



**UNIVERSITY OF NAIROBI
COLLEGE OF HUMANITIES AND SOCIAL SCIENCES
SCHOOL OF LAW**

ANNUAL REPORT FOR YEAR 2013

The Faculty of Law was established in 1970 and is one of the original faculties of the University of Nairobi, currently referred to as the School of Law. The main task of the School is to run a national training programme for the legal profession, leading to the degree of Bachelor of Laws (LL.B). The faculty also runs Master of Laws (LL.M) and PhD programmes for students wishing to specialize in specific branches of Law.

Although law studies at the University level are by tradition, of theoretical nature, Pedagogical efforts have been made to encourage active participation in class and to introduce mock trials and moot court competitions locally and internationally. The School also runs a Clinical Programme under which students are attached to courts in order for them to appreciate the workings of the law and gain practical experience.

The training at the School provides students with knowledge of the law required in professional practice, business, industry as well as service in local and central governments. Since its establishment, the School has maintained a distinctive character in contribution to the legal profession and the legal fraternity in Kenya and is the leading source of legal knowledge and skills in the country. Graduates of the School are serving as senior members of government, judges of superior courts. Magistrates, Senior Legal Officers in the State Law Office, Public Corporations, Local Authorities and Private entities. Others are Law Instructors in many institutions.

This premier Law School has evolved steadily from its earlier status as a department of the Faculty of Commerce in the 1960s to one of the largest Law Schools in East and Central Africa.

Today, the School has staff strength of 5 full professors, 9 Associate Professors, 10 Senior Lecturers, 41 Lecturers and a team of administrative and support staff. The student population stands at slightly over 2500.

The School of Law has achieved several milestones in terms of ICT services and usage by maintaining seamless internet connectivity in the offices, halls of residence and the library. The library has been elevated into a connectivity centre over this period through WIFI networks.

This has increased usage of the library electronic resources including the latest acquired Lexis - Nexis online library among other online databases. This has gone a long way in complementing the existing research facilities available to both the School of Law students and lecturers.

Installation of teaching equipment to support content delivery through use of ICT has also been realized in both Sheria Hall and the Lecture Theatre. This enables the lecturer to deliver content with ease through the use of technology.

In the same period, the School of Law managed to equip all the teaching and non-teaching staff offices with computers to facilitate service delivery and research activities. The rolling out of the e-platform has enhanced the student – lecturer interaction in terms of content sharing.

The School of Law has also established a state of the art moot court facility. The impressive facility has been fitted with the latest ICT systems for the moot court management including live video streaming and recording through the existing ICT/WIFI networks attached to a storage infrastructure which is used used to record proceedings.

Without emphasizing on the importance of this facility and mooting as a learning method in 21st Century Law School, the Law graduates from the School of Law shall not only be intentionally competitive, but fully conversant with the latest technologies employed in a modern court room competitions.

The School of Law has three Campuses: School of Law, Parklands, Mombasa and Kisumu campuses.

The School has three departments, these are: Commercial Law, Private Law and Public Law Departments.

A. COURSES OFFERED:

The following courses are offered:

- Bachelor of Laws(LL.B)
- Master of Laws (LL.M) in various thematic areas
- PhD in various thematic areas.

B. STUDENT ENROLMENT:

| | |
|-------------------------|--------------|
| PhD | - 3 |
| Master of Laws (LL.M) | - 178 |
| Bachelor of Laws (LL.B) | - 2,500 |
| Total | 2,681 |

C. INTERNATIONAL STUDENT COMPONENT IN 2012/2013

The School has students from other African countries like Southern Sudan, Uganda and Ghana at various levels.

D. RESEARCH INTERESTS:

Research interests in the School include:

- Law, Governance and Democracy
- Public Finance and Financial Services Law
- International Trade and Investment Law
- Law in Society
- Gender and the Law
- Public International Law
- Environmental and Natural Resources Law
- Intellectual Property Law
- Law, Science and Technology
- Corporate Governance and the Law.

E. INTERNATIONAL LINKS AND COLLABORATIONS:

The International links and collaborations the school has include:

- Financial and Legal Sector Technical Assistance Project (FLSTAP): Emerging trends workshop
- International Development Research Centre (IDRC) Canada
- FORD Foundation
- Norwegian Agency for International Development
- Norwegian Research Council
- South and Eastern Africa Research Centre on Women's Law, University of Zimbabwe.

F. CONFERENCES ATTENDED

- Prof. P.K-Mbote attended the annual meeting of International Human Rights in South Africa from 5th-10th December 2013.
- Prof. P.K-Mbote attended a Conference in South Africa between 24th-28th September 2013.
- Prof. P.K-Mbote attended the Environmental Law Symposium in Abidjan between 29th-31st October 2013.
- Naomy Njuguna attended a workshop on 8th November 2013 at Main Campus on Austrian-Kenya Development Cooperation.

- Keziah Mbugua attended a Workshop for secretarial staff at CCU between November 12th-14th 2013.
- Daniel Odhiambo attended a KIM Dinner themed " Balancing Relationship, Family and Career" on 29th November 2013 at the Hilton Hotel, Nairobi.
- Prof.E Abuya attended the fifth World Human Rights Moot Court Competition at the University of Pretoria, South Africa between 7th -10th December.
- Prof.P.K.Mbote attended a public lecture by Prof.Philip Wood held on Thursday 4th April 2013 at the lecture theatre at the School of Law Parklands.
- Prof.Musili Wambua attended a public lecture by Prof.Philip Wood held on Thursday 4th April 2013 at the lecture theatre at the School of Law Parklands.
- Dr. Jacob Gakeri attended a public lecture by Prof.Philip Wood held on Thursday 4th April 2013 at the lecture theatre at the School of Law Parklands.
- Prof.Albert Mumma attended a public lecture by Prof.Philip Wood held on Thursday 4th April 2013 at the lecture theatre at the School of Law Parklands.
- Mr. L.O. Aloo attended a public lecture by Prof.Philip Wood held on Thursday 4th April 2013 at the lecture theatre at the School of Law Parklands.
- Mr. Noel Manyenze attended a public lecture by Prof.Philip Wood held on Thursday 4th April 2013 at the lecture theatre at the School of Law Parklands.
- Ms.Naomi N. Njuguna attended a public lecture by Prof.Philip Wood held on Thursday 4th April 2013 at the lecture theatre at the School of Law Parklands.
- Mr. Tirimba Machogu attended a public lecture by Prof.Philip Wood held on Thursday 4th April 2013 at the lecture theatre at the School of Law Parklands.
- Mr. Daniel Odhiambo attended a public lecture by Prof.Philip Wood held on Thursday 4th April 2013 at the lecture theatre at the School of Law Parklands.
- Prof. Patricia Kameri- Mbote was a panelist during the open debate on Universities for a Culture of Peace held on 29th April 2013.
- Evelyn Asaala represented the Dean in MKU-LSK Capacity building workshop in International Space Law on 9th May 2013.
- Mr. Rodney Okoth Ogendo attended the first regional seminar on National Implementation of International Humanitarian Law held between 13th-16th May 2013 at Enashipai Resort and Spa, Naivasha, Kenya.

- Evelyn Asaala attended a workshop on Research and Project Grant Writing Proposal writing on 13th-17th May 2013
- Prof.Musili Wambua attended a Public lecture by Fedelma Claire Smith held on 29th May 2013 at Lecture Theatre, School of Law.
- Lucy Gakuya attended the National Conference on Drugs and substance abuse in Kasarani between 10th-13th June 2013
- Prof.Musili Wambua attended the African Law Deans Conference at Enugu, Nigeria from 9th to 12th June 2013.
- Prof.Patricia Kameri-Mbote attended a conference on community land rights organized by the University of Nairobi and Strathmore University on 6th -7th June 2013.
- Prof.P.K.Mbote attended a Conference on Gender, Human Rights and Water Governance in Broederstroom, South Africa from 24th – 28th September 2013.
- Prof.Musili Wambua attended the Third Biennial Conference on Strategic Theory at Whitesands Beach Resort, Dar-es-Salaam, Tanzania from 17th-20th September 2013.
- Mr. P.Machogu attended a Regional Colloquium for Ombudsman in Institutions in Africa which was held in Nairobi between 18th-21st September 2013.
- Ms. Naomi Njuguna attended the annual Regional Conference on ISO 9000/QMS between 18th-19th July 2013 in Sarova whitesands, Beach Hotel in Mombasa.
- Mr. Rodney Okoth Ogendo attended training on the International Humanitarian Law Teacher Training Course from 30th July – 2nd August 2013.
- Ms. Evelyn Asaala attended a Sensitization Seminar on the African Court on Human Rights and Peoples Rights on July 17th July 2013 at the InterContinental Hotel, Nairobi.

G. Professor Ben Sihanya presented the following papers at the various conferences in 2013:

1. “Limitations and exceptions to copyright in Kenya in the context of the creative commons” presentation at the Global Congress Conference, South Africa, December 9-13, 2013.
2. “The United Nations Convention Against Corruption Implementation: Review on Kenya,” (2013) a presentation at the civil society retreat on the United Nations Convention Against Corruption review; November 6-9, 2013 at Brakenhurst Hotel, Limuru.

3. “Emerging jurisprudence on Article 24 of Kenya Constitution relating to balancing of competing human rights,” a presentation to the *Kituo cha Sheria* “Legal Advice Centre” 4th Annual Public Interest Litigation Colloquium on Thursday, December 5, 2013, Panafric Hotel, Nairobi.
4. “Technology in Kenya’s Supreme Court presidential Petition in *Raila Odinga: Technophobia, Dynamic Digital Tyranny (DDT) and the future of presidential electoral justice*” (2013) a presentation at the Symposium on the Supreme Court decision in *Raila Odinga v. Independent Electoral and Boundaries Commission and Others* on November 19, 2013 at the University of Nairobi.
5. “Copyright in film-production and distribution in Kenya” (2013) Presentation at Hot Sun Foundation, Kibera on November 21-22, 2013.
6. “Constitutional Commissions in Kenya: Experiences, Challenges and Lessons,” A study under the auspices of the Friedrich Ebert Stiftung (FES), presented at the Conference on State of Implementation of Constitution since 2010 on November 20, 2013 at Laico Regency.
7. “Overview and objects of the Constitution: Why the Constitution of Kenya 2010?,” paper presented three times at the University of Nairobi (RRI) sensitization community, CCU Building on Tuesday 3/9/2013; Friday 6/9/2013 and Monday 16/9/2013.
8. “HIV/AIDS law and ethics in Kenya,” paper presented at the (GCCD) workshop on HIV/AIDS Peer Education, Life Skills & VCT, August 8, 2013, at the Boma Hotel Red Cross HQ, Nairobi.
9. “Copyright challenges and prospects for authors in Kenya,” working paper presented to students of Diploma in Communication and the public at St. Paul’s University, Nairobi, July 23, 2013.
10. “Quality assurance in Kenya’s basic education,” draft paper presented at Riara University on July 19, 2013 during the First Annual International Conference on Education.
11. “Emerging issues in intellectual property (IP), defamation, privacy, data protection,” working paper presented on Intellectual Property Laws & Practices, on June 14, 2013, at the Panari Hotel, Nairobi organized by Law Society of Kenya’s (LSK’s) Committee on Continuing Legal Education (CLE).

12. “Copyright law and Government policy for the creative industry in Kenya,” working paper presented on Friday, July 5, 2013 at Strathmore Law School Open African Innovation Research & Training (workshop).
13. Expert Panelist at a forum on hate speech at Oxford University, presenting “Hate speech versus freedom of expression in the context of the Kenyan presidential elections 2013,” April 9, 2013.
14. “Devolution and education law and policy in Kenya,” a presentation at validation meeting of experts aimed at critiquing KHRC publication on devolution and human rights on Thursday, April 4, 2013 at the Palacina

H. PUBLICATIONS:

1. Prof. Patricia Kameri-Mbote published an article entitled ‘**I want it and I want it now**’ in a Journal. *Perspectives :Political analysis and commentary from Africa*
2. Dr. Godfrey Musila :(2013) Handbook on Election Disputes in Kenya. *Published by LSK with support from GTZ and Judiciary.*
3. Dr. Godfrey Musila wrote an article entitled, ‘Early warning and the role of new technologies in Kenya’ (2013) in a journal, *New Technology and the Prevention of Violence and Conflict.*
4. Patricia Kameri-Mbote (2013) Climate Change, Law and Indigenous Peoples of Kenya. London, Edward Elgar.
5. Patricia Kameri –Mbote, C. Musembi (2013). Ours by Right: Law, Politics and Realities of Community Property in Kenya. Nairobi: Strathmore University Press.
6. Hannington, Kameri-Mbote (2013). Governing Modern Agricultural Biotechnology in Kenya: Implications for food security
7. Kameri –Mbote, Odote G. (2012). Liability for Climate Change in Kenya.
8. Musili Wambua (2012). The Jurisdictional Challenges to the Prosecution of Piracy cases in Kenya: Mixed Fortunes for a Prefect Model in the Global War against Piracy.
9. Sihanya B. (2012). Administering Presidential Elections in Kenya: Citizens rights to Security and the Issue of Governance.
10. Sihanya B. (2013). Devolution and Education.

11. Sihanya B.(2013).Support in Trade Negotiations for Professional Regulatory Bodies and Professional Associations: Building the Capacity of Professional Regulatory Bodies and Professional Associations to Negotiate Mutual Recognition Agreement under East Africa Community.
12. Sihanya B. (2012).Administering and Regulating Education for National Integration in Kenya.
13. Sihanya B. (2012).Contacting Copyright and Creativity in Kenya: Cultural Politics and the Political Economy of Transnational Intellectual Property.
14. Sihanya B. (2012).Administering and Regulating Security.
15. Owiti.M.Okech (2013).Consumer Protection in Kenya, Theory, Law and Practice.
16. Attiya W. (2013).International Taxation and Global Solidarity.
17. Attiya W. (2013).Tax and Development: Solving the Fiscal Crisis through Human Rights.
18. Attiya W. (2013).The International Political Economy of Taxation, 1945 to present.
19. Attiya W. (2013). Tax and State Building
20. Attiya W. (2013).Taxation and State Legitimacy in Kenya.
21. Attiya W. (2013).Why Tax Justice matters in Global Economic Development.
22. Attiya W. (2013).Law and Economics: A New Dimension in Market Regulation.
23. Attiya W.(2012).Utilizing Tax Literacy and Societal Confidence in a state: The Rwandan Model.
24. Akunga M. (2012). Burden of Childhood Diarrhoea from Water Sanitation and Hygiene: The Case of Nairobi City, Kenya.
25. Njaramba E. (2013).Law of Financial Institutions in Kenya.
26. Musembi C. (2013).Pulling Apart? Treatment of Pluralism in CEDAW and Maputo Protocol.
27. Musembi C. (2013).Mobility: Marginality and Tenure Transformation in Kenya: Exploration of Community Property Rights in Law and Practice.
28. Simbiri F. (2013).The Role of National and Regional Centes in Protecting Human Rights.
29. Onyango P. (2013).African Customary Law.
30. Onyango P.(2012).Quest for African Jurisprudence.
31. Migai A. (2012).Privatization and Democracy in East Africa. The format of Administration Law.

32. Migai A. (2012).Globalization, the Role of Administration Law and the Realization of Democratic Governance in Africa.
33. Migai A. (2012).Is the vetting Process Really Fair to Judges?
34. Migai A. (2012).Towards Effective Devolved Governments in Kenya: Reflecting on and planning for County Assemblies.
35. Migai A. (2012).Commentary on the National Assembly’s Draft Standing Orders.
36. Migai A. (2012). Review of the Judicial Performance Improvement Project(JPIP) to align it with the Judiciary Transformation Frame-work.(JTF)
37. Mbobu K. (2013).The Place of the Miliangos case in Anglo-American Jurisprudence.
38. Njuguna N. (2012).An Investigation into Effectiveness of the Criminal Process in Curbing the Increasing Rate of Crime in Urban Areas in Kenya.
39. Njuguna N. (2012).The Limits of Parental Responsibility.
40. Ager P. (2012).Devolution in Kenya. A Critique of the Concept of Constitutionalism
41. Machogu T. (2013).Disparities in Perceptions of the Conceptualization of Customary International Law: An Indictment on the Efficacy and Adequacy of International Law.
42. Machogu T. (2012).Regulating Insurance Fraud in Kenya. An Appraisal of on-going Initiatives by the Insurance Regulatory Authority.

I: CONSULTANCIES

- Legal Clinics by student organizations such as Kenya Law Students Society (KLSS) and Student Organization of Legal Aid (SOLAD)
- Fulbright Fellowship, Council for International Exchange Studies

J: NUMBER OF GRADUANDS 2012/2013

- PhD - 2
- Masters (LL.M) - 54
- Bachelor of Laws(LL.B) - 398
- Total ----- 454**

K. NUMBER OF STAFF AND THEIR DESIGNATION:

| | |
|--|-----------|
| Lecturers ----- | 58 |
| Administrative and Technical Staff ----- | 31 |
| Total ----- | 89 |