



The Kenya School of Law

JUSTICE

Newsletter



Legal Education Sector Reforms: A Call for Transformative Action



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From the Editor



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Welcome to Volume 7 Issue 2 of the Justice Newsletter.

The theme for this edition is *Legal Education Sector Reforms: A Call for Transformative Action*". This is a theme that resonates with the current situation in Kenya in regard to legal training and education. This has accorded an opportunity to our new Attorney General, Honorable Dorcas Oduor to establish a Working Committee on Legal Education Reforms. The Kenya School of Law (KSL) is a member of the said Working Committee whose terms of reference includes inter alia considering and harmonizing concerns raised by stakeholders and the public. Indeed, it is in the public interest to ensure and maintain high standards of competence in the Legal profession.

In this publication, we have published enlightening articles under this theme. We have featured an article highlighting the KSL/UNDP partnership that explores a new dawn in the empowerment of Community Paralegals in Kenya. We have covered an article revolving around the strategic partnership between KSL and Competition Authority of Kenya which will add value to the Advocates Training Programme. This edition also features

Departmental briefs and events from the various School's Departments. These include; ATP and CPD departmental briefs, the inaugural CPD training on how to attain sustainability, rethinking integration of ICT usage at KSL and customer service week a toast to the heroes of KSL.

Finally, we covered insightful articles with a wealth of information on issues relating to reshaping and transforming legal education in Kenya, free speech proving dangerous in the digital age in Kenya and the role of the State counsel in upholding the rule of law.

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

The Editorial Team



From Left to right: Sammy Makokha, Raphael Ogello, Agnes Mwai, Ruth Githaiga, Anastasia Otieno, Margret Malika, Linnett Odawo and Fredd Wakimani

Word from the Chairperson, KSL Board



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

On behalf of the Kenya School of Law (KSL) Board of Directors, I take this opportunity to congratulate the School Management for publishing Volume 7 issue 2 of the Justice Newsletter. The Justice Newsletter is one of our Information, Educational and Communication (IEC) tools that helps in communicating to all our stakeholders, both internal and external, about the School's activities that have taken place within a specific timeframe. The theme for this issue is "Legal Education Sector Reforms: A Call for Transformative action". The theme of this issue is

timely as it resonates with the current happening in the Kenya Legal sector whereby the current and the first woman Attorney General (AG) in Kenya, Hon. Dorcas Agik Oduor, formed a Working Committee on Legal Education Sector Reforms. The Committee's task was to consider and harmonize the issues raised by the students and stakeholders in the Kenyan Legal Sector.

The key areas of concerns were: Current legal framework for the entry qualifications criteria to the Advocates Training Programme (ATP) and for admission as an Advocate; Examination process for the Advocates Training Programme; and Financial sustainability measures for the legal education sector Institutions, specifically KSL and Council of Legal Education (CLE), including the current training and examination fees structure and financial support for students. The Committee Chairperson was the chair of the Kenya Law Reform Commission (KLRC)

Ms. Christine Agimba. Members included the President of the Law Society of Kenya (LSK), the Chairperson of the CLE, the KSL Chairperson and the Secretary, Justice and Constitutional Affairs (JCA), Office of the AG and Department of Justice. The team was to deliver a report to the AG that will inform the implementation of the requisite reform interventions, including the recommendations of the Taskforce on Legal Sector Reforms. The final report will help in making transformative reforms in the legal sector for the benefit of our students and any other key stakeholder in the sector.

In this publication, there are enlightening and educative articles revolving around the said theme. It is our hope that the publication will be of value to all who read it.

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



Kenya School of Law (KSL) Director, Dr Henry Mutai and Acting Director General Adano Roba from the Competition Authority of Kenya (CAK), during the signing of an MOU between KSL and CAK



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

Word from the Director/Chief Executive Officer

review the Code. The Stakeholders' Validation Workshop for the Code of Conduct for Community Paralegals brought together 94 partners from different organizations who discussed key issues relating to paralegals and access to justice in communities.

as they prepare for their legal journey. The mentorship sessions help our students to receive practical knowledge, motivation, skills and values that are important as they embark on the professional journey.

I would like to welcome you to this issue of the Justice Newsletter, Volume 7 issue 2 of 2024. The aim of this publication is to provide our stakeholders with updates on important activities that have taken place within the School. It also provides a forum where writers can share original articles on the chosen theme for that issue. Since the last publication of the Newsletter in May 2024, the School has managed to achieve a number of milestones and hold various events.

The key milestone in the period was securing a sponsorship and partnership from the United Nations Development Programme Kenya, under the Amkeni Wakenya facility. Under this project, the School spearheaded the drafting of a harmonised Code of Conduct for the Paralegal Sector, aimed at achieving better self-regulation of paralegals. Subsequently, the School hosted a stakeholder's workshop to interrogate and

In discharging its mandate, the School has continued to train candidates undertaking both the Advocates Training Programme (ATP) and the Diploma in Law in Paralegal Training Programme (PTP). The ATP intake for the 2025/2026 academic year and the Pre - Bar applications for 2025 are ongoing with the deadline for applications being 30th November 2024. On the other hand, 160 students enrolled in the latest PTP intake for the 2024/2025 academic year. Apart from that, the School has also had two intakes in May and September for the Certified Secretaries (CS) course, which has proved to be very popular.

As a means of enhancing the student experience, the School has continued to organize mentorship sessions from renowned legal practitioners. In the last couple of months, the students have benefited from speakers from the LSK – South Eastern Branch and the law firm of Mohammed Muigai LLP. The team also donated suits and other official attire to our students as a way of supporting the students

On a separate note, some of our ATP students successfully completed the internationally acclaimed program, the CopyrightX course. This is a twelve week networked course offered under the auspices of Harvard Law School.

The period in review also marked the beginning of the 2024/2025 financial year, a year in which the School's budget has been drastically reduced. As the Board continues to engage the national government to restore funding, measures have been put in place to cut costs where possible. Unfortunately, the reduction has also meant that some key activities such as legal aid clinics, moot court competitions and training for staff have had to be suspended.

Finally, I would like to thank the Editorial Committee for their tireless efforts in ensuring that Volume 7 Issue 2 of the Justice Newsletter 2024 has been published.



Milestones

The Kenya School of Law-UNDP Partnership: A New Dawn in the Empowerment of Community Paralegals in the Country to realize Self-Regulation!

By Cornelius Lupao

The importance of the paralegal sector in the administration of and access to justice in Kenya cannot be gainsaid. They serve as clerks in the advocates' chambers, in courts, act as court process servers, among other duties. The Legal Aid Act of 2016 defines a Paralegal as "person employed by the Service or an accredited legal aid provider who has completed a training course in the relevant field of study in an institution approved by the Council of Legal Education." In addition, the Legal Education Act defines the expression "paralegal" to mean "person employed by the Service or an accredited legal aid provider who has completed a training course in the relevant field of study in an institution approved by the Council of Legal Education." Among the objects and functions of the Kenya School of Law(KSL), as spelt out in the Kenya School of Law No. 26 of 2012, is to ensure continuing professional development for all cadres of the legal profession and provide *paralegal training*.

Despite the apparent role that the paralegal sector plays in the dispensation of justice, one cadre of this segment, which has emerged as a result of the critical need that exists in the administration of justice, at community level, is the community paralegals. Their roles will be highlighted shortly. This cadre, has, unfortunately, received little support in terms of a regulatory framework, that would aid them to effectively carry out



KSL Director, Dr. Henry Mutai addressing the participants during the National Code of Conduct for Community Paralegals event.

their roles. Notwithstanding the fact that this cadre is not involved in the formal, structured and established mechanisms in the administration of justice, and majority not having undergone significant formal training, as was contemplated by the Advocates Act and the Legal Education Act, they play a critical role in assisting the communities at the very lowest level, to access justice. They engage in advocacy for law reform, civic education, assist members of the communities settle disputes out of court, provide basic legal advice, particularly on rights of persons in given circumstances and refer members of the communities from which they operate, to the appropriate forums through which they can seek legal redress whenever their rights are violated. These roles expose the paralegals like any other profession, to circumstances that warrant some form of framework, under which they must operate. Nevertheless, they have operated, virtually without a proper regulatory

mechanism, notwithstanding that there are potential risks that may arise, due to lack of a regulatory mechanism.

Such opportunity has been presented by the recently enacted Public Benefits Act of 2013. This Act provides an administrative and legislative framework that could enhance the operational environment for paralegals by creating self-regulating mechanisms including a code of conduct for independent regulation of various formations of paralegals. This has the potential of enhancing accountability, transparency, and effectiveness among paralegals and is also expected to deliver a signal to external stakeholders about the quality and integrity of participating paralegals formations.

It was by the realization of this opportunity, that the KSL under the Programme for Legal Empowerment

and Aid Delivery in Kenya (PLEAD) project, presented a project dubbed–The Regulatory Framework for Paralegal Practice in Kenya. The project is being implemented under the United Nations Development Programme Amkeni Wakenya

Civil Society Facility and seeks to empower the community paralegal sector practitioners by funding the enactment of a framework that would seek to aid them achieve self-regulation.

Under this project, the KSL has gone ahead to develop a Code of Conduct for self-regulation of the community paralegals: The National Code of Conduct for Community Paralegals.

In collaboration with many civil society organizations, non-governmental organizations, state actors and other justice sector players, the School embarked on a rigorous exercise that culminated in the development of the Code. The process entailed a detailed review of literature on the subject, with among other key considerations, Codes of Conduct from other jurisdictions such as Tanzania and Canada developed for similar purposes. This process led to coming up with a harmonized document which was subjected to interrogation for further input by the community paralegals, as the key players, to which the Code would apply. The process culminated into a national conference that was held at the KSL for validation and adoption of the code. Among the institutions represented at the Validation were: The Paralegals Society of Kenya; the Witness Protection Agency; Kituo cha

Sheria; International Commission of Jurists; National Legal Aid Services and the State Law Office who sent keynote speakers to the workshop.

As an institution, we hope that this initiative shall go a long way in laying the foundation for the proper and effective self-regulation of the paralegal sector, in the face of the lack of a clear policy for the same.

To our development partners, the European Union, through the United Nation Development Program, under the Amkeni Wakenya initiative, we say: **THANK YOU.**

Cornelius Lupao is an Advocate of the High Court and the Principal Officer, Research and Projects at the Kenya School of Law



A participant attending the National Code of Conduct for Community Paralegals event.



Celebrating Growth and Excellence: Certificate Handover Ceremony for the CopyrightX 2024 Cohort

By Fredd Wakimani

The Kenya School of Law (KSL) recently celebrated a significant milestone in its educational journey with the certificate handing over ceremony for the 2024 CopyrightX cohort. This year's ceremony, held at KSL on the 27th of September 2024, marked a momentous occasion as 56 students completed the course. This course is done through KSL's affiliate program with the Centre for Law in Information Technology (CLAW-IT). This occasion showcased the remarkable growth from the 30 students who graduated in 2023.

The CopyrightX program, a prestigious course designed by Professor William Fisher of Harvard University, spans 12 weeks and covers a comprehensive range of subjects related to copyright law. This program is a cornerstone for legal education in the digital age, especially as the advent of artificial intelligence redefines the boundaries and applications of intellectual property. The curriculum includes key topics such as theories of copyright law, scope of protection, exclusive rights and their limitations, ownership and transfer, infringement and remedies, international copyright law.

In an era where artificial intelligence (AI) is rapidly transforming



Mr. Fredd Wakimani (left) a Senior Lecturer at the School with participants during a certificate awarding ceremony.

industries and creative processes, understanding copyright law has never been more critical. As AI technologies generate content, legal practitioners must navigate the complex intellectual property landscapes to protect creators' rights and foster innovation. The knowledge gained from the CopyrightX program empowers students to address these challenges effectively and stay at the forefront of legal advancements.

One of the key advantages of the CopyrightX program is the opportunity for students to learn from Professor William Fisher of Harvard University who is one of the instructors in the program. As a leading authority in intellectual property law, Professor Fisher brings a wealth of knowledge, expertise, and real-world experience to the program.

His insights not only enhance students' understanding of copyright law but also inspire them to pursue excellence in their legal careers.

The significant increase in student participation from 30 in 2023 to 56 in 2024 is a testament to the program's growing impact and the dedication of KSL to providing top-tier legal education. As the School continues to foster partnerships and innovative learning opportunities, the future looks bright for its students, who will be well-equipped to navigate the complexities of copyright law in an ever-evolving digital landscape.

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



Integrity in the Workplace

By Ruth Githaiga



The Kenya School of Law Director, (right) Dr. Henry Mutai, presents a certificate to a participant during the Intergrity Assurance workshop held at the School

Integrity in the workplace matters. Integrity can be defined as a character strength involving honesty, morality, and trustworthiness. Therefore, integrity in the workplace includes a range of qualities and behaviors that reflect honesty, ethics, and consistency in work-based actions. In the workplace, integrity can play out in a number of ways both at the individual and at the organizational level. At the individual level, it may be associated with being honest and trustworthy, adhering to organizational values, being consistent, being professional and making ethical decisions. While at the organizational level, it may be associated with building a culture of integrity through leadership, making ethical business decisions, having clear corporate social responsibility commitments, operating with fair and transparent governance and adhering to regulations and laws.

The Kenya School of Law (KSL) has identified seven core values that guide the staff in executing their duties. One of these is integrity. As a way of enhancing integrity, the School trained members of the staff appointed as the Integrity Assurance Officers (IAOs). The training took one-week and was facilitated by Ethics and Anti-Corruption Commission under the National Integrity Academy. Areas of training included how to build capacity on corruption prevention, developing institutional anti-corruption policy documents,

establishing corruption reporting mechanisms, monitoring and evaluating implementation of anti-corruption initiatives, establishing internal and external linkages on corruption prevention, and carrying out a corruption risk assessment and development of a mitigation plan.

So why is integrity important at the workplace? A culture of integrity provides many benefits at the workplace but this article will focus on four benefits. First, integrity creates a positive work environment. A workplace culture based on integrity creates an environment that breeds positivity and support. It creates a workplace where staff are able to work ethically and raise concerns without fear of retaliation. The behavioral integrity of leaders is also directly correlated to increased organizational commitment, staff retention, and job satisfaction. Second, integrity helps in having ethical conduct and risk management. A culture of integrity helps prevent unethical behavior such as fraud, corruption, and misconduct. Assessing risks of lapses in integrity is a critical action point in an organization. When staff uphold moral principles and adhere to ethical standards within an organization, it

results in a culture of integrity and compliance within the organization.

Third is reputation, brand image and credibility. Integrity builds trust and confidence in staff, customers, and stakeholders. Organizations with a reputation for integrity are more attractive to customers, stakeholders, investors, and potential staff. Similarly, maintaining integrity enhances the organization's brand image and credibility in the marketplace and reduces the severe reputational damage that can follow unethical behavior.

Fourth is the overall success of an organisation. This is through maintaining ethical standards, building trust with stakeholders, and fostering a positive work environment. This results to creating a solid foundation for growth and resilience. When organizations take the time to plan their workplace integrity strategy, they are able to realize numerous benefits and avoid some serious drawbacks that can have effects on brand reputation.

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



Customer Service Week: A Toast to the Heroes of the Kenya School of Law

By Margaret Malika

Customer Service Week is global celebration of kindness, patience, and the art of keeping cool under pressure. This rolls around every October, like clockwork, just when the world needs a reminder of how valuable service professionals are. This annual first-week-of-October tradition is all about celebrating the individuals who turn chaos into calm, complaints into resolutions, and customers into lifelong fans.

At the Kenya School of Law (KSL), missing out on this celebration is unheard of. This year was no exception, and once again, the Corporate Communications Section took the reins. Often overlooked but never underworked, this Section holds the institution together with its tireless dedication to handling complaints, soothing frazzled nerves, and ensuring everyone leaves with a smile—eventually.

A Rose, a Snack, and a Smile to Start the Day

Let's talk about the highlight of every day for the week: snacks and roses. Because nothing says "we value you" quite like a flower in one hand and a tasty treat in the other, staff arrived to find themselves showered with these small but thoughtful tokens of appreciation. It was the kind of start that could make even a Monday morning feel like Friday afternoon.



KSL Director (middle) with KSL members of staff during a cake cutting session to celebrate birthdays for October 2024 babies.

Of course, KSL is not content with just a one-off gesture. After all, boosting morale takes more than just sweets and petals. The team made sure to keep spirits high with a variety of engaging activities throughout the week.

Pop Quiz, Anyone?

One such activity was a lively question-and-answer session. This was not your average pop quiz, though. It served a dual purpose: testing employees' knowledge of the School's Vision, Mission, and Core Values, while sneakily reminding everyone of the School's service charters commitments they are supposed to know while serving both the internal and the external customers.

Prizes were handed out to winners because, let us face it, nothing motivates like the promise of free stuff. The winners were awarded branded bags and lapel pins presented by our Director, Dr. Henry K. Mutai. The

winners walked away beaming, not just because of the prizes but because there is something deeply satisfying about knowing you are the office most valuable player (at least for one week).

Students Get in on the Fun

Not to be outdone, KSL's customers, primarily the student, also had their moment in the spotlight. Warm greetings from the ever-cheerful Customer Care Representatives set the tone, followed by a sprinkle of sweetness literally. Ladies received roses, and everyone got sweets before their requests were attended to with trademark efficiency. Who knew a candy could turn a long line at the front office into a moment of joy?

Front Office Superstars

Speaking of the front office, it would have been a travesty not to shine a spotlight on the team who tirelessly ensures the School

runs smoothly. These unsung heroes were celebrated with gifts and applause with the Director personally acknowledging their resilience and hard work. The occasion was commemorated with a group photograph. Let us just say that the ones behind the smiles got a reason to smile themselves.

October Babies Take Center Stage

And then there was the cake. What is a celebration without a giant slab of frosting-covered joy? October-born staff were bestowed the honor of leading the cake-cutting ceremony, and

they rose to the occasion with the kind of enthusiasm only free dessert can inspire. The creamy slices were shared among staff as conversations flowed and laughter filled the room.

If there is one thing the week proved, it is that KSL knows how to throw a celebration that is equal parts heartfelt and entertaining. From roses to rewards to a well-deserved sugar high, Customer Service Week was a resounding success.

A Final Thought

As the event ended, one thing was clear. The Corporate Communications Section team is the glue holding KSL together. Their tireless efforts often go

unnoticed, but this week gave them their moment in the spotlight and a chance to feel truly valued.

To the unsung heroes of customer service, may your patience remain infinite, your smiles unwavering, and your snack supply ever-abundant. Until next year, keep turning the ordinary into extraordinary, one service charter at a time

Margret Malika is an intern in the Corporate Communications Section at the Kenya School of Law



KSL Director, (center left) Dr. Henry Mutai with KSL staff who won raffle tickets during the 2024 Customer Service Week.



Adding value to the Advocates Training Programme: The Strategic Partnership between Kenya School of Law and the Competition Authority of Kenya

By Fredd Wakimani

In a landmark move that underscores the commitment to enhancing legal education and regulatory practice, the Kenya School of Law (KSL) and the Competition Authority of Kenya (CAK) signed a Memorandum of Understanding (MoU) on the 11th of July, 2024. This strategic partnership aims to synergize the efforts of both institutions in executing their mandates effectively.

The CAK, established under the Competition Act No. 12 of 2010, plays a crucial role in regulating market competition in Kenya. Its mandate includes overseeing mergers and acquisitions, combating anti-competitive practices, protecting consumer rights, and addressing abuse of buyer power. On the other hand, the KSL renowned for its rigorous Advocates Training Programme (ATP), is dedicated to preparing law graduates to become competent advocates capable of practicing law in Kenya.

The MoU between CAK and KSL is a significant step towards integrating practical competition law insights into legal training. Given that aspiring advocates must grasp competition law intricacies, this partnership is poised to enrich their understanding through real-world examples and direct interaction with industry experts. By joining forces, KSL and CAK can effectively advocate and educate on competition law at a pivotal stage in the students' careers, just before they transition into full-fledged legal practitioners. This initiative will undoubtedly enhance the effectiveness of competition law advocacy.



Kenya School of Law (KSL) Director, Dr Henry Mutai and Acting Director General Adamo Roba from the Competition Authority of Kenya (CAK), after the signing of the MoU between KSL and CAK

The signing of the MoU opens a plethora of opportunities for students and professionals alike. During the recent International Competition Network (ICN) Advocacy Workshop held in Nairobi from 22nd to 23rd February 2024, CAK sponsored three KSL students to attend the event fully funded. This allowed the students to gain valuable insights and network with global competition law experts. The ICN workshop, provided a platform for in-depth discussions on global competition practices and policies.

Additionally, the collaboration extends to educational initiatives such as the planned seminar on December 5th, 2024. This will be held partially to celebrate World Competition Day and provide a platform for in-depth learning and direct engagement with the regulatory body that will greatly benefit the ATP students.

This partnership also opens doors for mentorship and networking opportunities. Students will have the chance to connect with seasoned professionals in the field, gaining invaluable guidance and support as they navigate their careers. This mentorship can be instrumental in shaping their professional paths and ensuring they are well-prepared to tackle the challenges of the legal profession.

Moreover, the MoU provides opportunities for research and professional training in specific sectors to enhance compliance with competition law in Kenya, the region, and internationally. By fostering a collaborative environment, both organizations can work together to develop and implement training programs that address the evolving needs of the market and ensure that practitioners are well-versed in competition law.

The partnership between KSL and CAK signifies a forward-thinking approach to legal education and regulatory practice. As both organizations work together, the future looks promising for the next generation of legal professionals who will be well-equipped to navigate and influence the competitive landscape in Kenya and beyond.

In conclusion, this MoU not only aligns with the mandates of KSL and CAK but also enhances the quality of legal training and competition law advocacy, ensuring that Kenya's legal and regulatory frameworks remain robust and dynamic.

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



Departmental Briefs

The Changes in Provision of Legal Aid

By Anastasia Otieno

The Kenya School of Law (KSL) has conducted various legal aid clinics by engaging and working in partnerships with like-minded organisations. This innovative approach has enabled KSL students to get this very important component of clinical education through interaction with live clients. This ensures that the students not only receive the theoretical aspects of training but the practical as well. These partnerships have also been used by KSL to give back to the most vulnerable and indigent members of society. This has been done through offering legal aid and training to these communities.

KSL has partnered with CIHEB, Kituo Cha Sheria, LSK, politicians, churches and the communities to provide legal aid and training.

KSL conducted legal aid with students from both the Advocates Training Program (ATP) and Paralegal Training Program (PTP) students under the supervision of Ms. Anastasia Otieno, Principal lecturer, ATP in charge of legal aid, Ms. Margaret Mounde, who is a lecturer at the ATP and Mr. Mark Mukuha the PTP Coordinator with support from Senior Office Administrators Ms. Peris Kamau and Anne Ayitso, ATP department and Ms. Josephine Muringi, PTP department.



PTP students during one of the legal aid events

The trainings were conducted by Ms. Anastasia Otieno, Ms. Maureen Naserian and Mr. Samuel Akhwale.

The School organized a legal aid clinic on the 14th April 2024 in conjunction with the Law Society of Kenya (LSK) Nairobi branch and PCEA Unity Church in the church premises in Umoja Nairobi. The students attended to various clients with the assistance of their lecturers and lawyers from LSK. The key areas of focus for this session were, land related issues, succession, gender based violence and human rights.

Further, KSL and the Center for International Health, Education and Biosecurity (CIHEB) signed a Memorandum of Understanding (MoU) on the 18th day of September 2024. The parties agreed to collaborate on various matters including legal aid activities and trainings. CIHEB and KSL agreed to conduct at least 4 joint legal aid clinics in Nairobi between

March and September 2024. However, the partnership was only able to come up with 2 trainings with the other ones being pushed to next year.

The first legal aid clinic under this MoU was held on Saturday, 6th April, 2024 in Kasarani in conjunction with CIHEB partners on the ground. The second one was held on the next month on Saturday, 4th May, 2024 at Moi Avenue Primary School in the central business district of Nairobi County. This was conducted in collaboration with CIHEB, and one of their partners for Health and Development in Africa (PHDA). The clients were Key persons which consist of marginalized groups in the society. These sessions were attended by 16 students who gave advice to the clients on numerous issues as enumerated below. They did this under the supervision of their lecturers. The main areas discussed were gender and sexual violence, police brutality

and wrongful arrests, police inaction when a crime is reported and how to advocate and ensure that results are obtained when the police are non-responsive.

Under the same MoU, CIHEB and KSL had agreed to compile a Paralegal Sensitization Manual on Gender-Based Violence(GBV). It was decided that even as the manual awaited validation by the stakeholders the first group of about 25 paralegals should

be trained using the manual to establish any gaps and its efficacy. The 5-day training was held from the 22nd to the 26th of July 2024 but due to the prevailing demonstrations in Nairobi we could not train on Tuesday so we moved the days forward by one day. The training was held at the Best Western Meridian hotel in Nairobi CBD. Among the topics covered were types of GBV, rights of an arrested person, Alternative Justice Systems and the role of the paralegal in the process and how to give support to a GBV survivor.

The new way of working with partners created through MoU and partners on the ground makes legal aid provision very versatile as KSL is able to reach many people even with limited resources.

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



ATP and PTP students giving legal aid to members of the community



Continuing Professional Development Department Updates

By Isaac Kuloba

The School continues with its streak as a market leader in the provision of professional legal training to various professionals across multiple sectors. Over this last period, the Continuing Professional Development Department (CPD) has succeeded in carrying out various trainings, customer tailored and calendar courses. Some of the popular programmes include; Data Protection Law & Governance Compliance Framework, Legislative drafting and Legal auditor certification training. The department also partnered with various institutions to deliver tailor made programmes for instance Legislative Drafting for Advocates in County Government, Legislative Drafting for National Assembly Committee Clerks, Attaining of Sustainability for State Agency (KURA), Investigation and Courtroom Skills (NWSC), Public Procurement Law and Policies for the AG's Office, Workshop on Professional Development for the Directorate of Legislative and Procedural Services (NHIF).

In addition, the School successfully admitted two cohorts to Certified Secretary (CS) course during this period. The first cohort joined in May 2024 and sat for the exams in August 2024. The second intake started their learning in September 2024 with the expectation to sit for their exams in December 2024. So far the both intakes have attracted a good number of participants rendering this programme a success.



CPD Department trained the Board and Management of the Kenya Urban Roads Authority (KURA) on Attaining Sustainability- Legal and Strategic Aspects

In line with tradition, the School hosted its 5th Annual conference themed Taxation and Social-Economic Rights in Middle-Income Economies from the 25th- 26th April, 2024. The conference draws professionals from the political class, academia, private sectors practitioners and even students from various levels of study. The themed conversations were driven by very informative panels and supported by various conference papers. We were honoured to have Hon. Dr. Makali Mulu, MP Kitui Central as our guest speaker for the opening day, while Prof. Collins Odote from the Council of Legal Education was the guest speaker for the final day.

This period under review saw the School run a validation workshop for the Code of Conduct for Community Paralegals. This Code aims to enhance access to justice for every Kenyan in line with provisions of our Constitution. The validation workshop majorly hosted the community paralegals representing every County within the Republic of Kenya. Also in attendance were various stakeholder institutions like the Paralegal Society of Kenya, the Law Society of Kenya, the Witness Protection Agency.

We continue to be the trend setters for matters 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.

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/>

Isaac Kuloba is an Advocate of the High Court of Kenya and the Assistant Director in the Continuing Professional Development Department at the Kenya School of Law.



The CPD Department Holds Inaugural Course on Attaining Sustainability

By Samuel Akhwale

The Kenya School of Law (KSL) through the Continuing Professional Development (CPD) department in each financial year runs courses that are scheduled in a calendar and are open to any professional to whom they are relevant. However, the Department can also run tailor made courses for a particular agency, law firm or institution that make a request for such. It could be for particular professionals within that institution, such as lawyers, supply chain management professionals or human resource professionals. The tailor made course could also be on legal aspects of an area that cuts across various professions on a relevant subject matter such as data protection, legal compliance, governance and others.

In the financial year 2023/2024 one of the courses scheduled was Attaining Sustainability for State Agencies, which was to run from 20th to 24th May 2024. The concept of the course was developed after taking note of the fact of indebtedness of a number of state agencies. The irony is that some of those agencies have assets and human resources that could be harnessed to generate supplementary income for them. If the agencies also audited their processes, they might find that if they adjust their operations, they can move from deficit to surplus.

Upon seeing the course on the KSL website, officers from the

Kenya Urban Roads Authority (KURA) asked if the course could be designed and run as a tailor made course for its Board and Management. After a series of correspondence, the course was designed and scheduled for 28th to 30th August 2024. KURA would meet the conferencing cost of holding the course in Naivasha, while KSL would provide the technical resource.

The participants in the course were members of the Board and Management of KURA. It is commendable that in spite of their busy schedules and the many responsibilities they hold, they diligently sat through and participated in all the sessions over the three days. The resource persons included Dr. Edward Kobuthi, a corporate leadership expert with decades of experience in leading blue chip companies. Drawing from his vast experience and through giving practical examples, he facilitated discussions on sustainability and strategic management for long-term value creation, and attaining sustainability through proper planning.

Ms. Grace Waswa an Advocate from MMW Legal Advocates with specialty in Environmental Social Governance (ESG) led discussions on harnessing of emerging trends for sustainability, including technology, ESG, innovation, environmental and social safeguards stewardship as part of sustainability objectives. Her presentation was a real eye opener to the fast changing trends in global demands for accountability by corporations as relates to environmental sustainability and social justice to those involved in production processes.

Mr. Isaac Kuloba, an Assistant Director, CPD at KSL facilitated discussions on attaining sustainability through effective oversight of audit and supply chain functions. While CPA Makokha Wanjala, facilitated discussions on effective financial management and sustainability, options and opportunities of resource mobilization for long-term sustainability, including proposals for changes in legal and institutional frameworks. He concluded his session through a case study of effective and transformative leadership in one of Kenya's State Agencies.

At the close of the training, it was evident that it has been a worthwhile course as the participants could relate to and apply what they had been trained on to the day-to-day oversight and management roles they play at KURA. KSL appreciates KURA for expressing confidence in it as a provider for this service and the CPD Department appreciates the administrative support from the various departments in the School that made the training a success.

KSL looks forward to running many more modules of this course to build capacity of State Agencies to harness their resources for optimal production and for enhanced service delivery.

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.

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THE KENYA SCHOOL OF LAW
CONTINUING PROFESSIONAL DEVELOPMENT (CPD)

ISO 9001:2015

CALENDAR OF COURSES: JULY 2024 – JUNE 2025

NO.	COURSE TITLE	DURATION	DATE	KSHS. (INCLUSIVE OF 16% VAT)	VENUE
1.	DATA PROTECTION AND COMPLIANCE: LAW, POLICIES AND COMPLIANCE FRAMEWORKS	5 DAYS	8 TH – 12 TH JULY	95,000	MOMBASA
2.	TRENDS IN FAMILY LAW PRACTICE	3 HRS	6 TH AUGUST	3,000	VIRTUAL
3.	BUSINESS DEVELOPMENT AND BRANDING FOR YOUNG LAWYERS	5 DAYS	14 TH – 18 TH OCT	58,500	KSL, KAREN
4.	LEGISLATIVE DRAFTING: POLICY & LEGISLATION	5 DAYS	21 ST – 25 TH OCT	95,000	NAIVASHA
5.	INVESTIGATION AND COURTROOM SKILLS	5 DAYS	28 TH OCT - 1 ST NOV	58,500	KSL, KAREN
6.	PUBLIC PRIVATE PARTNERSHIPS: LAW AND PRACTICE	5 DAYS	4 TH – 8 TH NOV	58,500	KSL, KAREN
7.	LEGAL AUDITOR CERTIFICATION	5 DAYS	11 TH – 15 TH NOV	105,000	NAIVASHA
8.	EFFECTIVE TAX PRACTICES	5 DAYS	18 TH – 22 ND NOV	58,500	KSL, KAREN
9.	LITIGATION REFRESHER COURSE FOR IN HOUSE COUNSEL	5 DAYS	2 ND – 6 TH DEC	95,000	MOMBASA
10.	MONITORING OF REGULATORY COMPLIANCE	5 DAYS	27 TH - 31 ST JAN	58,500	KSL, KAREN
11.	PUBLIC POLICY, LAW AND PRACTICE	5 DAYS	3 RD – 7 TH FEB	58,500	KSL, KAREN
12.	PUBLIC PROCUREMENT LAW AND PRACTICE	5 DAYS	10 TH – 14 TH FEB	58,500	KSL, KAREN

Pre-requisites: There are no prerequisites for attending a course. Prior legal training is an advantage but not a prerequisite.

How to apply: New applicants should register for a course through the online platform <https://services.ksl.ac.ke/web/signup> but if already registered, simply sign in.

Tuition fee: The applicant should confirm their participation with the School, register and pay for the course at least seven (7) days before the commencement of the course. Payment may be made directly to the School's CPD account (ACCOUNT NO. 202 2029 110 ABSA BANK PLC, ABSA PLAZA BRANCH, NAIROBI, KENYA) and banking slip or evidence of electronic funds transfer presented to the Finance Office. The fees quoted are inclusive of all taxes, tuition, lunch, refreshments and conference facilities. Non-East Africans to pay 25% above the quoted rates.

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

Note: please note that for calendar courses, we require a minimum of ten (10) participants (for training at the School) and fifteen (15) participants (for training out of Nairobi) for a course to be confirmed, and where this is not possible, the School reserves the right to reschedule the course to another date, or in exceptional cases, to cancel the course. If a participant has confirmed attendance and has paid, but decides to cancel attendance within 7 days to the date set for training, the School shall deduct from tuition fee cancellation charge equivalent to 25% of the fee.

CPD points will be awarded to members of the Law Society of Kenya (2 & 3 CPD points for a 2 or 3 days' course, respectively. Maximum number of CPD points is 3 for any course of duration exceeding 3 days.

Customer-Tailored Courses: the Kenya School of Law also offers courses tailored to the customer's requirements upon request.

For course enquiries, please contact Mr. Isaac Kuloba (Assistant Director, CPD, P & R), Christine or Jacqueline at the Kenya School of Law, Langata South Road, Karen, P.O. Box 30369-00100, Nairobi on telephone number 020 2699581/6 ext. 300/301/302/303/312/317. You may also email us at cpd@ksl.ac.ke or visit our website: www.ksl.ac.ke

Isaac S. Kuloba
FOR DIRECTOR/CHIEF EXECUTIVE OFFICER



Transformation in Law Libraries

By Agnes Mwai

Legal education is rapidly evolving, with a growing emphasis on preparing law students for the practical demands of the legal profession in a digitally driven, globalized world. Amidst these shifts, law libraries must also transform to support students and faculty effectively. The following are some of the important areas where library services improvements can propel this shift in the field of legal education:



KSL Staff attending a handing over ceremony by Safaricom to KSL in the library

1. Digital transformation and accessibility

• Digitization of resources:

By switching from traditional print collections to digital resources, law libraries are able to provide remote access to essential texts, journals, case reports, and other legal materials. Libraries should strive to increase their collection of e-books and digital databases so that students can easily access them online.

• Accessible legal databases:

Legal research is increasingly becoming reliant on online databases and as such law libraries should invest in comprehensive, user-friendly digital platforms. Access to international databases like LexisNexis and local legal resources like Law Africa Law Reports is essential to preparing students for practice.

• Open access initiatives:

Law libraries should support open

access of information materials, thus making legal knowledge accessible to students, practitioners, and the general public.

2. Integrating technology for legal research training

• Research skills development:

Libraries should provide training in legal research techniques, covering both traditional and digital research skills. Library users need to be trained on information competency skills to enable them navigate legal databases, digital legal repositories, and search engines with ease.

• Artificial Intelligence (AI) and legal analytics:

With exponential growth in AI and legal analytics, law libraries should strive to provide students with the required resources and tools to

analyze case law patterns, predict outcomes, and handle large volumes of legal information.

• Legal research software:

Law libraries should train users on how to navigate research tools and information software. These include citation management and case analysis tools which will enable them to efficiently handle real-world legal research activities and tasks.

3. Flexible and collaborative study spaces

• Modernised library spaces:

To meet the demands of study groups and legal clinics, law libraries should provide collaborative, tech-enabled workspaces that enable students to work on complex case studies in an environment similar to a legal workspace.

•Hybrid study options:

Law libraries should provide hybrid (virtual and physical) spaces where students can attend virtual classes, webinars, or online group discussions. This will promote both independent study and group discussions, and accommodate different learning styles.

4.Specialised legal collections and resources

•Diverse legal collections:

Legal education sector is increasingly emphasizing on international and interdisciplinary perspectives. As such, law libraries should work to increase their collections in order to cover all disciplines in law.

•Practice-oriented resources:

Legal information resources such as case files, real-world briefs, and transactional documents can benefit students with the practice-based learning they need for professional development. To

acquire these resources, law libraries can collaborate with local law firms or legal departments in state offices.

5.Supporting continuous legal education and lifelong learning

•Postgraduate and professional support:

Law libraries can extend services to alumni and other stakeholders in law by providing them with the ongoing legal education learning and research materials.

•Continuing Professional Development (CPD) Resources:

Law libraries should assist legal professionals needing to meet CPD requirements by providing the required libraries information resources.

6.Advocacy for legal literacy and access to justice

•Community engagement:

Law libraries can serve as hubs for legal literacy initiatives by providing

resources and support needed to educate the public about their rights and responsibilities.

•Pro bono and legal aid support:

Law libraries can support pro bono services by offering resources for legal aid initiatives, making it easier for students and practitioners involved in these services to access relevant materials.

Conclusion

By embracing technology, expanding collections, fostering collaborative learning spaces, and focusing on practical skill-building, law libraries can align their services with the needs of the modern legal education. These reforms not only enhance the learning experience for law students but also ensure that law libraries remain relevant and integral to the success of the legal education sector.

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



KSL Librarian Ms. Agnes Mwai setting up supervising the handing over ceremony by Safaricom to KSL in the library



Legal Education Sector Reforms : The Role of Planning, Monitoring, and Evaluation (PM&E)

By Doreen Sitati

Over the years, the legal education sector has undergone significant reforms. Among these reforms is establishing effective Planning, Monitoring, and Evaluation (PM&E) systems. These mechanisms not only help in creating well-thought-out reforms but also ensure their successful implementation and sustainability. Moreover, aligning legal education with national and regional development plans such as the Kenya Vision 2030, the Sustainable Development Goals (SDGs), and Africa Agenda 2063 is essential for improving the society needs and progression.

To successfully reform Kenya's legal education sector, it's crucial to have strong Planning, Monitoring, and Evaluation (PM&E) systems in place. Think of planning as setting the stage, defining clear goals, figuring out what resources are needed and making sure everyone from students to academic staff are on the same page. This also means aligning our plans with long term blueprint goals such as the Kenya Vision 2030, the Sustainable Development Goals (SDGs) and Africa Agenda 2063 to ensure we're contributing to wider societal progress.

Monitoring is like keeping tabs on the implementation process to ensure everything is going as planned and making adjustments when needed as well as making

informed decisions. This transparency keeps everyone accountable and informed. Evaluation is about looking back to see what worked and what didn't, measuring the impact of our efforts, and ensuring that the reforms help strengthen the rule of law, protect human rights and promote sustainable development in the legal education sector. Together, these measures ensure that legal education improvements are not only effectively planned and implemented but also sustainable and valuable in the long run, encouraging continuous improvement and aligning with broader goals both locally and internationally.

The Role of PM&E in Legal Education Reforms

Inclusion of planning, monitoring and evaluation into legal education reforms is important in ensuring their effectiveness and sustainability. It plays a key role in maintaining and improving the quality of legal education by continually monitoring and evaluating teaching methodologies, curricula as well as the student outcomes in terms of completion and retention rates. This framework ensures accountability among legal educators, administrators, and policymakers. In addition, it provides a clear understanding for evidence-based decision-making and effectively addressing industry challenges through continuous collection and analysing of data. It also helps in identifying potential threats and developing mitigation plans, promoting long-term sustainability.

Lastly, it encourages efficient communication and cooperation with

stakeholders including employers, academicians, students and the public throughout the reform process. Therefore, aligning legal education reforms with broader national, regional and international development goals such as Kenya Vision 2030, the SDGs, and Africa Agenda 2063 ensures that legal education contributes to these overarching objectives.

The Need for Transformative Action

Transformative change in the legal education sector requires a comprehensive approach that addresses both systemic and emerging issues. Key areas of focus include continually updating the curriculum to meet societal demands, technological advancements, and current legal practices. Modernizing infrastructure, including classrooms, libraries, and digital resources, is essential for creating an effective learning environment. Investing in online learning platforms and technology is crucial for expanding access to legal education. Continuous professional development programs help educators stay current with the latest developments in the legal field. Strengthening partnerships with law firms, government agencies, and non-governmental organizations provides students with practical experience and enhances their employability. Additionally, promoting financial aid programs through scholarships and bursaries ensures that legal education is accessible to all, regardless of socio-economic background.

Doreen Sitati is the Senior Planning, Monitoring and Evaluation Officer at the Kenya School of Law.

Lack of public confidence:

The government continues to incur huge losses in the field of public procurement, supplies and disposal. Over the years, the citizens' confidence towards public procurement and disposal has been eroded significantly portraying a negative attitude by the public towards these procedures. Surplus stores, expired inventory, unserviceable equipment, dead stock, scrap and obsolescence continue to pile up in public stores, scrap yards and offices. The public constitutes the taxpayers who contribute to the government expenditure and therefore deserve better.

External pressure: Most developing countries are facing a problem of rapid changes in public procurement requirements.

Kenya is not an exception. The changes cause pressure on how the procurement function performs in its internal and external processes and procedures. The interactions between various elements, such as professionalism, staffing levels and budget resources, procurement organizational structure, procurement regulations, and internal control policies, all need attention and influence the performance of the procurement function. In addition, public procurement is faced with challenges imposed by a variety of external environmental factors such as the market, legal environment, political environment, and organizational and socio-economic environmental factors.

Inflation and price fluctuations: This is the financial environment which includes economic performance. This has a major effect on how buyers

conduct their procurement operations.

One of the main challenges that the financial environment poses to procurement is currency fluctuation. Buy at the right time and the return on investment can be huge; invest at the wrong time and you may lose your money. Meanwhile, the lending activities of banks can constrain procurement activity by putting a greater emphasis on cost-cutting if it becomes difficult to secure finance. Similarly, a credit squeeze can often make smaller suppliers vulnerable thereby increasing buyer risk.

Terry Machira is a senior Supply Chain Management Assistant at the Kenya School of Law





Listening is the Key to Transforming the Legal Education Sector

By Ally Mwakano

Silent and listen. Two simple words with the same letters but arranged differently. Yet they hold a profound truth, listening in silence is at the heart of any transformative journey. When it comes to reforming the legal education sector, listening creates a space where stakeholders can share their needs, recount their experiences and propose solutions to the challenges they face.

Everyone involved in legal education has a responsibility to engage with those they serve. The Office of the Attorney General (AG) recently provided an excellent example of engagement by hosting a quarterly legal exhibition at the AG office. At the latest exhibition, the Kenya School of Law (KSL) had the opportunity to connect with parents, educators, policymakers, and students. These conversations highlighted a sobering reality of the gap between where legal education stands today and the ambitious vision we have for its future.

Listening goes deeper than just hearing words. It opens the door to understanding. The

KSL alumni, for instance, have invaluable stories to tell. Their experiences, compared to the expectations they held at the start of their journey, provide a clear picture of how well our curricula, teaching methods and overall approach meet their needs. Are we preparing the students for the realities of the profession? Are we equipping them with the right tools for the challenges they will face? These are critical questions, and the answers lie in the feedback that we gathered.

Listening should not stop with those who have already been through the system. We also need to hear from those who aspire to join the profession. Potential students bring a fresh perspective and prompt us to reflect on whether our policies are forward-looking and inclusive. We should ask ourselves the following questions. Does our admission criteria embrace diversity and inclusion? Do the policies that shape legal education still hold up in today's world? Are we preparing students for the complex needs of not just Kenya but Africa and the global community? These are just some of the policy and moral questions that need answers.

Employers are another crucial group to listen to. They know what the market demands, what skills are missing and what graduates need to succeed. By understanding their perspective, we can refine course objectives, adjust classroom activities and ensure that legal education aligns more closely with the realities of the

workplace. This kind of feedback is invaluable for bridging the gap between education and practice.

KSL has begun to embrace this practice. Over the past year, we have held sessions with high schools and universities to understand what prospective students expect from their experience with us. These conversations have been transformative. They have offered clarity on what young, hopeful lawyers are looking for and how we can meet those needs, both inside and outside the classroom. These sessions have provided a clearer picture of what KSL offers to the students, and how they can make the most of their time at KSL. It is a small step, but it is already making a difference.

Listening is at its core, an act of humility. It is a recognition that we do not have all the answers but together, we can find them. In the legal education sector, it is the bridge that connects us to the insights, experiences and aspirations of our stakeholders. It is how we can begin to close the gap between where we are and where we need to go. This simple profound act is the key to transformation.

Ally Gakweli is a Marketing Officer at the Kenya School of Law

UNDP Amkeni Pictorial



Mercy John, an Advocate from NLAS gives her contribution to the Code.



The drafting team poses for a picture during the workshop.



A committee of drafters from KSL and CSOs drafting the Code.



KSL and UNDP team pose for a picture during a meeting to evaluate progress of the drafting of the National Code of Conduct for Community paralegals.



Paralegals from all over Kenya gathered for the validation workshop for the Code.



Speakers from WPA, PSK, UNDP, ICJ and KSL taking notes during the workshop.



WPA Deputy Director for Corporate Affairs FCPA K.A Tanui gives his contributions to the Code.



Ms. Gathoni Njenga, Senior Programme Associate, UNDP-Amkeni Wakenya makes her remarks during a validation of the code.



KSL, ICJ and UNDP SPA pose for a picture after an evaluation meeting.



Paralegals gather for a photo after the workshop



STUDENTS CORNER

Free Speech Proving Dangerous in the Age of the Internet

By Kevin Kibera

This year, Kenya witnessed what many called a 'political awakening' among its youth. A demographic that rarely participates or engages in political matters, was spontaneously vocal and at the forefront of making Kenyans' opinions known and voices heard as they spoke out against the regime. They came out in large numbers to exercise their right to protest, peaceably assemble, picket and present petitions to authorities as is enshrined in article 37 of our Constitution. This, I must say, was very commendable.

However, in the midst of all this, a matter of great concern came up. While expressing themselves on their disgruntlement towards the government of the day and its officials, the young Kenyans, especially the Gen Z and the Millennials, who are the most vocal on the online spaces, appeared to disregard and disrespect the very Constitution they purport to be defending.

Many freedoms that come with the Constitution of Kenya have certain limits to them. As the saying goes, "One's rights and freedom end where another's begin." While most of these limitations are generally assumed, article 33 of the Constitution, which guarantees the freedom of expression, pronounces itself on the responsibilities that come with this freedom. It clearly states that one is not allowed to spread propaganda for war, hate



speech or incitement to violence in the guise of free speech.

In the height of the demonstrations, a lot of fake news took to the internet and was spread as facts by many Kenyans some knowingly and some unknowingly. Words like 'abductions' and 'massacres' were carelessly tossed around by individuals, and it became difficult to tell what was true from what was simply made up for the purpose of infuriating the masses.

While the Media have self-regulating policies to keep them from misusing their freedoms, it is evident that there are no such regulations for individuals online, some of whom have amassed huge following and command even greater influence than traditional media. A time has come where we must have a discussion on how the freedom of speech must be exercised responsibly so as to avert a situation that may be harmful and cause irreparable damage in the near future.

Bodies like the Law Society of Kenya (LSK), National Cohesion and Integration Commission (NCIC), Kenya Human Rights Commission (KHRC) and the National Council of Churches in Kenya (NCCCK) among others need to begin to play their role in civic education to the populace on limitations to their freedom of speech and how not to abuse the said freedom. The Office of the Director of Public Prosecutions (ODPP) as well must begin a crackdown and prosecution of those breaking the law in the guise of freedom of expression. Law students and practitioners within but not limited to the Gen Z and Millennial generations too ought to play their part in this process of civic education amongst their peers as ignorance will be no defense for perpetrators. It is important that we all participate in our activism and passions within the confines of the law lest we inevitably plunge into chaos or anarchy.

Kevin Kibera is a student at the Paralegal Training Programme



Redefining Legal Learning: A New Era of Legal Education Reform

By Brian Abuor

For a long time, the legal education has been one of the most prestigious sectors in the world. Occasionally, you would see a person dressed in a nice suit, and will likely to hear someone call them “wakili” which is a Kiswahili word for “lawyer”, even if they are law students. This is the respect one gets by being a member of the legal profession.

Despite the honour and prestige, the legal education system’s ability to shape the future generation of competent lawyers has been drastically affected by various challenges. I have come across these challenges during my research and in my experience as a law student. In this article, I will delve into challenges affecting students which in turn also affect the legal profession at large. They include:

i. Inadequate legal education training in universities

In every university, one has to undergo compulsory judicial clinic for at least six weeks in order to graduate with a Bachelor of Laws. This is not only a short time but has not been adequate for learning in courtrooms. This is because, at that time, most of the students come across vital areas of law practice that they are not learning in the universities. This makes it challenging to understand the general legal practice and court processes. For instance, some universities in Kenya do not offer Civil Litigation which is a significant



(Inset) Guest Lecturer Dima Dima during an ATP class session. Students attending the guest lecture session.

area in the day-to-day practice in the legal profession. Due to this, one could come across mistakes advocates make in court and carry the mistakes with them to the Advocates Training Programme (ATP). This will take time to unlearn and adapt to the right legal procedures and practice.

ii. Inadequate time to cover the course content.

The Kenya School of Law (KSL) curriculum for the ATP, 2020 provides for 66 contact hours for each unit offered in the programme. This is inadequate time given the wide and robust course content required to be finished. The duration period goes for ten months. This is a short period of time given that the units are very demanding and technical. The time for interaction between lecturers and students is inadequate given the timelines. For instance, a student interacts with a lecturer when either they have a class or during

consultation hours. This is not enough to grasp the required content not only for purposes of exams but for practice.

In light of above, I recommend the following reforms to the legal education sector:

i. Mandatory internship programme at undergraduate level.

The relevant stakeholders such as KSL, Council of Legal Education (CLE) and universities should work together to develop a policy that makes it mandatory for students at the undergraduate level to go for internships in law firms, various bodies such as Office of the Attorney General, Office of the Director of Public Prosecution, Parliamentary Service Commission among other relevant bodies. This programme will equip the students with requisite skills and competencies even as they

enroll for ATP. Through this, they will appreciate the observations and unlearn the mistakes they see in practice such that by the time they enroll for ATP, they will be sharpening their skills, competencies and diligence. The students will possess the necessary skills first at chambers before going for judicial attachment.

Additionally, I propose the need to include hybrid pupillage and judicial attachment programme at the KSL. Pupillage period should last for four months while judicial attachment should last for three months. This will help the students sharpen the knowledge and learning that they have

acquired in class and have a better overview and understanding on how the legal processes work in practice.

ii. Increase in the duration for the Advocates Training Programme.

In this article, I propose that the ATP should last for two years of pure learning and training. This will ensure more time for lectures, research, moot court trainings, webinars, conferences, firm presentations and project work. The student will develop confidence, exposure, skills, competence, diligence and ethical practices required of an advocate. With that, being an advocate will not just be passing bar exams and being admitted to the bar but also the general process of molding to become

a competent advocate. Additionally, the undergraduate level should be for a duration of three years. This is so that the student will focus on internship after their undergraduate studies.

In conclusion, the challenges I have explained mainly focuses on the competencies and training of the advocate hence there is need for urgent reforms on the same so as to enhance the quality of legal education offered by various stakeholders in the legal education sector.

Brian Abuor is an ATP student at the Kenya School of Law





Reimagining the Legal Profession

By Kipkirui Caleb

Kenya's legal education system has played an important role in producing skilled legal professionals for decades. This education primarily occurs at the University level followed by a mandatory 18 months programme at the Kenya School of Law.

According to the Council of Legal Education, there are sixteen institutions offering the course responsible for moulding future "learned friends". However, the system is far from perfect. With rapid advances in technology and complex societal challenges, Kenya's legal education is struggling to keep up.

While some may view these gaps as purely academic, they have far-reaching implications. A weak legal education system directly impact access to justice and other social issues. To begin with, Kenya's legal education system requires a thorough overhaul.

Overwhelmingly theoretical in nature, it causes a disconnect between academic learning and real-world application. This leaves many graduates ill-prepared for the demands of legal practice. Consequently, they find themselves entering the legal workforce lacking essential skills, such as drafting legal documents, resolving disputes and managing client relations. As legal employers demand more practical experience, these graduates struggle to meet expectations. Without structured internship program or practical legal training integrated into their

education, they are often forced to learn on the job a situation that can lead to inefficiencies in legal service delivery.

Clinical legal education offers a solution for need of practical legal education. Some institutions such as the Kenya School of law, Riara and Strathmore Universities, have already pioneered legal aid clinics, allowing students to gain practical experience while providing legal service to the community. Expanding this model to all universities would ensure students gain hands-on skills. Mentorship programmes and structured collaboration must be integrated. The Judiciary and Law Society of Kenya should organize mentorship programmes, while university law faculties should pair students with law firms and NGO's to provide them with the opportunities to work on real cases. This ensures that young legal professionals transition seamlessly into the workforce.

Further, technology has become the missing piece in Kenya's legal education system. Artificial Intelligence (AI) is not just a buzzword; it is the new normal. In today's rapidly digitizing world, legal professionals are expected to navigate complex technological tools, from online legal data bases to digital litigation platforms.

Technology can dramatically improve the quality of legal education. E-learning platforms, virtual reality simulations for moot courts, and online law libraries can not only enhance students' access to learning resources but also prepare them for the growing intersection between law and technology. Many legal cases today involve issues related to Information Technology Law, cybercrime, data privacy and intellectual property

areas that require a strong grasp of digital literacy.

There is also the concern of lack of inclusivity. Access to legal education in Kenya remains a challenge. Tuition fees for the legal training is prohibitively high, especially in private universities. This often limits deserving students from lower socio-economic background access to pursuing this course. To solve this, the government should provide scholarship opportunities and initiatives to support students from the marginalized and underprivileged backgrounds.

Finally, there is a reason why reforms is a justice issue. Paralegals have been undervalued and unrecognized despite being the first point of contact in the legal profession. Although not qualified to represent clients in court, these professionals play a pivotal role in the legal field, such as routine or operational work. They are responsible for drafting legal documents like affidavits, summons, complaints and notices of motions which are demanding aspects of the job. Yet, they are not adequately compensated at least by global standards. This is not just monetarily but also professionally. Currently, the Kenyan law denies paralegals entry to the Bar unless they meet certain education qualifications. This unfair technicality holds true regardless of whether the student got a distinction at the university. The Council of Legal Education should provide a clear path for career progression. Reforming legal education is not just about improving academic outcomes, but also strengthening the entire justice system. With comprehensive reforms, Kenya can empower a new generation of ethical, competent and well-rounded legal professionals who will enhance access to justice.

Caleb Kipkirui is a student at the Paralegal Training Program



Transformative Action in Legal Education: Shaping the Future of Paralegal practice in Kenya.

By Andrew Mwenda

How many children wish to become lawyers when they grow up? Probably most. However, only a few attain the minimum qualification for direct admission to Bachelor of Laws Degree, leaving the rest with the option of the Diploma in Law so as to gain entry into University.

Interestingly, lawyers and paralegals many times share office space but their roles in the legal field are vastly different. Paralegals are essential in bridging the gap between the legal professional and the public, providing support in legal research, drafting documents and offering preliminary legal advice.

This article explores current trends, the future of paralegal training and the development of a robust code of conduct highlighting the need for reform in legal education as Kenya navigates an evolving legal landscape.

The Code of Conduct: A Step Towards Professionalism.

The Kenya School of Law and United Nations Development Programme (UNDP) initiative to develop a code of conduct for paralegals is a significant step towards addressing the challenges of practice for paralegals. The code aims to establish ethical standards and professional guidelines, ensuring that paralegals operate within a framework that promotes accountability and integrity. This initiative is vital for several reasons;

1. Standardization of Practice: A clear code of conduct will provide a framework for paralegals, outlining acceptable practice behavior, thus standardising their roles and responsibilities.

2. Enhanced Training-The code will serve as a foundation for developing a practical and relevant curriculum in training programs. By aligning training with the codes principles. Paralegals will be better equipped to meet community needs for community paralegals.

3. Public Trust-The code will promote confidence in paralegals by being accredited to provide legal service under supervision of an advocate as well as the way forward for consequences of breach of the code of conduct such as suspension from practice.

4. Professional Development; Incorporating the code into continuing education programs will encourage paralegals to remain informed about legal developments and best practices thus fostering ongoing professional growth.

The future of paralegal training and Integrating Paralegals into the Advocates Training Program.

There are reforms that seeks to amend the KSL Act to allow Paralegal students to progress to the Advocates Training Programme (ATP). This aims to enhance the legal education profession, by integrating paralegals into the ATP. This initiative will also address the growing need for more legal professionals in Kenya.

The role of paralegals in the legal system has without doubt become increasingly significant in Kenya. There is a demand for legal services

in Advocates offices, court clerks and in the community. Hence the need for well-trained paralegals. The establishment of various paralegal training programs to formalize the role of paralegals within the legal system will promote development of paralegal practice in the following ways:

1. Formal training programs- Kenya School of Law now offers specialized professional courses for paralegals, focusing on essential areas such as legal research, ethics, and client management; A good example is Mediation as a Tool for Public Sector Dispute Resolution course offered at KSL.

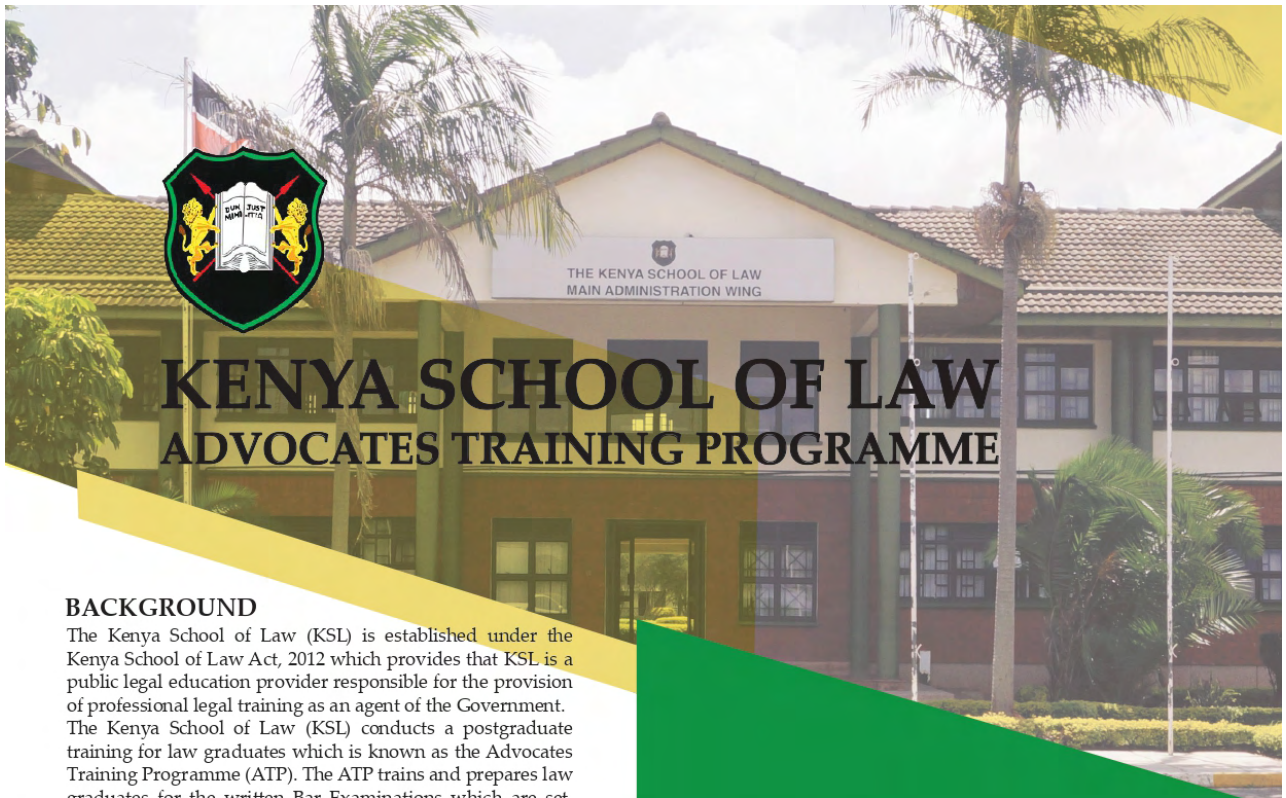
2. Continuous professional development- Workshops, Seminars, and mentorship programs are increasingly available enabling paralegals to stay updated on legal practice

3. Certification and Accreditation- Efforts are being made to establish a certification framework that recognizes the skills and competencies of paralegals.

4. Networking Opportunities- Professional associations and networks for paralegals are emerging, fostering collaboration and knowledge sharing among practioners also they can practice in Alternative Dispute Resolution methods playing roles such as mediators.

The future looks promising for paralegals seeking to enhance their skills and contribute meaningfully to the legal profession.

Andrew Mwenda is a paralegal student at the Kenya School of Law.



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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Telephone 0202699581 /2/3/4



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KENYA SCHOOL OF LAW

PARALEGAL TRAINING PROGRAMME

BACKGROUND

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

TARGET GROUP

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

OBJECTIVE

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

ENTRY REQUIREMENTS

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

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

LOCATION


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


CONTACT US

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ISSUES OF INTEREST

Rethinking Integration of ICT Usage at the Kenya School of Law

By Washington Odongo

The Kenya School of Law (KSL) as the sole institution offering the bar legal education in Kenya has been in existence for more than sixty years now. This is since it was an institution established in the year 1963. Over the years the institutional capacity of KSL has increased in terms of the number of students being admitted to the School and also in terms of lecturer student ratio.

The main line of argument in this article is that with the current adaptation of technological changes in the judicial system in Kenya in terms of the practice of law needs to be adopted at the School in order to expose the student to the current practice of law in Kenya.

In order to advance this argument currently in the Kenyan legal practice most of the matters are handled by use of technology, more specifically Kenya has adopted the system of using virtual court systems for majority of the court cases. This happens in the small claims court, magistrates court, high court, court of appeal also to the apex court the Supreme Court of Kenya. The Information Communication Technology (ICT) system has experienced some advantages ranging from quicker access to justice, time saving system, user friendly and cost saving. Despite these

numerous advantages, there still exist some disadvantages such as computer illiteracy, access to devices, attitude issues especially from traditional advocates. Overall, the integration of ICT to the legal practice in Kenya has been a success and the same can also be carried forward in world of academia.

The main line of argument in this article is that now ICT can also be integrated at the KSL level. There are several areas which this can be considered necessary, ranging from the issuance of assignments especially during term one (project work), during oral examinations administration and also during the final exam administration. The author is alive to the factual considerations in KSL, especially on the calendar year. This article observes that ICT integration in KSL should not only be teacher centred, but also learner centred.

During term one, students undertake project assessments which is graded out of twenty marks. At this point students largely use ICT in undertaking the assignments, by using laptops and other technological devices. In terms of submission of work, the same is printed and submitted to the relevant department for the course instructor to mark.

In term two oral exams are administered orally through students physically presenting themselves on the assigned date of the oral

examinations. This article observes that orals can be administered practically through ICT integration, for example through asking a student to demonstrate the step-by-step process of filling pleadings in court. So, this essentially means that a student will be exposed to what advocates do in current practice early.

This can assist the student in units such as civil litigation which is sometimes taught by some instructors theoretically. The student can get an early exposure to the world of commercial transactions where there are numerous legal registration procedures with entities such as the Business Registration Service (BRS). Not to forget, units such as conveyancing law and practice the integration of ICT can also be relevant in helping the students access and operate portals such as Ardhi Sasa.

It is also worthwhile to note that the instances exemplified above are very important for the current and future advocate to appreciate and understand properly. The School can integrate ICT in terms of administration of coursework using moodle, canvas and other platforms.

Washington Odongo is a Lecturer at Riara University School of Law.



The Role of a State Counsel in Upholding the Rule of Law in Kenya

By Kennedy Mutiso



The State Counsel is central to upholding the rule of law in Kenya. They work under the able stewardship and guidance of the Attorney General of the Republic of Kenya who is the chief legal advisor to the Government. As legal advisors to the government, State Counsels operate under the Office of the Attorney General, a constitutional body mandated to represent the government in legal matters, provide legal advice, and ensure that the legal framework align with constitutional principles. This article explores the vital functions performed by State Counsels under the Attorney General in protecting and promoting the rule of law in Kenya.

In performing this role, State Counsels also play a significant part in legislative drafting. They work closely with Parliament to review and draft bills, ensuring that proposed legislation adheres to constitutional standards and serves the interests of the public.

reduce the burden on the government while ensuring fair outcomes for all parties involved. State Counsels act as custodians of public interest, ensuring justice is served within the framework of the rule of law by representing the government in court.

1. Legal Advisory Role

One of the primary responsibilities of a State Counsel is to offer legal advice to government ministries, departments, and state agencies. This function ensures that government decisions and policies are legally sound and in compliance with the Constitution of Kenya, 2010, as well as other statutory provisions. By providing timely and accurate legal guidance, State Counsels help prevent government actions from contravening the law, which could lead to litigation or constitutional crisis.

2. Representation in Litigation

State Counsels represent the government in both civil and criminal litigation. This role extends to defending the government in legal suits brought by individuals, corporations, or other entities, and prosecuting cases where state interests are at stake. The representation is crucial in safeguarding the integrity of public institutions and ensuring that state actions are not challenged based on procedural or substantive legal errors.

A significant aspect of this function is the ability to mediate and negotiate settlements in disputes. This helps

3. Promotion of Constitutionalism

The promulgation of the Constitution of Kenya 2010 ushered in a new era of governance based on constitutionalism, transparency, and accountability. State Counsels are instrumental in promoting constitutionalism by advising the government to adhere strictly to constitutional provisions. They are involved in the interpretation of constitutional provisions and ensuring that government actions respect the principles of separation of powers, devolution, human rights, and good governance.

Moreover, State Counsels engage in public sensitization forums that are critical in enhancing constitutionalism hence contributing to having an informed citizenry that promotes the right to information as guaranteed by the Constitution of Kenya.

4. Protecting Public Interest

As defenders of the rule of law, State Counsels are tasked with the protection of public interest. This involves ensuring that government contracts, international agreements, and treaties conform to the law and protect the country's interests. Through their advisory and litigation roles, they safeguard national resources, prevent corruption, and promote equitable development.

State Counsels are also responsible for advising on matters of public procurement, ensuring transparency and fairness in the award of government tenders, and combating fraud and corruption within state bodies. By doing so, they promote economic justice and prevent the abuse of public office for private gain.

5. Alternative Dispute Resolution

In line with the Judiciary's commitment to reducing the backlog of cases and promoting access to justice, State Counsels have employed Alternative Dispute Resolution (ADR) mechanisms. This has been done in the civil litigation, public trustee, registrar general and advocates complaints commission departments. ADR helps resolve disputes more efficiently and promotes amicable settlements that are legally binding. In this way, State Counsels contribute to the promotion of peaceful resolution of conflicts and the prevention of prolonged litigation that could impede the government's operations.

6. Capacity Building and Legal Education

State Counsels also play a key role in building legal capacity within government institutions. They organize training workshops and seminars to educate public officers on legal matters, including the interpretation of laws and regulations, compliance with court orders, and the proper execution of public duties. This ensures that public officers act within the law, reducing incidences of misconduct and unlawful actions.

Through collaboration with institutions like the Kenya School of Law and other legal education bodies, State Counsels help in shaping the next generation of legal professionals through the pupillage programme offered at the State Law Office. Their involvement in mentorship and legal education initiatives is key to ensuring a well-informed and legally compliant civil service.

Conclusion

State Counsels play a critical role in the administration of justice and the enforcement of the rule of law in Kenya. By providing legal advice, representing the government in court, and promoting constitutionalism, they help ensure that Kenya remains a just society where the law reigns supreme. Their contribution to public interest protection, dispute resolution, and capacity building underscores the importance of this role in sustaining good governance and the rule of law.

In these diverse capacities, the State Counsel's role goes beyond that of a legal practitioner to a guardian of Kenya's constitutional democracy and a promoter of justice for all.

Kennedy Mutiso is a Senior State Counsel at the Office of the Attorney General.





Sleep!

By Dorcas Mwachia

Mental health impacts thoughts, feelings and actions and influences our ability to handle stress, relate to others and make choices. Quality of sleep can influence mental health.

Ongoing researchers are finding out there is a bidirectional relationship between quality of sleep & mental health.

You have heard of this phrase “woke up on the wrong side of the bed.” meaning they woke up in a bad mood. That explains brain activity during sleep has profound effects on emotional and mental health.

Maybe to be clear, quality sleep has the following four attributes:

- sleep efficiency is the ratio of time spent sleeping in minutes to time spent trying to sleep (a normal one is considered 85 percent and above),
- sleep latency means length of time in minutes it takes to transition from wake to sleep (Normal adult is between 10 and 20 min),
- sleep duration is the total time spent sleeping,
- wake after sleep onset is the time spent awake after sleep has been initiated and before final awoken



As you sleep or when you get your ZZZs, you go back and forth, in cycles between Rapid Eye Movement (REM) and non-REM sleep. Not all sleep cycles are the same length, but on average they last about 90 minutes each. On a typical night, you will cycle through this four or five times.

The first three are considered non-REM sleep, also known as quiet sleep. During non-REM sleep, your brain is not as active as in REM stage. While in the deeper stages of non-REM sleep, your breathing slows down and your blood pressure drops.

The fourth is REM sleep, also known as active sleep. During REM sleep, your eyes move around rapidly in different directions and your brain is active. Your brain activity is similar to its activity when you're awake. Dreams typically happen during REM sleep.

When you have a full night of uninterrupted sleep, the stages

progress as follows:

Sleep begins with non-REM stage 1 sleep.
 Non-REM stage 1 progresses into non-REM stage 2.
 Non-REM stage 2 is followed by non-REM stage 3.
 Non-REM stage 2 is then repeated.
 Finally, you are in REM sleep.

Sometimes your REM sleep can be more frequent, deeper and more intense. This is called REM rebound, and it can only happen if you have been sleep deprived, meaning you have been getting less than 7 hours of sleep per night. Also, if you have been dealing with significant stress or drug withdrawal, that can lead to REM rebound. It is your body's way of trying to restore balance in your sleep cycle. While at REM rebound you might experience vivid dreams or nightmares. Feeling disoriented or confused when you wake up or headaches are symptoms that manifest.

Each sleep stage has a unique function and role in maintaining your brain's overall cognitive performance. Non-REM sleep is believed to be the most restful and restorative phase of sleep and is therefore, more important for tasks like memory & learning as well. Additionally, physical repairs like regrowth of tissue, building of bones and muscles and strengthen your immune system that keep you healthy and get you ready for the next day takes place at this time. If you don't get enough REM sleep, you may have trouble coping with emotions, lack concentration or have weakened immune system.

Sufficient sleep, especially REM sleep, facilitates the brain's processing of emotional information. During sleep, the brain works to evaluate and remember thoughts and memories, and it appears that a lack of sleep is especially harmful to the consolidation of positive emotional content. This can influence mood and emotional reactivity and is tied to mental health disorders and their severity, including the risk of suicidal ideas or behaviors.

Some of the sleep disorders include:

1. Sleep apnea is a sleep-related breathing disorder that disrupts breathing at night. People with this condition often snore heavily and may wake up choking or gasping for air. There are two types of sleep apnea.

• Obstructive sleep apnea occurs when tissues in the mouth and throat relax, frequently blocking the upper airway.

• Central sleep apnea occurs when the brain temporarily stops sending signals to the muscles that control breathing. People with sleep apnea often experience daytime sleepiness and fatigue, as well as morning headaches and dry mouth.

2. Insomnia is characterized by an ongoing difficulty to fall or remain asleep despite wanting to sleep and having enough time to sleep. People with insomnia also experience daytime sleepiness and may have difficulty functioning while they are awake. Chronic insomnia is diagnosed when someone has these symptoms at least three times per week for at least three months.

3. Restless leg syndrome affects the nervous system and muscles. It causes unpleasant sensations in the legs. You have an irresistible urge to move the affected limb when the sensations occur by stretching or bending, rubbing the legs, tossing or turning in bed or getting up and pacing

4. Parasomnias. These uncontrollable sleep episodes include sleepwalking, sleep talking, hallucinations, sleep paralysis and night terrors that the person doesn't remember afterward.

5. Unlike most other sleep disorders, people with hypersomnias often oversleep (over 10 hours a night)—but still feel groggy no matter how early they go to bed. They might have sleep attacks or hallucinations for example narcolepsy which causes excessive and overwhelming daytime sleepiness, even after getting plenty of night time sleep. If you have narcolepsy, you are likely to become drowsy or to fall asleep at inappropriate times and places.

Here are some very simple ways to improve your sleep health.

1. Establish a regular sleep schedule.
2. Avoid consuming alcohol or caffeine late in the day.
3. Be physically active during the day and make exercise a regular part of your routine.
4. Make your sleep environment more conducive to sleep by keeping it dark, cool and quiet.
5. Turn off technology for a good night of sleep. For emphasis, studies show two or more hours of screen time before bed disrupts the melatonin surge needed to fall asleep.

Hey a quick one, can I call a bulldozer is a sleeping bull! Haha.. If you don't get it try to get it.

Quality sleep increases happy thoughts

Dorcas Mwachia is the Student Welfare Officer at the Kenya School of Law



Ethics in Kenyan Legal Education: Rebuilding Integrity for Justice

By Magret Malika

Ethics: the quiet, often overlooked foundation of every profession, plays an even more crucial role in the legal field. Yet, ironically, the very profession tasked with upholding justice sometimes loses its way on the ethical front. Kenya's legal sector is no stranger to this paradox. From corruption scandals to professional misconduct, the sector faces significant challenges that make the need for ethical transformation urgent.

It is time to stop treating ethics as an optional accessory in legal education and instead place it squarely at the core of training for Kenyan lawyers. Let us be honest, a justice system without integrity is not a justice system at all, just a bad joke at the public's expense.

A Troubled Ethical Landscape

On paper, Kenya's legal profession is governed by the Advocates Act and a detailed code of conduct under the watchful eye of the Law Society of Kenya (LSK). But in practice? Well, that is where things get murky. Public trust in the legal profession has been steadily eroded by reports of bribery, abuse of power and questionable legal tactics.

Some lawyers have even been accused of actively participating in judicial corruption, raising an unsettling question. If ethics is meant to be the cornerstone of legal practice, why do so many professionals seem to treat



it as an optional afterthought? Part of the problem lies in how ethics is taught or not taught in Kenya's legal education system.

The Case for Ethical Training

Imagine this. A budding law student spends years mastering dense tonnes on constitutional law, criminal procedure, and corporate contracts but enters the workforce unprepared for ethical dilemmas like client confidentiality breach or conflicts of interest. That is the reality for many graduates.

The Kenya School of Law (KSL), as the final stop before admission to the Bar, focuses heavily on procedural and academic training. Ethical issues, however, are often relegated to the sidelines, leaving young lawyers to learn these crucial lessons through trial and error a method with consequences the public cannot afford.

Reforms for Ethical Excellence

To restore public faith in the legal profession, the Kenyan legal

education must be restructured to prioritize ethics. Here are some transformative reforms:

1. Ethics as a Core Curriculum Thread

Ethics should permeate every subject, not just appear as a stand alone course tucked into the curriculum. Criminal law classes, for example, could explore the ethics of defending guilty clients, while corporate law sessions might tackle dilemmas like insider trading. By embedding ethics into various disciplines, students can build a robust moral compass from day one.

2. Real-World Ethical Simulations

Theory only goes so far. More emphasis should be put where students face practical ethical dilemmas in controlled environments, such as role-playing and case study analysis. How does one handle a client who confesses to a crime? Or, more tantalizingly, what should a lawyer do with an unsolicited "gift" to expedite a case? (Hint: Not accept it!)

3. Lifelong Ethical Learning

Ethics training should not stop at graduation. Kenya's Continuing Professional Development (CPD) programs should include mandatory modules on emerging ethical challenges such as the use of artificial intelligence in legal practice or handling sensitive client data in an era of rampant cybercrime.

4. Licensing Through Ethical Accountability

An ethics exam as part of the licensing process might feel like a tough love approach, but it is necessary. Lawyers should demonstrate not only their technical expertise but also their commitment to professional integrity before they are allowed to practice.

5. Mentorship and Transparent Accountability

Ethics are not just learned in classrooms they are modeled in practice. Senior lawyers should take

an active role in mentoring junior advocates, instilling values of honesty, professionalism and accountability. Additionally, the LSK must enforce disciplinary actions transparently because few things deter misconduct like the possibility of public exposure.

Why It Matters

What is the payoff for revamping ethical training? For starters, public trust in the legal profession, a cornerstone of democracy, can be restored. A profession with a solid ethical foundation serves not just its clients but society at large by upholding justice and protecting the vulnerable.

Moreover, ethical Kenyan lawyers are better positioned to excel in the global legal arena, where integrity is often a key differentiator. Whether handling cross-border disputes or international arbitration, advocates with strong moral grounding will inspire confidence and respect.

Conclusion

Kenya's legal education system is at a crossroads. Will it continue with the status quo where ethics play second fiddle, or will it take bold steps to prioritize integrity as the heart of legal training?

To skeptics who doubt whether ethics can be taught, here is a reminder. The law itself is a learned skill and so is ethical reasoning. With the right reforms such as curriculum integration, practical training and lifelong learning, Kenya can produce a new generation of lawyers who honor the profession and the justice it represents. The alternative, an ethical void at the heart of our justice system is not just undesirable but it is unacceptable.

Margret Malika is an intern at the Corporate Communications Section



The Awesome World of Herbal Spices

By Purity Kibira & Hellen Kioko



Herbal spices have been an integral part of culinary traditions across the globe for centuries. They not only enhance the flavor of dishes but also offer a plethora of health benefits. This article explores some popular herbal spices, their culinary uses, health benefits and artistic significance.

What Are Herbal Spices?

Herbal spices are deduced from colourful corridor of shops, including leaves, stems, seeds and flowers. Unlike standard spices, which may be deduced from the roots or seeds of shops, herbal spices primarily come from the green corridor of the shops. They're valued for their sweet rates and can be used fresh or dried.

1. Basil



Basil, particularly sweet basil, is a chief in Mediterranean cookery. Its bright, peppery flavor makes it a popular addition to dishes similar as pesto, caprese salad and colorful pasta gravies. Beyond its culinary appeal, basil is rich in antioxidants and has anti-inflammatory properties. Traditional medicines frequently use basil to relieve stress and enhance digestion.

2. Oregano



Oregano is a crucial herb in Italian and Greek cuisine, known for its robust flavor that dyads well with tomato-grounded dishes, grilled meats and vegetables. It's frequently associated with pizza and pasta gravies. Oregano is also celebrated for its health benefits. It contains composites with antibacterial properties and is a rich source of vitamins A and K. Additionally, oregano oil is used in natural remedies for respiratory conditions.

3. Thyme



Thyme is a protein herb generally used in French and Mediterranean cuisines. Its earthy flavor enhances meats, stews and roasted dishes. Thyme is rich in thymol, an essential oil known for its antiseptic properties. This herb is frequently used in herbal teas as remedies to palliate coughs and digestive issues, making it a kitchen and medicinal staple.

4. Cilantro/Coriander



Cilantro, also known as coriander, has a fresh, citrusy flavor that's essential in numerous Latin American, Middle Eastern and Asian dishes. It's generally used in salsas, salads and curries. Cilantro is known for its detoxifying properties and is rich in vitamins A, C and K. Some studies suggest that cilantro may help lower blood sugar and reduce inflammation.

5. Rosemary



Rosemary is an ambrosial herb that dyads beautifully with roasted meats and vegetables. Its pine aroma adds depth to dishes and it's generally used in Mediterranean cuisines. Rosemary is known for its cognitive benefits. Some studies suggest that it may ameliorate memory and attention. Additionally, its antioxidant properties make it a precious herb for overall health.

6. Savant/Sage



Savant has a strong earthy flavor that complements rich dishes, particularly meats/poultry and stuffing. It has a long history of use in traditional medicine. It is frequently employed to soothe digestive issues and improve cognitive function. Savant is also rich in antioxidants and anti-inflammatory composites making it a salutary addition to the diet.

9.Chives



Chives offer a mild onion flavor and are frequently used as a trim or in salads, meats and egg dishes. They're rich in vitamins A and C as well as minerals like calcium and iron. Chives have antibacterial properties and may support heart health by reducing cholesterol levels.

Conclusion

Herbal spices are more than just flavor enhancers. They are important constituents with a rich history and numerous health benefits. Incorporating these herbs into your diet can not only elevate your culinary creations but also contribute to overall well-being. From basil to tarragon, the world of herbal spices is vast and varied inviting exploration and appreciation. Consider reaching for these pleasurable herbs to enrich your meals and health as you prepare your food.

Purity Kibira & Hellen Kioko are interns in the Hospitality section at the Kenya School of Law

7. Mint



Mint is a stimulating/refreshing herb that enhances both sweet and savory dishes. It's generally used in desserts, teas and salads. Mint is known for its digestive benefits and is frequently used to relieve nausea and headaches. The sweet properties of mint also make it popular in aromatherapy and natural remedies.

10.Tarragon



Tarragon is a crucial herb in French cuisines. Frequently used in gravies like béarnaise and in chicken dishes. Its slightly sweet and anise-like flavor makes it unique among sauces. Tarragon is known for its digestive benefits and is used in traditional remedies to stimulate appetite and relieve gastrointestinal discomfort.



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Q&A session



Interviewed by: Raphael Ogello & Agnes Mwai

1. Walk us through your career journey at the Kenya School of Law?

Since joining the School way back in the year 2010 I must admit that the journey has been memorable. I have served and interacted with hundreds of students and other clients. I have along the way gained invaluable experience which has transformed me into a better professional compared to the time I joined the School. Of course, all has not been smooth but again, *c'est la vie* - that is the way about life.

2. What was your role when you joined the school, and how did it evolve over the years?

I have been in charge of the School's academic services, first as the Academic Manager, then Academic Services Manager and finally as Principal Officer, Academic Services and Student Affairs.

3. How does it feel to be retiring after over 15 years of service at the Kenya School of Law?

Retirement has a feeling of trepidation and anxiety considering that that the work place is like a second home. However, when we join employment, it is a known fact that we will exit at some point.

Nothing is permanent including life itself and we should always be ready for change.

4. What are some of the most memorable milestones during your time at the Kenya School of Law?

I joined the School when we were admitting less than 1000 and 100 Advocates Training Program (ATP) and Paralegal Training Program (PTP) students respectively but we now admit an onwards of 2000 ATP and 300 PTP students per intake. There was also the successful albeit frosty separation from the Council for Legal Education (CLE). The relocation of the PTP programmed to the Nairobi CBD is also memorable not to mention the recent accreditation of the program by CLE.

5. What achievements or contributions to the School are you proud of?

I joined the Academic Services Department when it was referred to as Registry and an appendage of the ATP, but I am proud to have contributed to its growth into a fully-fledged core department of the School. Having served in the management committee throughout my time at the School, I look back and feel proud to the many policy decisions that have been taken by the committee leading to the growth of the School programmes, infrastructure and

human capital. I am also proud of being part of the team that embraced the use of technology in many School processes and more so in the admission of students processing of examinations.

6. How has the Kenya School of Law changed over the course of your tenure?

Of course the ATP student population has grown owing to the accreditation of the 14 or so law schools. The PTP has also become popular owing the quality of learning offered. When I joined, the School had only one lecture hall at Gate A which has since grown to three. The ultra-modern library has also changed the School's landscape. E-Learning which was embraced during the Covid-19 pandemic has now become a main stay in the delivery of School program.

7. What major challenges did you face in your role, and how did you overcome them?

There are always people, professional and social challenges at the work place. Overcoming these challenges requires an interrogation as to how and when a particular challenge arose. From that perspective a solution to overcome the challenge will be found.

8. The theme of this publication is on legal sector reforms, so how would you describe the legal education sector reforms witnessed during your time at the School?

There was the separation of the School from the CLE, the embracement of technology in the delivery of the teaching programs through e-learning and the tremendous increase in the number of law schools. These are some of the reforms I have witnessed but as to whether these have contributed to quality – the jury is out there!



9. Looking at the legal profession in Kenya today, what changes or advancements do you hope to see in the next decade?

I am firm believer that law ought to be taken as a second degree. This helps one to be intellectually prepared for the demanding tasks of law studies and future responsibilities including leadership. Indeed, some eminent lawyers like Barack Obama and the late Chief Obafemi Awolowo of Nigeria took law as a second degree and went on to excel in their professional and leadership capacities.

Bar examinations is another area which I hope to see change in the future. Having students write for three hours out of memory is old school considering this does not happen in real working life as an advocate. The use of programmed tablets and open book should be explored.

10. How have you seen the student body and faculty evolve over the years? What changes stood out the most to you?

The student body has become more

pragmatic in the pursuance of the social welfare of students rather than the traditional academic issues. It has also become more demanding especially on the provision of quality services by the School. On the flip side though, it has

not fully addressed discipline issues among students and this can probably explain the increased cases of discipline handled by the Student Disciplinary Committee over the years..

11. What has been your experience working alongside the top leadership, faculty, and staff of the School?

I have worked under three different CEOs all with different styles of leadership. I have learnt to adapt to the different styles while sharing my past experience and advice when called upon to do so. For the faculty, it has been easy because we all understand our different roles and when and how to complement these roles. The rest of the staff comprise of different personalities, temperaments and idiosyncrasies. The way to get along is to appreciate each other's role and realizing that we are all working towards the best

interest of the School.

12. How have you balanced your personal life with the demands of such a privileged position in the institution?

Work life is not a jail term where your personal life is sacrificed. I have over the years been able to create a balance where neither the work life nor the personal life suffers. I don't carry work at home and I stop thinking about work when not in the work place thus enjoying my personal space. When at work, its all about work and personal life is shelved for that time.

13. It is often said that top managers are always comfortable? Are there some major challenges you faced, both professionally and personally, during your time at the School as a leader?

I disagree with the notion that top managers are always comfortable.

They are constantly looked upon to offer leadership and guidance. They are also expected to be role models hence there is no room for complacency. Most of the challenges can be seen from a change perspective. For instance, I have seen a very big difference between the students who were admitted to the School in 2010 when I joined and those admitted in post-Covid-19 era. Pre-Covid-19 students were, from my experience, obedient, submissive and patient while post-Covid students have a penchant to deviate from the norm, are restless and appears to be in a perpetual hurry. Adjusting to this change was a big challenge.

14. What would you say are the key qualities that have helped you succeed in your career and leadership role at the Kenya School of Law?

I don't pretend to be what I am not. I am just myself and this has worked well for me. Of course I am a strong believer of professionalism, firmness, forthrightness and integrity. Above all, I am never afraid of speaking my mind when there is need to do so.

15. What advice would you give to your successor?

Be strong to serve, not to please.

16. Are there any books, scholars, or experiences that have deeply influenced your perspective on legal education, leadership or life?

There are numerous readings in the legal field including the Constitution, judgments, opinions law books which have influenced my perspective on legal education. I enjoyed reading David Mellinkoff's 1973 book 'The Conscience of a Lawyer' which brings out a classic puzzle in legal ethics and influenced my perspective on legal ethicism. The very well informed and researched judgements of Justices Nyarangi, Ringera, Kiage and Lenaola have also had an influence and so have the scholarly works of Justices Kiage and Musyoka and Prof. PLO Lumumba. The various contributions in many law journals especially the University of California (UCLA) Law Journal has also influence by perspective.

17. After retirement, what are your plans for the future? Do you hope to continue contributing

to the legal community in some capacity?

I am looking forward to be admitted to the Bar in 2025 which will be an opportunity to continue contributing to the legal and general community. I also have unfinished interests in real estate and hospitality which I will now have more time for.

18. Finally, what message would you like to share with your colleagues, students, and the wider legal community as you retire?

To colleagues – Serve with commitment, add to your knowledge and professional qualifications. Remember even litigation must come to an end so do not forget to prepare for change. To students – lay a solid foundation on which you will grow your future career. To the legal community – I am just around the corner!

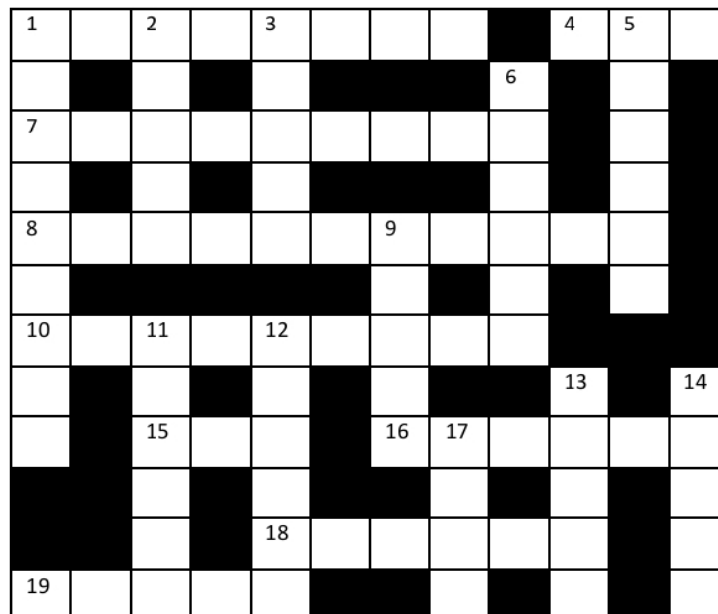
Fredrick Muhia is the Principal Officer Academic Services at the Kenya School of Law



KSL Principal Officer Academic Services Fredrick Muhia during a Paralegal orientation at the Kenya School of Law town Campus

Legal Crossword

© Carl's Cursed Crosswords



Across

1. weakening, collapsing muscles (8)
4. Capital Markets Authority (3)
7. educate, illuminate (9)
8. question for answers (11)
10. company unable to pay debts (9)
15. Artificial General Intelligence (3)
16. confer holy orders (6)
18. mystery (6)
19. ability to make things happen (5)

Down

1. at the very edge (9)
2. young owl (5)
3. oracle, prophet (5)
5. and includes a takeover (6)
6. fascinated, enthralled (6)
9. _____ *Omwansa v AG*, on advertising (5)
11. follow strictly (6)
12. malingering, dawdle (6)
13. system of detection (5)
14. nullify, void (5)
17. anger (4)



1. Filing a law suit is like fishing; you cast your net wide and hope someone rich bites.
2. In court the lawyer with the biggest words usually wins unless they mispronounce them.
3. The only time a lawyer loses an argument is when they argue with their spouse
4. Lawyers don't lie, they just rearrange the truth into billable hours
5. Lawyers are like magicians they can make your money disappear faster than you can say objection.
6. Becoming a lawyer is easy, just spend years studying, survive relentless arguments, and finally learn to sleep standing up during deposition..
7. A law firm is just an expensive club where everyone argues about who pays the membership fee.
8. In law school they teach you to argue about anything except who left the dishes in the sink.
9. A lawyer's suitcase isn't heavy because of the files, it's the weight of all the arguments the didn't get to use.
10. Why did the lawyer start a bakery? Because he was great at handling torts.
11. Why did the lawyer wear a suit to bed? He wanted to rest his case.
12. Why are lawyers like fine wine? They get better with age and can still give you a headache
13. What's are lawyers favorite music? Anything with good appeals
14. Judges do not play favorite; they just rule in favor of the person with the better tie
15. Asking a lawyer to keep things simple is like asking a cat to bark; it's just not in their nature.
16. The most dangerous phrase you can hear in court is " let me rephrase that, your honor."
17. Behind every great lawyer an exhausted assistant who knows where the evidence is hidden.
18. The courtroom is the only place where being dramatic can win you the case-and a standing ovation from the jury.
19. A lawyer can argue for hours in court but still text back "k" in the middle of an important conversation.

Compiled by Margret Malika



I showed the damaged remains of my luggage to my lawyer and said, "I want to sue the airline." "You don't have much of a case," he replied.

KSL Events Highlights



KSL Director, Dr. Henry Mutai (Center - left) accompanied by KSL student leaders Mr. Joshua Okayo and Ms. Faith Ndambuki, KSL Principal Lecturer Mr. Justus Munyithya (left), ATP Director Ms. Annah Konuche receives suits from the LSK-South Eastern Branch team during a mentorship session at the School.



Mr. Fredd Wakimani a Senior Lecturer at the School handing over a certificate to a student after completion of the CopyrightX 2024 class.



KSL Director, Dr. Henry Mutai (second- left-sitting), former Makeni Governor Prof. Kioutha Kibwana (centre-sitting), accompanied by KSL Principal Lecturer Mr. Justus Munyithya (left), mentors and ATP students during a mentorship workshop held at the School.



CPD participants during the Data Protection, Law & Governance Compliance Framework training in Mombasa.



KSL ATP 2024 president Joshua Okayo (left) receives suit donations from Dr. Johnson Okello, Director of Legal Services in the Kenyan Senate, during a visit to the School by the Legal Directorate of the Senate.



KSL Director, Dr. Henry Mutai, presents a gift to Edith Ngolo, a staff at the School during a Customer Service Week raffle session.



Class B students during an awarding of winners after a sports event



Ms. Anna Konuche Assistant Director Advocates Training Programme (right) cutting cake with ATP students to mark Customer Service Week 2024.



Cake Cutting during a special event in the 2024 Copyright X class



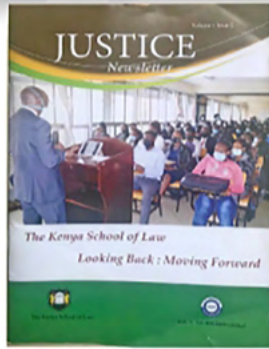
Participants during the Intergrity Assurance workshop held at the school



ATP students displaying their certificates after completing the CopyrightX 2024 class



ATP Lecturers Christine Kungu and Justus Munyithya receiving Mr. Wilson Dima as a guest lecturer for Legal Writing and Drafting.



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Working committee on Legal Education Sector Reforms with KSL Lecturers

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