of Law



The Kenya School of Law Principal lecturer Bernard Sang (left) and Hon. Justice Gregory Mutai (right) a guest lecturer during a virtual pupilmaster workshop



Legal Aid: The Changing Landscape

By Anastasia Otieno



ATP students conducted a Legal Aid Clinic at Nyeri Maximum Security Prison on 27/4/2024, championing access to justice for all.

Like every other programme at the Kenya School of Law (the School) the legal aid programme has changed over the years. Legal aid began as part of the reform process of legal education at the School. This was started in 2010, by the now Justice Margeret Muigai, when she was Deputy Director at the School and Mr. Albert Simiyu who was at that time in charge of the programme. It was meant to give the students an experience which was outside that of classwork by giving them contact with live clients

Legal aid was and is still mainly conducted by prison visits around the country. The students are able to talk to the inmates and give them free legal advice. The students also learn from the experience as most of them are exposed to real clients for the first time. They are able to realize the depth of knowledge that the need in the practice of the law. They are also able to interact with the prison processes and the situations in the prison.

The legal aid program has changed over the years. It has been enriched by new staff and students every year. It has transformed from providing legal aid to prisoners and remandees to providing legal aid in the community and institutions. By partnering with NGO's, County Governments and the Kenya

Police Service, legal aid has changed from just giving legal advice to now providing knowledge. We have even added a more humane aspect to the legal aid in prisons by providing much-needed toiletries to prisons whenever we visit. Through the legal aid programme, the School of Law has provided legal aid to marginalized groups and has even developed a Paralegal Sensitization manual. We have expanded our horizon to include legal aid on issues of sexual gender-based violence, prevention of commercial sexual exploitation of children and rights of the Key Population.

The School through the Legal Aid Programme has partnered with (PWCWC) to train the Kenya Police in Kiganjo. We have in partnership with PWCWC and Make me Smile trained communities and given legal aid in Kisumu. We have partnered with Christ is the Answer Ministry (CITAM) church and provided legal aid in Kitengela and Langata and with the Pentecostal Church Of East Africa (PCEA) Unity church in Umoja. With Centre for International Health, Education and Biosecurity (CIHEB),

we created awareness and provided legal aid to the Key Population (marginalized communities) in Nairobi. Additionally, we have also worked with International Centre for Reproductive Health (ICRH) to provide legal aid on children's rights

We are now conducting legal aid using both the students at the Paralegal Training Programme (PTP) and at the Advocate Training Programme (ATP). When we go for community outreaches the PTP and ATP students sit together so as to compliment the knowledge base. We are still in the process of transformation and expansion of the legal aid programme. We are open to new partnerships and expanding our areas of operation.

Anastasia Otieno is a Advocate of the High Court of Kenya, a Principal Lecturer and Coordinator of the Legal Aid Programme at the Kenya School of Law.



Continuing Professional Development Updates

Mr. Isaac S. Kuloba

As the School reflects on 60 years of its existence and excellent service delivery to its stakeholders, it has continued to lead in the provision of practical legal training to legal and other professionals to equip them with various skills for effective delivery of services. The Continuing Professional Development (CPD) Department has had a significant contribution to making Kenya better and has, in the last six months, accomplished training on some of the most popular themes, including legal audit and compliance, public procurement and disposal, litigation refresher course for in-house lawyers, public policy-making, public private partnerships, board secretarial practice, negotiations, and investigations and court-room skills.

One of the highlights in the period was the workshop titled 'Andragogy for Legal Educators' held in Naivasha on 14-15 December 2023, where more than 30 lecturers attended. This workshop is an annual event that is arranged for trainers of law (lecturers) in the Advocates Training Programme (ATP), Paralegal Training Programme (PTP) and CPD and its objective is to equip the trainers with necessary skills to deliver training in a clinical manner.

In addition to the Calendar Courses, the School has been organizing customer tailored courses for specific institutions upon request. Some of the areas of interest for customer tailored training have been data



The 2024 ATP Student Council during a training on leadership conducted by CPD

protection law and development of compliance framework, legal audit, public private partnerships, and legislative drafting.

The period under review also witnessed the first cluster of students admitted to the Certified Secretaries Course sit the KASNEB examinations in December 2023. The first cohort had been admitted into the Programme in September 2023 and registered a high number of students. In the meantime, the second intake of about 140 students took place in January 2024 and the class has just concluded their sessions. The May 2024 in-take is in progress and learning is expected to commence by the second week of May 2024.

The School continues to be the leading service provider in the country in terms of legal audit and governance audit consultancies. Other consultancies provided by the School through the CPD Department are regulatory impact assessment (RIA), development of policies and manuals, and drafting of Bills for introduction into Parliament.

The Department has been active in seeking collaboration with other institutions. The School has signed a memorandum of understanding with MTI, to collaborate on training on mediation, particularly for the students undertaking the ATP.

Those who are interested to make inquiries on CPD services (training and consultancies) may reach us through our departmental email: cpd@ksl.ac.ke Those who wish to register for any of the upcoming calendar courses can go online to services.ksl.ac.ke and register for a course. The annual CPD training calendar for the financial year 2024-2025 is out and may be accessed through the School website: <https://www.ksl.ac.ke/cpd-courses/>

Mr. Isaac S. Kuloba is an Advocate of the High Court of Kenya and the Assistant Director, CPD Department the Kenya School of Law.



The CPD Department Trains on Litigating In A Digital Environment

By Samuel Akhwale

The Kenya School of Law through the Continuing Professional Development department (CPD), runs two types of courses for continuing professional development of various professionals. The first are calendar courses, where the department designs and develops courses to run in one financial year and these are compiled into a calendar that is published on the Kenya School of Law website. Any eligible person including non-lawyers can attend the calendar courses.

The other type of courses run are the tailor-made courses, where a specific institution such as a law firm or a State Corporation requests the School to design and run a course to meet the training needs of that particular institution. The tailor-made course could be for a homogenous group such as the lawyers or supply chain professionals in that institution, or it could be a training that cuts across various professions within that institution, on a relevant area such as legal compliance.

One of the calendar courses scheduled in the 2023/2024 year was a training on Litigation in a Digital Environment: A Refresher Course for In-House Counsel. It was the third in a series of courses the CPD Department has run since 2021 to refresh the litigation skills of lawyers serving as in-house counsel in

both private corporations and state corporations.

The inaugural course ran in 2021 was intended to build the capacity of counsel in state corporations to implement the advisory of the Honourable the Attorney General of the Republic of Kenya of 6th April 2017, for State corporations to use internal legal capacity in routine and non-complex matters, and particularly where a State corporation sues or is sued as a main party and is not conflicted or is sued or sues as a nominal party.

In the 2022 edition of the course, the emphasis was equipping in-house counsel or other counsel acting for an individual or corporate client with skills to effectively put across before a relevant forum their client's case.

The 2023 course ran from 4th to 8th December at the English Point Marina hotel in Mombasa. The course emphasis was equipping in-house counsel within state corporations, private corporations and counsel representing these corporations with skills to effectively put across their client's case in a digital litigation environment, from online filing, service on the digital platform, to online hearings and delivery of rulings and judgments on the digital platform. The background to this was the amendment of the Civil Procedure rules in 2020 to include Order 5 Rules 22B and 22C that allowed for service by email and mobile application enabled messaging. This was in response to restrictions on in person interactions as a measure to contain the Covid-19 pandemic. Alongside this was the practice directions by

the Chief Justice in response to the pandemic, which allowed among others use of teleconferencing, videoconferencing and other appropriate technologies to dispose of any matter. Practice Directions were also issued with respect to the Court of Appeal.

Much as this new development expedited disposal of court matters, along with it came challenges such as limited capacity of advocates to effectively use the technology for online filing and hearings, and the violation of court etiquette by court users.

The course therefore intended to equip participants with skills for effectively putting in digital format key components of a client's case, properly filing them where online filing applies, correctly effecting service through electronic means and appropriately conducting hearings on the online hearing forum all to the benefit of the client.

The training attracted twenty-one participants from among other institutions the Judicial Service Commission, a leading Cement Company, various regulatory authorities and a reputable public Kenyan university.

The program was balanced between delivery of essential content and allowing the participants also relax, being in a holiday town in a holiday month. The training adopted an adult-learning model, that encourages interactive learning through experience sharing.

The presenters, professionals of distinction in their various areas of specialty did deliver on their promise. They effectively addressed and facilitated discussions on topics like Judicial Expectations from Litigants in the Digital Platform; Litigation in the Digital environment: Does it grant access to or hinder access to Justice; Use of the Digital Platform for Alternative Dispute Resolution; The Evolution and Developments in Civil Pleadings & Processes: The Search for Effectiveness in Case Presentation; Matters Arising During Litigation: The Remedy of Interlocutory Applications; Digital Tools for Effective Management of Litigation; Constitutional Litigation: Procedures and the Emerging Jurisprudence; Litigating in the Digital Platform: Taking Care of

Data Protection Issues and various components of Trial Advocacy such as case analysis, opening statements, examination in chief, cross examination and closing submissions. The highlight of the training was the presentation by Hon. Justice Alfred Mabeya where he outlined the various areas and aspects of migration by the Judiciary to facilitating the entire justice process from case filing to litigation to accessing final orders and other services through the e-filing and online courts platforms. The Honourable judge also reflected upon what the Judiciary expects from litigants and court users to make the delivery of justice through the digital environment effective.

The Kenya School of Law appreciates the various organisations that supported delivery of this course through sponsorship of participants

to attend the training. The School also appreciates the various facilitators in the training including Hon. Justice Alfred Mabeya, Dr. Mercy Deche, Mr. Joab Weloba, Mr. Isaac Kuloba, Ms. Christine Kungu, Ms. Wamuyu Waikwa, Mr. Samuel Mwaniki and Mr. Kelvin Asige who took time to prepare and present on the areas of discussion they were asked to handle. The CPD Department also appreciates the administrative support from the various departments in the school that made the training a success.

Samuel Akhwale is an Advocate of the High Court of Kenya and a Senior Lecturer in the Continuing Professional Development Department at the Kenya School of Law.



KSL Assistant Director, Continuing Professional Development (CPD) Mr. Isaac Kuloba (Center), with participants during a CPD course on Legislative Drafting for County Governments



CONTINUING PROFESSIONAL DEVELOPMENT PROJECTS & RESEARCH DEPARTMENT (CPD)



ABOUT US

The mandate of the CPD, P&R department is to undertake practical training in law and other related disciplines for the professional development of lawyers and other actors in the legal sector in order to enhance good governance, rule of law and development. The Department offers relevant, quality and skills-based courses on Law and related disciplines to professionals working in both the public and private sectors to enhance their capacity of effectively discharging their responsibilities. The Department also carries out consultancies to meet the specific needs of the client.

OUR SERVICES

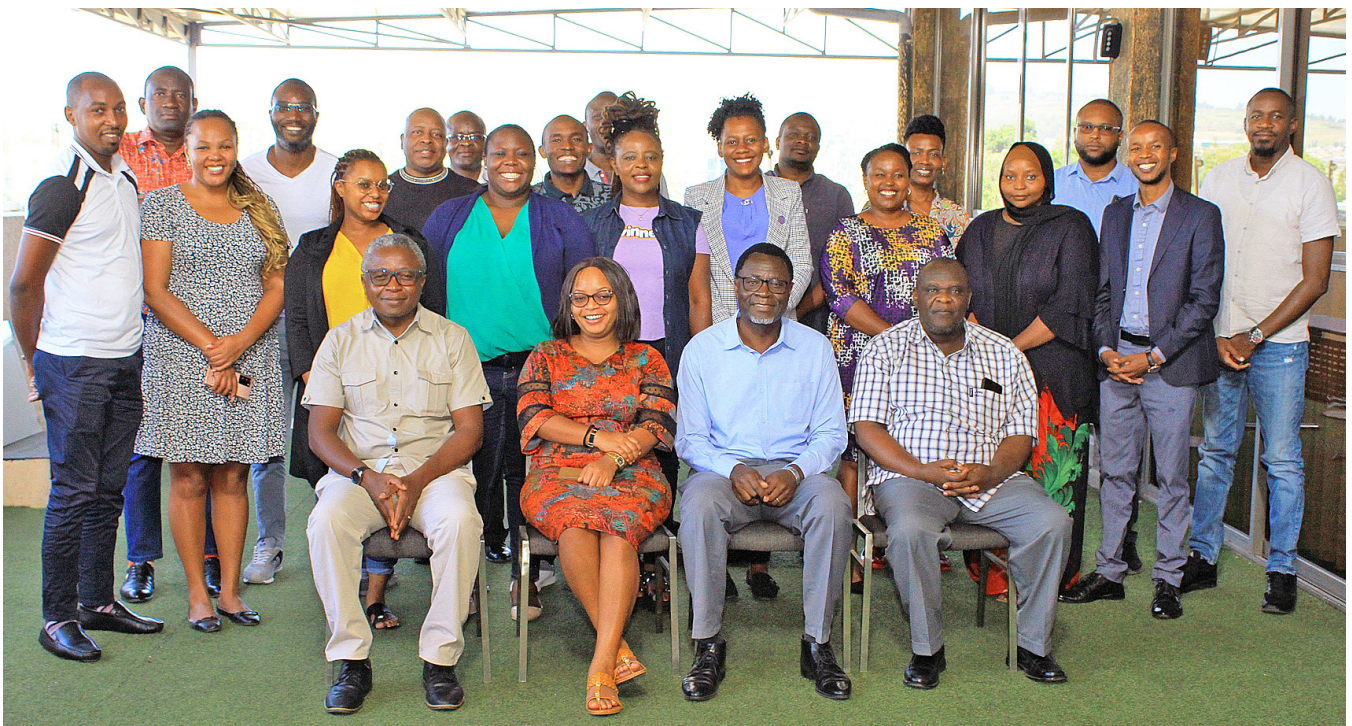
- **Training:** The Department runs calendar courses and customer-tailored courses to build capacity on legal aspects of various professions and disciplines. The courses are held both at the School's Karen campus and at venues outside Nairobi such as Mombasa, Naivasha and Nakuru. The areas of training include Legislative Drafting, Legal Compliance, Litigation Refresher courses, Investigations and Court Room Skills, Corporate Governance and Board Processes, Compliance in Public Procurement, Data Protection and Privacy Compliance and the Certified Legal Auditor course.
- **Consultancies:** We offer consultancies including Legal and Governance Audits, Regulatory Impact Assessment, and Legislative and Policy Drafting for various clients.
- **Certified Secretaries Courses:** The Course is divided into Foundation Level, the Intermediate and the Advanced Levels with intakes in January, May and September.
- **Research and Projects:** The department conducts research and projects in areas related to rule of law, access to justice and strengthening of governance. The outputs of the projects include training manuals and policy guidelines.
- **Law Conference and Publication of Legal Journals:** The Department serves as the focal point for the Kenya School of Law annual conference and the publication of journals.

OUR CLIENTS



Interested in partnering with us? Contact us via cpd@ksl.ac.ke.

Lang'ata South Road, Karen
P.O Box 30369-00100, Nairobi.
Telephone: 020 2699581 / 2 / 3 / 4



Kenya School of Law staff, Assistant Director, CPD Mr. Isaac Kuloba (Seated third left) and participants during a CPD training on Legal Auditor Certification



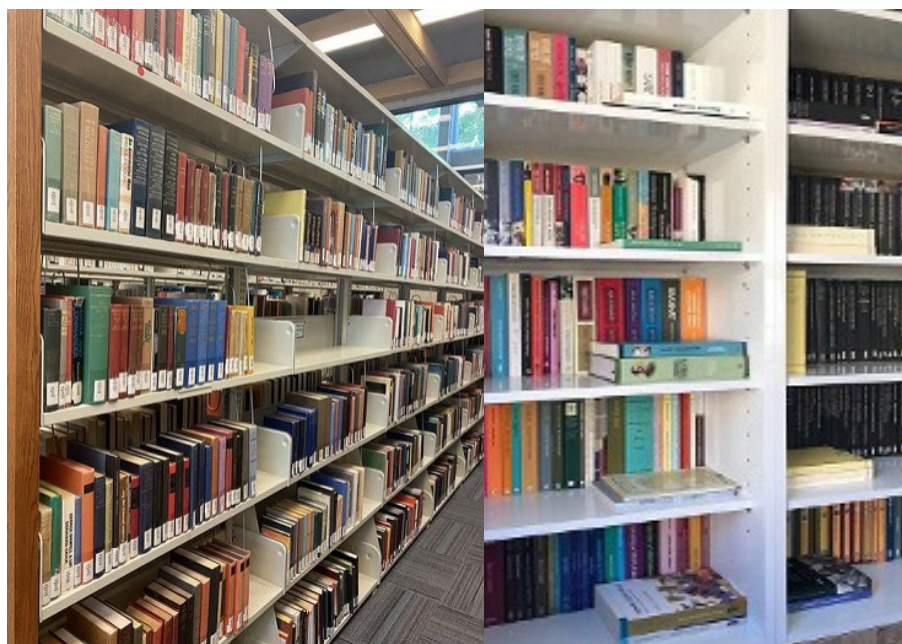
Kenya School of Law Library Chronicles: Reflections of Decades of Struggles and Triumph

By Benta Narkiso

In the annals of educational institutions, few narratives rival the transformative journey of the Kenya School of Law (KSL). Established in 1963, amidst the fervor of a newly independent nation, the institution embarked on a mission to nurture legal minds and shape the future of jurisprudence in Kenya. As a witness to this remarkable evolution, I have had the privilege of serving in the heart of this institution's intellectual nucleus, the library since 1989. Over the decades, I have seen the School and its library undergo profound changes, each milestone marking a new chapter in KSL pursuit of academic excellence.

In its infancy, the KSL resided modestly on Valley Road. The number of students enrolment was relatively small. The library had two staff, and KSL methods of library management were majorly manual. Books borrowed were recorded in a manual register and patron would sign against the due date which was also stamped on the book to help remind patrons on the due date. The shelves held a modest collection of legal books, and KSL main collection was mainly law reports e.g. Kings Bench, Queens Bench, and all England Law Reports among others. Some of the core texts were locked up on a shelf and would only be accessed on a need to need basis. In those early days, KSL resources were limited, but KSL dedication to fostering legal scholarship burned bright.

The first milestone in the KSL journey has come with the gradual



expansion of the student body. From a mere twenty students, KSL enrollment swelled to over 1800 presently, a testament to the growing demand for legal education in Kenya. With this influx of eager minds came the need for a larger, more accommodating space. In 2005, KSL relocated to Karen, ushering in a new era of more growth and opportunities.

The relocation to Karen was a pivotal moment in the School's history, and it brought with it a flurry of changes for the library. No longer confined by the constraints of space, we were able to expand the KSL collection exponentially and increased the number of staff working in the library and installation of internet. The once-small library burgeoned into a vast repository of legal knowledge, housing volumes on every facet of the law imaginable. From landmark court cases to obscure legal doctrines, KSL shelves became a treasure trove for aspiring legal scholars.

But it was not just the physical space that transformed, the KSL methods of library management evolved as well. The traditional book card/book slip and card catalog system gave way to modern digital databases, revolutionizing the way students accessed information. With the click of a mouse, they could navigate through centuries of legal precedent, unlocking the insights of generations past. The transition was not without its challenges, but with each hurdle we overcame, KSL commitment to serving its patrons-only grew stronger.

As the years rolled by, KSL continued to solidify its reputation as a bastion of legal education in East Africa. KSL alumni went on to become leading lights in the legal profession, shaping policy, and championing justice in courts of law. Behind the scenes, the library remained a steadfast companion on their journey, a silent witness to their triumphs and struggles.

In 2018, another milestone marked a significant turning point for the institution the introduction of online resources and a library security management system. The advent of the internet opened up a world of possibilities, granting students access to legal materials remotely from across the globe. Suddenly, the boundaries of KSL library extended far beyond the physical confines of KSL shelves, encompassing virtual repositories for KSL students from any location.

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the physical confines of KSL shelves, encompassing virtual repositories for KSL students from any location.

With this newfound access came a responsibility to adapt and use library management systems. We embraced new technologies, investing in state-of-the-art systems to streamline research and enhance the learning experience. Online journals, e-books, and multimedia resources became integral components of our collection, ensuring that our students were equipped with the tools they needed to excel in an increasingly digital world.

Today, as the School celebrates 60 years, I reflect on my journey through the KSL, I am filled with a profound sense of pride and gratitude that we can offer a library without borders services. From its humble beginnings on Valley Road to its current stature as a leading institution of legal

education, the School has defied the odds and surpassed all expectations. The KSL Library currently has a branch library at the Town Campus serving mainly KSL Para-legal students. Through it all, the library has remained a constant, beacon of knowledge and a testament to the enduring power of education.

As we look to the future, I am filled with optimism for the generations of legal scholars yet to come. KSL has come a long way since 1963, but KSL journey is far from over. With each passing year, we continue to evolve, to adapt, and to push the boundaries of legal excellence. And as long as there are minds eager to learn law and in need of interpretation, the KSL library will be there, a silent guardian of knowledge, guiding the way forward.

Benta Narkiso is a Senior Library Assistant at the Kenya School of Law.



Ms. Agnes Mwai, the Principal Librarian and Mr. Lawrence Ndirangu Senior Academic Services Officer planting a tree to mark the KSL at 60



A Journey of Growth: My Experience at the Kenya School of Law

By Clementine Akai

Entering the working world through an internship is a rite of passage for many students, myself included. Internship is a transition from the academic world to the working environment. It's a period of transition, where theoretical knowledge meets practical application, and classroom learning is complemented by real-world experiences. In this article, I will share the transformative journey of my internship experience, shedding light on the challenges faced, lessons learned and achievements celebrated during my journey of growth as an intern at The Kenya School of Law.

On 11th April 2023, I stepped into the realm of my internship, I was filled with a mix of excitement and nervous anticipation. I was happily received by the Human Resource Office and deployed to the Corporate Communication Section (CCS) which became my work station. The working world seemed vast and unfamiliar, filled with its own set of norms, expectations and challenges. Yet, it was this very sense of the unknown that fueled my curiosity and propelled me forward into uncharted territory. With an open mind and a willingness to learn, I embraced the journey that lay ahead, eager to discover what awaited me beyond the classroom walls.

As a corporate communication intern, I had the privilege of being part of a dynamic team responsible for crafting and disseminating the

company's messages to internal and external stakeholders.

This role provided me with a firsthand glimpse into the intricacies of corporate communication and the vital role it plays in shaping organizational reputation and relationships. Right from the first day, I worked hand in hand with my supervisor Ms. Ruth Githaiga to plan my work schedule for my time at KSL. Working with my team from CCS has been one of the best work relations.

One of the most rewarding aspects of my internship was the hands-on experience I gained. From drafting content for social media posting to assisting with internal communications initiatives, assisting at the front office, I contributed to the development of the School's Justice Newsletter and every task presented an opportunity to learn and grow. This experience gave me a deeper understanding of how effective internal communication contributes to employee engagement and organizational culture. I also had exposure to external communication activities, such as handling incoming external calls from the reception desk, monitoring and managing the flow of visitors. Gaining insights into how corporate messaging is tailored for external audiences was quite an experience.

Throughout the internship, I had the opportunity to engage with various stakeholders, including employees, customers and suppliers. I conducted surveys to gather feedback and helped organize corporate events. These interactions deepened my understanding of stakeholder needs and expectations and highlighted

the importance of building positive relationships.

Like any journey, my internship experience was not without its share of challenges. Meeting tight deadlines to unfamiliar tasks, maintaining work life balance and adapting to the fast-paced nature of corporate communication required resilience and perseverance. Despite these challenges, the internship experience provided invaluable opportunities for growth, learning, and personal development. Overcoming these challenges strengthened my resilience, honed my problem-solving skills, time management techniques and ability to thrive under pressure.

Central to my journey of growth as an intern was the guidance and mentorship provided by experienced communications professionals. From offering advice on career development to sharing insights into industry trends, my mentors played a crucial role in shaping my internship experience. Their wisdom, encouragement, and support provided me with the guidance and reassurance I needed to navigate the ups and downs of the workplace with confidence and clarity. I also had the privilege of collaborating with colleagues from diverse backgrounds and departments, forging connections that extended beyond the confines of the workplace. Relationship buildings were essential pillars of my internship experience.

Clementine Akai is a former Corporate Communication intern at the Kenya School of Law.



Risk Management in a Growing Institution

By Wilfred Omwenga

Risk management means coordinated activities to direct and control the School's risk. It explicitly links to strategic decision-making and influences other key decisions at the School. The purpose of risk management is the creation and protection of value, it improves performance, encourages innovation and supports the achievement of objectives. For a growing institution like the Kenya School of Law (KSL), it helps to make risk based informed decisions on the strategic direction of the School. While pursuing this, it ensures the School has continued to grow despite the turbulences of the economy and financial constraints being observed across the country.

To ensure the School is growing, the risk and quality assurance section of the School has developed a risk management strategy that is aligned to the School's Strategic Plan of 2022/2023 - 2027/2028. Regulation 165 (1) of the Public Finance Management Regulations, 2015 requires that public institutions develop risk management strategies, which include fraud prevention mechanisms; and a system of risk management and internal control that builds robust business operations.

The risk management strategy, is there to ensure that during this period, the risk management is well coordinated and the School is able to achieve its strategic objective and there is a clear direction towards its vision of "A centre of excellence in professional legal training, research, and consultancy"

Risk governance is required to be in place in order to achieve the School goals. This means that the staff should participate in the risk management process throughout the entire School. They should be knowledgeable, skilled, and competent in risk management. The School is committed to integrating risk management in all its procedures in line with International Organization for Standardization (ISO) Quality Management Systems.

At the beginning of every Financial Year, the School conducts risk assessment of its strategic and departmental objectives to determine their inherent risk. It guides the School to evaluate the mitigation measures put in place and consider the residual risk at the end of the financial year. Residue risk is the risk remaining after management has taken action to reduce the impact or likelihood of a risk after considering the effectiveness of controls.

The risk management strategy aims to; integrate risk management into the School's strategic goals and processes; define the School's risk appetite and risk criteria; provide a mechanism for preventing, detecting and responding to fraud risk; enhance compliance with legal and policy requirements

and safeguard the School's assets and reputation.

The School's internal and external environment remains an important factor in the risk management process. The Risk and Quality Assurance section has analysed the internal environment which is the strength, weaknesses, opportunities and threats, their implication and the responses the School will employ. Also the Strategic Plan has analysed the internal and external issues affecting the School which is a vital information that guides risk management in the School.

The School has managed to ensure risk management responsibility and accountability is based on the Three Lines Defense Model which involves clear allocation of accountability and ownership for risk and controls and ensures an effective separation of risk-taking from risk oversight. The School has ensured compliance with the three lines of defense. Departmental and section heads are the first line of defense. The second line has KSL risk champions, and the Risk and Quality Assurance section and the third line is the KSL Internal Audit department.

We have also come up with the risk appetite statement for the School which means the level of risk that the School is willing to accept while pursuing its objectives. This is very essential for a growing institution such that for every step the School is making it is within the approved appetite level. This ensures any growing institution can manage and address any risk arising from the decision taken and we have set out what is required and documented.

From the current School Strategic Plan, I have picked four examples of key areas that the School is keen on, as illustrated below. This is a measure to ensure that as the School grows it is within its appetite levels.

These are guidelines for ensuring that when the School is pursuing its objectives at different levels, it is aware of the risk appetite

statement and it will adhere to them. Compliance with documented information on risk management will ensure that the School will still grow despite the many challenges.

The section has also developed Business Continuity Plan document which guides on capability of the School to continue the delivery of products and services within acceptable time frames at predefined

capacity during a disruption. It has also has identified capacity development as a deliberate effort planned and implemented to improve skills, knowledge, and attitudes. This is to ensure risk management is well implemented for sustainability and growth of the School.

Wilfred Omwenga is the Risk and Quality Assurance Officer at the Kenya School of Law.

Strategic Objective	Risk Appetite	Risk Appetite Statement
To enhance quality of curriculum delivery	Low	The School will not accept any strategy that is likely to compromise the quality of training.
To enhance student enrolment and completion rates	Medium	The School will consider the factors affecting completion rate and address the one within its reach.
To enhance Resource Mobilization	Medium	The School will explore the options available for resource mobilization and pursue those that are realistic and lawful.
Ensure Prudent Management of Financial Resources	Low	The School shall ensure that there is transparency and accountability in the management of financial resources.
To strengthen human capital	Low	The School shall fairly and competitively recruit qualified and competent staff.





Milestone in Transport Management at The Kenya School Of Law

By Martin Kembero

The Kenya School of Law transport department has the responsibility of managing the School's fleet in a professional and cost-effective manner by providing and maintaining the optimum numbers of vehicles for better service delivery.

Transportation management encompasses a broad spectrum of activities that cover everything from fleet management, planning, routing, scheduling, controlling, monitoring and customer service.

The underlying objective of transportation management as an institution is to offer support to our staff, students, stakeholders and movement of goods from one point to the other in the most efficient, cost-effective and timely manner.

As a school, efficient vehicle operation is one of the milestones that the school has achieved to embrace change in the modern society. This is to ensure no danger is caused to any passenger or the vehicle on the road. To ensure compliance, we subject our vehicles to annual inspection at the government appointed test stations like the National Transport Safety Authority (NTSA) which

ascertain the condition of vehicles before they are used.

The School drivers have the pre-requisite skills in driving the vehicles which is the best enabler in the maintenance of the government vehicles and also ensure road safety. The drivers adhere to the rules and regulations stipulated in the Traffic Act Cap 403 to execute their services without any problem. We have continuous training and refresher courses and competency-based tests which measure specific parameters for driving different classes of vehicles as endorsed in their driving licences. Our drivers have a reputation for being the among best and having good etiquette. During the 2023 end of year staff awards, our driver Washington Bwire Oluch was awarded best performing staff in the Administration Section.

With skilled and well-trained drivers, we have maximized the effectiveness of the transportation management strategy that's why we have ongoing employee training and skills development to ensure that the staff remains abreast of the latest trends and technologies in the field.

We have training programs which are not limited to technical skills but also include soft skills like customer service, communication, problem-solving and well-rounded training programs that ensure that the drivers are equipped to perform their roles with excellence.

Apart from these operational benefits,

automation of the transport system has improved the level of customer relationship management by ensuring on-time delivery and improving the overall quality of service. The technology features real-time alerts, reports, and data analysis, which have provided valuable insights for decision making.

There are other milestones the School has achieved like the fuel management system. Good management of resources is achieved through issuance of the fuel cards to each and every driver with unique features which bear the registration number of the vehicle, serial number of the of the card, driver tag, the fuel card pin (Personal Identification Number) that will show specifics in fuel drawn against the mileage recording. Through the reconciliation process the in-charge is able to obtain a report showing how transactions have been made, and is able to identify any problems arising and take necessary actions.

Looking into the future, the School will transition to using hybrid vehicles, adopting fuel-efficient driving techniques, optimizing the supply chain to reduce long-haul trips, among other green initiatives in green logistics to embrace sustainability. That may require an initial investment, but the long-term dividend which will be well worth the effort and expenditure.

Martin Kembero is an Assistant Administrative Officer at the Kenya School of Law.

Welcoming our Latest Team Members



Mr. Benard K. Sang
Principal Lecturer, Advocates
Training Programme

Joined the School as a Principal Lecturer, Mr. Sang brings a wealth of knowledge and passion for education that will undoubtedly inspire the students and enrich our ATP



Ms. Doreen N. Sitati
Senior Officer, Planning,
Monitoring & Evaluation

Joining the School in the position of Senior Officer, Planning, Monitoring & Evaluation, Ms. Sitati's experience is expected to guide the School in achieving its mission and navigating future challenges with confidence.



Mr. Timothy M. Karioko
Human Resource Assistant

Serving in the position of Human Resource Assistant, Mr. Karioko's role will be to support the staff in order to contribute greatly to the School's success.

Remembering Our Stars: A Tribute to Jane Githinji and Francis Oyalo



Tribute to Ms. Jane Githinji:

In memory of Jane, our dedicated Principal Lecturer in Continuing Professional Development (CPD), we honor a remarkable trainer, legal auditor and Certified Secretary whose passion benefited many clients for training and consultancy. Jane's dedication to advancing knowledge was matched only by her unwavering commitment to her clients' and students' success. With her guidance as the coordinator of the Certified Secretaries programme, professionals found new avenues for growth and development, shaping careers and futures along the way. Her legacy of excellence will endure in the hearts and minds of all who had the privilege of learning from her. Jane's impact on the School and her colleagues will be cherished and remembered always.

Until her demise Ms. Githinji was the Coordinator, Certified Secretaries Programme



Tribute to Mr. Francis Oyalo:

In memory of Mr. Francis Oyalo we pay tribute to our cherished Supply Chain Management Assistant, whose presence brought warmth and efficiency to our institution each day. Oyalo's dedication to ensuring the smooth operation of our supply chain Store was unmatched and his cheerful demeanor brightened every interaction. His diligence and attention to detail were evident in his contribution to efficiency in the Supply Chain department contributing significantly to the success of the organization. Oyalo's kindness and professionalism left an indelible mark on all who had the pleasure of working alongside him. Though he may be gone, his spirit of service and camaraderie will continue to inspire us in our daily endeavors.

Until his demise Mr. Oyalo Served as Supply Chain Management Assistant



The Evolution of Procurement

By Elma Owuor and Gentry Mwami

Introduction

Procurement is the process of acquisition by purchase, rental, lease, hire purchase, license, tenancy, franchise, or by any other contractual means of any type of works, assets, services or goods including livestock or any combination and includes advisory, planning and processing in the supply chain system.

Historical Evolution

It evolved into a function that adopted a supportive role, by ensuring material quality and availability requirements was satisfied. Businesses rely on their procurement teams to provide strategic insights that create long-term business value. Procurement, in the most basic sense of the term, has been around since the dawn of human civilization. When a need such as food, shelter, clothing, or medicine was identified, it had to be located and obtained.

Later, ancient civilizations developed highly sophisticated methods of procurement. For example, the Egyptians built the pyramids using materials (and labor) that they sourced from far and wide.

Fast forward to the 1800s: The Industrial Revolution was a pivotal moment for procurement. Around this time, procurement began to evolve into the processes we are familiar with today.

As manufacturing and other processes began to become more efficient, supporting processes like procurement were also impacted. Not only did procurement teams need to manage more complex supply chains to fuel rapid economic growth, but they also had to do it with precision and efficiency. Fortunately, their jobs were about to be made much easier.

The procurement function became more professional, shifting its focus from cost reduction to risk management and management of external services. Businesses started to understand how developing privileged relationships with their suppliers gave them a competitive advantage.

The 'adversarial' approach that had previously characterized company-supplier relations gave way to a new 'relational' strategy. As a result, company partnerships with a limited number of key suppliers were developing. While the number of suppliers decreased, the quality of their collaboration with businesses increased.

Another development during this decade was the separation of the procurement and supply functions, which strengthened the strategic position of procurement departments.

In the 21st-century world of new technologies and innovation, and all the more so after the financial crisis, most businesses recognize the strategic role of the procurement function in creating value.

Nature of Public Procurement in Kenya

The public procurement system in Kenya has evolved from a crude system with no regulations to an orderly legally regulated procurement system. The Government's procurement system was originally contained in the Supplies Manual of 1978, which was supplemented by circulars that were issued from time to time by the Treasury. The Director of Government Supply Services was responsible for ensuring the proper observance of the provisions of the Manual.

The Manual created various tender boards for adjudication of tenders and their awards. A review of the country's public procurement systems was undertaken in 1999 and established that:

1. There was no uniform procurement system for the public sector as a whole
2. It did not have sanctions or penalties against persons who breached the regulations in the Supplies Manual, other than internal disciplinary action. Consequently application of the rules was not strict and many of the norms were not followed
3. The Supplies Manual did not cover procurement of works
4. The dispute settlement mechanisms relating to the award procedures as set out in the manual were weak and unreliable for ensuring fairness and transparency

The systems had other

This led to the establishment

have a potential for undermining the

The Public Procurement and Disposal Act 2005 was enacted and

In January 2016, the Public

Challenges and Strategies

Transitioning from traditional to strategic procurement is not without

Cultural shift: Overcoming resistance and facilitating a cultural shift within

Educating stakeholders about the benefits of testing

Skill enhancement:
Procurement, professional

Procurement professionals need to enhance their skills to effectively

Technology adoption:

Implementing advanced procurement technology solutions can streamline

Conclusion

The evolution from traditional

Elma Owuor is a Senior Supply Chain Manager at Amazon in the Kenyan market.

*Gentrix Mwami is an Intern at the
Kenya School of Law.*





Building Relationships and Telling Stories: KSL Beyond 60 Years

By Ally Mwakaneno

In the dynamic landscape of academia, the concept of marketing often carries an unwelcome stigma. It conjures images of relentless sales pitches and impersonal interactions. Yet, as we reflect on the Kenya School of Law (KSL) journey spanning over six decades, it becomes evident that our approach to marketing legal education has undergone a profound evolution.

Traditionally, marketing has been synonymous with persuasion - a one-way street where information flows from the seller to the consumer, often leaving little room for genuine connection. However, in today's interconnected world, where consumers are inundated with choices and information, this traditional model has become increasingly obsolete. The modern consumer craves more than just product information; they seek authenticity, engagement, and a sense of belonging.

At KSL, we recognize the shifting tides of consumer behaviour and have embraced a new paradigm: relationship-building and storytelling. Rather than merely informing customers and stakeholders about our services, we are committed to forging meaningful connections and sharing the stories of those who have been touched by our institution; advocates and paralegals alike.

Central to this evolution is the recognition that legal education is not just about imparting knowledge; it's about empowering individuals to make a difference in the world. Our alumni are not just graduates; they are trailblazers, advocates, paralegals, and change makers. By showcasing their accomplishments and experiences, we not only celebrate their success, we reflect on their journeys and inspire future generations of legal professionals. Beyond 60 years, our marketing initiatives will lean towards creating meaningful relationships with students, customers, and partners that will impact legal professionals and communities alike. Selling will be a result of demonstrating impact and value, as opposed to the pure pursuit of business.

One of the cornerstones of our approach is stakeholder engagement. We understand that our success is intrinsically tied to the communities we serve. That's why we actively seek out opportunities to collaborate with high schools, universities, and organizations that serve legal communities. By demonstrating our commitment to social responsibility, we not only strengthen our ties with the community but also instill in our students a sense of duty and empathy.

Another key aspect of our strategy is the embrace of storytelling as a powerful tool for connection. Behind every advocate, paralegal, and certified secretary lies a compelling narrative waiting to be told. Whether it's the story of a first-generation university student who defied the odds to pursue their passion for law or the journey of a faculty member whose research is shaping the

future of legal scholarship, these stories humanize our institution and resonate with audiences on a deeper level. They give nuance and human faces to what can often be reduced to a statistical footnote or mere names.

Moreover, storytelling allows us to highlight the unique value proposition of KSL - our commitment to excellence in professional legal training. From our curriculum, our diverse and supportive learning environment, and our extra-curricular programmes, every aspect of our experience is imbued with a sense of purpose and possibility.

As we look ahead to the next chapter of our journey, we remain steadfast in our commitment to fostering connections and amplifying voices in legal spaces. Whether it's through digital platforms, forward-thinking conferences, or community partnerships, we will continue to engage, inspire, and empower those who entrust us with their training.

The evolution of marketing at KSL is not just a strategic shift; it's a testament to our enduring values and dedication to serving our communities. By prioritizing relationships over transactions and stories over statistics, we are building a legacy that extends far beyond the confines of our campus. Watch out for this space as we write the next chapter of our story - one built on connection, collaboration, and collective impact..

Ally Mwakaneno, is the Marketing Officer at the Kenya School of Law.



The Addiction Cycle

By Dorcas Mwachia



Does a person have an addictive personality? Is it genetic? Are people just 'wired that way'? While these sentiments often come from a place of care and concern, they can also display a lack of understanding about this complex phenomenon.

It's a multifaceted issue that affects individuals from all walks of life. These habits don't know race, gender, religion or profession. Anyone can be a victim.

A recent definition of a mental health disorder suggests the defining features are: a behavioral or psychological syndrome or pattern that occurs in an individual; the consequences of which are clinically significant distress or disability. That means Addiction is one of the mental disorder.

The two types of addictions include

1. Behavioral addiction; which is classified as any time that one loses control of their actions in order to engage in behaviors that result in brief feelings of happiness. The common ones include Food Addiction, Sex Addiction, Internet Addiction, Pornography Addiction, Using computers and/or cell phones, Video Game Addiction, Work Addiction, Exercise Addiction, Spiritual obsession (not to be confused with religious devotion),

Shopping Addiction, Gambling Addiction.

2. Substance Dependence and Substance Abuse; as termed in the Diagnostic and Statistical Manual of Mental Disorders (DSM V). The common drugs abused are Khat, Alcohol, Cocaine and Marijuana.

The 4C's framework helps in understanding the nature of addiction are;

1. Craving. This is a powerful and uncontrollable desire that addicts experience towards their substance or behavior of choice. It is not just a mere wish; it is an intense need and urge that can overshadow all other priorities. When not satisfied, it can lead to severe withdrawal symptoms that can be debilitating.

2. Compulsion. This is the irresistible urge to engage in the addictive behavior, despite being aware of the negative repercussions. Initially, the behavior might have been a choice, but as addiction progresses, one lacks the ability to stop even if desired.

3. Loss of control. This reflects an addict's difficulty to limit or regulate their addictive behavior despite the negative consequences. The substance or behavior takes over their life, and they find themselves unable to exert control over their actions.

4. Consequences. A person struggling with addiction continues to engage in the addictive behavior despite knowing the harmful consequences. These consequences can be physical, emotional, social, financial or legal. For example, someone may continue drinking even though they know it is causing health problems, straining family relationships, and impacting negatively on their job.

Causes of Addiction

Addictions almost always originate in pain, whether felt openly or hidden in the unconscious. Nearly all individuals suffering from addiction, have a history of exposure to what is called 'Adverse Childhood Experiences' or ACEs. For example, physical abuse, sexual abuse, emotional abuse, physical neglect, witnessing violence in the home or within the community, having a family member attempt or

die by suicide, parental separation or divorce or even one parent in prison among others.

These experiences create an emotional pain that affects areas like the nucleus accumbens, the pleasure and reward centre of the brain that is implicated in substance dependence. A client might describe how there is a huge empty space that is unfillable and that there is a yearning to fill this void. Gabor Maté talks about how part of the addiction “is the pursuit of wanting more and more”, so that void can be filled. Therefore, these compulsive behaviors or substance use self soothes the unbearable internal states and induces a state to take the pain away as a stress reliever, feel alive, have an adrenaline rush, or to provide a feeling of belonging.

Overcoming an addiction isn't as simple as just stopping or exercising greater control over impulses be it alcohol, gambling, masturbation, prescription pills, marijuana extra. This is because addiction hijacks the brain and develops pleasure circuits which in turn gets overwhelmed, in a way that can become chronic

and sometimes even permanent. The brain registers all pleasures in the same way, whether they originate with a psychoactive drug, a monetary reward, a sexual encounter, or a satisfying meal. This is what's at play when you hear about reward “systems” or “pathways” and the role of dopamine when it comes to addiction. But what does any of that really mean?

One of the most primitive parts of the brain, the reward system, developed as a way to reinforce behaviors we need to survive, such as eating. When we eat foods, the reward pathways activate a chemical called dopamine, which, in turn, releases a jolt of satisfaction. This encourages you to eat again in the future. The reward circuit in the brain includes areas involved with motivation and memory (Hippocampus) as well as with pleasure. Addictive substances and behaviors stimulate the same circuit, and then overload it.

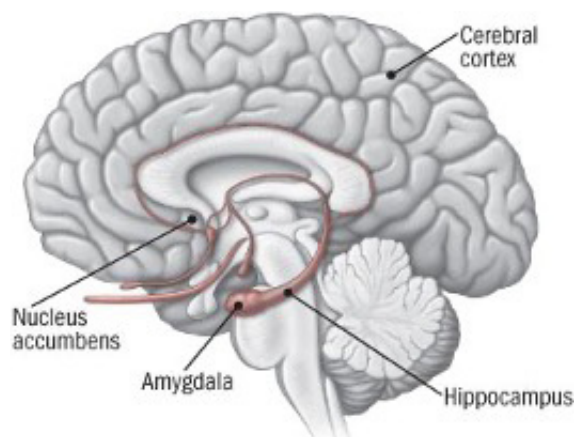
When a person develops an addiction to a substance, it's because the brain has started to change. This happens because addictive substances trigger an outsized response when they reach the brain. Instead of a simple, pleasurable surge of dopamine, many drugs of abuse such as opioids,

cocaine, or nicotine cause dopamine to flood the reward pathway, ten times more than a natural reward. Wueh, Enough of Biology!

I know by now you have mapped out at least one person who is managing the condition. Addiction is not a mysterious, progressive, and incurable disease anymore! Addiction is completely curable with proper treatment composed of medical treatment, psychological treatment, and true recovery. When I say cured, I mean a former heroin user can sleep in a warehouse full of heroin without the slightest temptation to use.

A roaring river knows that there are many huge obstacles and difficulties on its path, but it is not afraid at all and with many efforts and determination, it passes through high mountains and deep valleys and pushes aside stones or circles around them to continue on its path. Human beings should also know that the path of recovery is not smooth at all. Two factors that are very important is the desire and reasonable contemplation to manage or stop the addiction. Recovery is possible.

Dorcas Mwachia, is a Students' Welfare and Counselling Officer at the Kenya School of Law.



HelpGuide.org.2023



60 Years and Beyond: The Integral Role of the Internal Audit Department in Upholding Quality Legal Education

By Naftali Kipkorir

As KSL celebrates 60 years of delivering quality legal education, it's imperative to acknowledge the pivotal role played by the Internal Audit Department in ensuring excellence, integrity, and compliance within the institution. Since its inception, the Internal Audit Department has been instrumental in upholding the School's commitment to academic rigor, ethical standards, and continuous improvement, thereby shaping the future of legal education for generations to come.

Ensuring Academic Excellence and Compliance:

Through regular audits and assessments, the Internal Audit team meticulously evaluates the effectiveness of academic processes, curriculum delivery, and assessment methodologies. By ensuring alignment with accreditation standards, regulatory requirements, and industry best practices, internal auditors safeguard the integrity and reputation of the School's mandate.

Moreover, the Internal Audit Department plays a critical role in fostering a culture of accountability, transparency, and continuous improvement within the School. Through comprehensive audits of

administrative processes, financial transactions, and governance structures, internal auditors identify areas for enhancement and recommend proactive measures to mitigate risks and optimize performance. By engaging stakeholders across the institution, the department promotes a collaborative approach to institutional governance and quality assurance.

Mitigating Risks and Enhancing Governance:

In an increasingly complex regulatory environment, the Internal Audit Department serves as a strategic partner in mitigating risks that may impact the School's operations and reputation. Through IT systems evaluations, risk assessments, internal controls evaluations, and fraud detection measures, internal auditors proactively identify vulnerabilities and implement robust risk management strategies. By fostering a culture of risk awareness and mitigation, the department strengthens the School's resilience to external threats and internal challenges.

Furthermore, the Internal Audit Department plays a vital role in enhancing governance structures and decision-making processes within the School. By providing independent and objective assessments of governance practices, internal auditors contribute to the effectiveness of oversight mechanisms and the accountability of leadership. Through regular reporting to the Board and Management, the department facilitates informed decision-making and strategic

planning, thereby positioning the School for long-term success and sustainability.

Embracing Innovation and Excellence

As the School looks beyond the 60 years of delivering quality legal education, the Internal Audit Department remains committed to embracing innovation and excellence in its practices. By harnessing technology, data analytics, and automation tools, internal auditors enhance the efficiency and effectiveness of audit processes, enabling real-time monitoring and proactive risk management. Moreover, the department actively engages in professional development initiatives to stay abreast of emerging trends, regulatory changes, and best practices.

In conclusion, the Internal Audit Department stands as a cornerstone of governance, integrity, and excellence within the School's programs. As the School celebrates 60 years of shaping legal minds and advancing the rule of law, the department remains steadfast in its commitment to upholding the highest standards of academic quality, ethical conduct, and institutional effectiveness. With a shared vision of continuous improvement and innovation, the department and the School are poised to chart a course of excellence beyond the 60 years.

Naftali Kipkorir is an Internal Auditor at the Kenya School of Law.



Kenya School of Law Term 2 Sports and Games

By Leonard Okoth



ATP Class B Members of 2024 celebrating during an award ceremony. They won the best sports team overall.

The Kenya School of Law has been taking sports seriously from 2005 after relocating from Valley Road to Karen Campus. Everyone enjoys games because they entertain and kill boredom. Some people ask how the School found its way to Karen from Valley Road to own all this lucrative sports facilities for vibrant students to nurture their talents. The answer normally surprises many but the truth of the matter is candidly explained. The beautiful history has it that a mere suggestion of the then honorable Minister for Justice and Constitutional Affairs Wakili Kiraitu Murungi and the Minister for Agriculture honorable Arap Kipruto Kirwa said that “this should be KSL” carried the day. This happened while attending a Roads and Urban Housing function at the Sports Complex hosted by the then Roads and Construction Minister, Honorable Raila Odinga and officially opened by the late President Emilio Mwai Kibaki. This made the changes we enjoy today.

The School inherited the following facilities from Agricultural Finance Corporation Sports Complex, which were later converted to suit the institution needs as follows;

- 25M standard size swimming pool and dry sauna which is still in operation and is a source of revenue.
- Rubber basketball court – Mutula Hall
- Rubber netball court - Crossed by Mutula hall front entry porch
- Marram volleyball court
- State of the art library building

- Two rubber lawn tennis courts – New Lecture hall
- Badminton hall – Old Lecture hall
- Football pitch/ running track - in operation
- Two squash rooms - Moot courts

The administration of sports has been through a committee to oversee the planning and organizing of activities. The Sports Assistant proposes the activities and the Committee confirms as per the allocated funds. However, the challenge is that new students report when the financial year is just about to end.

As we look back to our milestones, we recognize the KSL Tholaglass FC that made the School famous in the football fraternity while participating in competitive Leagues. Why the team was named KSL Thola Glass FC? The name THOLA GLASS is derived from a German sponsor whose full name is Thomas Lammers and used to deal in glass building business. The team registered in the lowest league level by 2007 before steadily rising to the 2nd tier by 2011. Some of the teams that were in the 2nd tier league include:

-Bandari FC

- Kariobangi Sharks
- Muhoroni Youth
- Ushuru FC (KRA)
- Mahakama FC

The above teams have of late been promoted to the premier League. The Civilian Bus was officially assigned to the team and whenever it was seen moving around the country, the football fans would not hesitate to ask “where is KSL Thola Glass nowadays”? Kariobangi Sharks was our rival and the match used to be like a derby. The same question may also be asked by Mr. Nick Mwendwa, the FKF President and founder of K-Sharks.

The Club’s Management team was as follows;

1. The Patrons - KSL Director / Thomas Lammers
2. Mr. Samuel Mwaniki - Chairperson
3. Mr. Dismas Obondo – Vice – Chairperson
4. Mr. Benson Godia – Team Head Coach
5. Mr. Stanley Munyasa- Assistant Coach
6. Mr. Alfie Kulundu – Physician
7. Mr. Leonard Okoth – Team Manager

The Club's vision was to play in the country's top League. Thomas Lammers kindness saying "die rechnung, bitte" during team outings cannot be forgotten. The team was disbanded in 2013 due to lack of sponsorship while competing in FKF division 1 next to the Kenyan Football Premier League which was the highest level in the country.

For internal events, we started by organizing for Inter – Firm Tournament by the year 2006. By the year 2007/2008, the number of students had doubled hence Inter-Class tournament. Today, we are proud of some of our active sports persons during the aforementioned periods who are part of KSL community and include;

- Mr. Fred Wakimani – Basketballer (ATP Lecturer)
- Ms. Maurine Naserian Sitelu – Swimmer – (CPD Lecturer)
- Mr. George Mbaye – Rugby Player – (ATP Lecturer)
- Mr. James P. Tugee – Footballer (ATP Lecturer)
- Ms. Okiro Akeyo Mercy – Athletics/ Volleyball (PTP Lecturer)

In addition, the public domain list is endless. Just to mention a few, we have Ms. Faith Mony Odhiambo, one of our former Swim Team Member who is currently the LSK Chairperson 2024-2026, Ms. Gloria Ochieng' – Oxford former Footballer now based in the U.S.A as Dual Licensed Attorney / Investment Management Compliance, Massachusetts, U.S.A. and many more active sports persons out there.

The Sports Committee has been acting as an CSR body since 2005 before the CSR Committee was constituted to inherit some of the events due to budgetary constraints. The School has been taking part in the following corporate events for the students' social and personal development including institution's publicity;

- Freedom from hunger walk – 2005 onwards
- The Annual Stanchart Marathon – 2006 to date
- Annual Mater Heart Run - 2006 4th anniversary
- Annual LSK Justice Cup – 2006 to date

- Inter- College Tournament, Egerton University- 2007 to date
- KSL Thola Glass Football Club – 2007 to 2012 (FKF Tier2)
- Invitation tournament, Technical University of Mombasa- 2008 onwards
- Kenya Rugby Union 7s Circuit - 2010 to date
- ICJ Tournament – 2012 to date
- LDC/KSL tournament, Kenya/ Uganda– 2009,2017& 2022

The Committee has been working around the clock to ensure students network beyond our borders and are now looking forward to participate in the upcoming Inaugural Post-Graduate Law Students tournament slated for 20th – 21st September, 2024 in Kampala, Uganda. The event is anticipated to feature KSL – Kenya, LST- Tanzania, LDC – Uganda among other countries within the region. For a successful institution, academic and sports are blended like the two sides of the coin, thus a KSL Ctudent Council member is nominated to represent sports persons' interests annually.

Leonard Okoth is the Sports Assistant at the Kenya School of Law.



KSL students during term 1 sports day at Karen Campus.



STUDENTS CORNER

Re-imagining the Legal Landscape: Envisioning Kenya's Legal Education in the 21st Century

By Jerameel Odhiambo

As Kenya's legal system faces the challenges and opportunities of the 21st century, it must embrace innovation, adaptability and forward-thinking approaches. This transformation involves updating legal frameworks, revolutionizing legal education, and fostering a culture of continuous learning, interdisciplinary collaboration, and ethical leadership. Embracing emerging technologies like artificial intelligence and blockchain can streamline legal processes, enhance access to justice, and improve efficiency. By reimagining the practice of law and its supporting educational systems, Kenya can shape a more just, equitable and resilient legal landscape that meets the evolving needs of its citizens in the 21st century and beyond.

At the heart of this re-imagining must be a fundamental shift in how we conceive of the purpose of legal education. Too often, law schools have operated as mechanisms for training future corporate lawyers and judiciaries, with an emphasis on doctrinal knowledge and adversarial litigation. While these skills remain important, a 21st century approach must orient legal education around a broader set of social responsibilities and problem-solving capacities.

Law schools should instill in students a deep commitment to access to justice, poverty

alleviation, environmental protection and the advancement of human rights. Curricula should incorporate interdisciplinary perspectives from fields like economics, sociology, psychology and public policy, equipping graduates to grapple with the complex, multi-faceted challenges facing Kenyan communities. Practical training in mediation, community lawyering and policy advocacy should be central, not peripheral, to the educational experience.

The legal profession has often been resistant to technological change, but Kenya's law schools must proactively harness the power of emerging tools and platforms. Integrating legal tech training into the curriculum - from e-discovery software to blockchain-based contracting - will better prepare students for the digital transformation already underway in law firms and government agencies. Law schools should partner with tech incubators and startups to foster a new generation of legal innovators. Clinics focused on developing legal tech solutions, new business models for legal services, and online dispute resolution platforms can cultivate the entrepreneurial mindset that the 21st century demands. By modeling a culture of creativity and experimentation, these institutions can push the legal field to become more nimble, accessible and responsive to public needs.

Kenya's legal profession has historically lacked diversity, with certain demographic groups dominating, limiting the range of perspectives shaping

the country's jurisprudence. This hinders the development of a legal system that truly serves all Kenyans. To address this, law schools must actively increase diversity by recruiting and supporting students from marginalized communities, including women, ethnic minorities and those from rural or low-income backgrounds. Reconsidering admissions criteria to focus on holistic factors like life experiences and commitment to social justice, rather than just standardized test scores, is crucial. Providing robust financial aid, mentorship programs and specialized courses can ensure talented students from diverse backgrounds can access and excel in legal education. By re-imagining curricula to include customary law, Indigenous rights and community-based dispute resolution, law schools can better prepare future legal professionals to serve Kenya's diverse communities, fostering a more inclusive and just legal system reflective of the country's diversity.

Legal education often overlooks the daily struggles of Kenyans; law schools should collaborate with civil society, grassroots groups and local government to bridge this gap. Clinics and externships can immerse students in social justice lawyering, while interdisciplinary research projects can help develop evidence-based solutions for societal issues. These partnerships enhance the real-world relevance of legal education and strengthen the legal profession's role in democracy and equitable development. Students will benefit from a heightened civic responsibility and the ability to use law as a tool for transformative social change.

Ultimately, the re-imagining of Kenyan legal education must be undergirded by a steadfast commitment to ethical leadership and professional integrity. Law schools should instill in students a strong moral compass, grounded in the principles of human rights, the rule of law, and the public good. This means not only teaching black-letter law, but also engaging in deep discussions about the philosophical underpinnings of jurisprudence, the historical legacies of colonial legal systems, and the ethical dilemmas that permeate legal practice. Coursework and extracurricular programming should highlight the inspiring stories of Kenyan legal luminaries who have courageously championed social

justice, environmental protection, and democratic governance.

By fostering this ethical sensibility, law schools can produce graduates who are equipped not merely to navigate the technicalities of the law, but to lead the legal profession in upholding its noblest ideals. These future lawyers, judges, policymakers, and community advocates will be the guardians of Kenya's democratic future, driven by a commitment to serving the common good.

The 21st century demands a bold re-imagining of Kenyan legal education. By redefining the purpose of legal training, embracing technological innovation, diversifying the profession, strengthening connections

to community and cultivating ethical leadership, these institutions can equip a new generation of legal professionals to meet the complex challenges of our time. This is not merely an academic exercise, but a vital strategic imperative for Kenya's future. As the country navigates a rapidly changing global landscape, a legal system that is responsive, equitable and committed to social progress will be essential. The reforms outlined in this article represent a vision for legal education that can help realize that promise - empowering Kenyan citizens, strengthening democratic institutions and advancing the cause of justice for all.

Jerameel Odhiambo is a Prospective Advocates Training Programme Student.



KSL Principal Lecturer and Legal Aid Coordinator Ms. Anastasia Otieno (centre), with the 2024 ATP students during a legal aid in partnership with International Centre for Reproductive Health Kenya (ICRHK).



Report On The International Competition Network Workshop Held On 22nd And 23rd Of February 2024 At Emara Ole Sereni Nairobi Kenya

By Emmanuel Mariiba

Introduction

The International Competition Network (ICN), is a global body that provides competition authorities globally an avenue to maintain regular contacts and address competition concerns. This year, the ICN organized the annual workshop in collaboration with the Competition Authority of Kenya (CAK) themed “Bouncing back: competition advocacy and resilience to global shocks.” This was especially informed by the post COVID-19 developments where various jurisdictions are recovering from the rubbles of the collapsed economies.

The CAK through a partnership with Kenya School of Law(KSL) organized by Senior Lecturer Mr. Fredd Wakimani, sponsored 3 students to attend the conference as part of enhancing the students learning experience in the area of Commercial Transactions. As one of the students sponsored to attended here is my take away from the conference.

Plenary sessions

There was a total of three plenary sessions at the workshop each covering a different topic under advocacy from evaluating the effectiveness of advocacy initiatives, to the nexus between competition advocacy and advancing regional integration via competition advocacy.

In plenary session 1, it was noted that advocacy is a continuous process which has specific

objectives. These objectives include ensuring compliance, enhancing knowledge and awareness by the implementation of the competition commission’s decisions and finally, informing the public of the legal developments and reforms. There was a general emphasis on the importance of making available information to the general public.

The nexus between competition advocacy and sustainability was discussed in plenary session 2 where it was first noted that sustainability has expanded and it is now used as a form of measuring efficiency. With the introduction of climate change projects in many jurisdictions, competition authorities need to understand how these markets work within the umbrella of sustainability. More importantly, the role of these authorities has evolved to being market advisors to the government on new areas such as the green economy.

As a result of the importance attached to sustainability, the need to conduct sustainability due diligence cannot, therefore, be over-emphasized.

Plenary session 3 discussed the building economic blocks with a focus on advancing regional integration via competition advocacy. This session interrogated whether competition advocacy promotes regional integration. It further sought to expound the role of regional economic communities and how they can effectively work with national competition authorities to achieve these objectives.

It was established that regional integration and competition are intertwined and need to be encouraged. To promote regional integration, trade liberalization



(left to right) KSL students Emmanuel Mariiba, Purity Wanjiru, Senior lecturer Fredd Wakimani(third left) and Antony Karanja during the International Competition Network (ICN),workshop.

needs to be promoted and barriers to movement of goods and services need to be removed. Additionally, various factors that foster synergy between competition and regional integration that ought to be considered include; market efficiency, innovation and productivity, consumer welfare, attracting investors, reducing barriers, harmonizing regulations, and cross boarder collaboration

Breakout sessions

The breakout sessions looked at the following areas Advocacy as a tool to address competition concerns & spur MSMEs entry and participation in targeted sectors, the effectiveness of advocacy toolkits, Collaboration between Competition Agencies and Sector Regulators, Competition Advocacy in Digital Markets, the role of Advocacy in the implementation of the AfCFTA Competition Protocol and Advocacy in Promoting Competition in Agriculture and Food Markets.

In exploring Advocacy as a tool to address competition concerns & spur MSMEs entry and participation in targeted sectors, it was held that there is need to have multifaceted interventions to address competition concerns and promote MSMEs There is also need to have sensitization campaigns to engage MSMEs, educating them about their rights and competition benefits.

In looking at Competition Advocacy in Digital Markets it was recommended that there is need to prioritize innovation and avoid overregulation as well as lowering barriers to market entry.

Additionally, effective competition advocacy in digital markets requires a balanced approach that fosters innovation while ensuring regulatory oversight. By understanding digital market dynamics and leveraging appropriate tools, competition authorities can promote fair competition, benefitting both businesses and consumers.

On the issue of the AfCFTA Competition Protocol, it was held that National and regional competition bodies, sectoral associations, academia, and international partners have a role to play in promoting awareness and understanding of the protocol.

And finally on the topic of Advocacy in Promoting Competition in Agriculture and Food Markets it was concluded that Research and analysis are needed for government, private sector, consumers, and agencies to help identify policies that hinder competition and address them. Collaborate with regional authorities, researchers, and industry associations is paramount for effective advocacy.

Conclusion

The workshop was an important avenue to discuss the place of advocacy in competition regulation. In both the plenary and breakout sessions, the panelists and delegates placed great emphasis on the need to encourage advocacy in the work of national and regional regulators in executing their mandate. To successfully promote advocacy, the workshop established the need to work collaboratively between different stakeholders including governments, national competition authorities and the private sector. Further, the need to leverage technology in data collection and research to make practical recommendations and follow up on the implementation of these recommendations. It was evident, therefore, that competition cannot be separated from advocacy if the mandate to regulation authorities were to be realized.

I learnt a lot and am grateful to have been given the opportunity to attend the conference.

Emmanuel Mariiba is a student in the Advocates Training programme.



Emmanuel Mariiba, ATP student displays his participants badge.



A Positive Choice When it Matters: A KSL Mental Well-Being Champion's Tale

By Cromwell Odhiambo

"Minor shift equals Major change". While it holds true that people mostly remember how you made them feel over what you show or say to them, those words by Paul Boyle have stuck with me.

They say what an old person sees when seated, a youth of tender age can only fancy. As an older member of society, The Kenya School of Law continues to impress and stand tall as a pillar of our legal community both locally and internationally. Its continued success is proof of its tenacity in providing quality legal education over the years. Despite the growing concern over increased admissions, the school continues to churn out qualified and well placed graduates in both the Advocates Training Programme and Paralegal Training Programme. Nevertheless, it is an open secret that the course work is demanding and extensive. This is coupled with the fact that it is a place where one can hardly find love and some of my learning friends have to brave the dusty suburbs. The whole experience takes a mental, physical and spiritual toll. A small price to pay for the title *Wakili*.

However, in some cases this can be overwhelming and a cause of stress and distress. This in turn affects the academic progress of the trainees. Appreciating this fact and noting emerging trends around mental health, the school has opted for a holistic, complementary and trainee-centered approach. This is in line with its vision, mission and quality policy of offering excellent, quality and practical professional

development to trainees. For the year 2024/2025, the school administration through the office of the Students' Welfare and Counselor, has opted to have its Mental Well-being agenda championed by the trainees. This inaugural cohort was identified from a pool of qualified candidates after an approved selection process. The candidates thereafter underwent a school sponsored training on Friday 22/03/2024 at Gate C. Luckily for you dear reader, yours truly qualified for the same.

The training was both refreshing and unconventional with facilitators from Albain Institute. Paul & Martin instructively simplified and demonstrated Mental Well-being concepts. These ranged from abstract content on stress, distress and trauma, to practical skills such as dance, massage and breathing techniques.

The key takeaways from the training were:

1. My client is my teacher - my approach should be client centered.
2. I should focus on the present to relieve the pain and not relive it.
3. I should strive to live by choice as opposed to living by chance.
4. I should invest in my belief system - this is the foundation of my resilience tools.
5. I am a pillar of support - I should therefore be balanced, centered and stable.
6. I should understand my capacity - I should refer the client when I am out of my depth.
7. Name it, claim it and tame it - I should address issues in a healthy way rather than avoid them.

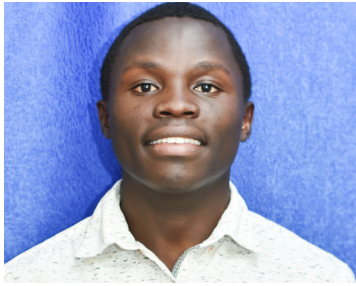
You can imagine my excitement at being affirmed that an action as

simple as changing the way I think can change my life. How does this work? My daily life consists of small repeated actions (patterns) that are directly guided and affected by my belief system. Thus a positive belief system results in a positive pattern and conclusively a positive life. The contrary is also true. Additionally, I am the product of my environment and it has its fair share of Stressors. While everyone undergoes a form of stress, the difference is how I choose to handle it. Therefore, my focus should be on building my resilience or coping capacity. Let me be empowered to be able to both make a positive choice and guide others to it, when it matters.

As a Mental Well-being Champion, I am now confident in my ability to equip my colleagues with the necessary resilience tools and guide them to mental wellness. I warmly appreciate the KSL administration for facilitating this wonderful opportunity for our team. To the team from Albain Institute, that session was both grounding and fulfilling. To the Mental Well-being Champions, let us be community pillars: be diligent, kind and compassionate in our interactions. To the KSL community, we are here for you: let us make our time together count.

In closing, while it is a minor shift in policy, hopefully this becomes a major change that positively affects professional development and raises the overall quality of legal education offered at KSL.

Cromwell Odhiambo is a student in the Advocates Training Programme.



My Experience at The Kenya School of Law and it's Importance to Access to Justice

By Micah Mukhwana

improve their critical thinking and communication skills.

I have been at the Kenya School of Law(KSL) for two years now, and this is my final year in the Paralegal Training Program. I must admit that the School has been very instrumental in shaping and training lawyers across the country for over 60 years now. We can see different renowned advocates who are the products of the KSL doing exceptional work, practicing in different fields, and ensuring justice to all their clients, Kenyans in particular. The school has been offering a couple of other courses apart from the ATP (Advocates Training Program) and CPD (Continuous Professional Development), such as the PTP and the certified secretaries course, among others, to train members interested in different courses related to law. At the outset, before I write or say anything, I acknowledge the work the School has been doing, especially on legal aid, which I will highlight later. We must come to terms with the undeniable fact that the School's efforts are not to be underestimated.

Ideally, it has been an honor and privilege schooling for paralegal studies so far so good. All credits to my colleagues and the fraternity at large for the activities such as debates, Christian Union society, sports, legal aid, the collegial dinner experience, Mister and Miss KSL, mooting and others. I enjoyed debates, legal aid, and the class discussions, which are unforgettable! Perhaps I happened to have participated in debates across Nairobi with other club members and got several honors; such activity has helped many

In paralegal studies, we have witnessed the importance of the school in helping members of society access legal advice by ensuring that societies, regardless of their financial capacity, have access to legal solutions. I have been to Kirinyaga with my colleagues; many people across the country have no capacity to raise the money for effective representation. I happened to have handled many cases regarding land disputes and faulty documentation due to fraud brokers and agencies. Emerging issues included overlapping land claims by authorities and conflicting documents. Resolving such matters can be a lengthy process, mainly through litigation, and it could be an expensive process, especially for many Kenyans who are in the middle and low-income levels. Through the School, they are able to access free legal advice, from students both in paralegal studies and at ATP.

It has been using its intellectual and financial resources to help advise the members of the communities on other alternatives to justice. More often than not, this experience makes one learn further as one meets some lecturers in person to contribute even further to one's legal mastery. Again, there are organizations and agencies that collaborate with the school; they also have a number of experts who guide law students to help members of the community on legal matters. It is more than just legal aid, as one gets to connect with different people in the community, professionals and government officials.

Access to justice is very important in the legal profession. So far, the school

has trained over 15,000 lawyers to be advocates, but still, the ratio of advocates to that of over 14 percent of Kenyans who need legal assistance at least every year is not enough for complete legal outreach. Many Kenyans cannot afford legal fees and some find litigation, especially on land matters to be a long process. The school's efforts to provide legal aid ensure that at least a certain section of Kenyans who do not have access to advocates for representation due to expenses are able to access the legal system which helps promote fairness and equality.

The courts, on the other hand, reduce the burden because of the assistance provided to individuals who would otherwise represent themselves. Self-representation in and of itself can be challenging, mostly for those who are unfamiliar with the legal system. Because of legal aid, such individuals have needed support to navigate the legal system successfully. In the legal aid clinic in Kirinyaga, which was organized by the woman representative, Hon. Njeri Maina, in November 2023, we were able to pinpoint one of the matters affecting the Mwea scheme land disputes, which was primarily arising from authorities not being able to grant many residents access to land titles. This is the meaning of legal aid because it makes it easy to understand the matters hindering access to justice in different communities.

In conclusion, this is one of the achievements the School needs to celebrate too. The significance of this to the lives of communities that have benefited is a milestone worth being proud of and going forward, the school should do more of this.

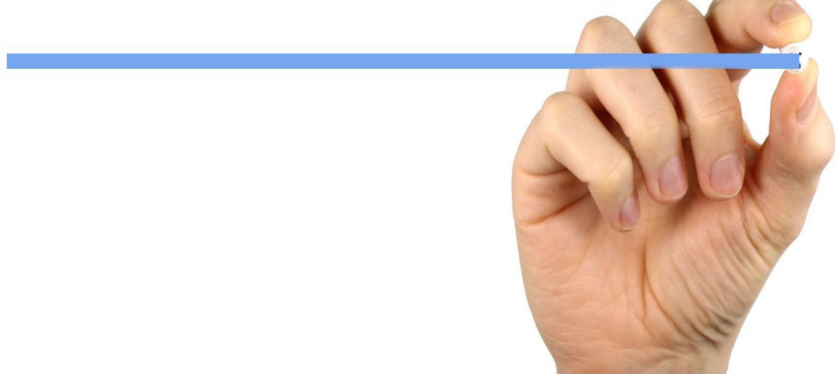
Micah Mukhwana is a student in the Paralegal Training Programme.



Digital Paralegalism: Spreading Legal Knowledge and Strengthening Justice for Juveniles

By Kyalo Mutala

PARALEGAL



In Kenya, as in many parts of the world, the internet has become an integral part of modern childhood, offering educational resources, entertainment and opportunities for socialization. However, it also presents new challenges, with juvenile victims of cybercrime being a growing concern.

Paralegals have traditionally played a crucial role in providing legal assistance, advice, education and information. In the digital era, their role can extend to the internet. Digital Paralegalism involves the application of paralegal skills and expertise in the online space to empower children and protect their rights.

Promoting legal literacy among Kenyan children is a fundamental aspect of Digital Paralegalism. As they engage with various online platforms, it is imperative that Kenyan children understand their rights and responsibilities in the digital world. Paralegals can contribute significantly to this cause by creating and disseminating informative and engaging content

In Kenya, social media platforms like Facebook, WhatsApp, Tiktok and YouTube have become essential communication tools. Paralegals and qualified legal practitioners can harness the power of these platforms to disseminate essential children friendly information about

cyber laws and preventive measures against cybercrimes. Opportunities for digital Paralegalism that can be harnessed may include the following;

Educational Content: Paralegals can create short, informative videos or infographics explaining concepts like online privacy, cyberbullying and the legal consequences of online misconduct. These materials can be shared widely on platforms like Tiktok, YouTube and WhatsApp to reach a broad audience effectively.

Q&A Sessions: Live Q&A sessions on platforms like Facebook or Tiktok can provide Kenyan children with a platform to ask questions about their online rights and receive real-time legal knowledge from experts.

Awareness Campaigns: Paralegals can collaborate with Kenyan child-focused Public Benefit Organisations and institutions to launch awareness campaigns on social media.

These campaigns can address issues like child exploitation, online

harassment and the importance of reporting cybercrimes.

Interactive Workshops: Online workshops and webinars in Swahili or other local languages can engage Kenyan children in discussions about digital rights and responsibilities. These events can be interactive and tailored to specific age groups.

Legal Resources: Establishing child-friendly websites or social media profiles dedicated to providing repository for legal resources in Kenya, including templates for reporting cybercrimes and contact information for legal aid organizations can be invaluable for children in need of assistance.

In conclusion, it is our collective responsibility to ensure that the digital world becomes a space where the rights of Kenyan children are respected, protected, and upheld. In Kenya, the

opportunity for Digital Paralegalism opens up exciting possibilities for enhancing legal literacy among children and combating cybercrimes. Paralegals and legal practitioners have the opportunity to leverage local and international digital platforms to educate, inform and empower Kenyan children to protect their rights in the digital age. By scaling Digital Paralegalism in Kenya, we can maximize access to justice for juvenile victims and potential victims of cybercrime and foster a safer online environment for Kenyan children.

Kyalo Wanyangu Mutala is an PTP student at the Kenya School of Law.

Paralegals: A Voice of Empowerment

*In Kenya's diverse landscape, where struggles abound,
Paralegals arise, with purpose profound.
Champions of justice, they stand by the side,
Empowering the vulnerable, with unwavering pride.*

*Amidst the savannas and forests' embrace,
They traverse the land, with wisdom and with grace.
For indigenous communities, whose voices often fade,
Paralegals shine light, through legal aid.*

*In the bustling cities and remote rural domains,
They break down barriers, erasing constraints.
For persons with disabilities, whose rights may be blurred,
Paralegals advocate, ensuring they're heard.*

*Through law's lingual maze, they navigate with care,
Guiding the marginalized, their burdens to bear.
Translating rights into actions, they pave the way,
Empowering each individual, come what may.*

*With empathy as their compass and justice their guide,
Paralegals uplift, with hearts open wide.
For in their tireless efforts, hope finds its voice,
Amidst Kenya's diversity, they help all rejoice.*



KSL Academic Services Principal Officer, Fredrick Muhia addressing students during the 2024 PTP orientation.



"Kenya School Of Law Beyond 60 Years: Celebrating Quality Legal Education"

By Julie Musau

The Kenya School of Law (the School) was established in 1963 when a total of 11 students were admitted. The School was located on 4 acre plot on Valley Road where the University of Nairobi's Dental School currently stands. The premises were formerly a maternity wing of the Nairobi Hospital. The School was a department of the Attorney General's Office until July 2001, when it acquired the status of a semi-autonomous government agency. As an effort to boost training activities at the School, the Government, through the Ministry of Finance, financed the purchase of the current modern and spacious premises at Karen. The School took occupation of the new premises in January, 2005.

In an effort to address some of the issues linked to education and training for a competent and professional legal profession, both the pre and post-colonial governments have undertaken various initiatives and set up commissions of inquiry to formulate appropriate policy. Some of these include the Denning Committee (1962); the Akiwumi Committee (1995) on the Status and Management of the Kenya School of Law; the Kwach Committee (1998) on the Administration of Justice. The recommendations of these committees still form the bulwark of policy on legal education and training in the country. The recommendations of the Akiwumi Report in particular culminated in the establishment of the Council of Legal Education (the Council) under the Council of Legal Education Act, Cap 16A of the Laws of Kenya (now repealed).

The Council of Legal Education was established as an independent statutory body in 1995 with the specific mandate to organize and conduct courses for the development of legal professionals; conduct courses for Government personnel on the general understanding of the law and organizing Para-legal courses and programmes. In addition, the Council of Legal Education (CLE) was to offer fellowships, scholarships and bursaries and establish, manage and control training institutions for Legal Education in the country. The law further transferred the School from the Office of the Attorney-General and placed it under the Council as one of the institutions to be run by the Council.

In 2005, the Minister for the time being responsible for justice and constitutional affairs, Hon. Kiraitu Murungi, appointed a Task Force (the Muigai Task Force) on the Development of Policy and Legal Framework for Legal Education and Training in Kenya. The Muigai Task Force undertook a comprehensive re-evaluation of legal education and training in Kenya and made recommendations to re-design and re-establish all legal institutions implementing legal policy in Kenya. The impetus of these recommendations was to institutionalize international best practice and segregate institutions carrying out regulatory cum supervisory functions from those carrying out training functions. The Muigai Report was officially launched by the subsequent Minister of Justice & Constitutional Affairs, the Hon. Ms. Martha Karua, EGH, MP on 18th January, 2006.

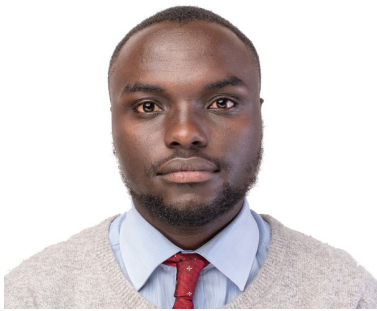
One of the major recommendations of the Muigai Taskforce was to delink KSL from the Council. This was in form of structure, role and functions as a

training agency of the Government in the legal sphere. This recommendation resulted in the School becoming an independent legal entity by the enactment of the Kenya School of Law Act, 2012, which provides that the School shall "be a public legal education provider responsible for the provision of professional legal training as an agent of the Government". The key mandate of the School under the Act is to provide advocates training, paralegal training, continuing professional development, projects, research and consultancies.

Currently the School has two campuses: the main Campus is located in Karen along Langata South Road Nairobi, while the town campus is located within the Central Business District (CBD) along Moi Avenue – Development House, 5th & 6th Floor. Other than offering quality legal training, the School offers a spacious modern cafeteria, seminar and conference rooms, modern lecture theatres with public address system, hostel facilities with self-contained single and double rooms with flat screen television sets among others. These facilities may be hired by the general public when they are not in use by students.

Over the past six decades, KSL has built a legacy of excellence in legal education. Its rigorous curriculum, experienced faculty, and commitment to high academic standards have consistently produced lawyers equipped with the knowledge, skills, and ethical values necessary to serve the legal profession effectively.

Julie Musau is a student in the Advocates Training Programme.



The Kenya School Of Law; A Paradoxical Hell Or Intellectual Heaven?

By Nelson Mabera

Recently, a remarkable event occurred within the corridors of the prestigious legal practice space in Kenya; the “Generation Z” produced its first fresh batch of trainee lawyers at KSL. For me, it has been the best of times and the worst of times. A bitter-sweet paradox akin to a sour piece of candy that stings but you conveniently don’t spit out. As KSL turns 60, I would want to assess the institution from a Gen Z’s eyes. At the very outset, I must state that it has been a hell of a ride with many hurdles, however, worth every second.

In week one we got bamboozled with a new conceptual approach towards “group” assignments, or rather “firm” assignments and project work. The ideology of group work was not in the least new, the twist was in the randomized selection of the firm members. Back in University, the students were at liberty to select the groups they were to be a part of. Obviously, the ‘smart’ ones would scrutinize the flock and set forth to create a formidable group that would always ensure the production of exemplary project work. This liberty we would quickly learn was no more.

In Llewellyn’s Book *The Bramble Bush* we were immersed, and our ‘Gen Z’ Lawyer eyes were pricked and blind we became. Each of us was assigned a firm. People we had never known were now bound to us by the hip and their cooperation, or the lack thereof, affected twenty percent of our grade. It was as if we had been thrust into an abyss. A new set of eyes had to be borne and quickly as the race to the coveted bar had just taken an unforeseen twist that could easily derail a Gen Z.

As a ‘Gen Z’, I have always held a framework of thought that you should enjoy the process of becoming successful in any endeavour. At The KSL, discipline has had to reign. The fairytale-like perception of the legal profession had been firmly eradicated from my mind by week three. The voracious amount of reading required was nothing short of astonishing and defeating. Slowly but surely, my approach to the Advocates Training Programme (ATP) in regards to grit and discipline was to be one like never before.

On the flipside, the excitement and intellectual stimulation to be found within the experiences at the ATP are unrivaled. The constant need for being up-to-date with the on-goings of the courts, industry trends and many other realms of human endeavour, force the trainee lawyer to be astute and always on their feet. Unlike in undergraduate studies, at KSL, if the trainee goes through the furnace of work, a mastery of the law is almost guaranteed. The Socratic discussions held in a class with real practitioners issue intrigues into perspectives that quench the legal thirst of the trainees.

The wealth of knowledge in the human resource capital deployed in the lecturers is categorically exquisite. On one Tuesday afternoon in March, Mr. Gad Gathu displayed Socratic wizardry in a didactic engagement that left members of Class D questioning their parochial views on timelines in Civil Litigation. His logical construction of illogical syllogisms that evinced a positive reaction from a seemingly clueless class always unearthed the amount of work ahead of us. These comical reminders that require the trainees to read wider, dig deeper and dare to think beyond their horizons are the very bitter-sweet traits of learning the ropes of the law that the KSL provides.

The organizational, human resource management, problem-solving and learning agility are just some of the holistic skills that are constantly required, trained and tested within different assessment areas at the ATP. To keep it short, unlike undergraduate studies where the majority sail through, at the ATP only the cut-throat, shrewd, diligent and disciplined shall see it through to the bar. To say it plainly, the ATP is a programme that separates the ‘wheat’ from the ‘chaff’; only the best survive.

All seriousness aside, KSL also hosts a school bar situated at Gate C on Campus. I am a teetotaler and do not partake in strong drinks, however, a notable obiter dictum was plastered on the wall that roused a smile when I read it. The bar’s branded motto is drawn from the case of *Montgomery v Thompson* (Eng.), AC 225 (1891) where Baron Macnaghten famously held, “Thirsty folk want beer, not explanations.” At gate C, the bar is a symbolic and perennial reference to the need for balance in the life of a trainee advocate. The presence of the bar is not to invite alcoholism, far from it, but to inform the trainee of the vagaries of real life and to hone their self-control.

KSL in conclusion is Kafkaesque but at the same time intellectually rewarding. Frightening but worth it. The support structure is top-tier and the administration competent to a tee. One cannot put mere words to the experience at KSL, it is smooth and rough, happy and sad. An entanglement of emotions that bust into sheer joy once a Trainee is admitted to the roll of advocates. A worthwhile but rigorous journey that every Advocate has horror stories and battle scars from, nonetheless, they wouldn’t trade it in for any other program. It is befitting for an advocate!

Nelson Mabera is a student in the Advocates Training Programme.



60 Years of Molting

By Seth Munene

Few, if any, would now believe that the Kenya School of Law (KSL) in Karen was once a nominal department under the Office of the Attorney General. It all predates to the year 1961 when the Government of Kenya established KSL as a department of the Office of the Attorney General to provide for legal training. This was done through the Advocates Ordinance of 1961 that created KSL. It made the school answerable to the Council of Legal Education and the government through the Office of the Attorney General.

The school in this setup lacked a separate legal personality from that of the council. Moreover, its establishment was in response to the Lord Denning committee report of 1960 that recommended the establishment of law schools in Africa. This was to curb the prevailing practice of admitting to the bar students who had their legal training solely from England and other commonwealth countries.

Consequently, KSL was geared more towards solving a structural problem in the admission of advocates resulting in the lack of well-delineated roles, functions, and personality of the school in its primordial form. The dawn of KSL came with the recommendations of Prof. Muigai Taskforce report of 2005. One of its most outstanding achievements was the severance of KSL from the Council of Legal Education. The task force findings were to the effect that the status of the Council of Legal Education as a regulator of legal education did not align with the subordination it exercised over the school.

Subsequently, these recommendations were codified by the enactment of the Kenya School of Law Act No. 26 of 2012 which clothed the school with the mandate to independently conduct advocate training, continuing professional development, paralegal training, and specialized professional training. The enactment of the Act was a key turning point for the school as an institution and for the legal profession in the country. The school has now grown drastically and enormously over the years. It has largely benefited from the government which has always been the greatest consumer of legal services in the country. In ensuring the quality of legal services is guaranteed, the government has overly increased funding to the school to enhance legal training. As a result, the school was able to acquire real estate in one of the most pristine neighborhoods in Nairobi. It boasts state of the art facilities that can host up to 2000 students admitted from all Kenyan universities every year into the advocate training program.

The modernization of the facilities at the school has placed it on the spot of legal conferences and seminars in the country that has consequently publicized the school far and wide. 60 years ago, this was a nightmare and the school has every reason to celebrate this achievement. The KSL has also grown into an international institution acclaimed for the provision of quality legal education. KSL is certified under ISO 9001:2015. The implication is that KSL meets the international standards for the provision of legal education and can admit any qualified individual from any part of the world for a course in the advocate training program.

Every year the school admits foreign students from countries like the United Kingdom, South Africa, and member East African countries.

KSL has garnered regional and international acceptance as a reputable institution for legal training. KSL has highly integrated technology in its operation. The school's information and communication technology (ICT) department has been at the forefront in ensuring all departments are up to date with technology. Every morning the ICT department sets up the lecture sessions by availing smartboards, projectors, and microphones to facilitate learning. This has enhanced the delivery of lectures at the school with the introduction of visual aids during lecture sessions.

Not long ago, this was not available and older advocates who did not enjoy such technology wish it was introduced during their time in the school. It is this development that enabled the school not to close its doors with the onset of the coronavirus pandemic in 2020. The school shifted into a virtual school and ran completely via online classes. The class of 2020/2021 was the specimen class of online classes. It worked. This has trickled down to the online classes that up to date remain as an option for students joining the school. We can only attribute great appreciation to the school management for coming up with such a remarkable innovation. The online classes and virtual access to the school have completely revolutionized the school.

KSL has grown into a fully serviced independent institution. It has gained international acclamation as a reputable institution of legal training. Law students scramble from all over to get admission into the school. It is a school that is growing daily and rejuvenating itself by and by. 60 years down the line with a lot of molting already done, KSL has become a world's renown. It is my earnest desire that you will be part of the new team to move the school to its next level.

Seth Munene is a student in the Advocates Training programme.



Considering Legalization: a Substantial Analysis of the Drug Regime in Kenya

By Carl Omolo

Legalization has been a hot topic of discussion not only in Kenya but in many contexts around the world. Most recently, it was a campaign promise by presidential candidate, George Wajackoyah. Often, it has been reduced to nothing more than a vision of utopic (or dystopic) speculation. This article is meant to cast a look at the legal framework in Kenya as well as tangibly discuss the harms caused by the current approach.

The Drug Regime in Kenya

Kenya acceded to the Single Convention on Narcotic Drugs of 1961, the Convention on Psychotropic Substances of 1971, and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Substances. These three treaties form part of Kenya's Law through section 2(6) of the Constitution of Kenya 2010.

Domestically, Kenya has enacted the Narcotic Drugs and Psychotropic Substances (Control) Act (1994)⁷ and National Authority for the Campaign against Alcohol and Drugs Abuse Act (NACADA) (2012), the former was enacted to combat possession of and trafficking in narcotics and psychotropic substances while the latter has a broad mandate in its authority to coordinate multi-sectoral efforts to prevent, control and mitigate the effects of alcohol and drug abuse in Kenya. Additionally, NACADA has the mandate to buttress the mandate given to county governments under the fourth schedule of the Constitution of Kenya to develop laws, policies, and action plans on control of drug policies within their counties.

Generally, these instruments take a prohibitive approach to drug control whereby possession or use attracts

sanctions of imprisonment or fines. There are some mitigative measures included to combat addiction problems but these are scattered and rarely implemented in practice. Therefore, Kenya's drug laws can be said to fall closer towards the extreme end of prohibition.

The known harms of prohibition

1.State weakness and insurgency

Prohibition increases the price and therefore the profitability of street drugs while transferring that profit from the legitimate economy to the illicit one. It is a strange contradiction that prohibition measures lead to an incentivization towards the drug trade instead of the opposite.

It is not only a case of forbidden fruit tasting sweetest but also that it attracts malevolent actors towards it. Kleiman et al. observe, "'Drug production helps weaken states and fuels civil conflict; drug revenues support insurgents, other armed non-state actors, and corrupt officials, while counternarcotic efforts create hostility to state power . . . If all we cared about was terrorism and insurgency, [then we should legalize drugs as a counterterrorist measure]." Drugs enable a range of powerful actors who are part of the state, or benefit from the state, but who actively wish that state to be weak, in order to maximize their own power base and revenue-earning capabilities.

2.Street Crime

Prohibition policies can be attributed to an increase in street crime and violence, especially in already impoverished urban areas. A particularly serious example of this is the popularization of crack cocaine in the mid-1980s and 1990s in the so-called 'inner cities' of the United States. Most of the violence was what Paul Goldstein termed to be "systemic," referring not to the pharmacological

effects of the drug, but violence in how the drug trade is conducted.

Crack cocaine pharmacology does not produce excess violence, however, whenever a new illicit source of profit is introduced, violence increases to define and retain sales territory, then declines once turf has been secured and market stabilized.

3.Public health concerns

Prohibition worsens the public health consequences associated with drug taking for those who continue to use such drugs despite the laws. Because of the illicit nature of these substances, the public safety net of quality control cannot protect these users and they are left vulnerable to adulteration or increased potency. Prohibition has also led to widespread sharing of syringes by injection users, which otherwise might be provided to them legally with the drugs, thereby fueling epidemics of HIV/AIDS and Hepatitis C.

4.The excesses of the current drug war

Such excesses range widely, from overreliance on arrest and incarceration, to the denial of needed medicines, to the loss of due process rights though practices like civil asset forfeiture and arbitrary arrest. In Kenya, the police are notorious for arresting youth on fabricated charges as well as other appalling violations of Article 49 and 51 of the Constitution, common when dealing with drug cases

Conclusion

Wherever one lies in the debate between prohibition and legalization, utmost importance must be laid upon the protection of human rights and the realization of human liberty. Whether the answer lies in one extreme or another is a question to be seriously considered sooner rather than later.

Carl Omolo is a student in the Advocates Training Programme.



The Kenya School of Law: A Distinct Institution

By Faith Akinyi

Back in the day, when the US Dollar (USD) had an average exchange rate of 79.2276 Kenyan Shillings (KES), I was a Girl Guide. Our matron would ask us to repeat the Girl Guides' Motto at least five times, just to ensure that it got engraved in our minds to the extent that we did not just say it but played the part. Be prepared. I am always guided by the slogan 'Once a girl guide forever a girl guide' but I have never put a caveat to the motto now that I have learnt a few legal terms like caveat emptor and the likes. Nothing whatsoever can prepare anyone for The Kenya School of Law. I know this for sure since I thought I would be fully prepared before joining the institution. I contacted my predecessors and even had cups of tea with some of them just to have them to explain what I was about to experience. Looking back, I would like to think that either they might have painted the picture shoddily or I was just keen on drinking the coffee. Let me admit my fault and say the latter happened (in my defense I am a lover of tea). The culture shock hit me like it does anyone else. It felt as though I had never heard anything about the institution.

On January 31, 2024, I walked through the gates of the Kenya School of Law. The atmosphere exuded a sense of 'seriousness' or 'professionalism'. The current generation many at times on social media throw around the phrase "standing on business".

I would really urge them to visit the institution so as to see the literal definition of the term. Some describe it as 'deafening silence', but I would refer to the School as truly inspiring. It oozes an inspiration for one to do and be better, pursue their dreams whilst trying to match up to the standards on which the institution is held. As I queued, waiting for the financial personnel to confirm my fee payment, I could not help but observe and appreciate the fact that many household names in the legal fields, including those who often stand on the steps of law courts to address the media in flashy suits after a successful case, once passed through this institution. It serves as a great equalizer.

Culture shock, I shall dwell on it. The moment you step into the institution, if you are not of them, you will just feel it. The 'them' I refer to here are the individuals who take their education seriously and strive for excellence. Infact you will be walking around and thinking they are staring at and judging you. That in itself is bold to hold that thought because they do not notice you to begin with. It is just the guilt of not fitting in eating you up. The guilt comes in from the aura held by the institution. I am suddenly reminded of the parable of the wedding guest in the Bible who lacked the correct attire. It is funny that the other guests did not call him out but were just focused on what had brought them to the feast.

Furthermore, there is a perception held by laypeople when they learn that someone is a student at the institution. They immediately associate the student with some seriousness, hold them to some level and accord them respect. This is

mostly drawn from the people they have interacted with from as well as the stories they have heard about the institution.

Iron sharpens iron. For the institution to offer quality legal education, it ought to be of quality itself. The Kenya School of Law in itself is quality. This is why it is able to offer quality education. From the moments one walks through the gates, they can sense it. If this is not what defines a standout institution, then I question whether you truly understand the concept of quality.

My mother often told me while I was growing up that a wise person learns from others. In this instance, I beg to differ with her. I did try to get my predecessors to walk me through it but failed terribly. There are things you can only discover on your own.

I am sincerely pleased that to become an advocate, one must pass through The Kenya School of Law before choosing their career path. Gives me hope that I can be like the advocates I admire as they present their matters before court or articulate their opinions in different media stations. As we celebrate quality legal education, let us also express appreciation for the institution itself.

Faith Akinyi is a student in the Advocates Training Programme.



9ps Vs My Mental Health: Chronicles in the Crucible of Kenya School of Law

By Maina Nelly

In the depths of obscurity, a subdued unrest unfolds within the revered halls of justice. Beyond the veneer of sophistication and persuasive discourse, numerous law students contend with a subtle yet formidable adversary: the coexisting struggles of mental well-being and substance abuse, regardless of their status or accomplishments. Law School, as one of my lecturers dubbed it, is like hell on earth. No wonder lay people assume we are just a bunch of evil people out for their monies. Whether or not this is in fact true is debatable. What they fail to bear into consideration is the culture in which we got our training.

From my year in campus to the few months I have spent at the Kenya School Law thus far, among the myriad of experiences that I've had, what remains constant is the questionable existence or non – existence for that matter, of due regard to mental wellness. The constant pressures ranging from the unspoken requirement to have all case laws and current affairs, nationally and internationally, at the tip of your fingers, coupled with strong legal opinions thereto, to the constant need to prove yourself to your peers and lecturers as the crème de la crème, the list could go on and

on. In fact, the current million-dollar question is; why are the bar exams being posed to us threats? Personally, I am of the school of thought opining that they are just exams. Failing to get 9Ps, contrary to common assumption, is in fact not the end of one's legal career and it is most definitely not the end of life.

As a Gen Z lawyer, I think it is direly concerning how toxicity in this profession has been normalized. It does not sit well with me, if anything, I think the fact that we have normalized toxicity in Law Schools and the legal profession at large is our own undoing. The snake eating its own tail, so to speak.

Pursuant to a 2018 World Health Organization Report, one in four persons experience a form of mental illness. Mental illnesses, contrary to physical ailments, tend to be indicative of intricate symptoms that are difficult to decipher considering lawyers are skilled at presenting a brave facade.

One of the biggest challenges in the legal profession is mental health. Unquestionably, a lawyer's job is characterized by long hours, immense pressure to meet financial goals, and excessive stress, all of which are detrimental to one's mental health. One in three lawyers, according to a Beaton Consulting Survey, considers suicide at least once a year! Nearly all of them keep their feelings to themselves, even from their doctors. One would argue that there is a probability that the reality of these numbers could actually be higher.

If only to mitigate and attempt to guarantee that lawyers thrive despite the demanding nature of their job, it is imperative to create a healthy work environment with a culture of support, transparency, and sincerity. This has to start from Law Schools to the Law Society of Kenya. It is very encouraging that the current LSK President has been seen to do something about mental health in the legal profession. Additionally, KSL has a counsellor in School, however, I think the bulk of what this office needs to do is destigmatize mental health issues among advocates in training.

It goes without saying that this is a culture that has been ingrained within us. Unlearning past ways of doing things and learning new and healthier way of achieving the goals in the profession will require every party involved to take on a journey of individualized self-care. It is imperative to take note of the fact that self-care and taking care of one's mental wellbeing is a unique experience which will require open-mindedness and extending some grace to self. I hope and pray that as you read this, dearest gentle reader, your mind is invoked towards prioritizing your mental wellbeing.

Maina Nelly is a student in the Advocates Training Programme.



"The Kenya School of Law Beyond 60 Years : Celebrating Quality Legal Education."

By Sharon Chemutai

The School was established in the year 1963 and a total of 11 students were admitted. The interesting part is that Omesh Kapila was the first student to be admitted to the Kenya School of Law, (KSL). The School was located on a 4 acre plot on Valley Road. Formely, the School was a department of the Attorney General's office until July 2001 when it became semi-autonomous government agency. Due to efforts of boosting training activities, the Government, through the ministry of finance funded the purchase of spacious premises at Karen and the School took off its occupation in January, 2005. The main campus is located in Karen and offers the Advocates Training Programme while its branch, Town Campus is located in Development House, 5th and 6th Floor, Nairobi and offers the Paralegal Training Programme.

Mode of learning in the School

The School has been using the onsite method of learning upto 2020 when Covid-19 struck. The School underwent radical changes and online classes were introduced. Online learning was the preferred avenue during the pandemic as all learning institutions globally were closed. It was a reliable method as students would still have a chance to join classes wherever they were. Online learning was not so suitable at the time as the students were used to learning physically.

The School, however, came up with a solution for this by providing training for students. This was done just before the admission of students at the School for 2021/2022 learning period and therefore when they joined, they already had a grasp on how to use the platform. The mode of learning was guided by KSL Virtual Classes (Students) Regulations 2021.

Post Covid-19 period

As most people were now used to the new online mode of learning, the School introduced a blended type of learning with both physical and online classes. This applied to students from 2022 up to now, 2024. The students can now use a learning method of their choice. Physical learning is suitable for those who do not live far away from the School while online learning is suitable for those who live far and would wish not to spend most of the time on the road. The blended way of learning has accommodated all the preferential ways of learning for the students and this is a good step taken by the School.

Library services

The School has a library where students do their studies and conduct their research. They can access their desired study materials, borrow books and return once they have used. The library offers a conducive learning environment for students. There is a library located at the main campus in Karen and also the one for town campus. There are Rules and Regulations governing the library services, for example, for one to access the library, they have to produce a valid student identification card at all times and that all library users

must be current registered students, administration and faculty.

Presentations of assignments and any other work by students

The School has embraced presentation of work by students in front of the whole class. This can be done by an individual who voluntarily or is appointed by the lecturer to go and research on a certain topic, make short notes and present before the other students and the lecturer. It can also be done in form of assignments where the lecturer assigns members of a particular group (firm) to go and do a research on a certain topic then later do the presentation before the other students and the lecturer. The next step after presentation is question and answer session where the class later poses questions to the presenter(s) on the areas of their research. The presenters will give out answers and in case of any difficulty, the lecturer takes over and answer the questions.

This method of learning cultivates confidence amongst students and promotes equality. It has also enabled students to know each other and socialize amongst themselves without fear and that is the ideal method of training upcoming Advocates of the High Court.

Freedom of worship

The School embraces freedom of worship. This is in accordance to Article 32 of the Constitution of Kenya, 2010 which states that every person has the right to conscience, religion, thought, belief and opinion. All students are allowed to exercise their freedom of worship without any form of discrimination.



The first batch of 11 students to join the Kenya School of Law in 1964.

The Christians, for example, have a union called Kenya School of Law Christian Fellowship whereby Christians from various denominations meet and worship God together. On the other side the Muslims also have their association. This freedom has enabled the School to run well and has promoted diversity.

Financial Support

The Higher Education Loans Board (HELB) has partnered with School to set up a fund to offer tuition loans to students pursuing the Advocates and Training Programme (ATP) and the Paralegal Training Programme (PTP).

This is a major milestone achieved by the School and has enabled those students who are not able to raise enough fees to benefit from it.

Legal Clinics

The coordinator of legal clinics under the authority of the School organizes legal clinics which students are encouraged to take part. The students and the supervisor get to visit prisons and in the community in various parts of the country where they interact with legal aid participants under supervision of the lecturers. This programme enables students to develop client care and interview skills. The students also get to develop a practical view of their course and appreciate what they learn at

the School.

In conclusion, the School has grown over the 60 years from merely training lawyers to contributing to various aspects of society.

Sharon Chemutai is a student in the Advocates Training Programme .



Reshaping Legal Education: Understanding The Quality Matrix

By Koome Joshua

The legal profession is often referred to as a 'noble profession', for many reasons. Ostensibly, one of the reasons may be, the fact that lawyers play a fundamental and pivotal role in upholding justice and ensuring it is served. Members of the legal profession invariably – or ought to – assist the society in evading the 'frog in the water effect'. The fable of the boiling frog opines that if one slowly heats up cool water, a frog cannot notice the temperature rise and soon becomes 'cooked'. This myth can greatly mirror the circumstances that can bedevil a country, if and when the members of the legal profession, as conveyors of justice, fail in their sacrosanct duty.

Consequently, it behoves the members of the noble profession to always act in the interests of the general public and to speak truth to power. It is undeniable that this train of thought translates to the urgent need to maintain the highest possible quality and standards in legal training and education.

In this brief article, interrogation is made on a couple of salient indicators of quality legal education, drawing from the inspirations of various leading institutions at the global plane. The indicators may include:

1) Presence and guarantee of academic freedoms.

This simply encapsulates the

right to dissent in the academy, either orally or through written work. The freedom can only be fully enjoyed through deliberate actions by stakeholders, which in most instances, need execution frameworks and constant advocacy on the central crux of the subject matter, the right to peacefully dissent and/or express dissent. For instance, in the United States, the American Association of University Professors has been in the trenches of advocacy since 1915, zealously guarding the concept of academic freedom. The question as to whether they have succeeded in that endeavour, remains an entirely different debate for another day and forum. Coming home, KSL has arguably endeavoured to stand firmly for academic freedoms. This involves various approaches used by the school to ensure that legal education respects each student's personal inclinations and philosophical beliefs, while also adhering to applicable laws and regulations.

2) Alignment with global trends that promote chrono-working:

a term coined in the modern history to refer to adoption of schedules suitable and dependant on an individual's productivity periods and natural rhythms. In the corporate sector, where it has been accepted, the concept has been hailed to boost productivity since the organization concerned can reap handsomely from the workers operating in their optimal hours. Borrowing this concept to the sphere of legal education, the flexible programmes and schedules adopted in training of the members of the legal profession, demonstrates great milestones in embracing the tenets of the concept as well as respecting of 'personal autonomy' of the

individuals involved in the training. Simply put, students can have an opportunity to elect their preferred mode of learning and the timing. At the Kenya School of Law, students have the latitude to elect among others; morning, afternoon, evening or online sessions.

3) Promotion of character education.

The Wake Forest University's Centre for Leadership and Character has done an incredible job in bringing out the salient concept of character education. The position taken is that education should be aimed at the whole person of the attendees and not just their intellectual faculties. The Kenya School of Law, in its strategic plans, has endeavoured to ensure students, especially Advocate trainees, receive a holistic learning experience by focusing on social pillars, collaboration and linkages with stakeholders among other ways. This position clearly mirrors the ideals envisaged under the Kenya School of Law Act and the Council of Legal Education Act, in seeking to attain quality standards of legal education and training within the Republic of Kenya.

4) Maintenance of high standards and rigour in legal education.

In this limb, without mincing words, it is incumbent upon the various stakeholders in the global south to lead the world debate on the aspect of guidelines for quality legal education across the globe. Professor Patrick E. Hobbs, Dean Emeritus of Seton Hall University, School of Law, grapples with

the idea of the aforementioned guidelines in his paper on the subject-matter. He narrates how representatives from different places of the world, gathered in Istanbul in 2001, to discuss matters regarding running legal education programmes. In the interest of space and time, the article opines that for Kenyan institutions to be recognised as world leaders in the provision of quality legal education, they must engage actively in the market place of ideas on how to refine the legal profession globally.

**5) Balancing of both
monocentric and polycentric
modes of legal education
ideals.**

Generally, the former refers to a mode of legal education whereby the training or

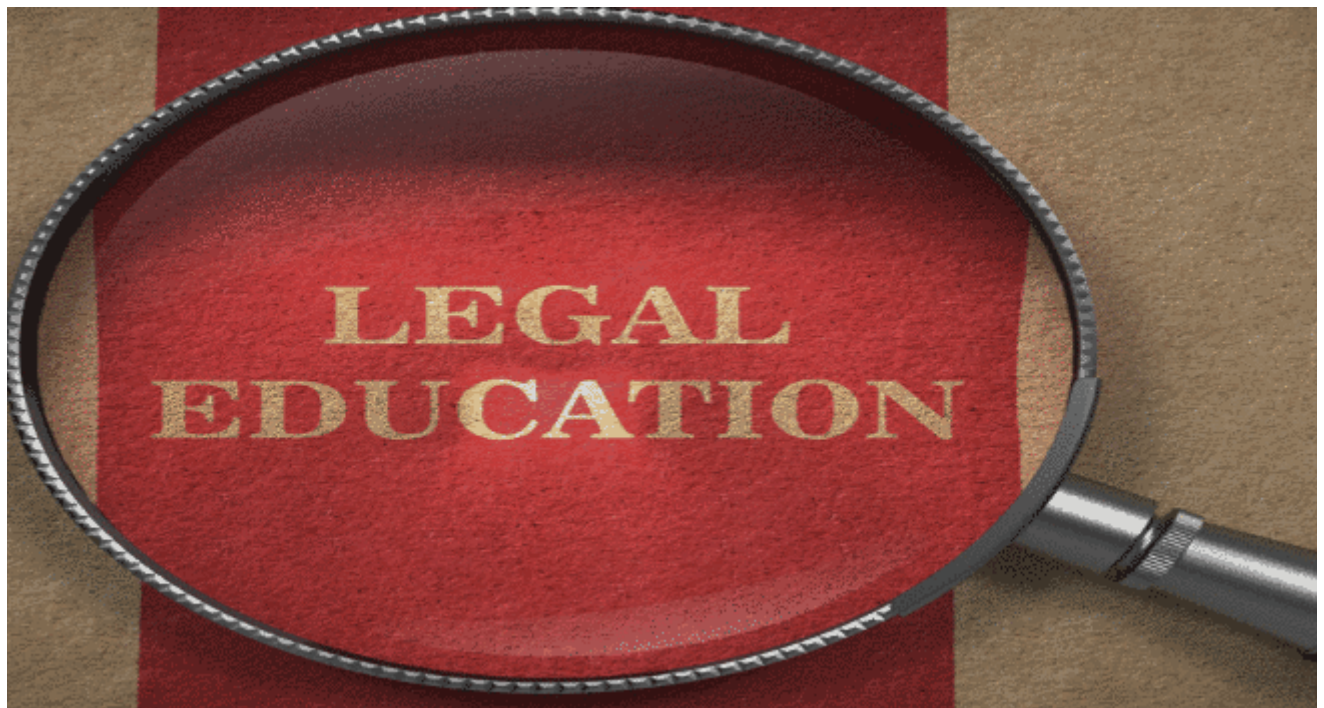
learning is highly centralized, whereas the latter connotes instances whereby multiple centres and institutions are permitted and accredited to offer legal education programs within a jurisdiction. In the Kenyan context, the bar school is monocentric. However, at undergraduate level, the structure is polycentric. This brief article fronts the idea that more meaningful deliberations on the subject of the mode applicable can be a bold step in the right direction towards the attainment of the highest possible quality of legal education. A delicate balance from the two schools of thought may nonetheless, help in advancing the quality of legal training and education within Kenya, and by extension, the East Africa Region.

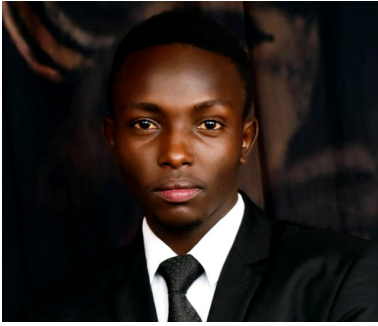
Conclusion

As can be discerned from the topic under discussion, the issue of boosting the quality of legal education has elicited great interests and mixed reactions, even at the global stage.

The elements of globalisation and governmental regulations in the conduct of legal trainings and education convolutes the matter and makes it worth pondering. Further, as captured in the crux of this article, there is a myriad of indicators that can be used as a precursor to the highest possible attainable quality legal education. As W. Edwards Deming said, "A bad system will beat a good person every time", it behoves upon the various players to create the best system for legal education to create the best lawyers who are after the heart and soul of justice. Although, a naysayer would argue that our current institutions have never lived up to the ideas of the highest possible quality education, our collective response would be that we have never walked away from those ideas either!

Koome Joshua is a student in the Advocates Training Programme.





Training the Gen Z Lawyers – Kenya School of Law Beyond 60 Years

By Donald Kiprop

Law draws out a sacred relationship with humanity - without it, chaos would erupt and societies more so the civilization we have built over time would crumble. However, in order to thrive, the law depends on institutions that serve to protect and nurture it, and among these, is the legal profession. The Legal profession is majorly dominated by lawyers who are the pillars and the bedrock of the system which the law operates.

Being a profession and one founded on zealous and ethical representation of individual clients, lawyers require training to excel at their core duties. This training is the mother of all practice ensuring that lawyers perform at their expected mandate while maintain ethical standards required of the profession. Like a coach to a football team, an experienced 'legal trainer' is the basic foundation towards excellent legal services anchored on the accepted principles and practice thereto. This basic foundation is established in Kenya by the Kenya School of Law Act giving life to the Kenya School of Law Advocates Training programme (the KSL - ATP). The institution has for over 60 years taken an active role in training lawyers, seeing through different generations all together. The most interesting lot, which enjoys most of the world's attention, are those from the famously known generation Z or the Gen Z group. This group has been known to take radical approaches to life and have taken the ceremonial role of being the game changers of the traditionally recognised systems.

Ironically, noting the fact that we learn from our predecessors, different generations dictate different ways in which they want to be taught the law.

Despite being the oldest profession that has been known to adhere to traditions and deep-seated practices created over time since the establishment of the first Inns of Court, training and practice of the legal profession has made significant changes since the 20th century. Many long-standing practitioners have questioned whether the arrival of Gen Z's would do a complete overhaul or be a burden to the legal realm. The Gen Z lawyer is socially conscious, tech-savvy and is not shy of challenging norms. Pearl S. Buck, a renowned American writer and novelist quoted that the young know little to be prudent and as such they try the impossible, and end up achieving it, generation to generation. In effect attracting a certain magnitude of change that their predecessor may find challenging to adapt.

Indoctrinating the Gen Z lawyers certainly may be a daunting task to the Generation X and the Millennials who are their current educators and mentors. The Beloit Mind-set List describes this generation as that which is tethered to technology, social media and their parents. They are more invested in technology and virtual social interactions that may come across as a lack of commitment to the traditional professional training. From my experience with the KSL -ATP 2024-2025 lot however, this may be far from the truth. Their adaptation to technology has made them efficiently fast in acquiring information and are quick to engage their legal educators. They easily challenge deep-seated practices and norms using different facets of information, be it science, religion, or world economics to justify their belief of what the law is and what it ought to be. Their questions lean more on the practical aspect especially on factors that affect them or their lifestyles either directly or indirectly.

In the classroom, technology takes the

lead role in note-taking, where most students would prefer attentive listening more than writing. They at times would use their smartphones to take pictures of the handouts, PowerPoint slides, whiteboard and just about anything and everything else. While these maybe a nuisance to the Gen X and Millennial legal educators, Professor Dyane O'Leary in the book "Picture this: Tackling the Latest Trends in Digital Note Taking", notes that it may not be prudent to dismiss the power of smartphones as an effective learning tool. Further, the Gen Z lawyers as noted from the KSL -ATP 2024-2025 classes are uncomfortable with the Socratic Method of learning and have the visceral fear of being called on. Sam Jacobson in his Legal Writing book notes that this method stresses students to the extent that they only take home a voice in their head chanting 'please don't call on me'. On the plus side however, their tendency to inquire as to the practical applicability of the law might come as a surprising tool to their understanding of the law.

Despite the different traditional practices that are perceived as an overburden including the questioning of sacred tenets, and the over-reliance on technology, the Gen Z lawyer has the potential to overhaul the legal practice. Their tech-savvy skillset makes them intuitively active in spearheading the integration of technology in the realm of law which has over the years been hesitant in adopting technology. In addition to technological advancement in the legal sector, the Gen Z's have the potential to widen the field towards new practice areas such as digital rights, Intellectual Property with regards to digital innovations, and policies on technological privacy rights and eventually playing the active role of redefining the conventional legal practice.

Donald Kiprop is a student in the Advocates Training programme.



International Human Perspectives towards Taxation: A Case for Reciprocity and Fiscal Compliance in Kenya

By Michael Okello

There have been discussions and debates in Kenya today that have involved lawyers, accountants, historians, sociologists, and economists on the question of tax and attendant system. In a nutshell, tax is a compulsory contribution in monetary or other form, by individuals, organizations or other entities paid to the government. It is premised on tax procedures, laws, and policies which influence the state power, including its reserved power to impose tax, which enables it achieve its public purposes, which are not necessarily a fiscal one. The Kenya Revenue Authority imposes various taxes based on a legal frame work such as income, value, transactions, property, goods, agency and professional services.

According to Black's Law Dictionary, a tax is a charge imposed by the government on persons, entities, transactions, or property to yield public revenue. The term widely embraces all governmental impositions on the person, property, privileges, occupations and enjoyment of the people, and includes duties, imposts, and excises. Although a tax is often thought of as being pecuniary in nature, it is not necessarily payable in money.

The Organization for Economic Corporation and Development (OECD) methodology classifies a tax according to its base: income, profits and capital gains; payroll;

property; goods and services; and other taxes. It elucidates that tax encompasses all compulsory social security contributions paid to general government, though classified under a separate heading. However, the term "tax" does not include fines unrelated to tax offences and compulsory loans paid to government. Where the recipient of a service pays a fee clearly related to the cost of providing the service, the levy may be regarded as requited and under the definition above, would not be considered as a tax.

According to Thomas Cooley, taxes are the enforced proportional contributions from persons and property, levied by the state by virtue of its sovereignty for the support of government and for all public need. Cooley's definition, 'has been quoted and indorsed, or approved, expressly or otherwise, by many different courts. It characterizes taxes as 'contributions. Other definitions refer to taxes as 'imposts,' 'duty or impost,' 'charges,' 'burdens,' or 'exactions'. The term 'government' consists of the central administration, agencies whose operations are under its effective control, state and local governments and their administrations, certain social security schemes and autonomous governmental entities, excluding public enterprises. This definition of government follows that of the 2008 System of National Accounts (SNA). In a nutshell, tax is a compulsory exaction or contribution in monetary or other form, by individuals, organizations or other entities paid to the government; for its public purpose and objective which may include fiscal one.

Adams Smith set down four general canons of taxation: proportionality, certainty and non-arbitrariness,

convenience, benefits principle and Economy. The above link with the significance of equity and horizontal equality involving subject persons within equal income bracket to have uniform liability. The equality concept, however, may not be the practice in certain cases since economic policy, and incentives to a certain class of taxpayers may result from unintended events not predictable in the economy at the intervening circumstances.

Whether taxes are unrequited, does not undermine the fact that taxes form an important source of revenue that serves fiscal purposes. However, this may not be so, as in certain instances where the state has to align its policies on resource allocation to achieve other goals, such as market neutrality, income redistribution and economic stability. Further, economic growth or development and international competitiveness are sometimes listed as separate goals, but they can generally be subsumed under the other three. The state needs to prioritize its functions for the realization of its obligations including enhancing the welfare of its citizens within reasonable limits in taxation. It is on the basis of the above proponent and realities that a reform agenda should be pursued, not necessarily to question the government policy for the sake of it, but to address the human rights issues attached to the emerging fiscal system and policy challenges: mutual nexus between tax compliance by citizens and requited responsibility and accountability that fiscal policy decisions should offer, that are aligned to the constitutional principles such as sustainability, public participation, transparency, that enhance access to fiscal reports and records such as budgets, timely fair, prudent delivery of priority services and effective debt management.

Fiscal policies are based on the prevailing national tax system and attendant policies, which may vary from one state to another. However, it is not contested that taxes are compulsory, unrequited payments to the general government; being unrequited in the sense that benefits provided by the government to taxpayers are not normally in proportion to their tax paid or burdens. However, States need to work towards an effective tax system that addresses the balance between taxing power, and

needed preference to fulfilling its human rights obligations that are affected by taxation: by affording disposable income and increased public spending that ensures, better welfare, access to basic services and general economic and social wellbeing, which actually coincide with principles of taxation: proportionality, certainty, convenience, economy, and just. It's through a human rights perspective that a state can achieve and sustain a mutual relationship with its citizens. Therefore, that notion of tax as unrequited will not suffer want

in compliance and challenges associated with loss of trust, reduced propensity to pay tax and unfavorable tax policies, tax avoidance and evasion. The state will also be able to consider and address in its policy reform, the inequalities within certain brackets in respect to various tax regimes and tax bases.

Michael Okello is a student in the Advocates Training programme.





THE KENYA SCHOOL OF LAW
MAIN ADMINISTRATION WING

KENYA SCHOOL OF LAW

ADVOCATES TRAINING PROGRAMME

BACKGROUND

The Kenya School of Law (KSL) is established under the Kenya School of Law Act, 2012 which provides that KSL is a public legal education provider responsible for the provision of professional legal training as an agent of the Government. The Kenya School of Law (KSL) conducts a postgraduate training for law graduates which is known as the Advocates Training Programme (ATP). The ATP trains and prepares law graduates for the written Bar Examinations which are set, administered and marked by the Council of Legal Education (CLE). Therefore, Advocates Training Program (ATP) has the objective of training lawyers for entry into the legal profession. Training is conducted in 18 months; 12 months in-house and 6 months pupillage (internship).

ATP OBJECTIVE

To provide a technique-oriented training to complement the theoretical and intellectual approach towards law teaching imparted during undergraduate level.

ADMISSION REQUIREMENTS

- Having passed the relevant examinations of a university, university college or other institutions prescribed by the Council of Legal Education, holds or has become eligible for the conferment of the Bachelor of Laws Degree (LLB) in the grant of that university, university college or other institution
- Attained a minimum entry requirement for admission to a university in Kenya
- Obtained a minimum grade B (plain) in English Language or Kiswahili and a mean grade of C+ in the Kenya Certificate of Secondary Education or its equivalent

CLASSES

- Teaching in ATP is conducted on a clinical basis, practical for the purpose of equipping the learner with skills to practice law in the real-life situation.
- The classes are divided into "firms" which are study groups where legal problems and issues are thoroughly discussed.
- There are also moot courts which simulate actual law firms in practice before courts of law.
- The faculty is composed of both full time lecturers and adjunct lecturers who provide and impact the much needed practical and professional training of lawyers.
- Classes are held in the morning, afternoon and evening/Saturday.

EXAMINATION

For one to successfully complete ATP one has to pass (obtain a score of 50% and above) in all the 9 units: Civil Litigation, Criminal Litigation, Probate and Administration, Legal Writing and Drafting, Trial Advocacy, Professional Ethics and Practice, Legal Practice Management, Conveyancing, Commercial Transactions. Assessment of the programme is in four phases: project work (20%) (1st Term), Oral examination (20%) (2nd Term), Written examination (60%) (3rd Term) and Supervised pupillage (not graded but is compulsory) (4th Term).

COLLABORATIONS

The School has key linkages with other institutions which are, The Higher Education Loans Board (HELB), The Chartered Institute of Arbitrators, The Advocates Complaint Commission, and the Advocates Disciplinary Committee to mention but a few.

CONTACT US

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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.

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ISSUES OF INTEREST

Persons in Custody: The Rights of an Arrested Person Reality or an Illusion?

By: Ouma Kizito Ajuang'



A good number of legal concepts are always viewed as the preserve of lawyers; however, the concept of "arrest" is as civic as it is in legal education. This is to say, it is commonplace for the police or those in authority to make arrests, yet it is not so common for citizens to understand their rights when they find themselves on the other side of the law. While these rights may be crystalized in law and very clear, they could still be an illusion. A lot of people who get arrested in Kenya usually do not know their rights hence at times a lot of these people suffer substantial injustice along the way. Cases have been highlighted where a person is arrested by the police or any other relevant authority yet the arresting authority is not even sure of the charge to prefer. This article attempts to analyze and discuss the rights of an arrested person with the legal pitfalls and precedence in mind.

In Kenya, a person who is detained, held in custody or imprisoned under the law, retains all the rights and fundamental freedoms in the Bill of Rights, except to the extent that any particular right or fundamental freedom is incompatible with the fact that the person is detained, held in custody or imprisoned.

The Constitution of Kenya, 2010 states that when someone is arrested, they have a right to be informed promptly;

the reasons for the arrest; the right to remain silent and the consequences of remaining silent. This is similar to the seminal Miranda Rights in the case of *Miranda v Arizona* with the distinction of the right to seek out an attorney. According to the *Miranda* case, the Supreme Court in the U.S. concluded that interrogation of a suspect without adequate information during the arrest amount to coercion. This right emanates from the maxim *nullum crimen, nulla poena sine lege* meaning that for an offence to attract arrest; it ought to be prescribed by law.

An arrested person has a right to remain silent. Remaining silent does not in any way portray guilt as a lot of people may think. This right is to protect a suspect from self-incrimination. Refusal to answer questions from law enforcers has unfortunately always been portrayed as rudeness and perhaps an avenue for injustice to thrive. The other right is the right to be in contact with or communicate with an advocate or any other person who may assist. This is always interpreted as "a one phone

call". However, it is very unclear whether it may be a single or multiple phone call.

The rationale for this provision being that a person who is arrested still needs legal and non-legal assistance. Where a person is not able to pay for legal assistance; the State has programmes that provide for pro bono services through the National Legal Aid Services (NLAS). However, this is still being implemented progressively.

The other right of an arrested person is the right not to be forced into making confessions. It is illegal for law enforcers to coerce a suspect into confession. The Evidence Act speaks of the confession of an accused person. It states that the confession can only be admissible in court where the confession takes place before a police officer who is above the rank of an inspector and before a third party. The Act also provides for rules on confession. A person under arrest has a right to be placed in custody but separate from persons convicted

and sentenced. The rationale for this may be to separate the wheat from the chaff. It is always said that if not separated, there is a possibility that those who are convicted and sentenced may influence those who are only suspects. There is a great need however to look at the conditions of police custody – is it not said innocent until proven guilty?

The other right of an arrested person is the right to be taken to court. An arrested person is to be presented before a competent court within twenty-four hours from the time of arrest. The Constitution of Kenya, 2010 uses the word “reasonable time” when taking an arrested person to court. When one is arrested on a weekend it means that they can only be taken to court on the subsequent Monday. In the case of *Lucas Omoto Wamare v The Attorney General & Another*

(High Court of Nairobi Petition No. 294 of 2012), this principle was still fortified. There are however circumstances under the law that may require a person arrested to be detained in custody for more than 24 hours. The Enforcement officers under the Prevention of Terrorist Act (POTA, 2012) may with the leave of the court seek to detain a suspect for more than 24 hours. The law however provides the police with 360 days as the number of days that they may detain a suspect. Where an arrested person is not taken to court in time; it attracts the writ of habeas corpus.

On the day of the first appearance in court, the suspect has to be accused thus, they have a right to take plea. Plea-taking is all about being informed of the charges in a language they understand. If the suspect does not clearly understand the official language; the courts have always used interpreters including sign language interpreters to implement this right.

The courts have further stated that the language in use must not necessarily mean a language that one prefers. Where one is not charged on the first court appearance; the law provides for the alternative of release.

Release on bail and bond pending trial is also another right that accrues to the arrested person. Release on bail and bond is however not an automatic right as there may be compelling reasons to deny bail. In Kenya; bail and bond is guided by the Constitution of Kenya, 2010; the Criminal Procedure Code and the Bond and Bail Policy, 2015. It is important to note further that a suspect in Kenya is not to be remanded in custody for an offence that is punishable by a fine only or imprisonment of less than 6 months. In conclusion, therefore; these rights ought to be implemented as they are part of the supreme law.

Ouma Kizito Ajuong’ is an Advocate of the High Court of Kenya.





Foods that can Damage your Kidneys

By Bernard Makinda

Functional foods play a crucial role in maintaining a healthy lifestyle and reducing the risk factors associated with various diseases. These foods, often referred to as "nutraceuticals" or "designer foods," go beyond basic nutritional value and offer additional health benefits. The impacts of functional foods on human health.

What are functional foods?

Functional foods are not just about satisfying hunger. They are specifically designed to promote well-being and prevent diseases. These foods contain bioactive compounds that contribute to health beyond their essential nutrients. The following are some key points about functional foods:

- **Definition:** Functional foods are those that have a positive effect on health beyond their basic nutritional content.
- **Origins:** The concept of functional foods originated in Japan in the 1980s and has since gained global popularity.
- **Examples:** Functional foods include a wide range of items such as fruits, vegetables, whole grains, dairy products, and fish.

Health benefits of functional foods
Numerous studies, both preclinical (in vitro and in vivo) and clinical, have highlighted the potential health benefits of consuming functional

foods. Some of the benefits includes;

1.Reduced risk of chronic diseases:

- **Cancer:** Functional foods have shown promise in preventing certain cancers. Bioactive compounds in fruits, vegetables, and other plant-based foods play a role in inhibiting tumor growth.
- **Cardiovascular diseases:** Components like omega-3 fatty acids (found in fish) and antioxidants (found in berries) contribute to heart health.
- **Gastrointestinal health:** Probiotics and dietary fiber in functional foods support gut health and prevent digestive disorders.
- **Neurological health:** Some functional foods may protect against neurodegenerative diseases due to their antioxidant and anti-inflammatory properties.

2.Specific bioactive compounds:

- **Curcumin:** Found in turmeric, curcumin has anti-inflammatory and antioxidant effects.
- **Resveratrol:** Present in red grapes and wine, resveratrol is associated with cardiovascular benefits.
- **Quercetin:** Abundant in apples, onions, and berries, quercetin has anti-allergic and anti-inflammatory properties.
- **Lycopene:** Found in tomatoes, lycopene is linked to prostate health.

3.Regulation of Metabolic Disorders:

- Functional foods can help manage conditions like diabetes and dyslipidemia.

- They may improve insulin sensitivity and lipid profiles.

Side effects and considerations

While functional foods offer significant benefits. It's essential to consider potential side effects and individual variations:

- **Allergies :** Some functional foods may trigger allergies in susceptible individuals.
- **Interactions with Medications:** Certain bioactive compounds can interact with medications. Consult a healthcare professional if you're on specific drugs.
- **Excessive Consumption :** Even beneficial compounds can be harmful in excess. Moderation is key.
- **Bioavailability :** Not all bioactive compounds are equally absorbed by the body. Factors like cooking methods and food combinations affect bioavailability.

Functional foods are a powerful tool in maintaining health and preventing chronic diseases. However, informed choices and individualized approaches are essential. Incorporate a variety of functional foods into your diet, and consult with a healthcare and nutritionist providers to optimize their benefits while minimizing risks. Remember, a banana's length may not measure up to the impact of functional foods, but their health benefits are certainly worth considering.

Bernard Makinda is a Chef at the Kenya School of Law.



Law and Morality: A Case for legalizing prostitution

By: Ouma Kizito Ajuong'

The relationship between law and morality has always occupied a seminal position in legal philosophy. It therefore percolates into the laws and policies that individuals; families, communities, and even nations subscribe to. The law on prostitution or sex work is one such area that has been caught in a tango between law and morality. While many feel that prostitution is immoral and therefore illegal; many equally feel that while it is immoral, it need not be illegal. Many others also do not care whether prostitution is illegal or immoral as it happens anyway. This article however makes a preposition on why prostitution needs to be legalized. These reasons range from rational, moral, economic, constitutional, and human rights considerations. Prostitution takes place anyway.

As stated before; for a lot of people, both the sex workers and the clients; they take no cognizance of the morality or legality and practice it anyway. The paradox of this immorality or illegality is that even where prostitution is illegal; it doesn't take much for one to find an area known for prostitution. Every city and every town in the world always has these known places. While prostitution has in effect been criminalized in Kenya for so many years; a mention of Koinange Street in Nairobi or the coastal town of Mtwapa; always makes the mice squeak. Prostitution therefore happens and has never been deterred by criminal law since the days of King Solomon. In addition to this; the advent of the internet and

the World Wide Web and the activities therein may also be used to emphasize the position that prostitution exists and the hands of the law may not be wide enough to engulf it.

Prostitution is also a human rights issue. When prostitution is criminalized; the government is in essence dictating to two consenting adults the kind of relations they may have. This borders very closely to abuse of the right of association; privacy and human dignity.

The other side of the coin is the abuse and harassment that commercial sex workers go through when the practice is illegal. This often endangers the right to life.

Closer to this; if prostitution is legalized, it can then be regulated. This protects both the sex workers and their clients. Regulation would protect commercial sex workers from exploitation by the clients or even external players such as law enforcement officers. There are always cases of rape; assault; stigma and laxity by the persons in authority. It further protects both commercial sex workers and their clients from STIs and even HIV/AIDS. Regulations have the advantage of taking children off the trade. When it is criminalized; it is unregulated as it happens in the dark side; a lot of children more so; young girls are often driven into the trade. Regulation therefore would seek to significantly reduce these numbers and protect children.

The other reason why prostitution should be legalized is because of moral reasons. While morality may be the umbrella reason for criminalizing prostitution; questions arise as to whose morality is applicable. Upon reflection and study; morality may not be one of those things set in stone. In addition to

this; there is a feeling that there is an unwarranted bias when looking at prostitution from a moral point of view.

There is a bigger burden placed on the sex worker as opposed to the client. Think of this; what do you say when the major clients are the very lawmakers who insist that prostitution should be illegal?

The other reason for decriminalizing prostitution is the difficulty in enforcement. While mens rea and circumstances may lead one to conclude prostitution; proving the act comes with its own difficulty as all these happen clandestinely. It is therefore futile to have laws tucked in books that are not enforceable.

Prostitution is a huge industry. It is an economic activity. It is a business that can be regularized and taxed. This may give the government more than when it is resisted. As much as prostitution is not a profession per se; looking at it as an economic activity may also protect the players economically. A lot of people who indulge in prostitution do so out of the need for financial gain; regulation may therefore be an answer. Safe working conditions and work benefits as dictated by employment laws could also be something to think about.

Lastly; the law is often described as a living tree. This is to say that law evolves with time. It may have made sense to criminalize prostitution in the days of yore, however, there is a need to take cognizance of the evolved world. There are more reasons to legalize prostitution as opposed to peremptorily criminalizing the activity.

Ouma Kizito Ajuong' is an Advocate of the High Court of Kenya.

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Reflecting on Six Decades: Insights from Mrs. Rose Tolony Ruto, a Trailblazing Law Educator

Q&A session



Interviewed by: Raphael Ogello

1. Throughout the course of your teaching career, how has legal education changed?

In the past we used to teach similar subjects as the ones taught at the universities. Previously graduates would do post graduate diploma in Law. When the Advocates training program was introduced, we mainly focused on both basic and practical perspective, as well as moot courts and legal clinics.

2. Could you share any significant turning points in the legal education landscape at KSL in the last 60 years?

The major turning point for the Kenya School of Law was the Introduction of Advocates Training Programme, where students are taught practical application of Law.

3. What inspired you to pursue a career in law and subsequently becoming a legal trainer?

The aspiration was accidental, because when I was widowed after



admission as an advocate and I had to put more effort on family matters. Consequently, when I joined the civil services as a Counsel, Attorney General (AG) chambers, on 15th March 2000, I was offered two options; either work as a prosecutor or be a lecturer at KSL which was a department of the AG Chambers. I chose the second, since it would accord me adequate time to both work and look after the children. I noticed after a while that teaching was so

fulfilling, especially when students pass and appreciate, in fact this culminated on recognition by the Nairobi Legal Awards Trust as a Finalist in the 2023 Law Teacher of the Year category and the Nairobi Legal Awards 2024 Top 50 Women Lawyers in Kenya Women in Academia category.



4.What are the most significant challenges facing legal education in Kenya today?

Facilities, especially in accommodation. Where had there been adequate hostels within the institution for all students, they would perform better. Equally we have Technological challenges., Virtual classes are sometimes interrupted by unstable internet. From time to time power outage and internet fail and classes cannot be held in a conducive environment.

5. Today the school is offering both physical and online classes; How has technology impacted the teaching and practice of law since you began teaching?

Technology has made a great impact because even during Covid-19 we taught virtually..

6.What advice would you give to aspiring advocates today, based on your extensive experience?

To maintain integrity in the legal profession; One should not take up a case when one knows that the chances of winning the are slim.

7. What initiatives or reforms would you suggest to enhance legal education at KSL?

Lecturers should be committed in teaching the subject that they teach, and be role models to the students.

8.What are your thoughts on the impact of legal clinic and moot court competition in legal education in Kenya?

Legal clinics are useful because students are exposed to practical experiences in

a real environment, while moot courts enable students to visualize themselves as judges and advocates.

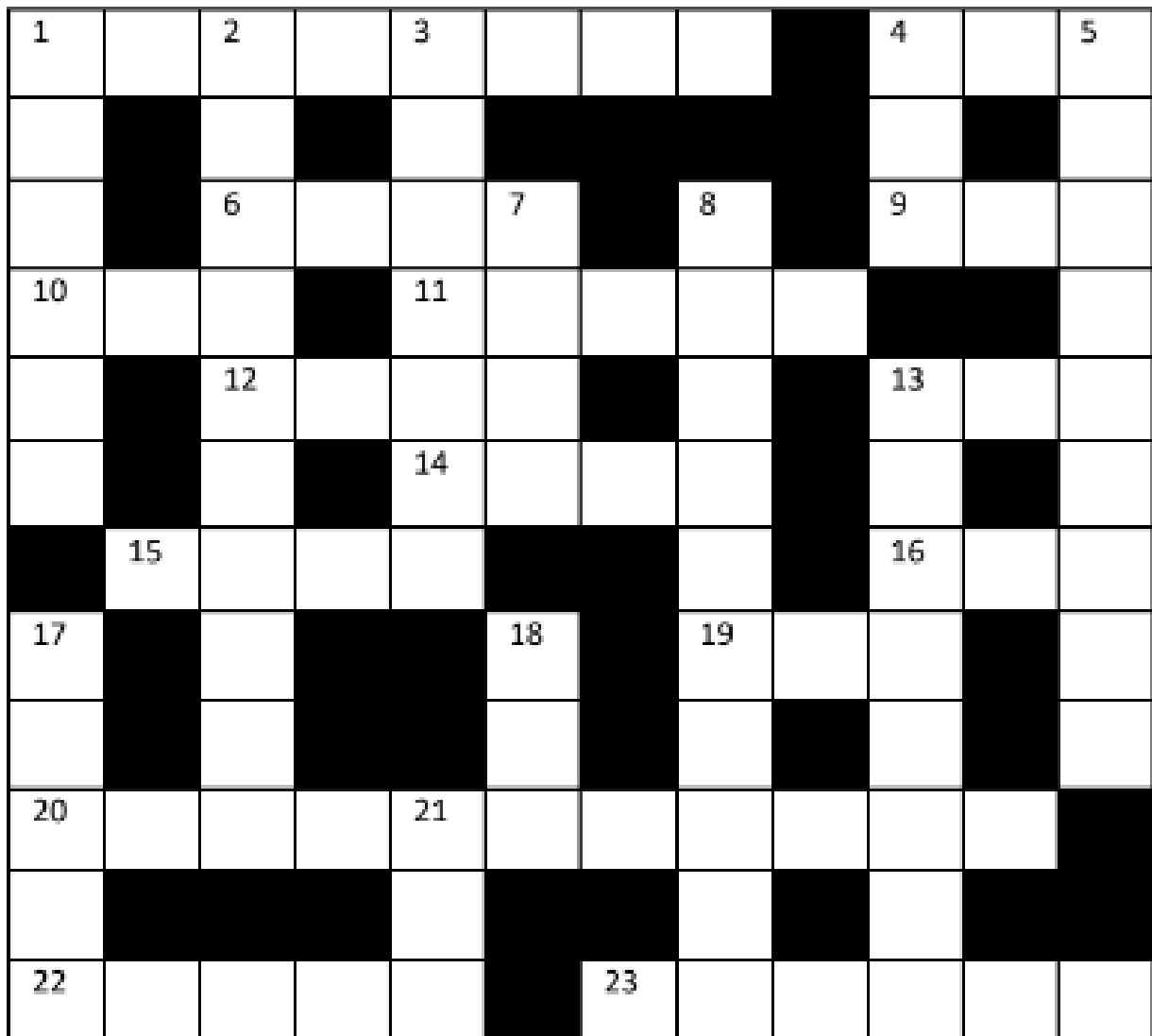
9.Looking ahead, what are your hopes and aspirations for the future of legal education in Kenya?

There can never be a country without legal services, which will always be in demand especially as the population increases.

Rose Tolony Ruto is an Advocates Training Programme Lecturer at the Kenya School of Law LLB – University UK, LLM -University of Nairobi, Diploma - KSL

Legal Crossword

© Carl's Cursed Crosswords



Across

- 1.good judgement and restraint (8)
- 4.former Kenyan political party (3)
- 6.tense (4)
- 9.prefix for 'eight' (3)
- 10.Alternative Dispute Resolution (3)
- 11.record of activities (5)
- 12.enthusiastic, passionate (4)
- 13.gusto, get-up-and-go (3)
- 14.specialised group (4)
- 15.see, refer to (4)
- 16.mole, in violation of NDA (3)
- 19.lie, hoodwink (3)
- 20.matter already decided (3-8)
- 22.new (5)
- 23.despicable pests (6)

Down

- 1.procession of people (6)
- 2.acting out of jurisdiction (5,5)
- 3.well-read (7)
- 4.paid time off (3)
- 5.final demand pending action (9)
- 7.powerful surge (4)
- 8.at first glance (5,5)
- 13.word for word (8)
- 17.Kenya School of Law locale (5)
- 18.acts of ____; events beyond control (3)
- 21.Uniform Resource Locator (3)

Just for 'Lawughter'



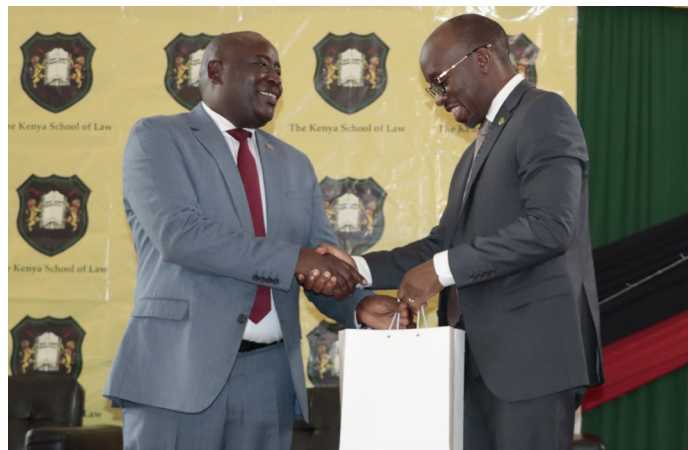
1. How does an Attorney sleep? First, he lies on one side, then on the other side.
2. Where there is a will there is a law suit.
3. Arguing with a lawyer is like wrestling with a pig, sooner or later, you will realise they like it.
4. What is the difference between a lawyer and a buffalo? A lawyer charges more.
5. What is the difference between a tick and a lawyer? The tick falls off when you are dead.
6. A man walked into a bar with his alligator and asked the bartender, "Do you serve lawyers here?"
"Sure do," replied the bartender.
"Good," said the man. "Give me a beer and I will have a lawyer for my gator."
7. An elderly patient needed a heart transplant and discussed his options with his doctor.
The doctor said "we have 3 possible donors; the 1st is a young, healthy athlete who died in an automobile accident, the 2nd is a middle-aged businessman who never drunk or smoked and died flying his private jet. The 3rd is an attorney who died after practicing law for 30 years. Which do you want?"
"I shall take the lawyer's heart," said the patient.
After the successful transplant, the doctor asked the patient why he had chosen the lawyer's heart, "It was easy," said the patient, "I wanted a heart that has not been used"

Compiled by Margaret Malika

KSL Events Highlights



KSL ATP students during a legal aid clinic in Kapenguria



The Director KSL presents a gift to Hon. Dr. Makali Muli, Member of Parliament Kitui Central who was a key speaker in the 2024 KSL Annual Conference



Robert Aura, Master of Ceremony at the 2023 end of year KSL staff party



Participants from the Directorate of Occupational Safety and Health in a course on investigations and Courtroom Skills



KSL Director Henry Mutai (left) Justice Alfred Mabeya, KSL Principal Lecturer Justus Munyithya (right) and ATP Student Council after concluding a guest lecture at the Karen Campus



Participants during a CPD refresher Course course for in-house Counsel on Litigation in a Digital Environment



Prof. Joseph Wamutitu, Chair KSL Board presents a gift to veteran lawyer Senior Counsel Pravin Bowry, a guest at the KSL at 60 celebrations



Hon. Justice Isaac Lenaola, Judge of the Supreme Court of Kenya presents an award to a graduand during the 2023 KSL Graduation Ceremony



ATP Mental wellness champions during a training



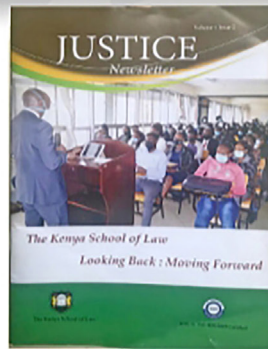
Term 1 2024 sports award ceremony



Award presentation during a special event in the 2024 Copyright X class



A joint tree planting exercise between KSL and the Kenya Prisons Service



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