



11TH APRIL 2025 | ISSUE 12

THE LEGAL INSIGHT

The Official LSK Weekly Newsletter

PRESS STATEMENT DENOUNCING VIOLENT POLICE DISRUPTION OF BUTERE GIRLS' PERFORMANCE IN NAKURU.

11th April, 2025



LSK NEWS ALERT

Press Statement Denouncing Violent Police Disruption of Butere Girls' Performance in Nakuru.

"In blatant disregard for the judicial ruling and the principles of the rule of law, the state reverted to its recent modus operandi of arbitrariness, repression, abuse of police powers, and contempt of court orders. What started with innocent young girls being denied access to their props and tools of art for their performance escalated into an unnecessary and regrettable altercation between the police, students, media and members of the public. Ultimately, the police resolved to use force against harmless children, lobbing teargas at students fully donned in their uniforms and under school supervision. Against the backdrop of the outstanding unresolved instances of malpractice and arbitrariness of the police, this incident marks a point of no return for Kenyans' tolerance for such inane actions by the police."

READ MORE



Faith Odhiambo,
PRESIDENT, LSK

FEATURED

News Segment

Notices

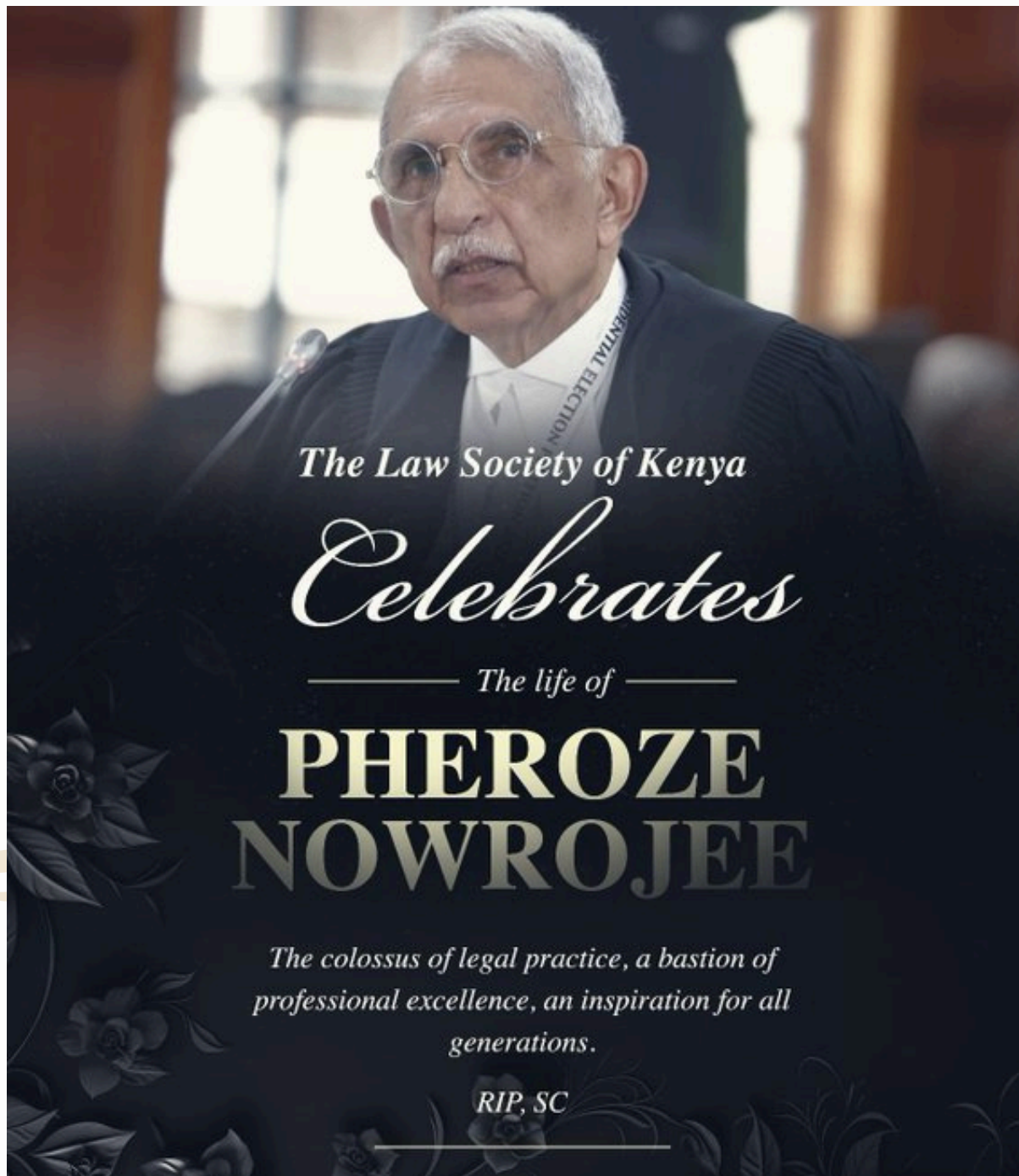
Upcoming Events



PHEROZE NOWROJEE ONLINE TRIBUTE

We invite you to contribute to this memorial book in honour of Pheroze Nowrojee—a man whose life and work left an indelible mark on our hearts, our nation, and the cause of justice. Please feel free to write a personal tribute, share a memory, or include a photo. Whether it is a moment you shared with him, words he spoke that stayed with you, or the impact he had on your life—your reflections are deeply valued.

online-tribute.com/PherozeNowrojee





WATCHING BRIEF IN GBV, INCLUDING SGBV & FEMICIDE CASES: A GROWING NICHE FOR ADVOCATES AND A PATHWAY TO JUSTICE

BY GATURA (E.) WAMERU
MEMBER- LSK GENDER COMMITTEE

Despite Kenya's robust legal and policy framework on Gender-Based Violence (GBV), including Sexual and Gender-Based Violence (SGBV) and femicide, survivors continue to face systemic barriers in their quest for justice. These challenges ranging from inadequate enforcement and stigma to corruption and procedural delays call for strategic and survivor-centered legal interventions. One such intervention is the increasingly important role of advocates watching brief.

Far from being passive observers, as was stated in *Waswa v R* (Supreme) advocates watching brief act as facilitators of justice. They guide survivors through the legal process, help ensure proper documentation of reports, oversee investigations to prevent manipulation or intimidation, and monitor trial proceedings to ensure victim interests are not overshadowed. Their participation is grounded in the Victim Protection Act, 2014 and constitutional guarantees of access to justice and fair trial under Articles 48 and 50.

Precedents like *Joseph Lendrix Waswa v Republic* and *Republic v Hassan* have clarified and sometimes complicated the role of victim counsel highlighting the balance between procedural order and survivor-sensitive justice. While concerns have emerged over procedural rigidity in *Republic v Hassan*, these developments also present an opportunity for advocates to shape GBV jurisprudence in Kenya.

Importantly, watching brief is not only a moral commitment it can be a sustainable and rewarding area of legal practice. Advocates can structure legal fees for GBV-related matters, partner with civil society, and tap into donor-funded programs. There is also growing space for specialized advocacy, legal training, and consultancy in gender justice.

To fully realize the potential of watching briefs, the Judiciary and relevant stakeholders must institutionalize the role through formal judicial practice rules, expand the mandate of SGBV courts to cover all forms of gender-based violence—not just sexual offences—and roll out these courts beyond the current pilot regions. Integration of this specialized representation into public legal aid schemes is also vital. Additionally, continuous professional development in trauma-informed lawyering is essential to ensure sensitive and effective legal support for all GBV survivors.

As legal practitioners, we must reimagine our role not just as courtroom litigators, but as enablers of justice, healing, and societal transformation. Watching brief is not just an act of service; it is a viable, impactful, and dignified path to ensuring justice for survivors while contributing to the evolution of our legal profession.



COUNCIL DECISIONS TAKEN ON 10TH MARCH 2025

The Council Decisions on applications taken on 10th March 2025 for admission to the Roll of Advocates, Practicing Certificates, Notary Public and Commissioner for Oaths and Admission petitions can be accessed on the link; [Click Here](#)

VACANCY FOR AN ADVOCATE

A Law Firm in Coastal region (Mombasa, Malindi and Diani) has a vacancy for an advocate with a current Practicing Certificate to handle Litigation, Conveyancing and Commercial matters.

Send your application and C.V to lawfirmvacancy25@gmail.com. Only successful applicants will be contacted for interview.



UNICAF SCHOLARSHIPS

IN PARTNERSHIP WITH:

UNICAF

Up to an **80%**
Unicaf Scholarship

Study online for an internationally recognised **Bachelor's, Master's** or **Doctoral degree**

APPLY NOW!

Greetings to all members of the Law Society of Kenya!

Unicaf, in collaboration with LSK, is offering its members up to an 80% scholarship* to study online for an internationally recognised Bachelor's, Master's or Doctoral degree at one of Unicaf's partner universities in the UK and Africa:

- The University of East London, rated University of the Year 2025 in Teaching Quality by the Sunday Times Good University Guide.
- Liverpool John Moores University, ranked as the 2nd-best university in the UK, according to Uni Compare Top 100 University rankings
- The University of Suffolk, which proudly boasts a 90% graduate employability rate
- Unicaf University, the leading provider of online, quality higher education in Africa.

APPLY HERE



ADVOCATES DISCIPLINARY TRIBUNAL



ADVOCATES DISCIPLINARY TRIBUNAL

KNOW YOUR TRIBUNAL



ESTABLISHMENT

The Advocates Disciplinary Tribunal (ADT) plays a crucial role in upholding the standards of the legal profession in Kenya. The ADT is established under Section 57 of the Advocates Act, Cap 16.



MANDATE

The ADT is mandated to hear and determine complaints lodged against Advocates. The LSK Secretariat through the Compliance & Ethics Directorate, serves as the administrative arm of the Tribunal. It receives the affidavits of complaint from the Advocates Complaints Commission (ACC) and forwards them to the Tribunal members for prima facie determination. Once a case to answer is established, the Secretariat allocates the matters case numbers, sets them down for plea taking and undertakes service upon advocates. The Secretariat through the Compliance & Ethics Directorate also ensures advocates comply with orders of the Tribunal.

CONSTITUTION

The ADT is comprised of the Attorney-General, Solicitor-General or a person deputed by the Attorney-General, six advocates, the Chairman, Vice-chairman and the Secretary of the Law Society. The Secretary of the Society is the Secretary to the Tribunal.



KEY STAKEHOLDER

The Advocates Complaints Commission (ACC) operates in close coordination with the LSK and the Tribunal. The ACC is established under Section 53(1) of the Advocates Act. It is mandated to receive complaints of professional misconduct against advocates. The ACC works to promote reconciliation, provide amicable settlement through Alternative Dispute Resolution (ADR) and conduct investigations with regard to complaints lodged against advocates. Additionally, the ACC may refer and prosecute complaints of professional misconduct before the Tribunal, at no cost to the complainants.



WHO CAN INSTITUTE A COMPLAINT AGAINST AN ADVOCATE?

- Any member of the public aggrieved can lodge a complaint against an Advocate.
- An advocate can lodge a complaint against a fellow advocate.

WHERE DO I LODGE MY COMPLAINT AGAINST AN ADVOCATE?

- An aggrieved party can either lodge a complaint directly with the Advocates Disciplinary Tribunal or with the Law Society of Kenya or with the Advocates Complaints Commission.

HOW DO I LODGE A COMPLAINT AGAINST AN ADVOCATE?

1. Write a letter to the Law Society of Kenya lodging a formal complaint against the advocate. Ensure to include the full names of the advocate and have the complaint signed.
2. Alternatively, you may lodge a complaint through the Advocates Complaints Commission. You will be required to fill in the provided help form. Subsequently, the Advocates Complaints Commission will carry out investigations into the matter and lodge a complaint on your behalf, with the Advocates Disciplinary Tribunal.
3. You may also prepare six sets of Affidavit of Complaint under section 60 of the Advocates Act to be forwarded to the Tribunal for determination.



CONTD



ADVOCATES DISCIPLINARY TRIBUNAL KNOW YOUR TRIBUNAL

HOW DO I LODGE A COMPLAINT BEFORE THE ADVOCATES DISCIPLINARY TRIBUNAL?

Prepare six (6) sets of Affidavits of Complaint (Under Section 60 of the Advocates Act)

↓
File the Affidavits at LSK

↓
Service by the LSK to the accused Advocate (private prosecution)

↓
Prima Facie Stage

↓
Plea taking Stage

↓
Hearing Stage (by affidavit evidence)

↓
Judgement stage

↓
Mitigation and Sentencing Stage

↓
Enforcement of Tribunal Orders

ADVOCATES DISCIPLINARY TRIBUNAL SANCTIONS

Where a case of professional misconduct has been made against an advocate the Tribunal may order the following: the advocate be admonished; the advocate be suspended from practice for a specified period not exceeding five years; the name of the advocate be struck off the Roll of advocates; the advocate to pay a fine not exceeding one million shillings; or the advocate to pay to the aggrieved person compensation or reimbursement not exceeding five million shillings.

FOR ANY FURTHER INQUIRES, CONTACT US AT

LAW SOCIETY OF KENYA
Lavington, opp, Valley Arcade Gitanga Road
P.O. BOX 72219-00200, Nairobi, Kenya
Phone: +254 111-045-300/ 0111-045-555
Email: lsk@lsk.or.ke

ADVOCATES COMPLAINTS COMMISSION
Co-operative Bank House, 20th Floor, Haile Selassie Avenue
P.O. BOX 48048- 00100, Nairobi, Kenya
Phone: +254- 2- 2224029/ 2224082
Mobile: +254- 733- 241111 Email: acc@ag.go.ke



NOTICES

STATISTICAL QUESTIONNAIRE: ASSESSING MONEY LAUNDERING AND TERRORISM FINANCING RISK - LEGAL PROFESSIONALS



Scan the QR code to access The statistical questionnaire



ASSESSING MONEY LAUNDERING AND TERRORISM FINANCING RISKS FOR LEGAL PROFESSIONALS

The Society is conducting a sectoral risk assessment to gather information to enable it analyze the structure, inherent risks and controls present within law firms which is vital for assessing money laundering and terrorism financing risks within the legal sector.

<https://forms.gle/sErhujGJfcIJYLkz5>





NOTICES



OFFICE OF THE CHIEF REGISTRAR
ADVOCATES SECTION

**New Guidelines on the Filing of Applications for Appointment as
Notaries Public**

ISSUED ON 16TH JANUARY 2023

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 “**Notaries Public**” and upload the required documents. **NB.** A list of requisite documents is displayed at the Notaries Public 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.



Social Transformation
through Access to Justice

Justice Be Our Shield and Defender



NOTICES



OFFICE OF THE CHIEF REGISTRAR ADVOCATES SECTION

New Guidelines on the Filing of Applications for Appointment as Commissioners for Oaths

ISSUED ON 16TH JANUARY 2023

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

1. **Mode of Application:** Effective 16th January 2023, applications for appointment of Commissioners for Oaths 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 and give their recommendation.
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.
6. **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.
7. **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.**
8. **Gazettement:** In accordance with Sec 2(3) of the Oaths and Statutory Declarations Act, the Chief Registrar will publish in the *Gazette* the names of Advocates who have been appointed as Commissioners for Oaths and uploaded the franked Commissions.
9. **Authentication:** The system allows any member of the public to authenticate all digitally signed documents issued to Advocates, including the Commission.
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.



Social Transformation
through Access to Justice

Justice Be Our Shield and Defender

You may also contact commissionerforoaths@court.go.ke for any other support.



SEMINAR NOTICE



THE KENYA SCHOOL OF LAW

DATA PROTECTION FRAMEWORK: THE LAW, POLICY & REGULATORY COMPLIANCE.

(ACCREDITED BY LSK FOR CPD POINTS)

THEME: *"Mitigating against Data Protection & Privacy risks in Kenya"*
DATE: 9th to 13th June, 2025
VENUE: **NAIVASHA**

COURSE OVERVIEW

Data protection is not only a legal and ethical obligation, but also a competitive advantage for organizations that want to build trust and loyalty with their customers, partners, and employees. Managing data privacy effectively requires a comprehensive and consistent approach that aligns with the organization's goals, values, and risks. This is where a data privacy governance framework comes in handy.

A data privacy governance framework is a set of policies, processes, roles, and tools that help an organization define, implement, monitor, and improve its data privacy practices across its functions and operations. However, embarking on a privacy compliance journey without a governance plan in place is futile.

In this seminar, we will explore the key components and how to set out and adopt a well-structured and properly tailored privacy accountability framework that ingrains a culture of data protection within the organization.

The **SCOPE** shall cover:

- An **Overview** of the Kenyan Data Protection Law.
- The **Role and Obligations** of Management in ensuring compliance with the Data Protection L
- **Developing** a data protection and privacy framework in your organization
- How to **Prepare** for compliance and mitigate associated legal risks.



NOTICES

TARGET PARTICIPANTS

The seminar is recommended specially for: In-house counsel, advocates, Data Protection Officers, Human Resources, Finance, Technology, Risk, Operations teams, internal auditors, external auditors, information management officers and compliance managers.

YOUR INVESTMENT: Ksh. 95,000 (non-East Africans: USD 1,500) inclusive of VAT and registration fee. (Covers *tuition fees, course materials, stationery, lunch and refreshments*). **NOTE that where a person who has registered for the course pulls out within 7 days to the date of training, the School shall deduct 25% of the tuition fee to cover administrative expenses.**

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.

Money should be deposited in the **School's Account (Account No. 202 2029 110 Absa Bank PLC, Absa Plaza Branch, Nairobi, Kenya)** and banking slip presented to the Finance Office. Please note that we would wish to have your duly completed application form and proof of payment by 12.00 p.m. on **30th May, 2025**, to enable us to adequately prepare for the course. Late applicants should confirm availability of space before paying for the course.

For more information, please contact the Course Coordinator, Kefa Simiyu or Christine / Jacqueline on:
Tel: +254- +254(020) 2699581/6

Email: cpd@ksl.ac.ke mkefa@ksl.ac.ke cmwanza@ksl.ac.ke or jacqueline@ksl.ac.ke Website: www.ksl.ac.ke

For DR. HENRY K. MUTAI
DIRECTOR/ CHIEF EXECUTIVE OFFICER



ISO 9001:2015 Certified Organization



UPCOMING EVENTS

INVITATION TO THE PAN AFRICAN LAWYERS UNION'S 15TH ANNUAL CONFERENCE AND TRIENNIAL GENERAL ASSEMBLY FROM 25 TO 27 JUNE 2025, IN ABIDJAN, CÔTE D'IVOIRE

+255 (68) 507- 8794 events@lawyersofafrica.org

[HOME](#)[GET YOUR TICKET](#)[CONTACT US](#)[FRANÇAIS](#)

Dear Members of the PALU Council

Greetings from the Pan African Lawyers Union (PALU), the premier continental membership forum of and for lawyers and lawyers' associations in Africa.

We are pleased to invite you to the PALU Annual Conference and Triennial General Assembly, which will be held in Abidjan, Côte d'Ivoire, from 25 - 27 June 2025, under the theme "Justice through Reparations".

As we have done in the past, we encourage the leadership and Secretariat of national lawyers' associations to organize group travel for their members. This can be done through your usual Travel Agent, or, even better, you can do a small tender amongst a few Travel Agents so that they can compete to give you the best deal for your members.

We also encourage you to consider the importance of the CLE points for your participating members.

For More Information regarding the conference and the registration rates, please visit our event portal at: <https://events.lawyersofafrica.org/>.

We acknowledge receipt once again of your Bar Association membership payment of the Year 2025 and we thank you.

We look forward to welcoming you and your members to Abidjan for what promises to be an engaging and impactful gathering.



UPCOMING EVENTS

INTERNATIONAL BAR ASSOCIATION (IBA) 2025



IBA 2025 TORONTO
2-7 NOVEMBER
ANNUAL CONFERENCE OF THE INTERNATIONAL BAR ASSOCIATION



OFFICIAL CORPORATE SUPPORTER





UPCOMING EVENTS

38TH LAWASIA CONFERENCE 2025



38th LAWASIA Conference 2025

11 - 13 October 2025 | Hanoi, Vietnam



SAVE THE DATE!
38th LAWASIA Conference 2025 

***LAWASIA & the Vietnam Bar Federation are proud to present the
38th LAWASIA Conference 2025 in Hanoi, Vietnam!***



LAW SOCIETY OF KENYA

**Law Society of Kenya
Lavington, Opposite Valley Arcade, Gitanga Road
P.O BOX 72219- 00200
Nairobi, Kenya**

Phone Number: 0799 595 800

**Email: lsk@lsk.or.ke
www.lsk.or.ke**