



9TH OCTOBER 2023 | ISSUE 23

THE LEGAL INSIGHT

The Official LSK Weekly Newsletter

ADVOCATES TRAINED ON REFUGEE MATTERS



The Refugee Consortium of Kenya (RCK) and the United Nations High Commission for Refugees (UNHCR) invited Law Society of Kenya (LSK) members to a training on the role of advocates on refugee issues. The training was attended by advocates was aimed to enhance legal knowledge and skills in addressing the needs and challenges faced by refugees.

The training also presented various opportunities for lawyers willing to engage in refugee issues. It highlighted the importance of collaboration between different stakeholders, such as the LSK, RCK, and UNHCR. By working together, we can leverage our collective expertise and resources to provide comprehensive legal assistance to refugees. This collaboration can also help in fostering dialogue and influencing policy development for better protection of refugees' rights.

FEATURED

News Segment

Case Update

Notices/Vacancies

International Conferences

Weekly Bites

Update from Regional/
International Bars



The training emphasized the importance of pro bono work as a means to extend legal services to refugees who may not afford legal representation. This offers a unique opportunity for lawyers to contribute their skills for the greater good and make a positive impact on the lives of refugees. By engaging in pro bono work, lawyers can uphold their professional responsibility to ensure access to justice for all, regardless of socioeconomic status.

The training organized by RCK and UNHCR was highly informative and beneficial for participants. It has equipped lawyers with the knowledge and skills necessary to effectively advocate for refugee rights. By embracing these opportunities, we can actively contribute to making a difference in the lives of refugees in Kenya.

COUNCIL DECISIONS TAKEN ON 11TH SEPTEMBER 2023

The Council Decisions on applications taken on 11th September 2023 for admission to the Roll of Advocates, Practicing Certificates, Notary Public and Commissioner for Oaths can be accessed on the link:

<https://drive.google.com/drive/folders/1dbFGckRLNnorm0xpSNScTD3hL9bGun-z?usp=sharing>



INTRODUCING THE NEWLY ELECTED IAWJ KENYA CHAPTER OFFICIALS



International Association of Women Judges Kenya Chapter

(IAWJ Kenya Chapter)

Forodha House, South Wing, 5th Floor

P.O. Box 30041-00100, Nairobi Tel. (020) 2221221 Ext. 1287

DI: (+254) 730181287; 0728 266 116

E-Mail: iawjkenyachapter@gmail.com

Ref: IAWJKC/27/09/2023/Officials.

Date: 27th September, 2023

Dear Partner

Warming greetings from the Association.

RE: INTRODUCING THE NEWLY ELECTED IAWJ KENYA CHAPTER OFFICIALS

Thank your continued support to the Association.

The Association held its Annual General Meeting (AGM) on Saturday 16th September, 2023 where the elections for the Executive committee Members and Regional Representatives took place.

The purpose of this letter is to introduce the new officials who will serve the Association for a period of two years.

The Executive Committees Members are:

1. Hon. Lady Justice Hellen Omondi, JA – President
2. Hon. Lady Justice Cecilia Githua- Vice President
3. Hon. Lady Justice Maureen Onyango – Treasurer
4. Hon. Elizabeth Juma- Vice Treasurer
5. Hon. Hellen Onkwani- Secretary
6. Hon. Jane Kamau- Vice Secretary
7. Hon. Lady Justice Agnes Murgor, JA – President Emeritus
8. Hon. Lady Justice Hannah Okwengu, JA – Representing Court of Appeal Judges



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9. Hon. Lady Justice Mumbi Ngugi, JA - Representing Court of Appeal Judges
10. Hon. Lady Justice Lucy Gacheru- Representing Judge of the High court and Court of Equal Status
11. Hon. Lady Justice Roselyne Korir- Representing Judge of the High court and Court of Equal Status
12. Hon. Beatrice Kimemia - Representing Magistracy
13. Hon. Irene Kahuya- Representing Magistracy
14. Hon. Rhoda Kinyatta- Representing Magistracy

To effectively coordinate its activities, the Association is divided into 5 regions and the new Regional Representatives are:

Nairobi Region

1. Hon. Catherine Khakasa
2. Hon. Noelle Kyanya

Mt. Kenya Region

3. Hon. Lady Justice Florence Muchemi
4. Hon. Lady Justice Lucy Gitari

Western Region

5. Hon. Lady Justice Teresa Odera
6. Hon. Lady Justice Mwanisha Sharif

Rift Valley Region

7. Hon. Lady Justice Rachel Ngetich
8. Hon. Juliana Ndeng'eri

Coast Region

9. Hon. Lady Justice Teresia Matheka
10. Hon. Mildred Obura

Thank for your continued support to the Association and I look forward to more collaborations.

Yours Sincerely,

Hon. Lady Justice Hellen Omondi

JUDGE OF APPEAL AND PRESIDENT -IAWJ KENYA CHAPTER



CASE UPDATE- IN THE MATTER OF THE KILLING OF SHEILA LUMUMBA

Dear Member,

In the matter of the killing of Sheila Lumumba:

We are glad to inform you that a plea bargaining agreement was entered and mitigation was done as well. The court directed that the victim impact statement and pre-sentencing report to be done and submitted in court.

Please note that our Counsel attended court on 20th September 2023, when this matter came up for mention to confirm the filing of the victim impact assessment and pre-sentencing reports by the probation office. Unfortunately, the said reports were not availed before the Honourable Court. The advocate watching brief on behalf of the victim's family, Mr. Mitullah requested that the Probation Director, Nyeri County be summoned to court and interview the Victim's family as the family was present in court. The summons were issued to the Probation Director to appear before in court at 3:00 p.m.

At 3:00 p.m., the Probation Director of Nyeri County, Mr. Stephen Mwangi, appeared before court and he stated that he managed to interview about seven (7) persons belonging to the Victim's family. He prayed for another date to present the Probation Report together with the Victim's assessment Report.

The matter has a further mention on 12th October 2023 for the reports to be availed before the Court.

FROM COURTS THIS WEEK...

The Practice Standards Directorate gave evidence in a forgery case on 2nd October at Mililani criminal court in a against Davis Kiprono Kibet, where he had pretended to be an advocate in a commercial transition undertaken in 2019.

The case is ongoing, and the LSK keeps on undertaking measures to curb the practice of masqueraders.



NOTICES/ VACANCIES

PROFESSIONAL INDEMNITY FOR LAWYERS AND ADVOCATES



GENERAL

**PROFESSIONAL
INDEMNITY**
for Lawyers & Advocates
We keep our word





CONTD...

PROFESSIONAL INDEMNITY INSURANCE

What Is Covered

Professional Indemnity Insurance provides cover against legal liability claims that may arise as a result of errors, omissions, misrepresentation or negligent advice provided in the course and scope of their professional services. The insurance cover will also take care of defense costs associated with these claim(s) subject to the limit of liability purchased.

Who is Covered

Advocates/Lawyers or Law Firms who:

- a. Are Registered members of the Law Society of Kenya (LSK)
- b. Provide legal services at a fee
- c. Practice as per The Advocates Act, LSK Act and other relevant laws of Kenya.

Available Extensions

The cover may extend to also cover: Libel & Slander, Loss of Documents, Employee of Dishonesty, Partners' Previous Business and outgoing Partners.

Benefits of Professional Indemnity Insurance

- i. **Financial Support**
Professional Indemnity policy will cover court judgments awards and legal fees for defending yourself or the business at the court of law. The policy may extend to also cover fees and other expenses that may arise from loss of documents.
- ii. **Provides Peace of Mind**
Professional Indemnity policy will increase confidence in carrying out the professional duty knowing that you have means to defend yourself against any allegations for malpractice and defend your reputation thus enabling individuals and companies to continue trading in successful businesses.
- iii. **Enhance Brand Image & Credibility**
Professionals are accountable for their services rendered and the professional Indemnity insurance provides support and enhances goodwill as it prides confidence to your clients and investors knowing that any discrepancies that may arise in course of your duty is covered.
- iv. **Increased Chances of Winning Businesses**
Most contractors and government authorities will put a minimum requirement for having a Professional Indemnity Insurance to be considered in tendered businesses.

Requirements

- Duly completed & Signed proposal form.
- Copy of current practicing license(s)/ Certificate(s)
- Copy of CV, Pin certificates & National ID for individual practitioner
- For Firms: Copy of PIN certificates, incorporation certificate & CVs of partners and principals.

Cover Premium & Limits Limits of Cover & Premium(Kes) for Individual Practitioners

Limits of Cover & Premium (Kes) for Individual Practitioners							
Limits Of Liability (Kes) (Any one Event/ Period)	1,000,000	2,000,000	3,000,000	4,000,000	5,000,000	7,500,000	10,000,000
Average Annual Earnings (Kes)	Average - Kes. 5,000,000						
Deductible	10% of Claim amount Minimum Kes. 50,000						
Premiums (Kes)	4,771	5,688	7,125	9,829	12,641	17,330	21,804
Extensions Premiums - (Limit of Cover - 10% of the Main Cover Limit, Deductible - 1% of the Main Cover Limit)							
Limit Of Liability - Per Extension. Libel & Slander, Loss of Documents, Employee Dishonesty	100,000	200,000	300,000	400,000	500,000	750,000	1,000,000
Premiums (Kes)	1,500	2,367	2,730	3,279	3,768	5,172	6,021
Retroactive Cover - (Relevant for Lawyers who have active PI cover on Claims Made basis only)							
1 Year (12 Months)	1,000	2,229	2,690	3,600	4,509	6,186	7,608
Total Premium With All Extensions	6,271	8,055	9,855	13,108	16,409	22,502	27,825



PROFESSIONAL MEDIATION TRAINING COURSE- NOVEMBER 2023

5 DAY PROFESSIONAL MEDIATION TRAINING COURSE**VENUE:** CONVENT INT'L HOTEL, LAVINGTON, NAIROBI**DATES:** 13th - 17th November 2023**COST:** KSHS. 55,000/- Plus 16% VAT PP

LAW SOCIETY OF KENYA

Are you looking to enhance your career as a certified professional mediator and gain international recognition for your skills? Look no further than our international professional mediation training program.

Mediation Training Institute International East Africa (MTI E.A) is pleased to announce to you a 5 day Professional mediation training course in collaboration with **Law Society of Kenya (LSK)**. MTI E.A has earned a reputation of excellence in the field of Mediation Training. MTI E.A conducts ongoing reviews of content, processes, and is widely acknowledged as one of the leading providers of Professional Mediation training in the world. Our training program has been subjected to extensive scrutiny by leading International standards setting and credentialing institutions.

In just a week face to face training or in four weeks online training, our intensive training program can help you become an internationally certified professional mediator. Our program covers all aspects of mediation, providing you with the skills and knowledge necessary to succeed in international settings. Our experienced and Certified Professional mediation trainers will lead your training, which includes hands on practice through simulated mediation exercises and role-playing.

Benefits of our program

- Internationally recognized certification
- Comprehensive training from experienced and certified professional mediation trainers
- Hands on practice through simulated mediation exercises and role playing
- Three certifications upon completion *IMI * SIMI * MTI. E. A
- This course is accredited by the Law Society of Kenya. **Participants will receive 3CPD units.**

All MTI E. A. trainers are practicing mediators who have undergone extensive Train the Trainer (TOT) Training and have experience in mediation practice. At the end of the training, participants are assessed with highly qualified external assessors.

Payment by Cheque or bank transfer to:

Account Name: **Mediation Training Institute International East Africa**
 Bank: **Absa Bank, Harambee Avenue Branch, Nairobi**
 Account Number: **2027798090**
PAYMENT BY MPESA: Paybill 303030 Account No.: 2027798090

Registration for the course ongoing

For clarification and registration contact:

MTI EAST AFRICA

Physical address: Jeevan Bharati, 5th Floor (Opp. Electricity House), Harambee Avenue, Nairobi

Tel: Emma 0725-538 320, Hesbon 0714-390 371

Mangerere 0707-124 831 / 0733-854 901

Email: info@mtieastafrica.org / mangererej2015@gmail.comWebsite: www.mtieastafrica.org / www.mtieastafrica.or.ke*The premier mediation training institute in Africa*



KSL- INTRODUCTION TO LEGAL AUDIT AND COMPLIANCE

SEMINAR NOTICE



THE KENYA SCHOOL OF LAW

COURSE: Introduction to Legal Audit and Compliance

DATE: 13th- 17th November 2023

VENUE: Mombasa

CPD POINTS: 3 LSK CPD Points

For More Information on the Course, click here [Link](#)

For any query, contact the Course Coordinator, Ms.

Sandra Soi on ssoi@ksl.ac.ke, or Christine cmwanza@ksl.ac.ke and [Jacqueline jacqueline@ksl.ac.ke](mailto:jacqueline@ksl.ac.ke)

KSL- PUBLIC PROCUREMENT & DISPOSAL- NOVEMBER 2023

COURSE: PUBLIC PROCUREMENT AND DISPOSAL: MITIGATING AGAINST PRECEDURAL AND LEGAL PITFALLS (3 LSK CPD POINTS)

DATE: 20-24 NOVEMBER 2023

VENUE: NAIVASHA

About the Course

The Government has made key reforms to ensure contracting for goods and services is done in a system that is fair, equitable, transparent, competitive and cost effective and that public money is used in a prudent responsible manner. Despite these measures organizations still find themselves in the red in so far as adherence to the rules and regulations is concerned. The course aims at equipping participants with in-depth knowledge of the procurement law and processes with a view to mitigating against procedural and legal pitfalls. The course is meant to ensure organizations avoid the burden of litigation, reputational risk, extra cost and time spent by government departments on investigations and the risk of fines and imprisonment for concerned officers.

Course Delivery

The training will be conducted by a highly experienced team of seasoned data protection experts who are practitioners and professors in the field. The training will be conducted through interactive lectures, assignments and plenary discussions to ensure that it is participatory, interactive and practical.

Intended Participants

The course is open to both legal and non-legal professionals. It is particularly intended for:

- Legal professionals, Procurement professionals and other consultants, who want to be equipped with the relevant practical knowledge in order to advise their clients appropriately on procurement laws.
- Heads of departments, both national and county, who are responsible for ensuring their organizations, businesses, corporations, and institutions comply with Procurement laws.
- Officers from National Treasury, PPRA, PPRB Members officers tasked with the responsibility of interpreting and enforcing the Procurement laws.
- Academicians and researchers on Procurement law.
- Representatives of institutions, professional and regulatory bodies associated with Procurement law.



EAST AFRICA LAW SOCIETY (EALS) ANNUAL CONFERENCE AND GENERAL MEETING 2023

Registration Now Open for the 28th EALS Annual Conference and General Meeting

We are pleased to announce the commencement of registration for the 28th EALS Annual Conference and General Meeting slated for the Donatus Conference Centre in Bujumbura, Burundi between the 22nd and 25th of November 2023.

For more information and registration details here events.ealawsociety.org or <http://tinyurl.com/2mmvuduk>

We look forward to hosting you in the beautiful resort city of Bujumbura.



EALS CONFERENCE EARLY BIRD FLIGHT OFFER



ZURIEL TRAVEL in collaboration with Rwandair is pleased to offer a special flight rate to Bujumbura for the EALS Conference

FLIGHT DETAILS

FROM - TO	FIGHT	CLASS	DEPARTURE <small>DATE & LEG</small>	ARRIVAL <small>DATE & LEG</small>
NBO - KGL	WB464	G	22 NOV 23 05.35	22 NOV 23 06.00
KGL-BJM	WB482	G	22 NOV 23 14.20	22 NOV 23 15.05
BJM-KGL	WB483	G	25 NOV 23 15.45	25 NOV 23 16.30
KGL-NBO	WB402	G	25 NOV 23 17.30	25 NOV 23 20.10

\$565

PER PERSON

Inclusion

- Return economy ticket on RwandAir
- Short kigali city tour during the layover on departure leg

VALID TILL 19TH SEPTEMBER 2023

PAYMENT VIA MPESA

TILL NUMBER: 5314979

☎ 0721168343

✉ zurieltravelke@gmail.com



10TH ANNUAL CAPACITY BUILDING WORKSHOP AND SYMPOSIUM ON COMPETITION LAW AND POLICY

The Competition Authority of Kenya will host the 10th Annual Capacity Building Workshop and Symposium on Competition Law and Policy. The Capacity Building Workshop will comprise a daily four-hour in-person session on 25th and 26th October, 2023. The Symposium will take place on 27th October, 2023.

The Capacity Building Workshop will address core areas of competition law and economics, with a focus on practitioners' needs. Participants will benefit from case exercises informed by the Authority's past intervention cases.

Some topics of discussion include Procedural Framework for Competition Law Enforcement, Consumer Protection in the Financial Services Sector, Assessment of Vertical Agreements, and the Role of Market Inquiries/Studies in Competition Law Enforcement.

The Symposium on Competition Law and Policy will focus on Role of Competition and Consumer Protection Policy in Advancing Sustainable Consumption and Production as well as Complementarity or Conflict: Interaction between Competition and Industrial Policies.

Law Society of Kenya (LSK) members who participate in the Capacity Building Workshop will earn two Continuous Professional Development (CPD) points.

Package Options	Early Bird (Before 31st August 2023)	Standard Fee (From 1st September 2023)
Capacity Building + Symposium	Kshs. 40,000.00	Kshs. 50,000.00
Group bookings (Capacity Building Workshop/person (Minimum 6 pax)	Kshs. 40,000.00	—————
Symposium ONLY	FREE	FREE

To reserve a slot for participation in the Workshop or Symposium, fill the booking form available via: <https://t.ly/ntvZw>

For more details regarding the Workshop and Symposium, see attached flyer-[10th Annual Capacity Building Workshop & Symposium Flyer](#)

In case of any queries, contact the Authority via: Email: symposium2023@cak.go.ke



CONTD...

DISCOUNTED RATES FOR YOUNG ADVOCATES WITH LESS THAN 5 YEARS PRACTICE

The Competition Authority of Kenya (CAK) is hosting the 10th Annual Capacity Building Workshop and Symposium on Competition Law and Policy. The Annual Capacity Building Workshop will comprise a four-hour in-person engagement at the Sarova Stanley Hotel in Nairobi on 25th - 26th October 2023. The Symposium will take place on 27th October 2023.

The Authority invites young advocates with less than five (5) years of practice to participate in the capacity-building workshop.

This training has been accredited by the Law Society of Kenya. Advocates will earn two (2) Continuous Professional Development (CPD) points. A discounted rate of Kshs 20,000 per advocate has been extended to those interested on a first-come first-served basis by 13th October 2023.

For more information, contact Mr. Benard Ayieko on cellphone; +254 (0) 722 484805 or email: symposium2023@cak.go.ke.

Register via the link: <https://rb.gy/0xzhfw>

COLUMBIA LAW SCHOOL LL.M. PROGRAMS INFORMATION SESSION

Learn more about Columbia and our graduate degree programs!

**EXECUTIVE LL.M.
AND LL.M.
INFORMATION
SESSION**

JULIE SCULLI
Assistant Dean
Office of Graduate Degree Programs

Columbia Law School

COLUMBIA GLOBAL CENTERS | NAIROBI

NAIROBI

MONDAY, OCTOBER 23
18:00/6:00 PM EAT



PUBLIC SECTOR MEDIATION; EMERGING TRENDS & BEST PRACTICES

SEMINAR NOTICE



THE KENYA SCHOOL OF LAW

COURSE TITLE: **PUBLIC SECTOR MEDIATION: *Emerging Trends & Best Practices***

(3 LSK CPD points)

THEME: *“Transforming Conflict Management in the Public Sector”*

DATE: **06th -10th November, 2023**

VENUE: **Kenya School of Law, Karen, Nairobi**

COURSE OVERVIEW

Should all disputes involving public sector agencies end up in court? Should government agencies litigate against each other in courts as a routine? Should public sector employees litigate against their employers as a default for resolving employment and related disputes that may arise? Should the private sector routinely litigate against the government, and what implications does this have for ease of doing business? How should community disputes involving public agencies (e.g. Kenya Police, KWS, KFS and county governments) be efficiently resolved?

There can be few more challenging areas in which to mediate than the public sector. Often, there is not just a contractual issue to resolve, but a statutory backdrop and political dimension to contend with too. Yet mediation in this fascinating sector is on the increase as the body of evidence demonstrating its success and the benefits it can bring, particularly in the saving of public resources, continues to grow.

Whilst the type of dispute one mediates in the public sector varies hugely, there are often certain shared characteristics which require considerable versatility and skill on the part of the mediator and, importantly, pre-mediation groundwork on the part of all involved.

WHAT YOU WILL LEARN

This course is especially designed for representatives of public institutions, agencies and the private sector who are central players in public sector dispute resolution, including matters of breach of contracts; labour disputes; investment disputes; community disputes amongst others.



CONTD...

The participants will be taken through theoretical underpinnings, practical role plays and execution of mediation process from start to finish, and drawing on comparative sector-based case studies of mediation in public sector dispute resolution. It is designed to equip the participants with opportunity to experiment with mediation in efficient public sector dispute resolution, thereby helping to build relationships with their stakeholders and engender prudence and best practices in the management of public affairs, especially finance.

THE SEMINAR IS RECOMMENDED SPECIALLY FOR

Board members (public, private and non-governmental), CEOs and management of public / private organizations/companies, in-house counsels in state corporations, including those with direct community engagements like Kenya Wildlife Service, Kenya Forest Service, energy sector corporations amongst others, human resource officers, organizational development officers, in-house counsels in private and listed companies, counsel in non-governmental and intergovernmental organizations, especially those working on land, environment & human resource, management and representatives of universities and other tertiary institutions, private practitioners, county governments and related regulatory bodies, employees of the financial sector and regulatory bodies, amongst others.

YOUR INVESTMENT: Ksh. 58,000 (non-East Africans USD 400) inclusive of VAT and registration fee (covers tuition fees, course materials, stationery, lunch and refreshments)

Application Process

Application should be made ONLINE through the platform. Please log at: <https://services.ksl.ac.ke/web/login> sign up and register for the course. Fees should be deposited in the **School's account: (Account No. 202 2029 110 Absa Bank PLC, ABSA Plaza Branch, Nairobi, Kenya)** and the bank slip or evidence of electronic funds transfer presented to the Finance Office, Karen by **1st Nov 2023** to enable us to adequately prepare for the course. For more information, please contact Course Coordinator: **Mr. Kefa Simiyu, Mr. Isaac Kuloba (Assistant Director, CPD) Christine or Jacqueline** on:

Tel: +254(020) 2699581/6 Email: ikuloba@ksl.ac.ke, mkefa@ksl.ac.ke, cmwanza@ksl.ac.ke, jacqueline@ksl.ac.ke
Website: www.ksl.ac.ke

ISAAC KULOBA

For DIRECTOR/ CHIEF EXECUTIVE OFFICER



ISO 9001:2015 Certified Organization



INTERNATIONAL CONFERENCES

REGISTER NOW FOR THE BORNEO RAINFOREST LAW CONFERENCE 2024- COMMONWEALTH LAWYERS ASSOCIATION



 **Commonwealth
Lawyers Association**

**The Borneo
Rainforest Law
Conference 2024**
26th-28th February 2024
Kota Kinabalu, Sabah

Registration is now open for the Borneo Rainforest Law Conference 2024

The Commonwealth Lawyers Association and Sabah Law Society invite you to join us in Malaysian Borneo for this pan Commonwealth conference which will consider human rights, climate justice, funding, constitutionalism and action within legal and governmental frameworks.

Visit <https://www.cla-ent.com/BorneoRainforestLawConf2024> to take advantage of the early bird discount registration rate and secure your hotel accommodation all on one platform.

Guarantee Your Early Bird Rate

Join the CLA today as a member to gain access to discounts on conference registration rates.

Become a CLA Member



INTERNATIONAL CONFERENCES

THE INTERNATIONAL BAR ASSOCIATION (IBA) ANNUAL CONFERENCE 2023



The International Bar Association (IBA) Annual Conference is the leading conference for Legal Professionals worldwide to meet, share knowledge, build contacts and develop business. It serves to advance the development of international law and its role in business and society, to provide members with world-class professional development opportunities to enable them to deliver outstanding legal services.

The IBA Annual Conference will be held at the Palais des Congrès de Paris from **29th October to 3rd November 2023**. It will give members the opportunity to experience over 200 sessions on a wide range of legal topics, along with an abundance of business and networking opportunities on offer attended by some of the world's leading lawyers.

This conference is open to both members and non-members of the IBA, with lawyers from over 130 jurisdictions and all parts of the Legal Profession attending, including Lawyers in private practice, In-house Counsel, Human rights Advocates, Judges, Bar leaders, Regulators and Government Representatives.

For more information, [click here](#).



NEW GUIDELINES - FILING OF APPLICATIONS FOR APPOINTMENT AS NOTARIES PUBLIC



Advocates who would like to apply for appointment as Notaries Public are hereby notified of the following:

1. Mode of Application: Effective 16th January 2023, applications for appointment of Notaries Public will be done **exclusively online** through the **Judiciary Advocates Management System** which is accessible through <https://jams.court.go.ke/>

2. Account Activation: Details of all Advocates have been pre-loaded onto the system and each Advocate is to activate his/her account before making the application. For this, click **"Sign Up,"** select **"Advocate"** and provide the required info (P.105. Number and e-mail address). A unique code will be sent to your e-mail address for account activation.

3. Application Process: Click **"Applications"**, select **"Commissioner for Oaths"** and upload the required documents. NB. A list of requisite documents is displayed at every application function on your portal.

4. Service on LSK: The Judiciary Advocates Management System has been integrated with the LSK System. LSK will have access to your Application, review and give their recommendation.

5. Appointment: Upon recommendation by LSK, the Chief Justice will appoint the Notary Public by issuing a digitally signed **Instrument of Appointment** of a Notary Public. **NB** Where LSK objects, the applicant will be notified accordingly

6. Payment: Upon appointment by the Chief Justice, an invoice for KSh. 1,500 to be paid via M-Pesa will be sent to your JAMS portal. Payment instructions will be on the invoice. The Applicant is to make payment then submit the payment transaction code in order to complete payment.

7. Signing the Roll: The system will send a notification inviting the applicant to sign the Roll of Notaries Public before the Chief Registrar on a specified date and time.

8. Certificate of Enrolment. Upon signing the Roll, the Chief Registrar will issue a digitally signed **Certificate of Enrolment** that will be available on email and JAMS portal for download.

9. Authentication: The system allows any member of the public to authenticate all digitally signed documents issued to Advocates, including the Instrument of Appointment and the Certificate of Enrolment.

10. User Support: Every effort has been made to develop a system that is user friendly for all Advocates. Those with challenges may e-mail advocatessection@court.go.ke for support.

11. Training: The Advocates Section and LSK Secretariat will also hold joint training sessions on the system for Advocates in the coming days. Look out for announcements of these sessions on LSK and Judiciary communication channels.

12. Feedback: As this is a new system, we anticipate that users may experience a few challenges. We welcome positive/constructive feedback that will help us address the challenges and enhance the system for the benefit of all users and stakeholders. Feedback on the system can be sent to judiciary.advocates.system@gmail.com.



LSK COMPLIANCE AND ETHICS DEPARTMENT

Our 6 step process on how to issue a notice of intention for taking out a Practicing Certificate Under Section 25 Advocates Act Cap 16

- 1 Write a letter to the Chief Registrar of the Judiciary, indicating the reasons for not taking out the PC. Attach necessary supporting documents and a duly commissioned statutory declaration. This should be in duplicate.
- 2 Have the letter received and stamped at the Advocates' Section, Room 61 and thereafter share with us the stamped copy.
- 3 The Notice is then placed before the Council for consideration.
- 4 The Council decision shall thereafter be communicated to members, through the provided email and post office address.
- 5 Upon fulfilment of the provided conditions by the Council, the applicant shall proceed to apply for the current year's Practicing Certificate.
- 6 Right to appeal if aggrieved by the decision of the Council and with valid grounds. Provide sufficient documents.



This applies to advocates who have not taken out practicing certificates for more than twelve months.

Inquiries: compliance@lsk.or.ke



NEW GUIDELINES - FILING OF APPLICATIONS FOR APPOINTMENT AS COMMISSIONERS FOR OATHS



Advocates who would like to apply for appointment as Commissioners for Oaths are hereby notified of the following:

<p>1. Mode of Application: Effective 16th January 2023, applications for appointment of Notaries Public will be done exclusively online through the Judiciary Advocates Management System which is accessible through https://jams.court.go.ke/</p>	<p>2. Account Activation: Details of all Advocates have been pre-loaded onto the system and each Advocate is to activate his/her account before making the application. For this, click "Sign Up," select "Advocate" and provide the required info (P.105. Number and e-mail address). A unique code will be sent to your e-mail address for account activation.</p>	<p>3. Application Process: Click "Applications", select "Commissioner for Oaths" and upload the required documents. NB. A list of requisite documents is displayed at every application function on your portal.</p>	<p>4. Service on LSK: The Judiciary Advocates Management System has been integrated with the LSK System. LSK will have access to your Application, review and give their recommendation.</p>
<p>5. Appointment: Upon recommendation by LSK, the Chief Justice will issue a digitally generated Commission appointing the Advocate as a Commissioner for Oaths. NB Where LSK objects, the applicant will be notified accordingly</p>	<p>7. Signing the Roll: The System will send a notification inviting the applicant to sign the Roll of Commissioners for Oaths before the Chief Registrar on a specified date and time. Thereafter, the Commission will be available on the Portal and email for download.</p>	<p>8. Stamping: The Advocate will be required to take the Commission to the Ministry of Lands for stamping as provided for under Sec. 2(2) of the Oaths and Statutory Declarations Act. Thereafter, the Advocate is to scan and upload to the system a franked copy of the Commission.</p>	<p>9. Gazettement: In accordance with Sec 2(3) of the Oaths and Statutory Declarations Act, the Chief Registrar will publish in the <i>Gazette</i> the names of Advocates who have been appointed as Commissioners for Oaths and uploaded the franked Commissions.</p>
<p>10. Authentication: The system allows any member of the public to authenticate all digitally signed documents issued to Advocates, including the Commission.</p>	<p>11. User Support: Every effort has been made to develop a system that is user friendly for all Advocates. Those with challenges may e-mail advocatessection@court.go.ke for support.</p>	<p>12. Training: The Advocates Section and LSK Secretariat will also hold joint training sessions on the system for Advocates in the coming days. Look out for announcements of these sessions on LSK and Judiciary communication channels.</p>	<p>13. Feedback: As this is a new system, we anticipate that users may experience a few challenges. We welcome positive/constructive feedback that will help us address the challenges and enhance the system for the benefit of all users and stakeholders. Feedback on the system can be sent to judiciary.advocates.system@gmail.com.</p>



HAITI CRISIS: WHY IS KENYA DEPLOYING?

On 2nd October the UN Security Council authorized deployment of a Multinational Security Support Mission, headed by Kenya, in close cooperation and coordination with the Government of Haiti, for an initial period of 12 months, with a review after nine. The resolution 2699 (2023) recorded vote of 13 in favour with 2 abstentions (China, Russian Federation), authorized the Mission on the understanding that the cost of implementing the operation will be borne by voluntary contributions and support from individual Member States and regional organizations, in strict compliance with international law. The resolution was precipitated by a year of Haitian leaders appealing for foreign intervention.

As part of a 12-month mandate, Kenya will send 1000 police officers to the island to strengthen local security as well as Haiti's national police. Antigua and Barbuda, the Bahamas, and Jamaica also promised to assist Kenya's intervention, and the United States pledged up to \$200 million in aid.

The crisis in Haiti that Kenya's security forces seek to intervene has been a century long. History tells us that Haiti has a shared border with the Dominican Republic. At the advent of Colonialisation Haiti was a Spanish colony but was ceded to the French in the 18th Century. Haiti was colonised for a century before the French recognized its an Independent Nation. Upon independence Haiti however accumulated a lot of debt from both France and the United State of America. It is domestic debt that spiraled a series internal power struggles within the government for mismanagement. One of these disputes led into border disputes with the Dominican Republic that was not helped by a spate of short-lived presidencies culminating in the assassination of leader Jean Vilbrun Guillaume Sam. The USA then invaded Haiti in 1915-1934 to protect its investments in-country. However this led to the Dominican forces under the orders of President Rafael Trujillo to resume their border conflict that led to the killing of an estimated 30,000 Haitians living in the border zone between the two countries in what's known today as the Parsley Massacre. Shortly after the Massacre Haiti went through a series of political instability between the 1950s to earlier 2000s characterized by political assassinations and military coups. This coupled with natural disasters left Haiti under the mercy of the international interventions and assistance.



CONTD...




The situation in Haiti has been over 30 years old due to political turmoil. The situation was worsened in 2021 after the assassination of President Jovenel Moise with as armed groups vie for control which was created a power vacuum. Unfortunately, the gangs are politically connected and has control of Haiti's capital. This has led to massive killings, kidnapping and internal displacements.

Kenya is deploying its troop under the foregoing conditions sanctioned by Article 240 of the Constitution where; the National Security Council has approved the deployment. Governance experts have however questioned the move given the disastrous results of similar deployments being in Sierra Leone, DRC, Somali and within Kapedo Valley in Kenya. The nature of expertise to deal with such gangs was also put in question for our deployment. We Wakilis need to ask ourselves these questions:

1. What measures is the government putting in place to prepare the police officers for eventualities of war?
2. What welfare programs have been put in place for these brave officers?
3. What expertise has compelled Kenya to put the measure in place?



**BY SOPHIE KAIBIRIA- DIRECTOR
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