

PROF. WINIFRED W. KAMAU

CURRICULUM VITAE

PERSONAL INFORMATION

Name: Winifred W. Kamau
Address: P.O. Box 9764-00100, Nairobi, Kenya
Telephone: +254-728-652826
Email: winifredkamau@gmail.com or wkamau@uonbi.ac.ke

EDUCATIONAL QUALIFICATIONS

Doctor of Philosophy (PhD): 2007
Osgoode Hall Law School, York University, Canada

Master of Laws (LLM): 1996
University of Nairobi

Bachelor of Laws (LLB) (Hons., Upper Second Class): 1986
University of Nairobi

Kenya Advanced Certificate of Education ('A' Levels): 1981
Kenya High School

East Africa Certificate of Education ('O' Levels): 1979
Loreto High School Limuru

Certificate of Primary Education: 1975
Kalimoni Primary School

PROFESSIONAL QUALIFICATIONS

Certified Public Secretary, Kenya (CPS) (K): 1998

Chartered Institute of Arbitrators (ACI Arb): 1992
Qualified for Associateship

Advocate, High Court of Kenya: 1987

Admitted to the Roll of Advocates in the Kenyan Bar

WORK EXPERINENCE

Current Position:

**Associate Professor, School of Law, University of Nairobi
Chair, Private Law Department**

Academic Responsibilities:

- Teaching at Bachelors (LLB) and Masters (LLM) levels
- Supervision of PhD, LLM and LLB theses and dissertations
- Co-ordinating research and publications

Subjects Taught:

- Criminal Law (incorporating Criminology and Penology)
- Jurisprudence and Legal Theory
- Banking and Financial Services Law

Administrative Responsibilities:

- Chair, Department of Private Law
- Managing Editor, East African Law Journal
- Member, University Senate
- Member, College Academic Board
- Member, School Management Board
- Member, School Board and Board of Examiners
- Chair and Member of various *ad hoc* Committees of the School and University

Previous Administrative Responsibilities

Chair, Examinations Committee

Chair, Curriculum Review Committee

Chair, Library Sub-Committee

Experience in External Moderation and Curriculum Review

External Moderator, Council of Legal Education (2015 to date)

External Examiner, Strathmore University School of Law (2012 to date)

External Examiner, Kabarak University School of Law (2012 to 2015)

External Moderator, Kenya School of Law (2011 to 2014)

Curriculum Reviewer, Commission for University Education (2015 to date)

Peer Curriculum Reviewer, Council of Legal Education (2011 to date)
Examiner, Kenya Institute of Bankers (1998 – 2002)

Riara University – 2010 to 2011

Lead consultant in curriculum development of the Bachelor of Laws (LLB) programme for the Riara University Law School. Work involved conception and design of the entire curriculum including rationale, justification, aims and objectives and drafting of course outlines for over 40 individual courses. The LLB curriculum received full accreditation by the Council of Legal Education.

OTHER WORK EXPERIENCE

2011 – 2013: Assistant Director, Continuing Professional Development, Projects & Research (CPDP&R), Kenya School of Law

Key responsibilities

- Provided leadership in conceptualization, design, planning and execution of training programmes for professionals and public officers in the justice law and order sector
- Spearheaded development of tailor-made curricula in law and governance with emphasis on implementation of the Constitution of Kenya 2010
- Collaboration with key stakeholders in the law, justice and order sector including the Kenya Police Service, State Law Office, Judiciary, Director of Public Prosecutions, Witness Protection Agency, FLSTAP and Konrad Adenauer Foundation, among others.

York University, Canada, 2003 – 2006

Tutor, Law and Society Program; courses taught:

- Human Rights & Canadian Minorities
- Law & Society

Kenya College of Accountancy, 2000 – 2001

Part-time Lecturer

Kenya School of Monetary Studies, 1998 – 2002

Part-time Lecturer

Jomo Kenyatta University of Agriculture and Technology, 1995

Part-time Lecturer

PUBLICATIONS

- Winifred Kamau, "Law, Gender and Pluralism: Judicial Approaches to the Applicability of Customary Law to Succession Disputes in Kenya" (2015) *East African Law Journal*, 2015) 150.
- Winifred Kamau, "Women's Representation in Elective and Appointive Offices in Kenya: Towards Realisation of the The Two-Thirds Gender Principle", in Mbondeyi et al (eds), *Democracy, Human Rights and Socio-Political Transformation in Kenya: A Post 2007 Appraisal*, Pretoria University Law Press, 2015).
- Winifred Kamau, "Legal Treatment of Consent in Sexual Offences in Kenya" (2014) 10 (1) *Law Society of Kenya Journal* 27.
- Winifred Kamau & Kieya Kamau, "Victory for 160 Girls in Defilement Constitutional Challenge": Case Comment on Petition No. 8 of 2012, *C.K. (A Child) & 11 Others v. Commissioner of Police/Inspector-General of the National Police Service & 2 Others* (Kenya Law Journal online, 2014: <http://kenyalaw.org/kl/index.php?id=4504>).
- Winifred Kamau, "Women Judges and Magistrates in Kenya: Challenges, Opportunities and Contributions", in Ulrike Schultz & Gisela Shaw, eds, *Gender and Judging* (Oxford: Hart Publishing, 2013) 167.
- Winifred Kamau, Patricia Nyaundi & Jane Serwanga, "The Legal Impunity for Marital Rape in Kenya: A Women's Equality Issue" (2013) (<http://theequalityeffect.org>).
- Winifred Kamau, "Customary Law and Women's Rights in Kenya" (2011) (<http://theequalityeffect.org>).
- Celestine Nyamu Musembi, Patricia Kameri-Mbote, Winifred Kamau & Nancy Baraza, *Promoting the Human Rights of Women in Kenya: A Comparative Review of the Domestic Laws* (UNIFEM Regional Office for East and Horn of Africa, Nairobi, 2010).
- Winifred Kamau, "Law, Culture and Dispute Resolution: Prospects for ADR in Africa" (2009) 15 *East Africa Journal of Peace and Human Rights* 336.
- Winifred Kamau, "S.M. Otieno Revisited: A View through Legal Pluralist Lenses" (2009) 5 *Law Society of Kenya Journal* 59.

- Winifred Kamau, "Law, Pluralism and the Family in Kenya: Beyond Bifurcation of Formal Law and Custom", (2009) 23 *International Journal of Law, Policy and the Family* 133.
- Winifred Kamau, "Indigenous and State Justice Systems in Kenya: Towards a Realization of Justice", in John D. Whyte, ed., *Moving Towards Justice: Legal Traditions and Aboriginal Justice* (Regina, SK: Purich Publishing, 2008) 206.
- E. Wangari, W. Kamau & A.M. Kinyua, "Globalization and its Impact on Women in the Third World" Vol. 1, No.3 (2005) *Gender Discrimination: A Global Perspective Forum on Public Policy* 290.

DISSERTATIONS AND THESES

- Winifred W. Kamau, *Law, Family and Dispute Resolution: Negotiating Justice in a Plural Legal Context*, PhD Dissertation, Osgoode Hall Law School, York University, Canada, 2007.
- Winifred W. Ngugi, *Legal Illiteracy in Kenya: A Case for the Right to Legal Literacy*, LLM Thesis, University of Nairobi, 1996.
- Winifred W. Ngugi, *Sex Discrimination in Employment*, LLB Dissertation, University of Nairobi, 1986.

SELECT CONFERENCE/SEMINAR PRESENTATIONS

- Cultural Perspectives of Women's Representation in Africa: Limitations and Challenges and Opportunities to Women's Participation in Decision Making, ICJ-Kenya Annual Jurists Conference, Mombasa, December 2015
- "Social Context of Judicial Decision Making", Induction Training Course for Newly Appointed Judges, Judiciary Training Institute, May 2015
- "Meaning of the Constitution and the Responsibilities of the Citizen to the Constitution", DAAD Scholars Association (KDSA) Annual Conference, Kenyatta University, May, 2015

- “Leadership and Integrity”, Refresher Training for University of Nairobi Corruption Prevention Committee Members and Integrity Assurance Officers, Kenya School of Monetary Studies, November, 2014
- “Social Context”, Induction Training Course for Newly Appointed Judges, Judiciary Training Institute, July 2014.
- “The Constitutional Threshold for Public Service and Leadership in Kenya”, Rapid Results Initiative (RRI) on the Role of the University of Nairobi in Implementation of the Constitution of Kenya 2010, September 2013.
- “Land, Environment and Natural Resources”, Rapid Results Initiative (RRI) on the Role of the University of Nairobi in Implementation of the Constitution of Kenya 2010, September 2013.
- “The National Land Policy and Regional Issues”, Consultative Forum on Land Issues hosted by the Institute for the Study of African Realities, Africa International University and Concordis International, KCB Leadership Centre Karen, September 2012.
- “Social Context in the Magistrates’ Courts”, Induction Training Course for Newly Employed Resident Magistrates, organised by the Judiciary Training Institute, Utalii Hotel, August, 2012.
- “Constitutional Provisions for dealing with Land Related Grievances”, Consultative Forum on Land Issues hosted by the Institute for the Study of African Realities, Africa International University, the Sychar Centre and Concordis International, Sarova Panafric Hotel, Nairobi, August 2011.
- “Recent Banking Law Reforms”, Emerging Trends in Commercial Law Workshop hosted by School of Law, University of Nairobi, KCB Leadership Centre Karen, June 2011.
- “The Role of the Interim Independent Constitutional Dispute Resolution Court (IICDRC) in the Constitutional Making Process in Kenya”, IICDRC Judges’ Working Retreat, Mt. Kenya Safari Club, April 2010.
- “Concept of Banking”, Seminar on Law Relating to Banking, Kenya School of Law, March 2010.

- “Corporate Governance”, Workshop for Board of Directors, Childline Kenya, 2009.
- “Law, Gender and Pluralism : Succession Disputes in Kenya”, African Customary Law Revisited Conference hosted by the Leitner Centre for International Law and Justice, Fordham Law School and the University of Botswana, Gaborone, Botswana, October 2008.
- “Gender Dimensions of Judicial Decision Making: The Case of Succession in Kenya”, Law & Society Association and Canadian Law & Society Association Conference, Montreal, Canada, May/June 2008.
- “Legal Framework for Engendering Science and Technology”, Workshop for Mainstreaming Gender in Science, Technology and Innovation hosted by the National Council for Science and Technology, Mombasa, May 2008.
- “Stigma and Discrimination: The Legal Perspective on HIV and AIDS”, Health Rights Advocacy Forum (HERAF), Annual Conference on Right to Health: An Assessment of Kenya’s Commitment to Health as a Fundamental Human Right, Nairobi, November 2007.
- “Resolution of Succession Disputes in Kenya: The Role of Traditional Leaders”, International Conference on Traditional Leadership, Durban, South Africa, October 2007(co-written with Patricia Kameri-Mbote).
- “Women, Law and Dispute Resolution in Kenya: The Impact of Legal Pluralism”, LSA/RCSL International Conference on Law and Society, Humboldt University, Berlin, July 2007.
- “Indigenous and State Justice Systems in Kenya: Towards Realization of Justice”, Moving Towards Justice Conference on Indigenous Law, Regina, Saskatchewan, March 2006.
- “Globalization and Third World Women”, Oxford Round Table Conference, Oxford University, U.K, August 2003 (co-written with Esther Wangari).

- “Women’s Legal Literacy Strategies in East Africa: The Limits of Law”, Graduate Law Students Conference, Osgoode Hall Law School, York University, Toronto, May 2003.
- Key resource person and facilitator in various seminars for banking professionals at Kenya School of Monetary Studies, Nairobi, 1998-2002.

CONSULTANCIES/RESEARCH PROJECTS

International Finance Corporation (World Bank Group) – 2013: Consultant in Gender and Governance project in Central Asia. Work involved reviewing the Gender and MSME Survey methodology and survey instruments for business regulation in Tajikistan and the Kyrgyz Republic in order to engender the instruments. This would guide the design of gender-sensitive surveys in the realm of governance and enable such surveys to identify implementation gaps in business regulation.

World Bank 2008 – 2012: Consultant in the Kenya Justice Sector Assessment (KJSA) project which dealt with social context in judicial decision-making. The study focused on the magistrate’s courts in Kenya and sought to understand the challenges posed by social context and how the social context of a particular region impacts on equality of access to law and judicial decisions in the magistrates’ courts in Kenya. The insights would be used to inform ongoing justice sector reform strategies with the aim of making the magistracy service more equitable and accessible; in particular, they would be incorporated into the judicial training curriculum at the Judiciary Training Institute (JTI) among other interventions.

UNWOMEN/NALEAP – 2011 to 2012: Lead Consultant working in association with the National Legal Aid and Awareness Programme (NALEAP) in the review of the draft National Policy on Legal Aid and Awareness with a view to engendering the Policy.

UNIFEM – 2010 to 2011: Consultant in follow-up study following promulgation of the Constitution of 2010. The study involved a gender audit of the Constitution in order to determine the gains made for gender equality and to identify any gaps. It also sought to formulate a schedule for engagement in the process of constitutional implementation so as to ensure that the gains for gender equality under the 2010 constitution are consolidated and safeguarded.

UNIFEM – 2008 - 2009: Consultant in a UNIFEM funded study involving a comprehensive review of Kenya’s constitutional and legal framework relating to women’s rights. The study sought to assess the extent of compatibility of Kenya’s laws with the provisions of CEDAW and the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, and to identify any gaps or “silences” in the Kenyan legal framework. Further, it developed a matrix for a reform agenda to bring Kenyan law into compliance with CEDAW and the Protocol.

IDRC/CASELAP - 2009 to 2011: Member, Research Management Team in IDRC- funded project housed within the Centre for Advanced Studies in Environment Law and Policy (CASELAP), University of Nairobi. The research involved intensive desk-based and field research relating to women’s rights in land and land-based resources in selected marginalised communities in Kenya, Uganda and Tanzania.

FIDA-Kenya - 2007: Consultant in a research project commissioned by FIDA-Kenya and funded by the World Bank on traditional justice systems (TJS). The research sought to investigate the nature and operation of TJS in Kenya from a gender perspective, and in particular the extent of women’s participation in TJS, barriers to such participation and outcomes for women in those forums.

Kituo Cha Sheria - 1996: Consultant in a project sponsored by the Kituo Cha Sheria (Legal Aid Centre) for training of paralegal personnel from a poor urban area in Nairobi. The project was aimed at equipping the paralegals with legal and participatory skills to enable them to advise, sensitize and mobilize their community on legal and development issues.

NCKK – 1996: Facilitator in the Legal Education Programme sponsored by the National Council of Churches of Kenya (NCCCK) which involved legal education initiatives targeted at various categories of people, such as teachers, church lay workers and persons with hearing disabilities.

USAID - 1995: Contributed substantially to an USAID sponsored research project on the legal and regulatory framework of micro and small enterprises (MSEs) in Kenya. The project involved a comprehensive review of the Kenyan laws relevant to MSEs with a view to identifying legal restraints hampering the operations of MSEs, including how those constraints affect women-owned businesses.

Public Law Institute - 1988: Member of a Legal Task Force under the auspices of the Public Law Institute (PLI) and the former Women’s Bureau (Ministry of Social Services),

whose mandate was to review the Kenyan legal framework as it affected women's rights. The object was to identify laws that contributed to women's inequality in society, and to make recommendations for legal reform. The initiative culminated in the formation of Women and Law in East Africa (WLEA), a research centre on women's law in the East African region.

OTHER AFFILIATIONS

UN Women Civil Society Advisory Group - March 2013 to date: Member, UN Women Advisory Group. The role of the Advisory Group is to inform the UN on policy matters affecting its engagement with civil society, Government of Kenya and other UN Agencies. This is with a view to enrich policy and programme development at the country level with the expertise, perspectives and knowledge of civil society and to promote sustainable partnerships between UN Women and civil society to advance gender equality and women's empowerment.

equality effect – 2008 to date: Member, Advisory Committee and Researcher. This is a collaborative initiative that brings together women from Kenya, Ghana, Malawi and Canada. The Project seeks to advance the human rights of women and girls in Africa through partnerships with African and Canadian women's rights groups and academics to research, develop, and implement strategic equality initiatives that will address the discrimination that contributes to the inequality of women and girls.

'**160 Girls Project**', a flagship project of *equality effect*, is a legal initiative that aims to achieve justice and protect girls from sexual violence. In 2012 Equality Effect supported the filing of a ground breaking constitutional suit in the High Court, *C.K.(AChild) & 11 Others v. Commissioner of Police/Inspector-General of the National Police Service & 2 Others*, which resulted in orders against the State to enforce existing Kenyan laws protecting girls from sexual violence.

LSA Gender & Judging - 2007 – to date: Member of the Gender and Judging collaborative research network under the auspices of the Law and Society Association. The mandate of the research network is to carry out research on the different dimensions of gender and judging around the world, with emphasis on the difference women judicial officers can make in the quest for gender equality in the courts.

GenderJustice Research Collaboration – 2007 – 2009: Member of research collaborative under the auspices of the Feminist Legal Institute, Osgoode Hall Law School (York University, Canada). The aim of this collaborative is to encourage young women scholars in law to engage in research and writing on legal issues relating to gender justice.

LEGAL PRACTICE

Partner, Kamau & Kamau, Advocates, 1993-2001

General legal practice including:

- Commercial and corporate work
- Conveyancing
- Probate and administration
- Civil litigation

Partner, Walker Kontos, Advocates, 1988-89; 1991-92

- Specialised in corporate and commercial work
- Bank securities
- Civil litigation
- Legal opinions

Legal Assistant, Archer & Wilcock, Advocates, 1987-1988

Commercial and conveyancing department, which included: bank securities, company formation, company securities, transfers, leases, charges and mortgages, civil litigation

Pupil, Kaplan & Stratton, Advocates, 1986-1987

Gained excellent exposure in all legal departments of top Kenyan law firm

SCHOLARSHIPS/AWARDS

- Mary Jane Mossman Graduate Student Award
- Elena Orton Memorial Scholarship
- Peter Hogg Scholarship
- Harley D. Hallett Scholarship

OTHER COMPETENCIES

Accredited consultant and user of internationally acclaimed psychometric assessments:

- Myers-Briggs Type Indicator (MBTI)
- Emotional Quotient Inventory (EQ-i)

LANGUAGE PROFICIENCY

- English: Excellent spoken, written, reading
- Kiswahili: Excellent spoken, written, reading
- Kikuyu: Excellent spoken, written, reading
- French: Basic reading and writing

MEMBERSHIPS

Professional

- Member, Law Society of Kenya
- Member, Institute of Certified Public Secretaries of Kenya
- Member, International Commission of Jurists, Kenya Chapter
- Member, FIDA-Kenya
- Member, LSK Journal Editorial Board

Social/Community

- Member, Royal Nairobi Golf Club
- Member, Impala Club
- Patron, Parklands Campus Christian Union (2007-2011)
- Member, Board of Governors, Mary Leakey Girls High School (2000-2002)

SIGNED: *Winifred Kamau*

PROF. WINIFRED W. KAMAU

DATE: May, 2016