



Volume 9 Issue 1

The Kenya School of Law

# JUSTICE

*Newsletter*



*The Kenya School of Law : Reflect, Renew  
Re-imagine*



The Kenya School of Law is ISO 9001:2015 Certified

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**Christine Kungu**  
Editorial Committee Chair

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Justice Newsletter

# From the Editor

Welcome to Volume 9 Issue 1 of the Justice Newsletter.

The theme for this edition is Kenya School of Law: Reflect, Renew Re-imagine. This is a theme that is not only timely but echoes with the current situation in regard to legal education and training in Kenya. Re-imagining legal education in Kenya requires bridging the gap between theory and the practical realities of a dynamic, tech-enabled legal profession. The School's mission and vision is centered on generating practice-ready, ethical advocates through modernized curricula, competency-based assessments, and robust stakeholder alignment.

Legal education and training must further align with broader educational shifts, integrating competence-based learning to prevent cultural and academic shock as students' transition from university to KSL which offers the Advocates Training programme. Tools such as digital courts, electronic evidence and artificial intelligence are reshaping legal work. KSL must therefore reflect, renew and reimagine how to equip future advocates with appropriate skills to navigate in an increasingly digitized working environment by integrating technology, innovation and digital literacy into training programmes.

In this publication, we have various enlightening articles under this theme. We have featured an article highlighting paralegalism as the new frontier within

Legal education and how KSL has transitioned to a new fiscal autonomy from a model of government reliance towards a sustainable, autonomous, and efficient fiscal future. This edition also features Departmental briefs and events from the various School's Departments. These include; ATP and CPD departmental briefs.

Finally, we have covered an insightful article on Generative AI, hallucinations and the Law and a provoking article titled "There is something in a Mother Tongue: Is it an inclusive or divisive factor in nation building."

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, students and Alumni 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.**

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

## The Editorial Team



*From Left to right: Ally Gakweli, Fredd Wakimani, Ruth Githaiga, Christine Kungu, Zawadi Deckla, Agnes Mwai, Carolyn Marete, Doreen Sitati and Raphael Ogello.*



**Prof. Mary Akinyi Otieno,**  
*Chairperson, Kenya School of Law  
Board*

On behalf of the Kenya School of Law (KSL) Board of Directors, it is my pleasure to welcome you to this edition of our Justice Newsletter, Volume 9 Issue 1. I also extend sincere appreciation to the School's Management and the Editorial Committee for the continued effort in publishing this important edition of the newsletter. The Justice Newsletter is one of our Information, Educational and Communication (IEC) tools that helps communicate to all our stakeholders, both internal and external, about the School's

## Word from the Chairperson, KSL Board

activities that have taken place within a specific timeframe. The theme for this issue is "The Kenya School of Law: Reflect, Renew, Re-imagine". This theme is timely since it covers a significant moment in the life of our institution and the broader legal education sector in Kenya. As we continue to navigate ongoing developments within the School and the legal profession, we are reminded of the importance of reflections on our achievements and our challenges. Equally important is the call to renewal, as we strengthen our systems, processes, and commitment to excellence in legal training.

We also find ourselves in a season that invites us to re-imagine the future of legal education by reflecting on the evolving demands of legal training. With emerging reforms in the sector, including proposed regulations under the Legal Education Act (Cap. 16B) by the Council of Legal Education, we are called upon to contribute

meaningfully to shaping a legal education framework that is responsive, dynamic and globally competitive.

As a Board, we remain committed to supporting the School in advancing academic excellence, professional competence and ethical formation of legal practitioners. I therefore encourage all stakeholders, students, staff and partners to actively engage in this discourse and contribute to the continuous transformation of legal education in Kenya. Together, let us remain committed to integrity, excellence, competence and professionalism as we build a stronger institution and a more robust legal profession.

In this issue, you will find insightful and thought provoking articles that engage deeply with this theme and its implications for our shared future. I wish you an enriching reading experience.



*The Kenya School of Law former Director / Chief Executive Officer, Dr. Henry Mutai welcoming Prof. Mary Akinyi Otieno upon her assumption of office as the new Chairperson of the Board of Directors.*





**Mr. Isaac Simiyu Kuloba**  
*Acting Director/Chief Executive Officer,  
Kenya School of Law*

## Word from the Acting Director/Chief Executive Officer

The School also recognized academic excellence, awarding 12 ATP students for outstanding performance across various units. The higher number of awardees reflects ties recorded in some subjects, including Probate and Administration and Professional Ethics. In addition, two PTP students, one female and one male were recognized as the best overall performers in their cohort.

In furtherance of our core mandate, the School continues to strengthen delivery of both the Advocates Training Programme and the Diploma in Law under the Paralegal Training Programme. Enrollment for the ATP Class of the 2026/2027 academic year was successfully concluded, with 1,953 students admitted, comprising 1,090 female and 863 male students. Teaching is currently underway through a blended approach that integrates both physical and virtual learning modalities.

The PTP application cycle for 2026 closed on 19th April 2026, with a total of 973 students successfully registered through both the KUCCPS placement system and direct applications to the School. This reflects sustained demand for our programmes and confidence in the quality of training that we provide.

The Certified Secretaries (CS) course continues to gain traction, with the January–March 2026 virtual session successfully completed. Enrollment for the May–July 2026 intake is ongoing, further underscoring the School's commitment to diversifying professional training opportunities.

Beyond academic programmes, the School has continued to expand its Continuing Professional Development (CPD) offerings and consultancy services. Currently, four consultancies are underway with key public institutions, demonstrating our growing role as a centre of excellence in legal and governance advisory services.

We remain committed to enriching the students experience through practical exposure and professional mentorship. Legal aid visits to correctional facilities and structured mentorship sessions with experienced practitioners continue to play a vital role in bridging the gap between theory and practice. These initiatives equip our students with critical skills, ethical grounding and professional insight necessary for effective legal practice.

As we reflect on these achievements, we remain focused on strengthening the institutional capacity, enhancing training quality and responding to the evolving needs of the legal profession.

I wish to express my sincere appreciation to the Editorial Committee for their dedication and diligence in delivering the 9th publication of the *Justice Newsletter*. I also thank our stakeholders for their continued support and engagement.

It gives me great pleasure to welcome you to Volume 9, Issue 1 of the Justice Newsletter (2026). This publication continues to serve as an important platform for engaging our stakeholders, sharing institutional milestones, and fostering leadership through contributions aligned to the thematic focus of each issue.

Our previous publication was issued in November 2025. The School has since made commendable progress in advancing its mandate of providing quality legal training and professional development. We have recorded notable achievements across our academic programmes, institutional activities, and stakeholder engagements.

A key highlight during this period was the 10th Graduation and Prize-Giving Ceremony held on 11th December 2025 at our Karen Campus. This milestone event celebrated the successful completion of studies by the Advocates Training Programme (ATP) Class of 2024 and the Paralegal Training Programme (PTP) Class of 2022. A total of 52 ATP and 88 PTP graduands were conferred, reflecting steady growth compared to previous years.





**K**SL recently concluded a high-impact Leadership Development Retreat for its newly elected Students' Governing Council (SGC). Held from May 1st to May 3rd, 2026, at the Semara Hotel in Machakos, the event served as a formal induction for the 2026/2027 leadership team.

### Building a Foundation for Excellence

Led by president John Lenda Ogalo, the council engaged in a series of strategic sessions designed to bridge the gap between student interests and institutional governance. The retreat focused on several core objectives:

- **Institutional Alignment:** Familiarizing the SGC with the administrative and operational structures of the School.
- **Competency Development:** Sharpening essential skills in communication, strategic thinking, and conflict management.
- **Cohesion:** Strengthening trust and collaboration within the 15-member council.

### Expert Guidance & Mentorship

A cornerstone of the retreat was a presentation by Ms. Anastasia Otieno, Ag. Assistant Director ATP, who outlined the high expectations placed on student leaders. Key takeaways included:

## Milestones

### ATP Student Leadership Sets the Bar at Machakos Retreat

*By John Lenda*



*Assistant Director ATP (front row-centre) and Student Welfare officer (back row-second left) accompanied by the 2026 ATP Student Governing Council during the student leadership retreat.*

- **The Academic Balance:** Emphasizing that leadership must coexist harmoniously with academic commitment.
- **Professionalism:** Maintaining institutional respect, adhering to dress codes and utilizing official communication protocols.
- **Ethical Leadership:** Centering governance on integrity, personal accountability and emotional intelligence.

Action-Oriented Team Building Facilitator Stephen Onano led the council through interactive exercises aimed at preparing them for real-world challenges. These sessions focused on:

- **Handling Pressure:** Simulated scenarios required quick thinking and composure during crises.
- **Accountability:** Shifting the culture from "blame" to collective ownership of outcomes.

- **Mutual Support:** Recognizing that effective leadership cannot be exercised in isolation.

### The Road Ahead: 2026/2027

The SGC departed from Machakos county fully equipped to execute their mandate with a focus on service leadership and accountable governance. The council extended its gratitude to the School Administration, including Ag. Director Mr. Isaac Kuloba, for fostering a transformative environment for student growth.

The Council departed better equipped, more cohesive, and fully committed to upholding the interests of the student body, executing its mandate with professionalism, integrity, and excellence.

*John Lenda is the 2026 ATP Student Governing Council president.*



## Scaling Up: Renewing Talent and Expanding Horizons at the Kenya School of Law

By Raphael Ogello

**A**t the heart of every great institution lies a story of humble beginnings, bold transitions, and an unwavering commitment to excellence. At KSL, this story is a remarkable journey of growth, innovation, and human capital transformation. It is a journey that reflects not only where the institution has come from, but also how it continues to renew its talent and reimagine its capacity for the future.

### A Vision Takes Root

The KSL journey began in a modest space along Valley Road in Nairobi, with a student population of fewer than 50. At the time, the School's primary offering was the Advocates Training Programme (ATP) a flagship course that remains central to its identity to this day. Despite limited infrastructure and resources, the foundation was strong. A small but dedicated team of staff worked tirelessly to deliver quality legal training, laying the groundwork for what would become one of Kenya's premier legal institutions.

### Expanding Access

As demand for legal and paralegal education grew, KSL responded with agility and foresight. One of the most significant milestones in KSL's history was the acquisition of a prime parcel of land in Karen where the School now proudly stands. This marked a turning point, transitioning the School from constrained beginnings into a spacious, purpose-built environment capable of supporting expansion and innovation.

Today, the Karen campus stands as a symbol of transformation home to modern lecture halls, well-equipped syndicate (meeting) rooms, and a learning environment designed for excellence. While the ATP remains the cornerstone of KSL, the School has significantly broadened its academic offerings.

The introduction of the Diploma in Paralegal Training Programme (PTP), opened access to legal training for a wider audience. This programme has grown substantially, supported by a strategic partnership with the Kenya Universities and Colleges Central Placement Service (KUCCPS), which has led to increased student enrollment. In addition, KSL introduced the Certified Secretaries programme, delivered fully online demonstrating the School's responsiveness to evolving professional and market needs.

### A New Era of Learning

Previously, programmes such as the ATP and PTP were delivered purely through physical classes. Today, the School offers a blended learning model, combining in-person instruction with online classes. This shift has enhanced accessibility, flexibility, and resilience in learning delivery.

The establishment of an e-resource center further complements this approach, giving students access to a digital library and a wealth of online academic materials. KSL has embraced innovation in learning delivery with remarkable success. In the past, the PTP was conducted purely through physical classes, primarily at the Town Campus in Nairobi CBD. Today, the programme is delivered through

a blended model, combining physical and online learning. To accommodate increased enrollment, students are now distributed between the Town Campus and Karen Campus, ensuring efficiency while maintaining quality. Meanwhile, programmes such as Certified Secretaries are offered entirely online, providing flexibility and accessibility. Complementing this shift is the establishment of an e-resource center, where students can access a rich digital library, expanding learning beyond physical boundaries.

### From Bookshelves to Digital Access

KSL's commitment to academic excellence is reflected in its investment in learning resources. From a modest library collection in its early years, the School now boasts an ultra-modern library with a significantly expanded collection of books and research materials. This is complemented by digital resources accessible through the e-resource center, creating a dynamic, technology-enabled learning environment. The growth in the number of books, journals, and research materials has significantly enhanced the quality of legal education offered. This transformation represents a shift from traditional learning to a dynamic, technology-enabled academic environment.

### From Paper Trails to Smart Systems

One of the most profound milestones in KSL's evolution has been the transition from manual, paper-based systems to a digitized operational environment.





In the past, the School relied heavily on hard copy records for key processes such as student admissions, recruitment, payroll, finance and procurement. While functional, these systems were often time consuming and resource-intensive. Today, KSL operates through integrated digital platforms, Enterprise Resource Planning (ERP) that have transformed efficiency and service delivery. Core processes including admissions, recruitment, payroll management, finance and procurement are now digitized, enabling faster turnaround times, improved accuracy, and enhanced accountability. This transformation has not only improved the School's performance but has also empowered staff with modern tools, redefining how work is done and strengthening overall human resource capacity.

### **Facilities That Support Holistic Development**

Beyond academics, KSL has evolved into a vibrant and well-rounded institution. The Karen campus offers a range of facilities that enrich both student, staff and general public experience. These includes a football pitch for recreation and teambuilding, a mini gym, sauna, and swimming pool promoting wellness. Furthermore the School has a beautifully maintained garden suitable for weddings and outdoor events showcasing the campus's versatility, modern lecture halls and syndicate rooms designed for collaboration and professional engagement. These facilities reflect a forward-thinking institution that values not just academic excellence, but also well-being of all its stakeholders.

### **The Engine of Transformation**

As KSL has grown, so too has its workforce. The increase in student enrollment, programmes, and campuses has led to a corresponding rise in staff numbers. New departments and sections have been established to meet emerging needs, ensuring that the School remains efficient, responsive and aligned with modern organizational standards. This growth has been both quantitative and qualitative bringing in diverse skills and fostering specialization across functions.

### **A New Era of Staff Development and Inclusion**

One of the most transformative shifts at KSL has been in staff training and development. In the past, professional development opportunities were largely reserved for senior management. Today, through structured Training Needs Assessments, all staff members have equal opportunities to attend training, workshops, and seminars.

This inclusive approach has fostered a culture of continuous learning, empowering employees at all levels to grow professionally and contribute more effectively to the School's mission. Staff are now regularly attending workshops, seminars, and courses that enhance their skills and align them with global best practices. This investment in people is not just beneficial it is transformational.

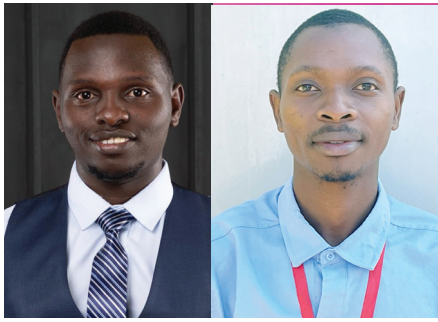
At the center of this evolution is human resource. It is the lecturers who inspire, management who offer strategic leadership, the administrators who ensure seamless operations, the Board who chart the course, and the support staff who keep the School running.

Strategic partnerships have played a critical role in KSL's journey. Collaborations such as the one with KUCCPS have expanded access to education and increased enrollment, particularly in the paralegal programme. These partnerships reflect an institution that is outward-looking, collaborative, and committed to development.

### **A Legacy Still in Motion**

In conclusion, as KSL reflects on its journey, renews its talent and reimagines its future, one thing remains clear: its strength lies in its people and its willingness to evolve. Each milestone from infrastructure to innovation, from partnerships to people development tells a story of progress. Together, they form a powerful narrative of a School that is not only growing but thriving. As the School continues to build on its legacy, the future promises even greater milestones, shaped by vision, driven by people, and anchored in excellence.

*Raphael Ogello is a Senior Human Resource Assistant at the Kenya School of Law.*



## Mastering Strategic Resource Mobilisation

*By Timothy Muigai and Hamisi Mwambega*

The resource mobilisation training was organised by the Continuing Professional Development (CPD) department of the School in April 2026, under the theme “Mastering Strategic Resource Mobilization.” The main objective of the training was to equip participants with expertise to build resilient partnerships with development partners and design a diverse revenue engine that supports long term institutional sustainability. Participants were drawn from both the public and private sectors.

Resource mobilisation is a strategic process that involves identifying, securing and effectively managing financial and non-financial resources to achieve long-term development outcomes. Donor engagement is relational not transactional and therefore trust, credibility and consistency is key before, during and also after a successful funding process. It is imperative to be strategic in framing of resource mobilisation simply because public budgets are insufficient development ambitions are financially constrained and most importantly there is a shift toward result based and blended financing. Unlike traditional fundraising, which is often reactive and focused on short-term gains, modern resource mobilisation emphasizes alignment with policy priorities, long-term planning and relationship building with donors. It requires institutions to move from opportunistic engagement to a more deliberate and structured approach that

integrates donor mapping, intelligence gathering and strategic programme design.

At the core of resource mobilisation is strategic donor mapping which focuses on understanding on who funds, what they fund, where they fund, and how they fund. This approach enables institutions to align their priorities with donor interests, increasing the likelihood of securing funding. Donors may be sovereign, such as governments, or non-sovereign, including private sector actors, foundations and international organisations. Effective donor mapping ensures that organisations do not randomly pursue funding opportunities but instead target donors whose priorities match their mission and programmes.

Closely linked to donor mapping is donor intelligence gathering which goes beyond basic research. While research involves collecting publicly available information, intelligence focuses on understanding the motivations, decision-making processes and strategic interests of donors. This includes analysing political and economic contexts, global development agendas and institutional preferences. Trust, credibility and consistency play a critical role in sustaining long-term partnerships.

Institutional capacity is another key determinant of successful resource mobilisation. Organisations must establish systems such as resource mobilisation desks, centralised databases and coordination mechanisms to manage donor information and engagement effectively. Weak institutional systems

often lead to fragmented efforts, poor communication and missed opportunities. Furthermore, organisations must continuously assess their performance through indicators such as proposal success rates, quality of engagement and relationship continuity. Addressing institutional gaps, including weak intelligence systems and lack of follow-up, is essential for improving outcomes.

The broader policy and operational environment also shapes resource mobilisation efforts. In contexts such as Kenya, frameworks like Vision 2030, Public Finance Management systems, and County Integrated Development Plans guide development priorities and funding decisions. Donor funding is influenced not only by technical considerations but also by political and relational factors. Therefore, organisations must ensure that their programmes align with national and sectorial priorities to remain relevant and competitive.

Resource mobilisation follows a value chain that begins with identifying policy priorities and proceeds through donor mapping, strategy development, programme design, financing, implementation and accountability. Failures in resource mobilisation often occur due to misalignment with policy priorities, weak institutional capacity, poor coordination, overreliance on donor funding and low absorption capacity. Addressing these challenges requires a strategic and integrated approach that strengthens both internal systems and external engagement.



A critical component of resource mobilisation is understanding financing modalities. These range from grants and concessional loans to public-private partnerships and innovative financing mechanisms such as blended finance and social impact bonds. Each financing instrument has its advantages and limitations. Grants are suitable for social sectors and innovation but are often short-term and fragmented. Loans enable large-scale investments but introduce risks related to debt sustainability. Public-private partnerships offer opportunities for infrastructure development but require strong governance and risk management frameworks. Increasingly, there is a shift towards results-based financing, where funding is tied to performance and measurable outcomes, necessitating robust monitoring and evaluation systems.

Designing bankable programs is essential for attracting funding. A

bankable programme is one that demonstrates clear problem definition, logical intervention design, measurable results and value for money. The use of a theory of change helps to establish a causal link between inputs, activities, outputs, outcomes and impact. Additionally, programs must include realistic budgets, clear implementation plans and strong monitoring and evaluation frameworks. Value for money is assessed using the principles of economy, efficiency, effectiveness, and equity, ensuring that resources are used optimally and fairly.

Implementation arrangements and risk management are also critical. Donors prioritise programs that demonstrate clear delivery systems, defined institutional roles and effective coordination mechanisms. Risks, including operational, financial and political, must be identified and mitigated to enhance fundability. Cross-cutting issues such as gender equality, environmental sustainability and governance are increasingly central to funding decisions.

Ultimately, successful resource mobilisation depends on the ability of organisations to think strategically, build credible relationships and design programs that deliver tangible results. It is not merely about securing funds but about aligning resources with development objectives to achieve sustainable impact. Institutions that integrate strategic planning, strengthen internal systems and build credible donor relationships will be better positioned to mobilise resources and contribute meaningfully to national and global development goals.

*Timothy Muigai and Hamisi Mwambega are interns at the Strategy, Planning & Quality Assurance department at the Kenya School of Law.*



*KSL staff attending a Resource Mobilisation training in Tamarind Hotel, Nairobi.*



## Departmental Briefs

### A Snapshot of Recent Activities at the Advocates Training Programme

By Anastasia Otieno

#### 1. Guest Lectures to Enrich the Advocates Training Programme

The Advocates Training Programme (ATP) at KSL continues to give students a real taste of life in the legal profession by inviting experienced practitioners and judicial officers to share their knowledge and insights. These guest sessions add tremendous practical value, bridging the gap between classroom theory and the realities of legal practice. Over the past year, several distinguished guests have generously given their time and resources to interact with our students. Here are some of the memorable sessions:

**Dr. Margaret Ndugi Njihia**, a Clinical Psychologist and lecturer at the Technical University of Kenya. She spoke on "The Lawyer's Brain: Neuroscience of Rest and Performance Under Pressure." Her session offered students useful strategies for managing stress and maintaining peak performance in the demanding legal profession.

**Hon. Charles Ondieki**, Senior Resident Magistrate at Machakos Law Courts, delivered two engaging sessions during the Professional Ethics class. He covered "The History of Advocates Discipline Processes in Kenya," and talked on



*Justice Alfred Mabeya, Presiding Judge of the High Court of Kenya in Kisumu, delivering a guest lecture to the ATP Students' 2026 Cohort on "Structuring Legal Arguments: A Judge's Perspective."*

the role of the Advocates Complaints Commission, and the prosecution of advocates before the Disciplinary Committee.

**Hon. Paul Muite, SC**, Senior Partner at Paul Muite & Associates and former President of the Law Society of Kenya, joined Ms. Faith Mony Odhiambo, the former President of the Law Society of Kenya. They spoke candidly on, "The Law Profession in the Age of the Internet, the Dynamics of an Expanding Profession, and LSK Politics and its Impact on Society." This frank discussion left students with plenty to think about regarding the future of the profession.

Various guest lecturers continue to grace the Advocates Training Programme with insightful information. They not only deepen students' understanding of the law but also expose them to the

values, challenges, and realities of legal practice from those who live it every day. We remain truly grateful to all the distinguished guests who continue to support the School in this important way.

#### 2. Legal Aid visits

This initiative is aimed to fulfill the school's mandate of providing professional legal training while facilitating access to justice by offering free legal advice to remandees and convicts. These visits are structured into joint question-and-answer sessions followed by individual consultations, where students addressing legal issues ranging from bail and bond requirements to the complexities of filing appeals for various criminal offenses. The sessions are used as part of our learning





*ATP students after conducting a legal aid session at the Kisii Main Prison.*

by doing structure of teaching where the students get experience by having live clients, who are community members or the prisoners.

### **3. Highlights on Legal Aid at Isiolo GK Prison.**

The legal aid visit to Isiolo GK Prison was conducted on March 21, 2026. a total of 23 students attended the visit. During the session, both prison officers and inmates highlighted significant systemic challenges that hinder the administration of justice and effective rehabilitation. Officers expressed frustration over extreme overcrowding and delays in receiving formal committal documentation from

judicial officers, while inmates voiced concerns regarding sluggish judicial processes and the absence of compensation for wrongful incarceration. Additionally, the visit underscored the heavy psychological toll of imprisonment on both staff and incarcerated individuals, noting a lack of adequate mental health support and outdated vocational training programs.

To address these issues, the legal aid report offered several recommendations intended to create a more humane and efficient criminal justice system. Key proposals included he timely submission of documentation, the need accelerate investigations and trial procedures to reduce the emotional burden on those in remand. Furthermore, the report

called for a review of rehabilitation programs to align them with modern employment markets, the establishment of a formal compensation scheme for wrongful detention and enhancement of psychosocial support for everyone within the prison environment.

Other previous legal aid sessions included visits to Shimo la Tewa Prison, Isiolo Prison Kitui Prison and Angola Youth Empowerment Centre in Kisumu.

*Anastasia Otieno is an Advocate of the High Court of Kenya and the acting Assistant Director ATP at the Advocates Training programme.*





## THE KENYA SCHOOL OF LAW ADVOCATES TRAINING PROGRAMME

### BACKGROUND

The Kenya School of Law is a state corporation established under section 3 of the Kenya School of Law Act Cap. 16C. The Act establishes the School as 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).

### OBJECTIVE

The Advocates Training Programme (ATP) has the objective of training lawyers for entry into the legal profession.

### TARGET GROUP

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).

### DURATION

Training is conducted in 18 months; 12 months in-house and 6 months pupillage

### ELIGIBILITY CRITERIA

The following categories of persons will be admissible to the programme:

1. Applicants admitted into the LL.B AFTER 8TH DECEMBER, 2014 must satisfy the following requirements:-

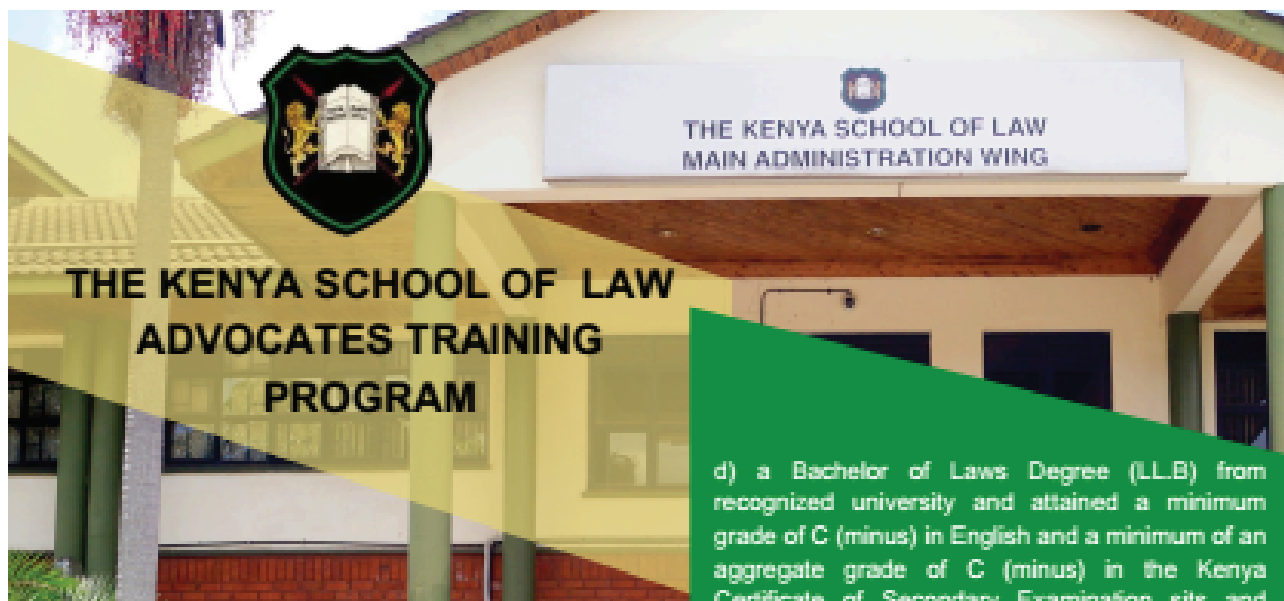
Graduates of Kenyan Universities:

- i) Attained a minimum of grade B (plain) in English Language or Kiswahili and a mean grade of C (plus) in the Kenya Certificate of Secondary Examination KCSE) or its equivalent; or
- ii) Attained a minimum of two (2) principals and one (1) subsidiary totaling to an aggregate of ten (10) points in the Kenya Advanced Certificate of Education (KACE) or its equivalent; and
- iii) Have passed in the mandatory 16 core subjects as stipulated in the Second Schedule of the Legal Education Act, 2012; and iv) Hold or are eligible for conferment of an LL.B degree from a university recognized in Kenya.

Graduates of Foreign Universities

- i) Attained a minimum of grade B (plain) in English Language or Kiswahili and a mean grade of C (plus) in the Kenya Certificate of Secondary Examination KCSE) or its equivalent; or
- ii) Attained a minimum of two (2) principals and one (1) subsidiary totaling to an aggregate of ten (10) points in the Kenya Advanced Certificate of Education (KACE) or its equivalent; and
- iii) Have passed in the mandatory 16 core subjects as stipulated in the Second Schedule to the Legal Education Act, 2012; and
- iv) Hold or are eligible for conferment of a recognized LL.B degree from a foreign university; and v) Obtain clearance from the Council of Legal Education (CLE)
- vi) Must sit and pass the Pre-Bar Examination as provided under the Second Schedule to the Kenya School of Law Act, part 1 (b) (iii).

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 0712923459/0754456629  
 0202699582/0202699584



2. Applicants admitted into the LL.B BEFORE 8 TH DECEMBER, 2014 must satisfy the following requirements:-

- a) having passed the relevant examination of any recognized university in Kenya, he holds or has become eligible for the conferment of the Bachelor of Laws Degree (LL.B) of that university;
- b) having passed the relevant examinations of a university, university college or other institutions prescribed by the Council of Legal Education, he holds or has become eligible for the conferment of the Bachelor of Laws Degree (LL.B) in the grant of that university, university college or other institution, and prior to enrolling at that university, university college or other institution –
  - (i) attained a minimum entry requirements for admission to a university in Kenya; and
  - ii) obtained minimum grade B (plain) in English Language and a mean grade of C (plus) in the Kenya Certificate of Secondary Examination or its equivalent;
- c) Holds a Bachelor of Laws Degree (LL.B) from a recognized university and attained a minimum grade of C (plus) in English and a minimum aggregate grade of C (plain) in the Kenya Certificate of Secondary Examination, holds a higher qualification e.g. "A" levels, "IB", relevant "Diploma", other "undergraduate degree" or has attained a higher degree in Law after the undergraduate studies in the Bachelor of Laws programme; or

d) a Bachelor of Laws Degree (LL.B) from recognized university and attained a minimum grade of C (minus) in English and a minimum of an aggregate grade of C (minus) in the Kenya Certificate of Secondary Examination sits and passes the Pre-Bar Examination set by the Kenya School of Law as a pre-condition for admission.

*NB: Applicants holding secondary school qualifications other than those offered by the Kenya National Examinations Council (KNEC) must seek equation from any institution lawfully mandated to equate secondary school qualifications in Kenya.*

## MODE OF APPLICATION

Applicants seeking admission to the programme must submit their applications through the online application portal available on the School website [www.ksl.ac.ke](http://www.ksl.ac.ke). The following documents should be uploaded on the portal:

- a) Copy of the applicant's LL.B. degree certificate or proof of eligibility for conferment;
- b) Copies of academic transcripts for the four (4) academic years; NB. (Provisional transcripts shall only be accepted if they show proof of completion of the LL.B programme).
- c) Copy of secondary school certificate(s);
- d) Copy of national identity card or valid passport;
- e) Two passport size colour photographs;
- f) Proof of payment of the application fee;
- g) Copy of CLE clearance letter for persons with LL.B Degrees from foreign universities;
- h) Letter of equation from any institution lawfully mandated to equate secondary school qualifications in Kenya, for secondary school qualifications not offered by KNEC
- i) Copy of admission letter to the LL.B.





## Paralegalism the New Frontier

By Dennis Owuor

Paralegals have been defined by the community as a person who aids the community to navigate through the very basic core aspects of the law. They have been key players who at first instance were members of the community, who found it fit to aid fellow members of the community, mostly the vulnerable to get legal assistance from justice sector stakeholders and duty bearers. Overtime these members of the community offered advice and assistance from their basic knowledge as well as experience and with there being more need for them there arose a need to establish institutions that would facilitate their learning.

Thus, KSL became one such institution. A Government entity that sought to facilitate training of not only lawyers to advocates but also Paralegals. The key purpose of training the Paralegals is to facilitate key access of legal knowledge from a community-based perspective up to and including a national based perspective. The community definition of the paralegal has since enhanced to one who has been exposed to practical based learning in a bid to firmly equip them with skills to navigate the legal environment as well as the community environment.

A Paralegal is one who is trained in the basic facets of law and the very basic fundamental applications of the law in a bid to aid the society navigate complex legal questions from a simple approach. The beauty of the paralegal's learning is that they

are able to incorporate their knowledge onto any other cadre of learning, be it sociology, psychology, medicine or medical related fields engineering etc. There is actually no limit as to the extent of augmentation one may exercise with the Paralegal Training Program (PTP) and that is why qualified applicants are always invited to join the program.

The question many people ask themselves is what is the purpose of the PTP and what will I be able to do once I gain the Diploma. The answer is quite simple. The need for the paralegal stemmed quite accurately with the new dispensation of the Constitution of Kenya after its promulgation in the year 2010. With the Constitution of Kenya there came about a comprehensive Chapter that enshrined the Bill of Rights and that is Chapter Four. The Bill of Rights was able to articulate and highlight key Human Rights that needed to be adhered to and implemented to ensure that the citizens quality of life was enriched. Thus, with this introduction came about additional checks and balances between government entities to ensure that at no particular point, the rights were being infringed upon. Therefore, there was thus a great need created for the citizens to be made aware of their rights and how best to gain realization of the same.

There was indeed the presence of the Advocates who are regarded as legal custodians but the ration of advocates to the populace was quite underwhelming and thus to bridge the gap the Paralegal was born. The journey to a lawyer and eventually an Advocate takes more than half a decade whereas the journey to being a paralegal takes two years at most. Thus, to cure the need for dispensation of information on rights and their realization it was

simpler for individuals to train and become paralegals than to become Advocates. The Paralegal thus has become a key fundamental player in the Civic education process.

The twenty first century has seen a growth in the number of Civil Rights movements, Community Based Organizations as well as Non-Government Organizations which are now referred to as Public Benefits Organizations. The biggest number being composed of paralegals whose key mandate is to work with communities to deliver programs that further the growth of the communities mostly through know your rights campaigns. In essence, the earlier question that we asked ourselves seems to gain an answer as to how great of a need there is for more and more paralegals are to the society.

Paralegals are not just required nationally but have also become a global need with key International organizations having and working with cross border paralegals to ensure there is community support. Thus, the new millennium has since realized a much more fermented description of the paralegal as one who has been trained and is properly recognized to be a key player in the legal and societal sector to ensure the safety of all members of society.

In conclusion it has become a matter of great importance to realize the key role of the paralegal not just to organizations and legal institutions but to the society at large. Paralegals are now the new frontier in the legal spaces as well as the Community.

*Dennis Owuor is a Advocate of the High Court of Kenya, Lecturer and Coordinator of the Paralegal Training Programme at KSL.*



# KENYA SCHOOL OF LAW

## PARALEGAL TRAINING PROGRAMME

### BACKGROUND

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

### TARGET GROUP

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

### OBJECTIVE

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

### ENTRY REQUIREMENTS

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

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

### LOCATION

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

### CONTACT US

Kenya School of Law,  
Langata South Road,  
P.O Box 30369 – 00100 GPO,  
Nairobi.  
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[www.ksl.ac.ke](http://www.ksl.ac.ke)



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## Continuing Professional Development Updates

By Daniel Odhiambo

*"Learning without reflection is a waste. Reflection without learning is dangerous." – Confucius*

The past season has been one characterized by transition, growth, resilience, innovation, and renewed commitment within KSL. For the Continuing Professional Development (CPD) Department, this period has presented an opportunity for reflection and renewal. In many respects, this season has enabled the department to deepen its commitment to delivering responsive, practical, and forward-looking legal training and consultancy services that continue to meet the evolving needs of our stakeholders.

As a department, we remain firmly guided by the mandate of KSL and our broader responsibility to support continuous professional learning, institutional capacity building, legal reform, and good governance. Modern legal practice increasingly requires professionals who are adaptable, technologically aware, ethically grounded, and capable of responding effectively to complex and emerging challenges across different sectors.

In response to these realities, the department has continued to strengthen its programmes, diversify its offerings, and adopt more innovative approaches in the delivery of training, consultancy, and research initiatives.

One of the major highlights during the period under review was the



*Participants from the Geothermal Development Company with Senior Lecturers from KSL during a tailor made Litigation Refresher Skills Course at Morendat Institute, Naivasha.*

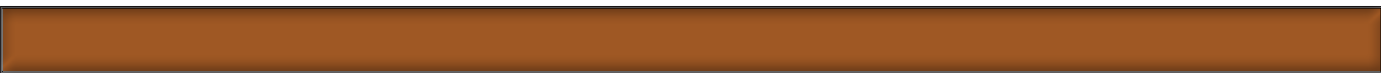
successful conduct of the School's Annual Andragogy Training for Lecturers held in Naivasha from 23rd to 24th April 2026. The training, focused this year on the timely and highly relevant theme: "Artificial Intelligence in Teaching and Research." The selection of this theme reflected the growing significance of Artificial Intelligence (AI) within modern education, research, and professional practice.

The Andragogy Training brought together lecturers, trainers, and facilitators from different disciplines for meaningful engagement on how technology can be responsibly integrated into modern pedagogy. Participants benefited from practical sessions exploring the use of AI as a teaching aid, assessment tool, research assistant, and learning enhancement resource. The discussions also addressed important ethical and professional considerations surrounding the use of AI within education, including issues relating to academic integrity, data privacy, critical thinking, originality, and responsible use of technology.

Importantly, the programme reaffirmed the School's commitment to embracing innovation while safeguarding the core values of legal education and professional ethics. It also provided an opportunity for lecturers to reflect on how legal education institutions can continue to remain relevant and responsive within an increasingly digital and technology-driven environment.

Beyond institutional academic training, the CPD Department continued to successfully conduct a wide range of both calendar-based and customer-tailored courses. These programmes continue to serve as an important platform for professional growth, practical learning, networking and the exchange of knowledge and experiences among participants. Among the programmes conducted during the season was the Litigation Refresher Course, which in 2025 was offered under the title "In-House Counsel and Litigation: Emerging Best Practices." It ran in Mombasa from 1st to 5th December 2025. The title of the course in 2025 was informed by the changing role





of in-house counsel within modern organizations and the growing need for legal professionals to possess broader strategic, governance, compliance, and risk management competencies.

The programme sought to respond to these changing professional demands by incorporating practical and emerging areas relevant to corporate legal practice. The course attracted significant participation from in-house counsel across both public and private sector institutions, demonstrating its continued relevance and practical value. The Topics explored included: Client centric approaches to litigation; Data-driven decision making in litigation; ADR for optimal management of disputes resolution; Pleadings, Interlocutory Applications & Processes; Fair Administrative Action & Judicial Review; Constitutional Litigation; The role of the Supreme court in its advisory capacity; Monitoring and managing outsourced legal services in litigation and Trial Advocacy.

Participants appreciated the practical and interactive nature of the training, which encouraged meaningful engagement with real-world scenarios and institutional experiences.

Another training conducted during the period was the Data Protection Training programme, held in Naivasha from 9th to 13th February 2026 and whose focus was legal compliance, policy formulation, and data protection impact assessments. The training attracted participants from diverse sectors seeking to strengthen their understanding of institutional obligations under data protection frameworks. Participants were taken through practical aspects of data governance, compliance

audits, privacy risk management, policy formulation, incident response planning, and the conduct of data protection impact assessments.

The department also conducted a Corporate Governance Course in Naivasha from 20th to 24th April 2026, focusing on the milestones achieved under the Mwongozo Code of Governance for State Corporations. The course provided participants with an opportunity to critically reflect on the progress made in strengthening governance frameworks within state corporations and public institutions. Participants engaged in discussions on governance best practices, leadership responsibility, board effectiveness, integrity systems, compliance obligations, succession planning, risk oversight, and strategic institutional management.

In addition to open calendar programmes, the CPD Department continued to deliver customer-tailored trainings designed to meet the unique needs of different institutions. During the period under review, the department conducted Litigation for In-House Counsel trainings for the Retirement Benefits Authority (RBA) and the Geothermal Development Company (GDC). They respectively were held in Naivasha from 2nd to 6th March 2026 and 26th to 30th January 2026. These programmes focused on strengthening participants' understanding of litigation management, dispute resolution strategies, regulatory compliance, legal risk mitigation, and effective engagement between legal departments and organizational leadership structures.

The department also conducted the Introduction to Litigation, Investigation, Enforcement, and Courtroom Skills training for the Sacco Societies Regulatory Authority

(SASRA) from 24th to 28th November 2025. The training was specifically designed to strengthen participants' investigative, enforcement, and courtroom competencies within the context of regulatory oversight. Through practical simulations, case studies, and interactive discussions, participants were equipped with practical skills in evidence management, investigation procedures, courtroom etiquette, advocacy, and regulatory enforcement processes.

Recognizing the growing importance of sustainability and institutional resource diversification, the department further developed and mounted the Mastering Strategic Resource Mobilization course for staff members and external participants interested in strengthening their fundraising and partnership development capabilities. It ran at the Tamarind Tree Hotel from 7th to 9th April 2026. The programme focused on strategic planning, donor engagement, proposal writing, partnership building, stakeholder mapping, communication strategies, and resource mobilization techniques aimed at enhancing institutional sustainability and impact.

The consultancy arm of the department also remained highly active and impactful during the season. KSL is a provider of consultancy services across different sectors, particularly in the areas of legal compliance, governance audit, regulatory impact assessment and legislative drafting. During the period under review, the department conducted several Legal Compliance Audits and Governance Audits for institutions across the public sector. These engagements are aimed at assessing institutional compliance with legal and governance frameworks while identifying opportunities for strengthening



*Participants at the Data Protection Training held in Naivasha from 9th to 13th February 2026.*

operational effectiveness, accountability, and risk management systems. A significant number of these consultancy assignments were commissioned by repeat clients. This reflects the confidence and trust that institutions have developed in the School's professionalism, technical expertise, and quality of service delivery.

Research and strategic partnerships also continued to form a critical component of the department's work during the season. One of the most significant milestones achieved was the launch on 29th January 2026 of the research project titled "Assessment of the Impact of Paralegal Work on the Legal Sector and Access to Justice." This important initiative represents a collaborative effort between KSL and development partners including

the European Union and the United Nations Development Programme. The project sought to evaluate the role and contribution of paralegals within the justice sector and their impact on promoting access to justice, particularly among vulnerable and marginalized communities. Across many communities, paralegals continue to play an important role in legal awareness, dispute resolution, community engagement, and the provision of basic legal assistance.

The department takes this opportunity to sincerely appreciate all our partners, stakeholders, facilitators, participants, and clients for their continued support, collaboration, and confidence in KSL. Your partnership continues to inspire our pursuit of excellence and strengthens our collective commitment to advancing legal education, institutional development, and professional growth.

We encourage our stakeholders and partners to continue visiting the School's website for updates on upcoming programmes, consultancy opportunities, and professional development initiatives. Those interested in making inquiries regarding CPD services, including training and consultancy engagements, may reach the department through the official departmental email address:

cpd@ksl.ac.ke Those who wish to register for any of the upcoming calendar courses can go online to [services.ksl.ac.ke](https://services.ksl.ac.ke) and register for a course. The annual CPD training calendar for the financial year 2025-2026 is up and the 2026-2027 will soon be published. These may be accessed through the school website: <https://www.ksl.ac.ke/cpd-courses/>

*Daniel Odhiambo is an Advocate of the High Court of Kenya and the Acting Head of Department, Continuing Professional Development at KSL.*





CONTINUING PROFESSIONAL  
DEVELOPMENT PROJECTS  
& RESEARCH DEPARTMENT (CPD)



## ABOUT US

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

## OUR SERVICES

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

## OUR CLIENTS



Interested in partnering with us? Contact us via [cpd@ksl.ac.ke](mailto:cpd@ksl.ac.ke).

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P.O Box 30369-00100, Nairobi.  
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## THE CPD DEPARTMENT TRAINS SASRA ON LITIGATION, INVESTIGATION ENFORCEMENT AND COURT ROOM SKILLS

By Samuel Akhwale

**K**SL through the Continuing Professional Development department runs courses for continuing professional development of various professionals. The courses may be calendar courses, where the Department draws an annual training calendar and any eligible participant may apply and attend the course. The other type of courses run are the tailor-made courses, where a specific institution such as a law firm or a State Corporation requests the School to design and run a course to meet the training needs of that particular institution.

In the 2025/26 Financial year a number of tailor-made courses were run by the CPD Department. One of these was a training for the Sacco Societies Regulatory Authority (SASRA). The training was on INTRODUCTION TO LITIGATION, INVESTIGATION ENFORCEMENT AND COURT ROOM SKILLS and it ran from 24th to 28th November 2025 at KALRO Dairy Research Institute in Naivasha.

A brief background to SASRA is that the Sacco Societies Regulatory Authority (SASRA) is established by the SACCO Societies Act Cap.490B. Its objectives and functions are to:

- (a) license Sacco societies to carry out deposit-taking business in accordance with this Act;

- (b) regulate and supervise Sacco societies;
- (c) hold, manage and apply the General Fund of the Authority in accordance with the provisions of this Act;
- (d) levy contributions in accordance with this Act;
- (e) do all such other things as may be lawfully directed by the Minister; and
- (f) perform such other functions as are conferred on it by the Act or by any other written law.

The School has had various engagements with SASRA, going back to the year 2010, in which SASRA staff attended a number of KSL calendar courses, with KSL conducting Legal and Governance Compliance Audit consultancies for SASRA.

With regard to the training on Litigation, Investigation Enforcement and Court Room Skills, the training need arose out of the mandate of SASRA as implemented by its Legal and Compliance departments. Officers in these Departments needed capacity building in their ability to analyse legal issues that arise in the course of enforcing compliance. The training stood to make them more effective by taking this training. The training aimed at equipping them with skills to identify the offences related to SACCO Societies operation, investigating incidents of non-compliance and building up strong enough cases for prosecution, and effectively tendering evidence in court in such cases.

The expected training outcomes were:

- i. Increased capacity to effectively Investigate cases of non-compliance and other offences that compromise operations of SACCO societies.
- ii. Expanded skills in gathering credible evidence to support intended prosecution.
- iii. Ability to compile compelling prosecution files.
- iv. Enhanced capacity to testify convincingly as part of compliance through the court process.
- v. Increased capacity for preparing regular compliance reports.

The course commenced on 24th November 2025, with twenty participants taking the course. They were drawn from officers serving in the Legal, Compliance, Supervision, Market Conduct and Regional Coordination functions at SASRA.

At various points of the training, the Assistant Director, Continuing Professional Development Projects and Research at KSL Mr. Isaac Kuloba, the Acting Chief Executive Officer at SASRA, Mr. David Sandagi and the SASRA Corporation Secretary and Director of Legal Services Ms. Roselyne Ragama made courtesy calls and gave words of inspiration to the participants. Mr. Kuloba too facilitated a session on the Law on Evidence including Digital Evidence.





*Participants from SASRA and KSL trainers during the Litigation and Courtroom skills training in Naivasha*

Other facilitators included Senior lecturers from the KSL namely Ms. Christine Kungu, Mr. Samuel Mwaniki and Mr. Samuel Akhwale; a State Counsel with over twenty-five Prosecution experience, as well as Consultants with long experience in investigation, law enforcement and crime detection.

They took the participants through learning sessions on the following:

- Principles of Investigation and Role of the Investigator.
- Interviewing of Witnesses and Statement recording.
- Preparation of a prosecution file.
- Preparation of witnesses for trial and Case Management.
- The Criminal Trial Process.

- Court etiquette and professionalism.
- Refresher on Legal Systems and court structure and functions.
- Trial Advocacy.

The learning interspersed interactive lecture sessions and practical discussions and group work.

By the time the course ended on 28th November 2025, all the participants were upbeat, confident that they now had a working knowledge of the selected legal subjects, had received skills for efficient and effective investigation and compiling of evidence and increased capacity for strong case presentation in court.

The KSL and the CPD department in particular appreciates the various individuals and offices that supported delivery of this course including the Corporation Secretary & Director Legal Services at SASRA Ms. Roselyne

Ragama and the SASRA Ag. Director, Compliance, Market Conduct & Regional Coordination Mr. Jeremiah Were; the Director KSL; the Finance Department at KSL, the Assistant Director CPD Mr. Isaac Kuloba and the Senior Office Administrator and Senior Records Management Assistant respectively at CPD Ms. Christine Mwanza and Ms. Jacqueline Mararo.

The school looks forward to more interaction with SASRA and other regulators in the Finance sector for mutually beneficial collaboration.

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



## The Kenya School of Law: Transformative Communication

By Ruth Githaiga

significantly improved both internal and external communication flows and enhanced institutional transparency.

**K**SL continues to position itself as a premier institution in the training and development of legal professionals in Kenya. The theme of this edition, “Reflect, Renew, Re-imagine,” invites us to take stock of the School’s journey, appreciate key milestones achieved and consider the future direction of the School in a dynamic legal environment.

A significant area of transformation within the School has been the development and strengthening of its communication function. In its earlier years, the School did not have a dedicated communication section and information dissemination was largely administrative, reactive and limited in scope. This affected the consistency of messaging, institutional visibility and the overall engagement with key stakeholders including students, staff, regulators and the public.

The establishment of a structured communication function approximately five years ago marked a turning point in the School’s institutional development. It introduced a more coordinated, strategic and professional approach to communication, ensuring that information is disseminated in a timely, accurate and accessible manner. This development has

One of the key achievements in this journey has been the strengthening of institutional branding and visibility. Through deliberate communication strategies and consistent messaging, the School has been able to build a stronger public identity and reinforce its role as a leading legal training institution. The effective use of digital and social media platforms has further enhanced engagement, enabling the School to connect more directly and efficiently with students, alumni and the public.

In line with institutional growth and commitment to service delivery, the School has also developed communication frameworks, including a Corporate Communication Policy, a Complaints Handling Policy and a strengthened Service Charter requirements for a public entity. These instruments have been critical in guiding how the School communicates, responds to stakeholder queries and delivers services. The Corporate Communication Policy has provided a structured framework for managing institutional messaging, ensuring consistency, professionalism and alignment with the School’s mandate and values. The Complaints Handling Policy has enhanced responsiveness and accountability by providing clear mechanisms through which students and stakeholders can raise complaints and receive timely feedback. This has strengthened trust and improved service delivery standards.

Additionally, the School’s Service Charter has played a central role in enhancing awareness of the School’s commitments to its internal and external customers. It clearly outlines service standards, expectations, timelines and costs if any, thereby promoting transparency, accountability and a culture of responsiveness within the School. Collectively, these frameworks have contributed to improved stakeholder confidence and institutional credibility.

As we look to the future, there is need to re-imagine the role of communication not only as a support function but also as a strategic pillar of the School’s excellence. Communication as a strategic function should increasingly drive stakeholder engagement, strengthen leadership, support digital transformation and enhance institutional reputation management within the legal education sector.

In conclusion, the growth of the communication function, supported by key governance frameworks such as the Corporate Communication Policy, Complaints Handling Policy, and Service Charter, reflects the KSL’s broader commitment to excellence, accountability and service delivery. As we continue to reflect on our progress and renew our systems, communication will remain central in shaping how the School is perceived, experienced and positioned for the future.

*Ruth Githaiga is a Senior Corporate Communication Officer at KSL.*





## The Future of Justice is Young and Vibrant

*By Ally Gakweli*

with which ordinary citizens, supported by paralegals, were engaging systems that often feel out of reach.

Then there was Regina, not her real name, a childless widow in Uasin Gishu. Faced with dispossession by her co-wife, who claimed greater entitlement to land on the basis of having children, Regina turned to paralegals for support. What followed was not an overnight victory, but a steady, guided process. When we last spoke, she was in the final stages of securing proper title to her land, backed by paralegal guidance and the support of local duty bearers. Her story is not unique. That is precisely the point.

These moments, repeated in different forms across the country, continue to shape my belief in the role of paralegals in bridging the access to justice gap, particularly in communities where legal knowledge remains out of reach. In an economy where financial resources are often scarce and legal literacy even more scarce, the emergence of young people equipped with foundational legal knowledge and a commitment to serve their communities feels both necessary and frankly refreshing.

It is also why I remain deeply invested in the growth of KSL's paralegal training programme. Now in its fourth year, the programme has moved beyond its early foundations into something more expansive and deliberate. Partnerships with Kenya Universities and Colleges Central Placement Service (KUCCPS) have widened access. Digital marketing efforts have strengthened recruitment and visibility. A growing presence at the Karen campus, alongside increased involvement of paralegals

in research and legal aid initiatives, signals a programme that is not only growing, but embedding itself within the broader justice ecosystem.

From the pipeline of trained individuals emerges a generation that understands the law as a tool for service, not just a profession. They are returning to their communities, asking harder questions, offering guidance where there was none, and, in many cases, quietly reshaping how justice is experienced at the local level.

It is easy to speak of the future of justice in abstract terms. But in these spaces, it is neither distant nor theoretical. It is present in the energy of new students walking into KSL for the first time. It is present in community conversations that are becoming more informed, more assertive. It is present in stories like Regina's, where knowledge, once absent, becomes the difference between loss, security and justice.

The future of justice is often imagined as something to be built. Increasingly, it is something already taking shape. And it is young, it is grounded, and it is undeniably vibrant.

*Ally Gakweli is the Marketing Officer at Kenya School of Law.*

The past six months have felt different. The marketing office, usually tucked away in quiet obscurity, has carried an unusual buzz. Outside, 18-year-olds crisscross the building with a kind of energy that is hard to ignore, heads high, all smiles, too charged for a Thursday morning, eager to begin their journeys in law. It is a feeling that extends beyond KSL's paralegal programme. Something is shifting.

Through my involvement in the now two-year-old Access to Justice Project at KSL, supported by the European Union through United Nations Development Programme (UNDP) Amkeni Wakenya, I have had a front-row seat to this shift. Across the country, young paralegals are stepping into spaces where justice has long felt distant, carrying not just knowledge, but a quiet determination to make it accessible.

In Kitui County, during a learning and development session in Timumwa, I met community paralegals working alongside residents who had mobilized to challenge proposed cement mining activities. Their concerns were clear; lack of community consent, the threat of environmental degradation, and lingering questions about how permits had been issued and impact assessments conducted. What stood out was not just the issue itself, but the confidence



## Opening New Pathways: A Reflection on the New Staff Establishment

By Raphael Ogello

*How a Government-Led Framework is Strengthening Career Growth, Equity, and Workforce Development*

Kenya's public sector continues to experience progressive transformation as Public sector institutions align their Human Resource Instruments with national priorities and emerging workforce demands. Central to this reform agenda is the Government's commitment to enhancing efficiency, equity and career development within the public service. The Rapid Results Initiative (RRI), spearheaded under the guidance of the Public Service Commission (PSC), has played a pivotal role in accelerating these reforms by introducing a standardized framework for the development and review of human resource instruments across public institutions.

KSL in line with its mandate of providing professional legal training, embraced this initiative as an opportunity not only to comply with national requirements but also to strengthen its internal structures. The review of its staff establishment marked a significant step toward building a more responsive, inclusive and future-ready workforce. This for KSL was more than a policy requirement, it was an opportunity to re-examine its staff establishment, to address long-standing challenges and to create a system that not only supports the School's goals but also unlocks the potential of its people.

The journey began with a comprehensive review of KSL HR Instruments guided by PSC



guidelines and supported by technical experts from PSC. This collaborative approach allowed the School to take a critical look at its existing structure, identifying areas that required strengthening while building on what already worked. What emerged from this process is a staff establishment that is more structured, more inclusive, and significantly more responsive to the needs of a modern workforce. One of the most notable changes is the expansion of the grading structure. Previously capped at KSL Grade 10, the new framework introduces three additional tiers KSL 11, 12, and 13. While this may appear as a technical adjustment, its impact is far-reaching. This represents something deeply meaningful for staff with the possibility of growth.

Limited grading levels often meant that employees could remain in the same position despite gaining experience and demonstrating capability. The expanded structure changes this narrative. It creates room for progression, allowing

individuals to move forward within the organization and aspire to higher levels of responsibility. In doing so, it restores a sense of momentum to career journeys that may have previously felt constrained. Equally transformative is the framework's recognition of diverse entry pathways. By clearly defining entry points for artisan, certificate, diploma, and degree holders, the School has embraced a more inclusive view of its workforce. This approach acknowledges that excellence is not confined to a single qualification path, but is built through a combination of skills, training, and experience.

Perhaps one of the most refreshing shifts is the emphasis on experience as a driver of growth. The new staff establishment moves beyond traditional models that rely heavily on academic progression alone.



Instead, it creates space for vertical movement based on accumulated experience, allowing staff to advance within their roles as they build expertise over time. This change speaks directly to a common challenge in many organisations which is “stagnation”. By enabling progression within job categories, the establishment ensures that dedication and long-term service are recognised and rewarded. It introduces a sense of fairness and motivation, where effort translates into opportunity.

Clarity has also been significantly enhanced. With refined job descriptions aligned to the new grading system, roles are now more clearly defined, reporting lines are better structured, and expectations are easier to understand. This not only supports effective performance management but also strengthens accountability across the School.

Importantly, the new staff establishment aligns fully with national public service standards. Its approval by the PSC marks a key milestone, affirming that the establishment and other HR Instruments meets the required benchmarks of fairness, consistency and competitiveness. This for KSL is an achievement as it manages to align its HR instruments to the required PSC guidelines.

As with any meaningful reforms, the journey does not end with approval. Implementation brings its own realities. A review by the internal Human Resource Technical Team has already identified a few areas that require refinement to ensure a seamless transition. These includes aspects of role alignment, transition planning and capacity building to support the new structure. Rather than setbacks, these insights represent an important part of the process, an opportunity to strengthen the staff establishment further and ensure

that it delivers its intended impact. The School remains committed to addressing these gaps and ensuring that the transition is both smooth and beneficial to all.

### **Conclusion**

KSL adoption of the new staff establishment represents a significant step towards building a modern, responsive and people-centered School. By expanding career pathways, recognizing diverse qualifications and rewarding experience, the framework lays a strong foundation for sustained growth and excellence.

*Raphael Ogello is a Senior Human Resource Assistant at KSL.*





## Transitioning to Fiscal Autonomy

By Ruth Gichuki

paralegals, legal practitioners and research. One of the key interventions include:

### Targeted Resource Allocation:

Budgetary frameworks have been re-evaluated to prioritise high-impact academic programmes that are aligned with the School's mandate, thereby ensuring optimal utilisation of limited resources. The School has taken two main strategic partnerships. The first one is the Kenya Universities and Colleges Central Placement Service (KUCCPS) integration. Leveraging the KUCCPS as a student recruitment channel has enhanced the visibility of the Paralegal Training Programme (PTP), resulting in a 10% increase in revenue. The second one is diversification through Kenya Accountants and Secretaries National Examinations Board (KASNEB) where introduction of the Certified Secretaries (CS) course, through a formal collaboration with KASNEB, has established a supplementary and consistent revenue stream while expanding the institution's academic offerings. These measures collectively strengthen the School's financial base while reinforcing its relevance within the legal and professional training ecosystem.

### Reimagine: The Path to Self-Sustainability

The School is redefining its future as a self-sustaining entity through deliberate internal revenue generation and strategic resource mobilisation. Central to this approach is the diversification of income streams to ensure that all operational activities are progressively financed through internally generated funds. This includes the expansion of professional short courses, consultancy services, and the strategic leveraging of institutional expertise to serve a broader market.

To complement these efforts, resource mobilization has been institutionalized through structured collaboration between the School's Research Department and the Resource Mobilisation Committee. This integrated approach focuses on:

- Grant writing and proposal development: Preparation of competitive, data-driven proposals targeting international donors, development agencies, and private sector partners;
- Public-Private Partnerships (PPPs): Identification and development of joint ventures aligned with the institution's legal training mandate;
- Endowment building: Establishment of long-term frameworks to attract philanthropic contributions and alumni support.

In parallel, the School has adopted a strict "Value for Money" principle to guide all expenditures by minimising administrative overheads and maximising the return on investment in academic programmes. The School ensures that every expenditure directly advances its strategic objective of full financial independence.

### Conclusion

The transition to fiscal autonomy is both necessary and strategic. It represents a deliberate shift toward resilience, accountability, and an institutional self-reliance. Through the disciplined implementation of the "Reflect, Renew, and Reimagine" framework, the School is positioning itself to operate sustainably, deliver high-quality legal training, and remain responsive to the evolving demands of the legal sector.

*Ruth Gichuki is the Principal Accountant at KSL.*

The strategic framework "Reflect, Renew, and Reimagine" articulates KSL transition from a model of government reliance toward a sustainable, autonomous, and efficient fiscal future. This shift is intended to optimise the School's output and ensuring long-term financial sustainability.

### Reflect: Auditing Operational Efficiency

To establish a firm foundation for growth, the School has undertaken a comprehensive retrospective analysis of its historical performance. A detailed performance review has been conducted to identify systemic inefficiencies and legacy processes that have historically contributed to fiscal wastage. While past operations were adequately sustained through consistent National Government grants, the prevailing fiscal environment necessitates a deliberate and structured elimination of such inefficiencies. This reflective phase has therefore provided critical insight into operational gaps, forming the basis for evidence-driven reforms aimed at enhancing efficiency, accountability, and sustainability.

### Renew: Strategic Realignment and Revenue Growth

In response to diminishing national budgetary allocations, the School has initiated a rigorous realignment of its financial and academic priorities, with a clear focus on its core mandate of the professional training of advocates,





## Wellness at the Heart of Legal Training

By Dorcas Mwachia



As we gather under this theme, Reflect, Renew, Reimagine, we take this opportunity to look back on the journey of student welfare and counselling at KSL and appreciate the milestones that have shaped this important office.

One of the most meaningful reforms introduced by the former Director was the establishment of the Office of Welfare and Counselling in 2022, a significant milestone that strengthened student support systems and enhanced the well-being of KSL community. Since its inception, the office has continued to support students in meaningful ways, affirming the importance of integrating welfare and counselling into the institution's framework.

The introduction of this office marked a progressive recognition that student well-being is central to academic excellence and personal growth. It created a structured support system where students could access therapeutic and psychosocial support while navigating academic pressure, personal struggles and social challenges.

Through Mental Health Awareness weeks and wellness engagements including dance sessions, movement therapy,

wellness conversations and student support forums—one truth has become evident: none of us is immune to the challenges life presents. Whether it is emotional pain, relationship disappointments, stress, burnout, trauma, or other mental health struggles, these experiences remind us of the importance of having support systems within our learning environment.

The office has also strengthened welfare beyond counselling by supporting student led clubs, peer support networks, cultural engagements and social activities. These includes gala nights, creating spaces for connection, belonging and community building. These initiatives have encouraged students to express themselves, build resilience and strengthen their sense of belonging within the institution.

The School's motto, Dux Mihi Justitia (Justice is my guide), aligns deeply with the School's mandate of nurturing competent, ethical

and resilient legal professionals. Justice begins not only in the courtroom but within the individual through balance, wellness, integrity and personal growth. As KSL continues to fulfill its mandate, the future of the institution remains bright and so must the wellbeing of its students remain a priority.

As we reflect on the milestones since 2022, we renew our commitment to promoting student welfare and mental wellness. We reimagine a future where every student is supported holistically in their academic, emotional and social lives.

The future of KSL is bright and with it, the continued commitment to the welfare and wellbeing of every student.

*Dorcas Mwachia, is the Students' Welfare and Counselling Officer at KSL.*



## Beyond Routine: Cultivating Innovation and Intentionality in Service Delivery

By Judith Omwoyo

In our hospitality section, we prioritize reflection as a cornerstone of service. We regularly evaluate our daily operations, the guest experiences we curate, and the feedback we receive. This analytical approach has helped us identify our strengths and address areas for growth. Reflection keeps us mindful and intentional, ensuring that our services remain professional, responsive, and aligned with the expectations of those we serve.

Beyond reflection, we are dedicated to updating our approach to service delivery. As a team, we consistently refine our standards maintaining our facilities, and building our professional skills. We invest in; in-house training, encourage teamwork, and we discover more efficient ways to operate. This commitment to renewal ensures consistency and keeps the team motivated, preventing complacency while allowing us to evolve alongside changing needs.

Some of our achievements include the introduction of an à la carte menu and menu realignment, offering greater variety and flexibility to meet diverse dietary needs. We have also refurbished our syndicate rooms and installed modern presentation screens, improving communication, comfort, and professionalism during meetings and training sessions.

In addition, grounds maintenance has been significantly improved, transforming our outdoor spaces ideal for weddings and events. We have further allocated guest hostel rooms to students, providing a comfortable,

hotel-like “home away from home” environment that supports both rest and study.

At the same time, we strive to reimagine the role of hospitality in the School. We challenge ourselves to go beyond routine tasks and create meaningful experiences for our clients. This includes being more innovative, personalizing our services, and embracing new ideas and technologies that improve service delivery. Rethinking helps us

establish our section as a key contributor to the institution’s image and overall success.

By reflecting, renewing, and rethinking, we are building a hospitality section that is dynamic, client-focused, and committed to excellence. This approach allows us to keep improving and deliver services that truly make a difference.

*Judith Omwoyo is a Hospitality Officer at the KSL.*



Hospitality at its best

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| Packages                  | Rate Per Person (Kshs.)* |
|---------------------------|--------------------------|
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| Full Day Conference       | 3,500/-                  |
| Half Day Conference       | 2,500/-                  |
| Bed Only                  | 2,500/-                  |
| Dinner, Bed and Breakfast | 4,500/-                  |
| Bed and Breakfast         | 3,500/-                  |
| Buffet Lunch              | 1,200/-                  |
| Breakfast Only            | 800/-                    |
| Hire of Wedding Grounds   | 55,000 per day           |

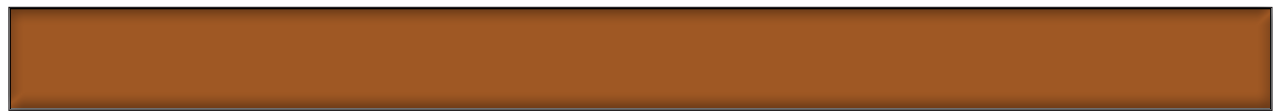
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## Feel the Energy: Sports at the Kenya School of Law – Year 2025/2026

By Kennedy Wesonga and Bernard Nzioka

KSL continues to demonstrate its commitment to a holistic student development through vibrant sports and recreational activities. In 2026, the Term One Sports Day, organized by the Sports and Games Sub-Unit in collaboration with the Sports Committee and the Students' Council, brought together staff, Paralegal Training Programme (PTP), and Advocates Training Programme (ATP) students in a celebration of unity, talent and resilience.

Held shortly after students' report to the School, the event plays a critical role in helping learners adjust to the demanding academic environment. At KSL, sports are not merely recreational, they are a key pillar in promoting mental wellness, physical fitness, teamwork and leadership. The 2026 edition lived up to this vision, delivering an engaging and inclusive experience that strengthened community spirit.

Despite challenging weather conditions, participants turned out in large numbers, demonstrating enthusiasm and determination. The inter-class competition format remained a highlight, with teams competing across multiple disciplines and accumulating points toward the overall trophy. This structure encouraged broad participation while fostering teamwork, coordination and class identity.



*KSL Football Team during the 2026 Term 1 Students' Sports Day.*

The sports programme featured diverse disciplines, including football, rugby, basketball, volleyball, athletics and swimming. Football attracted significant attention due to its popularity and competitive nature, while rugby showcased strength, discipline and teamwork. Basketball and volleyball emphasized strategy, coordination, and communication, while athletics tested endurance and individual performance.

Swimming stood out as a key discipline, providing a refreshing and competitive segment of the event. As a full-body exercise, it promotes cardiovascular health, endurance, and mental relaxation. Its inclusion enhanced diversity in the programme and ensured broader participation among students with different abilities.

In addition to the main sports, fun games were incorporated to ensure inclusivity and

engagement for all members of the KSL community. These activities promoted interaction, teamwork, and a relaxed atmosphere, reinforcing the importance of participation beyond competition.

The event attracted over 300 participants across various disciplines, reflecting the growing sports culture within the institution. Strong leadership from team captains and effective coordination by the Sports Committee ensured smooth execution and high standards of sportsmanship. Safety remained a priority, with no major injuries reported.

The event concluded with an awarding ceremony presided over by the Sports Committee leadership, where winners were recognized with trophies, medals, and stipends. Beyond the awards, the ceremony celebrated effort, resilience, and teamwork, further strengthening the sense of community within KSL.





*KSL Students making a splash in the Swimming Competition at the 2026 Term 1 Students' Sports Day.*

### **Swimming at KSL: Promoting Wellness and Balance**

Swimming has become an integral part of student life at KSL, supporting the institution's commitment to wellness and balanced living. As academic pressures increase, the availability of a well-maintained swimming facility provides students and staff with an opportunity to relax, recharge and maintain physical fitness. Recognized as one of the most effective forms of exercise, swimming improves cardiovascular health, builds endurance, and reduces stress. It also offers a social space for interaction, fostering stronger connections within the School community.

The KSL swimming facility is accessible at affordable rates:

- KSL Students: Ksh.100
- Children: Ksh.150
- Adults: Ksh 250

These subsidized charges ensure accessibility while maintaining quality standards.

### **Conclusion**

The Term One Sports Day was more than a competition. It was a celebration of unity, wellness and the KSL spirit. It provided a platform for students and staff to engage beyond academics, showcase talent and build meaningful connections.

At KSL, excellence extends beyond the classroom. It is nurtured on the field, in the pool, and through every opportunity that promotes growth, teamwork, and balance.

*Kennedy Wesonga is a Senior Office Assistant and Secretary to the KSL Sports Committee, Bernard Nzioka is a Senior Office Assistant at the KSL.*



## STUDENTS CORNER

### Human Nature: The Psychology Behind Kenya's Elections

*By Christian Adhiambo*

Elections are supposed to be simple, people choose leaders and the country moves forward. But in Kenya, elections are never just about voting. They are emotional, personal, and sometimes tense. They reveal something deeper about us as people; how we think, what we fear, who we trust and what we are willing to stand for.

One of the biggest influences on how Kenyans vote is identity. Many people do not just vote for a candidate, they vote for someone they feel connected to. It could be tribe, region, or even a shared background. It is human nature; we feel safer supporting someone who feels familiar. In uncertain times, people tend to choose who they know over who they do not.

There is also hope. Every election comes with big promises, better jobs, lower cost of living, improved healthcare, and opportunities for young people. Despite past disappointments, many Kenyans still believe change is possible. That belief keeps people showing up to vote again and again. It shows something powerful about human nature, even after being let down, people still hope.

But alongside hope, there is fear. Fear of instability, violence, being

on the "wrong side." Kenya's past elections have left memories that people do not easily forget. Because of this, voting is not always just about who is the best leader, it can also be about who feels like the safest choice. As elections get closer, another issue becomes very clear; rights. On paper, every Kenyan has the right to vote, speak freely, gather, and express political opinions. But in reality, these rights are sometimes strained.

There are moments when authorities handle political gatherings in ways that feel excessive, limiting people's freedom to assemble. There are concerns about fairness, transparency, and equal access during campaigns. When those in power fail to fully protect these rights, it creates doubt and mistrust.

But it is not just leaders or officials. Ordinary people also play a role. During election periods emotions run high. People argue, insult each other online, and sometimes spread false information without thinking about consequences. What starts as political disagreement can quickly turn into personal attacks. In those moments, freedom of expression is used in a way that harms others.

Then there is the fear of speaking out. In a true democracy, you should be able to support any leader openly. But in reality, many people do not feel that freedom. Someone might support a certain candidate or even agree with something like "two terms," but they will not say it out loud. Why? Because of backlash.

If you openly support a leader that is unpopular in your area, you risk being judged, insulted or even targeted. Friends might distance themselves. You could be trolled or attacked online. In some spaces, even wearing certain campaign colours or chanting a slogan can make you a target. So, people stay quiet.

They support in private, vote in silence, and avoid political conversations altogether. Outwardly, they may seem neutral or even agree with the majority, but deep down, they think differently. This creates a gap between what people truly believe and what they are willing to say.

That silence says a lot about human nature. People value a sense of belonging and safety as much as they do their opinions. Sometimes, fitting in feels more important than speaking out. It is not always about courage or the lack of it, it is about navigating real social pressure.

The problem is, when too many people stay silent, democracy loses something important. Elections become less about honest expression and more about what is acceptable to say. Freedom of expression exists, but it feels limited by fear of reaction. This is something worth thinking about as Kenya heads toward the next elections. Democracy is not just about casting a vote; it is about feeling free to express your choice without fear.





*IECB official registering voters*

The problem is, when too many people stay silent, democracy loses something important. Elections become less about honest expression and more about what is acceptable to say. Freedom of expression exists, but it feels limited by fear of reaction. This is something worth thinking about as Kenya heads toward the next elections. Democracy is not just about casting a vote; it is about feeling free to express your choice without fear.

The good news is that things are slowly changing. More young people are starting to question old patterns. Conversations about leadership, accountability, and rights are becoming more open. People are beginning to realize that disagreement does not have to mean hostility.

At the end of the day, elections in Kenya reflect who we are as a society. They show both our strengths and our weaknesses. If there is one thing to take away, it is this, democracy

works best when people are not only free to vote, but also free to speak, think, and stand by what they believe without fear.

*Christian Adhiambo is a student at the Advocates Training Programme.*



## From Classrooms to Courtrooms: Re-imagining Legal Education for Justice in Kenya

By Brian Chacha

Legal education in Kenya stands at a critical inflection point. For decades, it has excelled in imparting doctrinal knowledge by producing graduates well-versed in statutes, case law and legal theory. This tradition has preserved the intellectual rigor of the profession. Yet, as the legal landscape evolves under the pressures of technology, globalization and complex societal needs, the question arises: Is doctrinal mastery alone sufficient? To remain relevant, legal education must move beyond reflection and renewal toward a bold re-imagination, one that reorients training from the accumulation of knowledge to the effective delivery of justice.

Reflecting on Kenya's current model acknowledges its strengths. Institutions such as the Kenya School of Law have played a central role in standardizing professional training and maintaining high entry thresholds to the Bar as anchored in the Legal Education Act and the Kenya School of Law Act. The emphasis on black-letter law ensures that graduates possess a solid grounding in legal principles. However, this model has also cultivated a certain rigidity. It often privileges theoretical proficiency over practical competence, leaving many graduates underprepared for the dynamic realities of legal practice.



*Law students during a moot court session*

Renewal, therefore, must begin with a recalibration of priorities. Legal education should increasingly integrate experiential learning into its core structure. Clinical legal education, moot courts, simulation exercises and internships should not be peripheral components but central pillars of training. These methods resonate with the constitutional command, particularly Article 159(2), which emphasizes substantive justice over procedural technicalities. Indeed, the judiciary has repeatedly affirmed this orientation, notably in the Election Petition No. 1 of 2017 between Raila Odinga and IEBC & others, where Justice J.B. Ojwang in paragraph 167 of his dissenting judgment underscored the primacy of substantive justice. Training lawyers in practical, problem-solving skills better aligns legal education with this constitutional ethos.

Equally important is the incorporation of interdisciplinary perspectives. Modern legal problems rarely exist in isolation; they

intersect with economics, technology, environmental science and public policy. A reformed curriculum must equip future lawyers with the analytical tools to navigate these intersections.

For instance, the rise of digital financial systems implicates not only regulatory compliance but also data governance under the Data Protection Act 2019, which gives effect to Article 31(c) and (d) of the Constitution. Without such breadth, legal practitioners risk becoming technically competent yet contextually inadequate.

However, renewal alone is insufficient. What is required is a more radical re-imagination of the purpose of legal education itself. At its core, the law is not an end but a means, a mechanism for achieving justice, equity and social order. Legal training must therefore cultivate not just skilled technicians, but reflective practitioners committed to the broader public good.



This vision finds support in the transformative character of the Constitution, as articulated in *Speaker of the Senate v Attorney General & 4 others*, where the court emphasized the Constitution's role in restructuring governance and legal practice. Legal education must internalize this transformative mandate.

In this re-imagined framework, access to justice becomes a central organizing principle. Article 48 of the Constitution guarantees access to justice for all persons, yet structural barriers persist. Law students should therefore be encouraged and required to engage with underserved communities through legal aid clinics and public interest initiatives, in line with the Legal Aid Act 2016, which gives effect to Articles 19 (2), 48, 50 (2) (g) and (h) of the Constitution. Such engagement fosters a deeper understanding of the lived realities of litigants and reinforces the lawyer's role

as a facilitator of justice rather than merely a participant in adversarial processes.

Technology, too, must be embraced as a transformative force rather than a marginal concern. The increasing use of artificial intelligence, legal research platforms and digital dispute resolution systems is reshaping the practice of law. Kenyan courts themselves have begun integrating technology to enhance efficiency and access a trend accelerated in recent years.

Legal education must anticipate these changes by equipping students with digital literacy and adaptability. This does not mean displacing traditional legal reasoning, but rather supplementing it with tools that enhance efficiency and accessibility.

Ultimately, to re-imagine legal education in Kenya is to redefine what it means to be a lawyer. It is to move away

from the narrow conception of the lawyer as a repository of legal knowledge, toward a more expansive vision of the lawyer as a problem-solver, an innovator and a custodian of justice. This transformation requires institutional commitment, curricular reform and a cultural shift within the legal community.

The stakes are high. A legal education system that fails to evolve risks producing graduates ill-equipped for contemporary challenges, thereby undermining public confidence in the profession. Conversely, a system that embraces reflection, renewal and re-imagination can catalyze a more responsive and equitable justice system. The task, therefore, is not merely to train lawyers, but to shape the future of justice itself.

*Brian Chacha is a student in the Advocates Training Programme at KSL.*



*Law Students during a firm meeting*



## When Justice is Misled: A Call to Reflect, Renew and Reimagine

By Tamirah Njeri

As a student at KSL, I have come to appreciate justice not merely as an abstract concept, but as the very foundation upon which society rests. Justice, in its ideal form, is meant to be fair, impartial and accessible to all. It is what guarantees order, protects rights and ensures accountability. However, the reality we often encounter tells a different story—one where justice is sometimes delayed, denied, or even misled.

To say that justice is misled is to acknowledge a difficult but necessary truth; the systems designed to uphold fairness are not immune to influence. They can be shaped by power, weakened by corruption and slowed down by inefficiency. In some instances, bias, whether conscious or unconscious affects decision-making. The law itself may be structured, but its application lies in human hands and systems which are inherently imperfect. When justice is misled, the consequences are far-reaching. The innocent may suffer while the guilty evade responsibility and public confidence in legal institutions gradually erodes.

This reality calls for reflection. As students of law and future custodians of justice, we must be willing to confront these shortcomings honestly. Reflection requires us to look beyond textbooks and examine how the law operates in practice.

Where does the system fail? Is it in the inaccessibility of legal services to marginalized communities? Is it in prolonged court processes that delay justice? Or is it in unequal treatment influenced by social, economic or political status? These are not easy questions, but they are necessary ones. Without reflection, we risk becoming passive participants in a flawed system rather than active agents of change.

Beyond reflection lies the need for renewal. Recognising the flaws in the system is only the first step; the next is committing to do better. Renewal begins at a personal level. It is a conscious decision to uphold integrity, to act ethically and to resist practices that compromise justice. For a law student, this means cultivating values that will guide future professional conduct; honesty, accountability and fairness. It means choosing to stand firm even when faced with pressure to do otherwise. A renewed approach to justice is not built overnight; it is developed through consistent deliberate choices that prioritize what is right over what is convenient.

Renewal must also extend beyond the individual to the legal system as a whole. Institutions must embrace transparency, efficiency and accountability. Legal processes should not be so complex or costly that they exclude those who need them most. Justice should not feel like a privilege reserved for a few, but a right accessible to all. By strengthening both personal ethics and institutional practices, we can begin to restore faith in the justice system.

Finally, we are called to reimagine justice. This is perhaps the most powerful aspect of the theme.

Reimagining requires courage to envision a system that goes beyond current limitations. What would justice look like if it were truly fair, inclusive, and efficient? Perhaps it would be a system where cases are resolved without unnecessary delay, where technology enhances transparency and where every individual, regardless of their background, has equal access to legal representation.

Reimagining also challenges us to think creatively about reform. It invites innovation and fresh perspectives particularly from young people who are not yet constrained by tradition.

As students at KSL, we are uniquely positioned to contribute to this vision. We are learning not only the rules of law, but also how those rules can evolve to meet the needs of a changing society. The idea that justice can be misled should not discourage us, rather, it should inspire us to act. It is a reminder that justice is not self-executing, it depends on the people who interpret, apply and defend it. Our responsibility therefore, is not just to understand the law, but to uphold its true purpose. In embracing the theme Reflect,

Renew, Reimagine, we are choosing to engage deeply with the concept of justice. We are choosing to question, to improve and to envision a better future. Ultimately, the future of justice does not lie solely in institutions or legal frameworks but lies in us, the next generation of legal professionals and in the choices we make every day.

*Tamirah Njeri is a Paralegal Training Programme student at KSL.*





## Do Judicial Opinions Really Matter?

By Jacinta Kanda

This is a reflection on Kenyan jurisprudence through the lens of American legal scholarship. When I sat down to write this piece, my first instinct was to analyse a case, a critique or an appraisal. I then came across Professor Justin Driver's essay, "*The Insignificance of Judicial Opinions*," and found myself doing something I had not planned: stopping to question an assumption I had carried throughout my legal education journey: That judicial reasoning matters. That opinions are, as Driver puts it, 'the thing'. Are they, really, at least in Kenya?

The provocative legal essay recently published in the *California Law Review* by Yale Law Professor Justin Driver argues that judicial opinions are, in the grand scheme of constitutional law, largely insignificant. What matters, Driver contends, are not the reasons judges give for their decisions, but the decisions themselves. He calls this framework "*decisionalism*" - the idea that bottom-line outcomes shape law and society far more than the craftsmanship of judicial reasoning.

Driver's argument is bracing for any common law jurisdiction. But how does it hold up against the Kenyan experience a legal system that has, since 2010, produced some of Africa's most celebrated constitutional jurisprudence.

### The 2010 Constitution and the Primacy of Reasoning

In Kenya, the argument for the insignificance of judicial opinions faces immediate resistance.

The Constitution of Kenya 2010 is more than a set of outcomes - it is a document saturated with values: human dignity, equity, social justice, inclusiveness, and the rule of law. Article 259 commands that the Constitution be interpreted in a manner that promotes its purposes, values, and principles. This textual instruction creates a constitutional imperative for robust judicial reasoning. Our courts cannot simply announce outcomes; they are constitutionally obliged to explain themselves.

When the Supreme Court delivered its judgment in *NGOs Coordination Board v Eric Gitari & 5 others, Petition No 16 of 2019*, it affirmed that the refusal to register an organization of persons violated the right to freedom of association and was based on discriminatory perceptions of sexual orientation and could not be justified under the limitation clause. Public reaction, ranging from celebration by human rights actors to criticism from conservative quarters, was immediate and visceral, yet many commentators responded to the broader social implications of an LGBTIQ focused NGO being recognized rather than to the precise constitutional ratio on association and nondiscrimination.

Similarly, when the Supreme Court in *Attorney General & 2 others v Ndi & 79 others; Dixon & 7 others (Amicus Curiae) (Petition 12, 11 & 13 of 2021 Consolidated)* [2022] KESC 8 (KLR) (31 March 2022) (Judgment), declared the Building Bridges Initiative process as unconstitutional, the public did not debate the basic structure doctrine the Court so carefully elaborated across its concurrent opinions. They debated whether their preferred political outcome had won or lost. In both cases, the reasoning

was sophisticated, but it was the decision that moved people. Kenyan courts may aspire to be constitutional educators, but Driver's uncomfortable insight holds: the public receives the verdict, not the opinion.

### Where Driver's Thesis has Force in Kenya

Driver's thesis is not without its resonances in our jurisdiction. Examples are the contested presidential election petitions, popularly known as *Raila [2013]* and *Raila [2017]*. In both instances, the public reception of those rulings was shaped almost entirely by the outcomes. Large sections of the population who felt aggrieved by the decisions did not pour over the ratio decidendi; they responded to the bottom line. The 2017 annulment of the presidential election, a historic ruling, was celebrated or condemned not because people had perused the majority's treatment of Article 86 on electoral transparency, but because of what the Court did: it nullified an election. Driver would recognise this phenomenon immediately.

### A Distinctly Kenyan Synthesis

The Kenyan constitutional experience suggests a more nuanced position than Driver's *Opinions* matter enormously, but not uniformly. In a mature democracy with established constitutional norms, Driver may be right that public attitudes are moved by outcomes more than reasoning.

The lesson for Kenyan jurisprudence is this: we cannot afford to dismiss the reasoning in favour of the outcome. We as a nation are still learning the full implication of promulgating the Constitution in 2010. The fact is, the reasoning remains as important as the verdict.

*Jacinta Kanda is a student in the Advocates Training Programme at KSL*



## Access to Justice in Kenya: Between Constitutional Promise and Practical Reality

By Mike Kiprotich

not solely a legal issue but a broader social and institutional challenge.

### Institutional and Structural Challenges

Kenya's adversarial justice system places responsibility on parties to present their cases. While this promotes neutrality, it assumes equality between parties. In reality, disparities in resources and knowledge create imbalance, limiting the court's ability to achieve substantive justice.

The judiciary also depends on institutions such as the police and prosecutorial bodies. Weak investigations, delays and inefficiencies in these institutions directly affect justice delivery. Case backlog remains a persistent issue, leading to prolonged trials and extended detention.

The courts have underscored the importance of proper legal processes. In *Republic v Karisa Chengo & 2 Others*, the Supreme Court affirmed that jurisdiction is fundamental and that proceedings conducted without proper authority are invalid. This illustrates that access to justice requires not only availability of courts but also lawful and effective procedures.

### Corruption and Judicial Integrity

Corruption is a central challenge undermining access to justice. It distorts outcomes, erodes public confidence and creates inequality before the law. Although judicial independence is constitutionally guaranteed, it may appear theoretical where corruption or political interference persists.

As Prof. PLO Lumumba, emphasises the legitimacy of the legal system depends on integrity in practice. Where corruption thrives, justice becomes selective, favouring those with influence while marginalising the vulnerable.

### Bridging the Gap: Reform and Innovation

Addressing these challenges requires coordinated action by institutions such as the Judicial Service Commission, Law Society of Kenya, KSL and Council of Legal Education.

Public legal awareness is critical. Similar to community health outreach, legal professionals can engage citizens through legal aid clinics, forums and grassroots initiatives. This approach empowers individuals and builds trust in the system.

Expanding access to legal representation through pro bono services and volunteering can also bridge the gap. Encouraging advocates and law students to serve underserved communities promotes equality within the system.

Reducing case backlog through improved case management and increased judicial resources is equally important. At the same time, corruption must be actively addressed through accountability mechanisms and collaboration with the Ethics and Anti-Corruption Commission.

The Constitution of Kenya 2010 fundamentally restructured Kenya's legal system by entrenching rights aimed at ensuring fairness, equality and accountability. Central among these is the right to a fair trial under Article 50, which guarantees presumption of innocence, legal representation and a hearing without unreasonable delay. Article 25(c) further elevates this right by making it non-derogable.

However, access to justice extends beyond formal guarantees. It requires that individuals particularly the ordinary mwananchi, can meaningfully engage with the justice system and obtain remedies. In practice, significant socio-economic and institutional barriers continue to limit this access, raising concerns that justice in Kenya remains more theoretical than practical.

### Understanding Access to Justice

Access to justice entails more than the existence of courts. It includes affordability, awareness, fairness and efficiency in legal processes. Article 49 reinforces this by requiring that arrested persons are to be presented before a court within 24 hours, ensuring early protection of rights. Despite this framework, many citizens experience difficulty navigating the justice system. The gap between law and reality reveals that access to justice is





Public participation should also be enhanced. While Kenya does not operate a jury system, greater transparency and community involvement can make the justice system more inclusive. Allowing citizens to engage with court processes fosters trust and accountability.

### **Critical Perspective**

Despite these reforms, systemic barriers remain deeply rooted. Access to justice risks becoming a theoretical ideal if inequality, inefficiency and corruption persist. As W.R. Okoth observes, justice must not only exist but must be accessible to those who need it most.

A further concern is the growing perception of the justice system as a tool of intimidation

rather than protection. Among many Kenyans, the phrase “nitakupeleka kortini” is increasingly used not as a pursuit of justice but as a threat. This reflects a deeper crisis of confidence in the justice system. Many individuals prefer to resolve disputes informally because they believe that once a matter enters the formal system, outcomes may be influenced by corruption or unequal access to resources. There is a perception that those with financial means can influence outcomes, while ordinary citizens risk losing time and money without obtaining justice. Consequently, justice is seen not as a guaranteed right but as a risky process, undermining the rule of law and encouraging reliance on informal mechanisms.

### **Conclusion**

Access to justice in Kenya is grounded in the Constitution of Kenya 2010,

which provides a strong legal foundation. However, practical challenges continue to limit its realization. As a student at the KSL, it is evident that deliberate efforts are being made within the curriculum to equip future advocates with the skills and ethical grounding necessary to address these gaps. Nevertheless, one hand cannot build a castle. Bridging the gap requires collective effort from all stakeholders, including legal institutions, professionals, and the public. Only through coordinated action can justice move from a constitutional promise to a lived reality for all.

*Mike Kiprotich is a student in the Paralegal Training Programme at KSL.*



## The Right to be Wrong: Why False Information is no Longer a Crime in Kenya

By Joshua Kimani

In a landmark ruling delivered on the 26th of March 2026, the Court of Appeal described sections 22 and 23 of the Computer Misuse and Cybercrimes Act 2018 as “broad, wide, untargeted, akin to unguided missiles” that were “likely to net innocent citizens.” With those words, Justices Kiage, Muchelule and Korir struck out the provisions that had criminalised the publication of “false, misleading or fictitious” information. The right to be wrong, the democratic space to make mistakes, share satire, or challenge official narratives was restored to Kenyan cyberspace.

The seven-year legal battle began in 2018 when the Bloggers Association of Kenya (BAKE) filed Constitutional Petition No 206 of 2018, challenging the provision of the Act. BAKE argues that the law’s vague offences had a chilling effect on the freedoms guaranteed under Article 33 of the Constitution. In February 2020, the High Court dismissed the contestation prompting BAKE to appeal. On 6 March 2026 the Court of Appeal agreed that sections 22 and 23 failed the constitutional test.

### Why Sections 22 and 23 Failed the Test

The Court’s *ratio decidendi* rested on two interlocking vices: vagueness and overbreadth. Any law that limits a fundamental right must be clear to enable citizens to regulate their conduct, and must not extend beyond what is necessary. Section 22 criminalised the intentional

publication of false or misleading data “with intent that it shall be considered or acted upon as authentic.” Section 23 went further, targeting information “likely to cause panic, chaos, or to discredit the reputation of any person.”

The judges observed that what is considered false today may prove true tomorrow, a point famously illustrated by Galileo. Criminalising falsity risked turning the state into the arbiter of truth, an outcome fundamentally at odds with article 33. The provisions also duplicated existing legal remedies. Civil defamation, the National Cohesion and Integration Act, and targeted offences under the Penal Code already address reputational harm and incitement without the blunt instrument of criminal sanctions carrying penalties of up to five years’ imprisonment.

The Court rejected the government’s “digital wildfires” argument. While misinformation can pose genuine risk to public order, the Constitution demands that any limitation be the least restrictive means available. The 2018 Act was an overkill.

### The Shadow Areas: Surveillance Provisions Remain

The victory was partial. The Court upheld sections 48 and 53 of the Act’s surveillance framework. Under these provisions, law enforcement may still obtain warrants for the search and seizure of stored data (s 48), production orders (s 50), real-time collection of traffic data (s 51) and interception of content data for up to nine months (s 53). The judges accepted that judicial warrants and the technical complexity of cybercrime justified these intrusions under Article 31 of privacy rights.

Critics may question whether Kenyan magistrates, often overburdened and under-resourced, can truly serve as vigilant gatekeepers against sophisticated state surveillance. The gatekeeper safeguard may prove illusory when warrants are granted *ex parte* and in secret. As the Court itself acknowledged, these powers remain potent tools in the hands of an overzealous executive.

### The Supreme Court Frontier and the 2027 Election Cycle

BAKE has already lodged an appeal to the Supreme Court, challenging the surveillance provisions and section 37 on the wrongful distribution of intimate images. The Supreme Court’s decision will set the digital rules of engagement for the 2027 General Election.

Kenya’s Gen-Z protests of 2024 demonstrated how social media can mobilise citizens and hold power to account. The same platforms can spread disinformation. The Court of Appeal’s judgment strikes the right balance. The state may punish incitement and defamation through targeted proportionate laws, but it may not criminalise the very act of being wrong. In an election year, that distinction matters.

The unguided excesses have been curtailed. What remains is whether the surveillance net will be reined in or allowed to drift. The Supreme Court now holds the final word on whether Kenya’s democracy will be protected by law or policed by it.

*Joshua Kimani is an ATP student at KSL.*





## The Crucible and the Crown: Reflections on Our Journey Through the Advocates Training Program

*By Collins Kaberia*

As I sit down to reflect on the journey we have undertaken since February, I am struck by the deep transformation we have all undergone in such a fleeting period. KSL is more than just an institution; it is a rite of passage. It is the bridge between the theoretical ideals of jurisprudence we spent years studying and the rigorous, procedural realities of legal practice. As we stand at this key juncture, having closed the chapter on our first semester and stepping resolutely into the demanding arena of the second, it is essential to look back at how far we have come, acknowledging the weight of the pressure we currently face, and to celebrate the collective resilience that defines our cohort.

When the gates of KSL opened to us early this year, I walked through them just like any other student in the Advocates Training Program (ATP). I arrived with a clean notebook, a healthy dose of trepidation, and an overwhelming eagerness to learn. I was simply a lawyer by profession, carrying the aspirations of my undergraduate days, eager to earn the right to finally be called an Advocate of the High Court. I did not anticipate how quickly the landscape of my life would change, nor did I foresee the immense honour and responsibility that would soon be placed upon my shoulders.

### The Call to Service: Stepping into Leadership

The decision to step out of my comfort zone of a "normal" student and vie

for a position in the Student Governing Council (SGC) was not made lightly. I recognised early on that the ATP is a high-stakes environment. The sheer volume of reading materials, the transition from substantive to procedural law and the looming specter of the bar exams created an atmosphere that could easily isolate and overwhelm even the brightest of minds. I wanted to be part of a mechanism that made this journey more navigable, more humane, and more unifying for all of us as students, particularly as we found our footing in Class C and beyond.

When the election results were announced, confirming my mandate as the Secretary General, I experienced an insightful shift in perspective. The victory was not a personal accolade; it was a sacred trust. It was a clear message from the student body that they desired an SGC that was proactive, empathetic, and deeply committed to their welfare. Henceforth my KSL experience ceased to be solely about my own academic survival but it became inextricably linked to that of my fellow students. Every administrative directive, every syllabus change, and every welfare concern became my immediate priority. Serving in this capacity has been the highest honour of my professional life placed on me thus far. It has demanded late nights, difficult conversations, and a constant balancing act between advocacy and diplomacy, but witnessing the tangible impact of our collective efforts has made every sacrifice worthwhile.

### Bridging the Gap: Synergy with the Law Society of Kenya

One of the foundational goals of this SGC was to ensure that we do not exist in an academic silo. We are the future of the legal profession in this

country, and we must begin engaging with the broader law society long before we don our robes and wigs. This vision materialised on the 31st of March, 2026 when we had the distinct privilege of sitting down in a formal meeting with the newly elected President of the Law Society of Kenya (LSK).

Walking into that meeting, we carried the voices, anxieties, and aspirations of the entire student body. We did not want a mere courtesy call, we wanted a substantive dialogue about the realities of the ATP and the integration of young lawyers into modern practice. The reception we received was remarkably encouraging. The LSK leadership demonstrated a genuine commitment to working hand-in-hand with the KSL student body, acknowledging that the strength of the Bar is directly dependent on the quality and well-being of the students currently navigating the crucible of the Kenya School of Law. This partnership is a beacon of hope, assuring us that we are not navigating this final, arduous leg of our training in isolation.

### Guardians of Democracy: The Civic Duty of the Legal Scholar

As students of the law, our responsibilities extend far beyond the confines of our lecture halls and project groups. We are uniquely positioned to understand the mechanics of the state, the sanctity of the constitution, and the critical importance of the democratic process. Recognising this, the SGC took a decisive step to integrate our academic environment with our national civic duties.

In preparation for the upcoming general elections, we successfully organised and hosted a mass voter registration drive right here within the KSL grounds.



The logistics were complex, but the underlying philosophy was simple: lawyers, even those in training, must be the vanguard of democratic participation. Watching hundreds of my peers step up to register, update their details, and secure their right to participate in the shaping of our nation's future was a deeply moving experience. It was a powerful reminder that our legal education is not merely a tool for personal advancement, but a vital instrument for societal stewardship. Navigating the Pressure Cooker: Prioritizing Mental Health

If there is one universal truth about KSL, it is the legendary pressure. It is an open secret that the ATP is designed to test the student's limits. However, there is a distinct difference between academic rigor and psychological burnout. During our first semester, as the initial excitement faded and the reality of the workload set in, it became glaringly apparent that the mental well-being of the student body was under severe strain. The culture of the legal profession often implicitly demands stoicism, suggesting that stress is simply a weakness to be overcome in silence.

The SGC decided to challenge this dangerous narrative head-on by organizing a dedicated Mental Health Week. Our objective was clear: to shatter the stigma surrounding mental exhaustion and to provide tangible, professional support to students navigating this high-pressure environment. We facilitated open forums, brought in experts to discuss stress management and burnout, and created safe spaces where students could genuinely express their struggles without fear of judgment.

Mental Health Week was a revelation. It laid bare the shared anxieties we all harbor; the fear of failure, the imposter syndrome, the exhaustion of balancing studies with life's other relentless demands. By bringing these issues into the light, we fostered a strong sense of solidarity. We realized that struggling with the weight of the KSL curriculum is not an individual failing, but a collective reality. Ensuring that support systems are in place is not a luxury; it is a necessity for producing competent, healthy advocates.

### **Equipping the Future: The Power of Mentorship**

In tandem with our focus on mental health, we recognized a critical gap in our professional preparation. The law as taught in textbooks often diverges sharply from the law as practiced in the corridors of justice. To bridge this divide, the SGC placed a heavy emphasis on mentorship programs.

A crowning achievement in this regard was the comprehensive mentorship session we coordinated and executed on the 30th of April. We mobilized the student body, coordinating across classes and utilizing our networks, to bring experienced practitioners into our orbit. These sessions were designed to go beyond generic career advice. We delved into the granular realities of legal practice: the ethical dilemmas, the unwritten rules of court etiquette, the business of running a law firm, and the nuances of client management.

The Crucible Deepens: Semester Two and the Weight of Project Work. As we close the door on the triumphs and trials of the first semester, we find ourselves thrust into a new, more intense phase of our training. The commencement of the second semester brought with it a distinct shift in the atmosphere on campus.

The honeymoon period is definitely over.

The most tangible manifestation of this shift in the handing out of our project works. This is where the theoretical rubber meets the practical road. The pressure, which was a dull hum in the background of semester one, has escalated into a palpable, heavy presence in our daily lives. We are no longer just absorbing information, we are expected to synthesise, analyse and produce work of a professional standard.

The dynamics of our daily lives have changed drastically. The library is fuller, the hours are longer, and the debates within our project groups are more intense. For those of us involved in coordinating firm members and managing the flow of these projects, the logistical challenge is immense. We are learning, in real-time, the vital skills of legal practice management, teamwork, and conflict resolution.

### **Looking Forward: A Promise of Perseverance**

As we navigate the deep waters of this second semester, I want to urge every single one of us to hold fast. Lean on the support systems we have fought to put in place. Utilise the firm dynamics not just to share the academic load, but to support each other emotionally. The road ahead is steep, and the bar exams loom on the horizon like a formidable summit. However, based on the resilience, the unity, and the sheer brilliance I have witnessed in this cohort over the past few months, I have absolute faith that we are equal to the task.

*Collins Kaberia is the Secretary General, ATP 2026 Student Governing Council at the KSL.*





## Artificial Intelligence the Inevitable Change

**A**rtificial Intelligence (AI) is defined as technology capable of performing human-like intellectual tasks such as language processing, prediction, drafting, and data analysis.

Generative AI platforms are systems in form of texts, images, audio code and video among others. Generative AI includes platforms such as chat GPT, Claude, Perplexity etc.

Generative AI is increasingly being used in learning institutions by both lecturers and students. AI is a very good aid in supporting research and writing. KSL students, staff, as well as the legal practitioners have not been left out. This means that since we are using these platforms we need to deal with ethical dilemmas that they create.

Having acknowledged this, the KSL recently held its annual andragogy training for lecturers with the theme, "The A.I Paradigm Shift in Law and Academia." The training dealt with the increasing use of AI by students, academics and practitioners in legal research, drafting pleadings, contract review, compliance work, academic writing, and judicial administration. It explored responsible use of AI and also the hazards of AI. One of the ethical issues that stood out is the issue of hallucination in AI and its effect on the justice system.

## ISSUES OF INTEREST

### Generative AI : Hallucinations and the Law

*By Anastasia Otieno*

#### AI Hallucinations and its dangers to the justice system in Kenya

Hallucinations can be described as a false, fabricated or misleading information produced confidently by generative AI as if it is the truth. This includes when a platform generates false case laws, non-existent statutory provisions, and articles of the constitution, or even fake quotations from judges. It includes false facts to real cases and even a random clause in a sentence that otherwise looks okay.

The hallucinations are caused by the fact that generative AI, being a large language model, does not obtain information based on facts but rather on probability. They are trained to use statistics or data to predict the most likely word to continue the sentence. This, therefore, means that where it does not have the answer, it will not say so but instead give a prediction which might not be right, hence hallucinate. This means that effective use of generative AI requires not only the human eye, but a knowledgeable one, to enable verification of the contents created.

The use of generative AI without the human intervention by justice players comes with the risk of errors, which might appear as deliberate falsehoods in the eyes of a court. Where it is unnoticed, it might then form a part of the record for future use by others, such as students and practitioners. These false records are especially dangerous for the legal profession. This is because the profession relies heavily on accurate interpretation

of the law and uses the principle of precedents, which places a reliance on the previous holdings of the courts and written treaties in future decision making. Irresponsible use of generative AI by lawyers, students of law and even judicial officers can lead to injustice caused by hallucinations and reputational damage to the author. Kenyan courts and other courts in other jurisdictions have dismissed cases in which AI was used without inserting the human factor. Loss of cases is always accompanied by the resultant costs which falls on the client.

#### The Advocates, AI and Regulations

The advocate owes a duty of competence, honesty, diligence, and fidelity to the client. The advocates also owe a duty of honesty to the court. This means that the advocate should not misstate facts, law, cite nonexistent authorities, or deliberately conceal material facts. The improper use of AI may lead to a breach of these duties and waste the courts time.

The breach of these duties goes against the advocate's code of conduct. Advocates in Kenya are governed by the Code of Professional Practice and Ethical Conduct (SOPPEC), which was drafted before generative AI. The obligations it imposes on competence, honesty, integrity and duty to the court are broad and do not expressly address AI-generated falsehood and fabricated authority. It addresses the traditional professional misconduct without addressing the AI generated



misconduct. It does not address the duty to verify documents and authorities that are AI generated. With the advent of the generative AI there is a need to have an advocate's code that addresses the need to verify AI generated pleadings, submissions and other legal documents generated from the various AI platforms.

The fact that intention is part of the description of wrong doing, would an advocate be able to claim a lack of knowledge when the documents that caused the harm were AI generated?

The other unanswered question is the issue of confidentiality when uploading the client's information into the AI platform. How much of the client's information should be imputed into the AI platform? Should the clients know when a lawyer is using AI to do they work? These are questions which SOPPEC should address.

### Judicial Integrity and Administration of Justice

The use of generative AI is not limited to only the non-judicial staff but is actually used by judicial officers, researchers, or court assistants. The Kenyan courts will soon be using AI to record the court proceedings. The judicial officers owe the citizenry a duty to thoroughly scrutinize any document that would affect the citizens right to justice when AI is used. The judicial officers also have the double duty of ensuring that they do not base their finding on documents filed by the parties, which might have hallucinations. They must ensure that their judgements and rulings are not as a result of hallucination but are based on the law, proper reasoning and proper cases with the correct citations. Judicial officers in courts should realise that their judgements are often used to train young legal minds hence they owe them a duty to write credible, well-reasoned jurisprudence. They should also realise that they are the final frontier between normalcy and anarchy and

thus should not compromise justice at the feet of generative AI.

### Conclusion

AI has brought many good things into the legal profession, but it has also brought questions that need to be answered. The incorporation of AI into the justice system means that all players, from the clerk, the paralegal, the researcher, universities, KSL, LSK and even the Judiciary should have guidelines that promote the ethical use of AI. The relevant laws, rules and regulations should be re-examined to ensure that the use of AI promotes learning, correct legal tenets, the correct case contents, correct sections of the law and arguments devoid of hallucination caused by AI. The guidelines should set out acceptable use of AI, compulsory verification of authorities, confidentiality safeguards, disclosure obligations, and sanctions.

*Anastasia Otieno is an Advocate of the High Court of Kenya and the Assistant Director at KSL*





## When we Vote; My open Letter to the Citizens of Kenya

By: Ouma Kizito

Dear Kenyans,

I write today on a subject I have reflected on for a while. This is because as much as the right to vote is one of the most fundamental rights in the body of Human Rights, it is not an end to itself. The right to vote is the epicenter of the civil and political rights. If anything, making political choices in a multiparty democracy is the culmination of the social contract theory. This is to say that one of the elements of the sovereignty of the people – We the People – is the right to vote. In 2027, like the Constitution of Kenya 2010 mandates, every registered voter will have an opportunity to go to the ballot and cede their sovereign power to a few people so as to lead them politically. What does this “leadership” mean? Political leadership in the words of the Constitution of Kenya 2010 connotes that leaders are given “authority” to act and hold in trust. Leadership also means making and implementing laws and policies that help the society and the country grow or progress.

I would therefore like to plead with Kenyans who are eligible to vote not to vote based on tribe. I am cognisant of the value of Kenya’s culture and ethnic groups. Politically speaking, however, tribe and ethnicity have been a curse that has divided Kenyans so wide, almost to the brink of civil war as the case of 2007. I make a point that politicians in Kenya have always seen tribe as a currency of power since the advent of multi-party politics. Politicians make it to be about “my people” or “our people” against the “other people”. When we vote for tribe as we always do, we are compromising national unity. We buttress the point that our diversity is more important than our unity in purpose. When we vote because of

tribe, we encourage inequalities. Voting for tribe may only bring about marginalisation. Voting for one’s tribe does not always mean prosperity for the tribe. May be just a few people. The late President Daniel Arap Moi famously said my tribe is Kenya (Kabila langu ni Kenya). So, when we vote in 2027, please vote for a leadership that is blind to tribe. A government that looks at the people of Kenya in an inclusive way. Be it Luhya, Kamba, Luo, Kalenjin, Kikuyu... the young and the old, women and men. Kenyans are a one people.

I would also like to ask eligible voters not to take bribes to vote. When the politicians pay, they have effectively bought their seat. It is therefore counterintuitive for one to demand money from a candidate who is vying for Member of Parliament and afterwards blame them for not delivering on their mandate. Instead of taking a bribe, vote for character. Please vote for Members of Parliaments who can read and legislate. Vote for Members of Parliament who can debate and constructively criticise the government. Please dear Kenyans, vote for those Members of Parliament who can oversee. It is not enough that one is a popular musician or a comedian but that they clearly understand the demands of an office.

Please do not vote for slogans. I am pleading that when voting, vote for a good, predictable and affordable taxation policy. It may be important to think of the future of Kenya’s children and the youth. Please vote for those who think that investing in a good education system is a good thing as opposed to those who pretend to run education in Kenya yet they take their children to international schools. Politicians as a matter of design in Kenya, promise and build systems that they feel superior to and never want to use. In the words of the

American Comedian Chris Rock, they superintend in hospitals they never want to get sick in.

Today I write and ask Kenyans that when the time comes, please vote but do not vote for empty promises. Voting is separating the wheat from the chaff. It is important to interrogate programmes, policies and manifestos. Politicians in Kenya have started crafting different narratives in lieu of the elections in 2027. As citizens therefore, we ought to actively participate in breaking down the policies and see what is best for Kenya. The point is if we do not participate and interrogate these policies, there is a possibility to lament about the said policies after the fact. In relation to this, I would also ask that we vote for ideologies and principles as opposed to personalities. In developed democracies, there are always those who lean to the left, those who lean to the right and those who maintain the center. Personality and tribal politics will not, in essence, help this country grow. The way to go as discussed is following ideologies and building institutions and these definitely outlive personalities. Personality driven politics has the weakness in that it limits the development of a country to the capabilities of individuals.

When we vote as Kenyans we ought to understand as once said that choices and in this case, leadership choices have consequences. We are bound to regret our poor leadership choices. If we choose leaders based on their names, smiles or anything mundane then perhaps we will have let ourselves down. I therefore write to ask that when we vote, it is important for Kenyans to vote wisely. It is important that the eligible Kenyans who are able to vote make their choices and own the process.

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



## The Efficacy of Reinstatement in Private Sector Employment: Navigating Contractual Constraints and Promoting Restorative Justice

*Paul Muchiri*

This article examines the efficacy of reinstatement as a legal remedy for wrongful termination within the private sector, contrasting it with the more structured protections typically afforded in public sector employment. The article argues that private sector employment is often characterized by informality and an over-reliance on common law principles specifically the reluctance to enforce specific performance in contracts of service which frequently leads courts to favor monetary compensation over the restoration of the employment relationship.

Through a comparative analysis of international jurisdictions and a review of Kenyan legal frameworks, the article critiques the limitations of compensation, noting that it often fails to provide true restorative justice or effectively deter employer misconduct, frequently serving merely as a cost of doing business.

Furthermore, the article explores the potential of incorporating the African philosophy of Ubuntu, which emphasizes human dignity, mutual respect, and communal values, as a critical lens for courts to better evaluate the suitability of reinstatement. Ultimately, the article calls for a shift in judicial

approach, urging courts to move beyond mechanical contractual interpretations and adopt a more nuanced application of Section 49(4) of the Employment Act to better align labor jurisprudence with principles of restorative justice and the realities of modern employment disputes.

The landscape of private-sector employment is fundamentally distinct from that of the public sector. Unlike the public sector, which is characterized by elaborate governance structures and statutory protections, the private sector is often marked by informality. As noted by Mayowa, many private sector employees are hired orally, with job scopes that remain undefined and under-protected. This inherent informality frequently facilitates the adverse treatment of employees, where wrongful termination—occurring without notice or in unjustifiable circumstances—often leaves the employee without a viable avenue for effective legal redress.

This article examines the limitations of current legal remedies in private sector disputes, focusing on the judicial reluctance to grant reinstatement and the potential for integrating restorative philosophies, such as Ubuntu, into labour jurisprudence.

### **The Judicial Divide: Contract vs. Status**

The remedy of reinstatement is heavily shaped by the legal character of the employment relationship.

In the public sector, employment is governed by administrative law and statutory frameworks, ensuring that decisions remain subject to principles of fairness, proportionality, and due process. Conversely, private sector employment is viewed primarily through the lens of contract law, granting employers greater autonomy and limiting procedural safeguards.

Courts have historically reinforced this divide. In case of *Malloch v Aberdeen Corporation* [1971], it was established that public employees are entitled to natural justice protections, whereas private employees are largely confined to contractual remedies for wrongful dismissal.

This distinction influences judicial willingness to order reinstatement. When private employees challenge a termination, they encounter the master-servant doctrine legacy, where courts are often unwilling to compel specific performance in contracts of service. As noted in the Nigerian case of *Friday Abalogu v Shell Petroleum Development*, courts may find themselves unable to intervene even when an employee is dismissed without cause, provided the employer meets contractual notice or payment-in-lieu obligations.

John Oluwatomisin argues that a primary obstacle to reinstatement in the private sector is the practical difficulty of supervising specific performance and the erosion of mutual trust, which courts frequently cite to justify their preference for monetary damages over restoration of employment.



## International Perspectives

The reluctance to grant reinstatement is not universal. International comparisons highlight a stark contrast between jurisdictions that prioritize market-based views of employment and those that emphasize labour-friendly statutes.

### Pro-Reinstatement Jurisdictions:

Countries like India and South Africa frequently utilize labour-friendly statutes, such as the Industrial Disputes Act 1947 and the South African Labour Relations Act, to facilitate reinstatement.

### Common Law Jurisdictions:

Conversely, in the UK, while the Employment Rights Act 1996 theoretically allows for reinstatement, it is rarely granted due to practical challenges and employer resistance. Scholars Deakin and Morris observe that the common law preference for damages reflects a view of employment as a purely market-based exchange, rather than a relationship requiring social protection.

### Integrating Ubuntu into

Employment Jurisprudence In Kenya, the Employment Act, 2007, provides a framework for addressing unfair termination. Section 49(4) empowers courts to consider factors such as the employee's wishes, the circumstances of termination, and the practicability of reinstatement. However, as emphasized in *Kenya Airways Limited v Aviation & Allied Workers Union Kenya &*

*Others* [2014] reinstatement remains a discretionary remedy, not an automatic one, requiring careful evaluation of the loss of mutual trust.

A promising development in this jurisprudence is the incorporation of the African philosophy of Ubuntu—a concept emphasizing communal values, human dignity, and mutual respect. Courts are beginning to use Ubuntu as a lens to assess the fairness of termination and the suitability of reinstatement. In *Njuguna & Another v Ubuntu Life Foundation* [2023], the court acknowledged these values in adjudicating the dispute. Similarly, in South Africa, cases such as *Hoffmann v South African Airways* demonstrate how Ubuntu can be applied to uphold human dignity and equality, challenging the cold application of contract law to human relationships.

### The Limitations of Compensatory Damages

While monetary compensation has become the default remedy for unfair dismissal, it suffers from significant substantive limitations:

**Failure of Restoration:** Compensation does not address the core harm—the severance of the employment relationship. It treats employment as a commodity rather than a source of livelihood and dignity, often leading to long-term career disruption for the employee.

**Inadequacy of Value:** Statutory caps on compensation often fail to reflect the true financial or emotional impact of termination, particularly for

older employees or those in highly specialized roles.

**Lack of Deterrence:** When reinstatement is rarely ordered, compensation functions merely as a cost of doing business. Employers may, therefore, be more inclined to engage in unlawful terminations, as the financial penalty is often viewed as negligible compared to the benefit of removing the employee.

### Conclusion

The current reliance on compensation over reinstatement in the private sector reflects an outdated view of employment that prioritizes contractual autonomy over restorative justice. While reinstatement presents operational challenges, it remains the only remedy capable of undoing the effects of wrongful termination and restoring the status quo ante. To enhance the efficacy of labour law, courts must move beyond the mechanical application of common law principles regarding specific performance. By incorporating restorative principles like Ubuntu and strictly weighing the factors under Section 49(4) of the Employment Act, the judiciary can better protect employees, uphold human dignity, and ensure that labour law serves as a true instrument of justice rather than a shield for employer misconduct.

*Paul Muchiri is an Advocate of the High Court of Kenya.*



## Challenges of Education for Learners with Disabilities in Kenya

By Ouma Kizito

The subject of education in Kenya has been a hot button topic for a while. This has intensified in the past few months with the Government struggling to attain one hundred percent transition from Junior to Senior High School which is a major component of the new Competence Based Education (CBE) system. It is perhaps expected that with a new education system, comes a few teething problems. The Grade ten transition quagmire has opened a can of worms exposing deep-seated issues with regard to the values, structures and the system of education in Kenya. This article seeks to discuss these challenges as it affects learners with disabilities in Kenya with a view to find adequate solutions where possible.

Why is education important? There are many reasons why education is important in Kenya. The pith is that socially, education is a societal equalizer. Education empowers learners, reducing social inequalities and disparities providing hope for the future. It is an aspirational hence every child regardless of race, gender, tribe or sex will always seek education to be something.

What are the challenges for Children living with disabilities in Kenya? There have always been questions with regard to the training and therefore availability of teachers. This is occasioned by poor planning and lack of time to properly train and recruit teachers for the system. Matters even get worse regarding learners with disabilities. As the Country grapples with matters

concerning teachers, consideration has not been placed on learners with different disabilities. Even as Kenya engages with the CBE, how many teachers are available to teach and train learners with autism? It is important to note that a lot of learners with autism ideally need specialized learning, many times a one-on-one engagement something that is rarely thought about by the education fraternity. Teacher shortages is a challenge that the Teachers Service Commission (TSC) has admitted to be "A rotten egg that its stench is not likely to go away soon." Therefore, if the able learners in Kenya do not have enough teachers, what about traditional peripheral learners such as those with disabilities?

Inadequate infrastructure and resources is the other very enormous challenge that learners with disabilities face. While this may be occasioned by the practical nature of the CBE, for learners with disabilities, the question of resources and infrastructure has always been a bother. A lot of learners who are visually impaired will always speak of the lack of or expenses towards getting braille papers or machines as well as ramps and other structural design matters. There are also other resources such as the walking aids, wheelchairs that learners may need to help them adapt to life and therefore get education. Learners with disabilities need not be peripheral learners but main stream learners with unique circumstances. Class sizes is another element the CBE has exposed where there are two extremes with very few learners in the private schools and very large classes in the public schools. Most learners with disabilities are often part of the big classes.

Lack of parents and stakeholder engagement with regard to education with learners with disabilities is a

big gap. In as much as it may not be intentional, there is very little public participation that the Ministry responsible engages in but it is even more interesting that they are almost always hesitant even with parents and care givers of learners with disabilities. Due to the attachment these learners have to their parents or caregivers, it may be prudent for those in charge of education to consult on how to accommodate these caregivers. There is always a chance that with stakeholder engagements, a lot of problems involving the teachers and parents may be solved. A lot of parents, guardians and care givers of learners with disabilities are reluctant to let their children go to schools where they are unsure they will meet the learners needs.

The other challenge facing learners with disabilities in Kenya is the attitude of educators and the general public towards them. It was believed that people living with disabilities can only be cobblers, tailors and beggars. Going to school for persons with disabilities had previously been viewed as a favour to them hence very few people even within the education sector sees this as a priority.

The CBE and the Higher Education model seems to have done very little to address this. In cases where ten learners are not able to go to school because of money; there is possibility that five are learners with disabilities. There is therefore need to consider learners with disabilities in the scheme of things with regard to finances and resources. In conclusion, while these challenges may take a specific trajectory, it is important to mainstream them within the education system.

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





## When Justice Becomes a Spectacle: Reflecting on Vigilante Violence and the Crisis of Institutional Trust in Kenya

By Juliet Maina

Few social crises lay bare the fault lines of a nation's justice system as starkly as vigilante violence. Each incident is more than an unlawful killing or assault; it is a public collapse of faith in due process, a surrender to fear and anger and, as our courts have repeatedly reminded us, a descent into mob injustice.

Under the theme, "Reflect, Reimagine, Renew", Kenya is called upon to confront this crisis in the strongest terms. Vigilante violence is not merely an expression of public frustration. It is a barbaric and lawless affront to the rule of law, eroding constitutionalism, dehumanising victims, and leaving communities more fractured than before.

### The Scale of the Crisis

In January 2025, Cabinet Secretary Murkomen disclosed to the Senate that 845 incidents of vigilante violence had been recorded across the country, claiming 579 lives and leaving 266 others with serious injuries.

These figures are evidence of a justice crisis unfolding in our streets, markets, estates, and villages. Recent reporting from the South Rift painted an especially grim picture, documenting the rise of vigilante attacks across multiple counties. These are often triggered by allegations of theft of both livestock and other goods, general disputes and suspicions of witchcraft.

The common thread running through these incidents is the speed with which accusation transforms into violence, often before any investigation can be commenced. The crowd becomes prosecutor and executioner, acting on impulse rather than evidence.

This is precisely the danger our courts have condemned. In *Republic v Kirui & another*, the High Court described the phenomenon as one driven by "herd mentality", a phrase that captures the disturbing psychology of collective violence. The court's condemnation was unequivocal: there is nothing just in the unlawful acts committed by a mob. That language is as morally forceful as it is legally significant. It reminds us that the very term mob justice is itself a misnomer. There is no justice in a process that denies hearing, evidence, defence, and human dignity.

Indeed, the courts have often preferred the more accurate expression: mob injustice. This phrase deserves emphasis in our national discourse. Words matter. To continue describing lynching, beating, burning, and public humiliation as a form of justice risks normalising criminality under the guise of social order. It sanitises what is, in truth, a violent and unconstitutional usurpation of judicial authority.

### Confronting Institutional Failure

The need to reimagine justice begins with trust. A recurring theme in public commentary has been the declining confidence in state institutions, particularly law enforcement and the Judiciary. Reports highlighting court backlogs, allegations of corruption and delayed resolution of criminal cases have reinforced the perception that formal justice is too slow, inaccessible, or reinforced the

slow, inaccessible, or ineffective. Where trust diminishes, the temptation toward instant retribution grows.

As repeatedly cautioned by the courts, frustration can never justify lawlessness. In *Republic v Wilson Gachui Muriuki*, the court condemned the disturbing tendency of crowds to assume the functions of the investigator, trial court, and administrator of sentence. This judicial description is especially powerful because it exposes the constitutional absurdity of vigilante violence: the crowd arrogates to itself powers reserved for independent institutions created by law.

Such conduct must be condemned in the strongest possible terms.

*It substitutes evidence with rumours.*

*It replaces due process with vengeance.*

*It exchanges constitutional order for chaos.*

Even more concerning is the vulnerability of the innocent. In many incidents, victims are attacked based on mere suspicion, mistaken identity, malicious accusation or superstition. Nowhere is this more acute than in the targeting of elderly women through accusations of witchcraft. A pattern that is both persistent and profoundly gendered. The overwhelming number of those accused of witchcraft are elderly, widowed and poor women. This is often a ploy by relatives to disinherit them and seize land under the cover of the chaos. The case in a Kisii, in which four perpetrators were sentenced to a combined 135 years following the burning alive of four elderly women, stands as a sobering reminder that prejudice, superstition, and collective panic continue to fuel these atrocities.



### Rebuilding the Architecture of Justice

To renew our society's commitment to justice, the response must be both legal and social. Legally, the courts have continued to impose strong custodial sentences in vigilante violence cases. In *Republic v Shilindwa*, the court emphasised that the sentence must send a clear message to the public against taking the law into their own hands. Such decisions serve not only a punitive purpose but also an educative one. It reaffirms that justice belongs in courtrooms, not to the crowds.

Socially, these actions demand a restoration of confidence in our institutions. Justice delayed not only denies victims their rights but also creates the perception that violence is a quicker route to accountability. Strengthening investigations, reducing court delays and improving public legal awareness are essential measures in preventing vigilante violence.

The specific vulnerability of elderly women demands further attention. The Witchcraft Act, Cap. 67 has not kept pace with the sophistication or frequency of this violence, and reform is long overdue.

Beyond institutions, there must be a renewal of our civic conscience.

- *We must reject the normalisation of public brutality.*
- *We must refuse the language that romanticises lawlessness.*
- *We must denounce, without hesitation, every form of collective punishment as barbaric, unconstitutional, and morally indefensible.*

This is where the theme "Reflect, Reimagine, Renew, " becomes most urgent. We must reflect on how mistrust, delay, fear, and misinformation have contributed to the rise of mob injustice. We must

reimagine a justice system that is accessible, efficient, and trusted by the public. We must renew our fidelity to the Constitution and the rule of law.

To have a genuine constitutional democracy, the renewal begins when we say clearly and collectively that no grievance, however genuine, can justify the cruelty of the crowd. The crowd cannot be allowed to become judge, jury, and executioner. When justice becomes a spectacle, it is no longer justice. It is mob injustice in its most brutal form, and it must be condemned in the strongest of terms.

*Juliet Maina is an Advocate of the High Court of Kenya .*





## There is Something in a “Mother Tongue”: An Inclusive or Divisive Factor in Nation-Building?

By Ouma Kizito

President Nelson Mandela in his Auto-biography “Long Walk to Freedom” writes that if you talk to a person in a foreign language they will understand since “it goes to their head”. If you talk to a person in their own native language, it goes to their heart. While this has always been misunderstood by a lot of people to be approval for tribalism, for Mandela, the use of native or indigenous language is not about encouraging tribalism rather, it is about embracing one’s African nature or culture. It is also about appealing to certain emotions as we connect to our roots as Africans. For Mandela, speaking one’s mother tongue is not divisive, it is an appreciation of diversity. Other than division, President Mandela postulates that the use of mother tongue is a way of building bridges among the different communities.

In the contrast, President Julius Nyerere felt very strongly that thinking vernacular is dangerously tribalistic and retrogressive. For Nyerere, the use of indigenous languages was limited to local and cultural events and not a factor in nation-hood. Accordingly, we need to interrogate the place of the use of the “mother tongue” in Kenya today. Is it something that divides Kenyans or unites Kenyans? Is there need to strengthen the indigenous languages or do away with them completely?

### Mother-Tongue as a Gateway to Culture

A lot of the proponents of the use of the mother tongue always apportion it to propagating culture. If you are not able to speak in mother tongue

or you are not able to attribute to the mother tongue, then you do not understand culture. Language is often believed to be the gateway to culture and in Africa, where someone does not appreciate or understand their culture, they are basically foreigners. Mwacha mila ni Mtumwa. The Constitution of Kenya recognizes protection and promotion of both culture and diversity of language. This means that unlike Nyerere, in Kenya, the mother tongue language is not only protected but also promoted. As much as speaking mother tongue in Kenya today may be frowned upon by people, it is actually legally encouraged and maybe part of the Kenyan nation-hood. It is however important, to take note that, as much as there is promotion of indigenous language, Kiswahili is recognized as a national language. In essence therefore, Kenya uses a double edged sword. This means that as we protect and promote indigenous languages, we also need to develop a unifying language thus the Swahili language. What does this mean in the broad spectrum of things? It means that there is some truth to the assertion that mother tongue is the gateway to culture and that from this spectrum the mother tongue in Kenya is not an element of division rather an assertion of diversity.

### Mother Tongue and Intellectual and Cultural Identity

The one thing that distinguishes African countries today is not the different indigenous languages but the adopted colonial languages. The argument is that the colonial master intended to erase the indigenous languages so that Africans should never unite and that they ought to buy into their languages so as to change their cultural identity. While this may not be wholly true, there is some truth to it. In Africa, we have put our indigenous languages in the periphery of the colonial languages

hence used in business schools and formal transactions. As a result, the colonialist have managed to change Africa’s cultural identity. How do we name our children today? There are those who have thrown away the African way of naming children for two reasons. There are those who feel that names such as the Liams and the Jayden make their children look modern and of course the fear of being “judged” based on the last name is a reality in Kenya. In this realm therefore, the point to seek out is have our mother tongues help us to build a national culture identity or do they break our cultural identity? I think again when it comes to the national cultural identity, as much as the riddle has not so much moved from the colonial masters, Kenya has taken the approach of fusing the different cultures and mother tongues as a way of national unity.

### The Inferiority or Superiority feeling with Mother-Tongue

How do you feel about persons who speak mother tongue? There are a lot of people in today’s society who feel that those who speak their mother tongue are less civilized. In fact, in today’s Kenya, speaking one’s mother tongue is something to be ashamed of as a lot people shun it for tribalism. There are also others who feel superior because they speak mother tongue. I do not think speaking mother tongue makes one inferior.

The matter of indigenous languages or the mother tongue is a long and intricate discussion that I have just scratched the surface. The use of the mother tongue in and of itself is not a divisive factor to nation-hood, however the way the mother tongue is used may determine whether it is an inclusive or a divisive agent.

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

## KSL Director's Farewell



*Ms. Judith Omwoyo, Hospitality Officer at the School presenting a Cake to the Former Director on behalf of the KSL staff.*



*Former Director, plants a tree to mark his end of 8 years tenure at the School, he is assisted by Dr. Tom Ratemo a Board Member representing university law lecturers in Kenya.*



*Ms. Anastacia Otieno, Assistant Director ATP, presents a gift voucher on behalf of the ATP full-time lecturers to the former Director.*



*KSL staff poses for a group photo with the former Director during his farewell luncheon.*



*KSL Board members cutting a cake during the handing over ceremony with the former Director.*



*The KSL senior management pose for a photo with the immediate former Director.*



## Just for 'Lawghter'



Question: Why do advocates still wear ties, wigs, robes despite the blistering heat?

Answer: Because if they looked like regular people, they'd have to charge regular prices.

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A law firm partner is thrilled about their new AI system. "It can do the work of ten associates in half the time!" he says.

The client asks, "So, will my bill be lower?"

The partner laughs. "No, because the AI has already figured out how to bill you for the time it spent thinking about billing you."

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A lawyer used ChatGPT to write a brief and cited six fake cases.

When the judge asked where the precedents came from, the lawyer said, "In all fairness your Honor, my AI is just practicing 'alternative jurisprudence.' "

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Judge: "Who is responsible for this accident?"

Self-driving car: "The programmer."

Programmer: "The AI."

AI: "The training data."

Training data: "The internet."

Judge: "Fine. I hold YouTube comments liable for \$2 million."

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A lawyer and a Pope die on the same day. St. Peter greets them and takes the lawyer to a massive mansion with a pool and a chef. He then takes the Pope to a small, cramped studio apartment. The Pope says, "Wait, I spent my life serving the church. Why does he get the mansion?" St. Peter replies, "We have thousands of Popes. He's the first lawyer we've ever seen up here!"

*Compiled by Fredd Wakimani*



## KSL Events Highlights



*The School's teaching faculty and the Council of Legal Education representatives during a stakeholder meeting between KSL and CLE.*



*The Acting Assistant Director, ATP Ms. Anastacia Otieno, and the Principal Librarian, Ms. Agnes Muvai receives a book donation from Ms. Gladys Wamaita, a co-author of the book, in support of the School's library resources.*



*Former KSL Director donating suits to the 2026 ATP Student Governing Council.*



*Ms. Benta Narkiso and Mr. Leonard Okoth, display a message of appreciation from the School during the 2025 staff team building retreat in Naivasha.*



*High Court Judge Justice Mabeya poses for a photograph following an insightful guest lecture session with the 2026 ATP students.*



*Imelda Beata Akoth, receives a trophy and gift from Mr. Patrick Muthomi of LSK Sacco and Ms. Divya Raja of Bowmans, Coulson Harney LLP in recognition of her outstanding performance in Commercial Transactions during the School's 10th Graduation and Prize-Giving Ceremony held on 11 December 2025.*





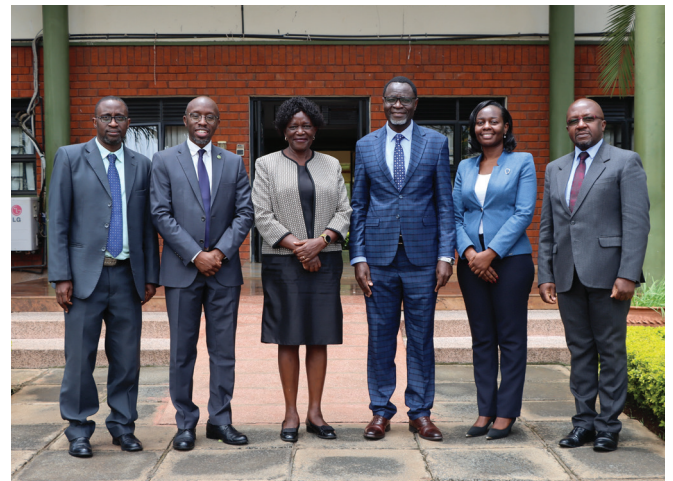
Former Director Dr. Henry K. Mutai, receives a farewell gift from staff at the KSL Town Campus in appreciation of his leadership and service to the School.



KSL Board members, teaching faculty and sponsors during the 2025 Graduation and Prize Giving Ceremony.



KSL students during a Legal Aid activity in Kitui Prison.



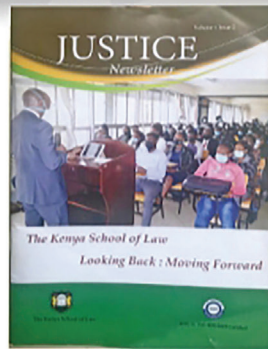
KSL Board members with the former Director after the handover meeting.



Participants in a learning session in the Training on Resource Mobilization held at Tamarind Tree hotel in Nairobi from 7th to 9th April 2026.



KSL lecturers during the Andragogy training on "The AI Paradigm Shift in Law and Academia."



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