COUNCIL OF LEGAL EDUCATION



KENYA SCHOOL OF LAW

Annual Report and Accounts for the year ended 30th June, 2012





Vision:

A preferred centre of excellence in professional legal training in the East African Region and beyond:

Mission:

To offer quality and practical legal training for professionals and other actors in the legal sector:

Mandate:

To undertake practical training in Law and other related disciplines for the professional development of lawyers and other actors in the legal sector:

Core Functions:

- Accredit training institutions and ensure compliance with quality legal education
- Training of advocates for entry into legal profession
- Professional legal development via continuing legal education
- Provision of paralegal training
- Provision of customers tailored training, consultancies and research services





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CORPORATE INFORMATION

1. LOCATION AND PRINCIPAL PLACE OF BUSINESS

Kenya School of Law/Council of Legal Education Langata South Road, Karen. P.O. Box 30369 NAIROBI-00100, Kenya

REGISTERED OFFICE

Kenya School of Law/Council of Legal Education Karen South Road P.O. Box 30369 NAIROBI-00100, Kenya

> **Phone:** + 254-20-8890044/8890094 +254-20-8891399/8891200

> > Fax: +254-20-8891722

Email: lawschool@ksl.ac.ke

Website: www.ksl.ac.ke

DROPPING ZONE

141 Revlon Professional Plaza Tubman Road, Nairobi.

2. PRINCIPAL BANKERS

National Bank of Kenya Ltd. Hill Branch P.O. Box 45219 NAIROBI-00100 Kenya

3. AUDITORS

Auditor-General Kenya National Audit Office Anniversary Towers, University Way P.O. Box 30084, NAIROBI-00100, Kenya.

4. BARCLAYS BANK OF KENYA LTD.

Corporate Branch P.O. Box 4661 - 00100 Nairobi, Kenya.



MEMBERS OF THE BOARD AS AT 30TH JUNE, 2012



Hon. Mr. Justice Emmanuel O. O'Kubasu, JA Chairman, Appointed by the Chief Justice



Hon. Mr. Justice E.M. Githinji, JA Member, Appointed by the Chief Justice



Mr. GichiraKibara, EBS Member



Prof. W. Kulundu-Bitonye, EBSMember, Director/Chief Executive &
Secretary, Council of Legal Education



Hon. Justice L. Njagi Member, Appointed by the Chief Justice



Christine Agimba Member, Appointed by the Attorney General.



Mr. Okong'o Omogeni Member Representing LSK



Mr. Kenneth W. Akide Member Representing LSK

Prof. James Otieno Odek - EBS Member, Dean of Law Representing University of Nairobi



CON MEMBERS OF THE BOARD AS AT 30TH JUNE, 2012



Hon. Amos Wako, SC Member, Appointed by the Attorney -General



Ms. Florence Kajuju Member, Representing LSK



Mrs. Njeri Kariuki Member, Representing LSK



Mrs. Judith Okungu Member, Appointed by Permanent Secretary, Ministry of Education.



Henry Lugulu Member, Dean of Law Representing Moi University



Ms. Roselyne Odede Member, Representing LSK



Dr. IndejeWanyama Member Appointed by Permanent Secretary, Treasury



CORPORATE GOVERNANCE STATEMENT

The Council of Legal Education (CLE)/Kenya School of Law is responsible for appropriate policy formulation on Legal Education and training in Kenya and accountable to the Government, Stakeholders and the Kenyan Public at large through the Ministry of Justice National Cohesion and Constitutional Affairs. The Legal Education policies and strategies in place aim at achieving the goals of the corporation as stated in the Vision and Mission statements, comply with the law and demonstrate high standards of best practice in corporate governance and ethics.

MEMBERS OF THE BOARD

The members of the Board comprise of appointees of Chief Justice and Attorney-General, Representatives of Law Society of Kenya, Permanent Secretary, Ministry of Finance, Permanent Secretary, Ministry of Education, Permanent Secretary, Ministry of Justice National Cohesion and Constitutional Affairs, Deans of Faculties of Law-UON and Moi University and Director/CEO and Secretary CLE. The Board comprises of the Chairman, Secretary and sixteen members. The Council under the law meets at least four times a year with additional meetings held on a need basis. The Chief Executive Officer and Secretary, Council of Legal Education, and Management are delegated by the Board to run the day to day affairs of the Council/School.

The Council operates five (5) standing committees and two Sub-committees to which it has delegated various responsibilities. Each committee meets at least four times in a year under the terms of reference set by the Council in preparing for Council meetings.

THE EXECUTIVE COMMITTEE

This committee is responsible for the Emergency matters and immediate direction on policy issues that cannot wait for the full Council's meeting without causing detriment to the performance of the corporation. The committee is responsible to the Board/Council for all business transacted on its behalf. The committee comprises:

- (i) The Hon. Mr. Justice Emanuel O. O'Kubasu, JA Chairman
- (ii) Mr. Gichira Kibara, CBS Member
- (iii) Mr Roseline Odebe Member
- (iv) Mrs. Mjeri Kariuki Member
- (v) Prof. W. Kulundu 0 Bitonye, EBS Member/Secretary

FINANCE AND GENERAL PURPOSES COMMITTEE

This committee is charged with the responsibilities of budgetary planning, budget approval of procurement plans and to provide policy guidance on implementation of Finance, Human Resources and Information Strategies. The committee is composed of:

- (i) Mrs. Njeri Kariuki Chairperson
- (ii) Hon. Mr. Justice E. Githinji, JA- Member
- iii) Mr. Gichira Kibara, EBS Member
- (iv) Hon. Amos Wako Member
- (v) Mr. Roselyne Odebe Member
- (vi) Ms Florence Kajuju -
- (vii) Mr. Kanneth Akide Member
- (viii) Ms Christine Agimba Member
- (ix) Mr. Peter Waweru Member
- (x) Mr. Okong'o Omogeni Member
- (xi) Prof. W. Kulundu-Bitonye, EBS Member Secretary

ACADEMIC AFFAIRS COMMITTEE

The committee's responsibilities are to develop legal training policy and programmes to meet domestic market and also comply with International best practices, develope policies and strategies for managing Council of Legal Education examinations, provide guidelines and accredit institutions offering legal training in Kenya and advise the government on matters pertaining to legal training. The Academic Affairs Committee comprises:

- (i) Hon. Mr. Justice L. Njagi Chairman
- (ii) Mr. Gichira Kibara, CBS Member
- (iii) Hon. Mr. Amos Wako Member
- (iv) Ms Roselyne Odede Member
- (v) Mrs. Njeri Kariuki Member
- (vi) Mr. Kenneth Akibe Member



CONTROL GOVERNANCE STATEMENT

- (Vii) Prof. Patricia K. Mbote Member
- (viii) Mr. Okon'go Omogeni Member
- (ix) Mr. Henry J.A. Lugulu Member
- (x) Ms Florence Kajuju Member
- (xi) Mrs. Judith M. Okungu Member
- (xii) Prof. W. Kulundu-Bitonye, EBS Member/Secretary

The Academic Affairs Committee has appointed two sub-committees: the Regulations sub-committee which initiates all Council legislation including regulation formulation and the Inspection and accreditation sub-committee which accredits legal education training providers in the country.

INSPECTION & ACREDITATION SUB-COMMITTEE

- (i) Hon. Mr. Justice L. Njagi Chairman
- (ii) Hon. Mr. Amos Wako Member
- (iii) Mr. Kenneth Akide Member
- (iv) Mrs. Judith Okungu Member
- (v) Mrs. Njeri Kariuki Member
- (vi) Prof. Kulundu-Bitonye, EBS Member/Secretary

STAFF AFFAIRS COMMITTEE

Staff Affairs Committee is charged with the responsibilities of formulating policies and guidelines on recruitment and discipline of CLE/KSL staff and provides policy guidelines on staff welfare including rewards. Staff Affairs Committee comprises of:

- (i) Ms Roselyne Odede
- (ii) Hon. Mr. Justice E. Githinji, JA,
- (iii) Hon. Mr. Justice Leonard Njagi,
- (iv) Mr. Gichira Kibara Member
- (v) Mrs. Njeri Kariuki Member
- (vi) Prof. Patricia Kameri Mbote Member
- (vii) Prof. James Otieno Odek Member
- (Viii) Ms Christine Agimba Member
- (ix) Ms Florence Kajuju Member
- (x) Mr. Henry J.S. Lugulu Member
- (xi) Msr. Judith Okungu Member
- (xii) Mr. Peter Waweru Member
- (xiii) Prof. W. Kulundu-Bitonye, EBS Memeber/Secretary
- (xiii) Ms. Roselyn A. Onam,
- (xiv) Mrs. Judith Okungu and
- (xv) Prof. W. Kulundu-Bitonye, EBS.

KENYA SCHOOL OF LAW AUDIT COMMITTEE

Audit, Governance and Risk Management Committee is a statutory Committee under the Act

The Committee Comprises of:-

- (i) Ms Florence Kajuju Chairperson
- (ii) Mr. Gichira Kibara, CBS Member
- (iii) Mr. Henry J.A. Lugulu Member
- (iv) Mrs. Judith Okungu Member
- (v) Prof. W. Kulundu-Bitonye, EBS (by invitation)
- (vi) Mrs. Maria Aridi (Internal Auditor (Secretary)

The committee's responsibilities include evaluating the adequacy of the existing Governance and risk management Systems, Management procedures and processes with regard to Governance and Risk Management to ensure sound financial accountability. The committee has also reviewed and approved the CLE Audit Charter and Internal Audit annual Workplans, reviews periodic Internal and External audits findings and recommendations and provides corrective and preventive solutions

OTHER STATUTORY COMMITTEES

KENYA SCHOOL OF LAW TENDER COMMITTEE

This is a statutory function whose role is to verify and ascertain legality and the propriety of all procurement and disposal activities and to award contracts on behalf of the Council/School. Kenya School of Law Tender Committee (Not a Council Committee) is established under Schedule 2 of Section 10 of the Public Procurement Act, 2006.



CONTROL CORPORATE GOVERNANCE STATEMENT

The Tender Committee comprises:

- (i) Deputy Director (Chairperson),
- (ii) Finance Manager,
- (iii) Human Resources Manager,
- (iv) Admin. Officer (Hospitality) and
- (V) Procurement Manager Secretary

KENYA SCHOOL OF LAW PROCUREMENT COMMITTEE (NOT A COUNCIL COMMITTEE)

Is responsible for adjudication of all Council of Legal Education/Kenya School of Law procurement and disposal activities. The committee is limited to adjudicate procurement within the thresholds of between Kshs.30,000 and Kshs.500,000.

KENYA SCHOOL OF LAW CORRUPTION PREVENTION COMMITTEE

The committee's responsibility is to effectively address corruption related issues in the institution and to provide oversight function. Council of Legal Education/Kenya School of Law Anti-Corruption Policy provides the guiding framework for prevention, detection, investigation and reporting of corruption to the Council of Legal Education/Kenya School of Law.

The committee implements its mandate and operations guided by legal instruments and statutory policies such as:

- The Anti-Corruption and Economic Crimes Act, 2003,
- Council of Legal Education (CLE), Act, Cap 16A and the Regulations,
- The Public Offices Ethics Act, 2003,
- State Corporations Act, Cap 446 and the Regulations,
- The Public Procurement and Disposal Act, 2005 and Regulations,
- The Government Financial Management Act, 2004 and
- The Performance Contract

The composition of committee is as follows:

- (i) The Director/CEO (Chairman)
- (ii) Deputy Director
- iii) Assistant Director, Finance & Administration (Secretary)
- iv) Assistant Director, CPD, Projects and Research,
- (v) Finance Manager,
- (vi) Procurement Manager,
- (vii) Librarian,
- (viii)ICT Manager,
- (ix) Human Resources Manager and
- (x) Internal Auditor

The committee is responsible to the Council of Legal Education / Kenya School of Law.

EMOLUMENTS TO BOARD MEMBERS

The emoluments paid to the members of the Board/ Council are as provided for in the Government Guidelines on the Terms and Conditions of Service for State Corporations and the provisions of the Council of Legal Education Act Cap. 16A of the Laws of Kenya.



REPORT OF THE MEMBERS OF THE BOARD

The Members of the Board submitted their report and audited financial statements for the year ended 30th June, 2011 which reflect the Financial State of Affairs of Council of Legal Education / Kenya School of Law.

CORE FUNCTIONS

The following are the CLE's/KSL core functions:-

- Accredit training institutions and ensure compliance with quality legal education,
- To promote best practices in Advocates Training Programme,
- To promote quality legal education training for entry into legal profession,
- To provide Continuing legal education and short courses in areas of Law,
- To provide Para-legal training,
- To provide Specialized Legal training and Consultancy services on emerging Legal issues,
- To undertake Research on Legal issues.

RESULTS

The financial results for the year ended 30th June, 2012 are set out on pages 1 to 10.

MEMBERS OF THE BOARD

The members who served on the Council of Legal Education Board during the year of this report are shown on pages 3 and 4.

AUDITORS

Under Section 14 of the Public Audit Act, 2003, the Auditor-General is responsible for the statutory audit of the books of accounts of the Council of Legal Education / Kenya School of Law.



CHAIRMAN'S MESSAGE

I am delighted to present the eighth Annual Report and Accounts of the Council of Legal Education/Kenya School of Law (herein after referred to as the "Council/School") for the period ending 30^{th} June, 2012.



GOVERNANCE OF THE BOARD

The "Council / School" operations continue to be governed by the Council of Legal Education Act, Cap 16A Laws of Kenya. Section (3) (1) of the Act establishes membership of the Council/Board to serve for a re-nomination period of four (4) years as stipulated in Section (5) of the Act. During the year, the "Council / School" continued to embrace its role as the Regulator and Supervisor of legal education and training in Kenya and to advise the government on matters related there to. 'Council/School' has continued to undergo transformation by reviewing its policy framework on Legal Education and training. I am alive to the fact that implementation of the recommendations of the Ministerial Task Force Report on the development of a Policy and Legal Framework for Legal Education and Training in Kenya is on-going. I am also aware that Council in its effort to improve the Regulatory and Supervisory role and entrench the training role of Kenya School of Law, has established the Quality Compliance Assurance Directorate to implement the Accreditation Regulations in order to promote delivery of quality legal education and training in Kenya. My Council is actively engaged in this process to ensure high standards and international best practices in legal training are upheld.

CORPORATE STRATEGIC PLAN

In the period under review, Council reviewed its policy framework on legal education leading to publication of two bills (CLE/KSL) which seek to separate the Council of Legal Education from the Kenya Schoól of Law, so that the later be re-established as the public post-university training institution for professional legal development, and former re-established as the overall Regulator of legal education and training in Kenya. Based on this process, "Council/School" was able to develop viable and rational policies with a focused strategic direction to steer the "Council/School" to higher horizon. The 2007-2010 "Council/School" Strategic Plan and Policy Framework Report are the two sets of documents that have continued to be our source of inspiration in the re-alignment of our policies and mandate and implementing various programmes and planned projects to institutionalize the reform agenda as aligned to the government policy priority in the Medium Term Plan 2008-2012 (MTP) of the Kenya Vision 2030. During the period under review, "Council/School" reviewed its Strategic Plan (2009-2012) with a view to re-aligning the resources available with planned priorities, activities and programme in terms of their contribution to the efficient and effective management of the "Council/School".

Guided by the 2007/2010 and 2009/2012 Strategic Plans, the Kenya School of Law (KSL) has continued to realign its Vision, Mission, Policies, and Strategic Objectives. This re-alignment has now been rolled out to the 2012-2017 period. Under the auspices of the Ministerial Task Force on the Development of a Policy and Legal Framework on Legal Education in Kenya, the School has sought to take stock of the socio-political developments and the expectations these developments have through the years imposed on legal education and training.



CON CHAIRMAN'S MESSAGE

In this Plan, efforts have been made to re-align the resources available to the KSL with key Strategic Objectives and planned annual activities. As the road map for the next five years, this Plan has prioritised activities and programmes in terms of their contribution to the efficient and effective management of the School within the context of national policy frameworks. The anticipated outputs being contributions to the delivery of legal services are also linked to their resultant costs within specified time frames. To this end the School will continue to transform the overall quality of governance through cascading of responsibilities to operational units in order to achieve the best corporate management practices. This will ensure efficient service delivery to our students, staff and other stakeholders.

DEVELOPMENT PROJECTS

During the period under review "Council/School" continued to receive Government support for the development of planned projects and expansion of existing physical infrastructure to accommodate and cater for the exponential increase in students population which currently stands at over **1000**, including development of Information Communication Technology (ICT) infrastructure and Management Information System (MIS). Further, "Council/School" has embarked on construction of phase II of the Ultra-Modern Lecture Hall in preparation for the envisaged increase in Student population. The project is 80% complete.

During the period of my tenure as chairman of CLE/KSL it has been exciting for me to witness the "Council/School" grow in all spheres to the current level as a formidable institution. I am aware that in the past eight years despite many challenges emanating from inadequate financial, resources human capital and the ever changing environment, "Council/School" has continued to revamp the Advocates Training Programme (ATP) which to date remains the flagship training programme at the School. I am also aware that in the period under review, the "Council/School" recorded unprecedented growth in Student enrolment, Human capital, Development and Infrastructure which enabled us achieve priorities as outlined in our Strategic Plan (2010-2012) thus contributing to the envisaged goals of Vision 2030.

PERFORMANCE CONTRACTING:-

During the year under review "Council/School" underwent Performance Contracting process for the Sixth year running and obtained "Good" category position. I have no doubt that the "Council/School" can improve on this rating in their quest to become a Centre of Excellence in Professional Legal Training in the East African Region and beyond. The "Council/School's" 2011/2012 Performance Contract was signed in time and it is expected to record an improved performance.

THE WAY FORWARD:-

The "Council will continue to play critical and primary role of providing leadership and oversight function in ensuring that "Council/School" is adequately facilitated to effectively and efficiently deliver on its mandate of offering quality services and support the Reform initiative.



AN APPRECIATION

May I take this opportunity to thank the Government and development partners for financial and technical support, my colleagues at the Council for policy direction, Management for an active and consultative management approach that has not only significantly improved the School's outlook but has provided immense contribution to the national agenda of Legal Reform.

May I conclude by thanking each and every one of you for your prompt and regular attendance and the well informed contributions you made during our deliberations towards the successful policy formulation and guidance of School during my tenure of office as Chairman, Council of Legal Education.

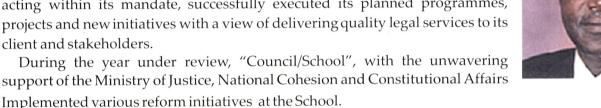
Hon. Mr. Justice Emmanuel O. O'kubasu JA

Chairman/Council of Legal Education /Kenya School of Law



DIRECTOR'S MESSAGE

It is my pleasure to present the Annual Report and Financial Statements of the Council of Legal Education/Kenya School of Law (hereafter referred to as the "Council/School") for the financial year ended 30th June,2012. This is the eighth Annual Report and Accounts since its re-establishment as a Semi-Autonomous Government Agency (SAGA) in 2001. During the year, the "Council/School" acting within its mandate, successfully executed its planned programmes, projects and new initiatives with a view of delivering quality legal services to its client and stakeholders.





RESOURCE MOBILIZATION

During the year 2011/2012 the "Council/School" received **Kes. 100.5 Million** for recurrent expenditure representing 30% of the total income whereas **Kes. 228,744,153** representing 70%, was raised from internal sources. The Financial statements for the year show that Development Expenditure from Government of Kenya increased marginally from the **Kes. 99,000,000** in 2010/2011 to **Kes. 100,000,000** in 2011/2012, while the Recurrent Grant reduced to **Kes. 100,500,000** in 2011/2012 from **Kes. 134,000,000** in 2010/2011.

"Council/School" continued to diversify internal Revenue sources in its quest to achieve financial self-sustainability. The revenue increased base from **Kes. 166,658,606** in 2010/2011 to **Kes. 228,764,153** in 2011/2012. "Council/School" received Technical and Development budget support from development partners particularly, the Financial and Legal Sector Technical Assistance Project (FLSTAP) under the Governance Justice Law and Order Sector (GJLOS) programme as well as other stakeholders.

PERFORMANCE REVIEW

The "Council/Schools' total assets grew to **Kes. 1.032 Billion** in 2011/2012 from **Kes. 876 Million** in 2010/2011, while Non-Current Assets rose from **Kes. 761 Million** in 2010/2011 to **Kes. 858 Million** in 2011/2012. Capital Fund increased to **Kes. 1.009 Billion** in 2011/2012 from **Kes. 909.2 Million** in 2010/2011.

Total Operating Income went up from **Kes. 300 Million** in 2010/2011 to **Kes. 329 Million** in 2011/2012 while Staff Emoluments and Benefits Costs increased to **Kes. 154.7 Million** in 2011/2012 from **Kes. 135.2 Million** in 2010/2011. The increase is attributed to the implementation of the recommendations of Ernst and Young Peport of 2006 resulting in a significant increase in staff emoluments. Operating costs rose from **Kes. 27.9 Million** in 2010/2011 to **Kes. 42 Million** in 2011/2012. The increase is attributed to the relocation of the Para-legal programme to the Central Business District (CBD), while Administration costs increased to **Kes. 130.8 Million** in 2011/2012 from **Kes. 122.8 Million** in 2010/2011. This increase was due to increased infrastructure maintenance costs. "Council" members' costs reduced from **Kes. 13.4 Million** in 2010/2011 to **Kes. 10.8 Million** in 2011/2012.

During the year 2011/2012, "Council/School" recorded a deficit of **Kes. 44.7 Million** compared to a deficit of **Kes.**



CONT. DIRECTOR'S MESSAGE

29.5 Million in 2010/2011. The increase in deficit was as a result of "budget cuts" amounting **Kes. 45 Million** during Supplementary budget. As at 30th June, 2012 "Council/School" Accrued Deficit/Revenue Reserve stood at negative **Kes. 215.4 Million** compared to negative **Kes. 170.7 Million** in 2010/2011.

The Financial Statements are extracts from the books of the Courses/School as audited by Kenya National Audit Office (KENAO) the appointed auditors, who issued unqualified opinion on the financial statements.

CHALLENGES:

- In the last two years the "Council /School" has suffered, budget cuts amounting to Kes 45 million and Kes 39 Million in 2011/2012 and 2012/2013 respectively which adversely impacted on the operations of the "Council/School" and implementation of projects. The "Council/School" has had difficulties in attracting and retaining quality academic staff, which has been caused by unattractive compensation by the council school.
- The "Council/School" will need to enhance diversification of internal sources of revenue generation.

STRATEGIC DIRECTION

"Council/School" continued to implement its Strategic Plan with a view to strengthening its policy framework on Legal Education and training, and improving the quality of Legal Education and Training as a strategy to attaining financial self-sustenance. In an effort to achieve its strategic objectives, the "Council/School" continued to implement the following specific programmes;

- i. Advocates Training Programme (ATP) including Pupilage Supervision and sensitization of Pupil Master and the establishment of Legal Clinics and Moot Courts.
- ii. Introduced new innovations to modernize Advocates Training Programme to make it more practical and practice-oriented.
- iii. Continuing Legal and Professional Development Programme (CPD) for the Advocates in Private Practice and Public Sector
- iv. Para-legal Training for support Legal Services with a view to bridging the existing gap in the middle cadre of the legal profession.
- v. Enhanced physical infrastructure to improve the learning environment and expand facilities to accommodate additional training programmes and the increased student population.

WAY FORWARD

The "Council/School" looks forward to continuing the execution of its mandate with a view to delivering quality legal training services to its customers, stakeholders and the general public. It is also envisaged that "Council/School" will continue to uphold the principles of openness, accountability, transparency, and integrity in managing its affairs.

As an institution, the school will achieve this dream by clearly implementing the set legal education training guidelines as defined in the Legal Education Policy Framework and by empowering staff through



capacity building.

VOTE OF THANKS

Finally, on my own behalf and of the Management team and the entire staff of the "Council/support", I would like to thank the Council and all our Stakeholders and partners for supporting legal education training initiatives that we have undertaken during the last several years. With your continued commitment and support the "Council/School" commits itself to continued and sustained improvement which will remain our encouragement and inspiration in our future endeavors.

Prof. W. KULUNDU-BITONYE, EBS,

DIRECTOR/ CHIEF EXECUTIVE & SECRETARY,
COUNCIL OF LEGAL EDUCATION /KENYA SCHOOL OF LAW



STATEMENT OF BOARD MEMBERS' RESPONSIBILITY

STATEMENT OF COUNCIL OF LEGAL EDUCATION RESPONSIBILITIES FOR THE YEAR ENDED 30TH JUNE, 2012

The State Corporation Act, Cap 446, requires the Council of Legal Education to prepare Financial Statements for each financial year, which include a balance sheet showing in detail the assets and liabilities of the Corporation, a statement of Income and Expenditure, and such other statements that the Council may deem necessary. It also requires the Council to ensure that the corporation keeps proper books of accounts and records in relation to the Corporation and all the undertakings, funds, investments activities and property of the Corporation. They are also responsible for safeguarding the assets of the Corporation.

The Council of Legal Education and Management accept responsibility for the Annual Financial Statements, which have been prepared using appropriate accounting policies supported by reasonable and prudent judgments and estimates and in conformity with Generally Accepted Accounting Practice, (GAAP), International Financial Reporting Standards (IFRS) and in the manner required by the State Corporation Act, Cap 446. The Council is of the opinion that the financial statements give a true and fair view of the state of the financial affairs of the Corporation and of its operating result as at 30th June, 2012. The Council further accepts responsibility for the maintenance of accounting records which may be relied upon in the preparation of the Financial Statements, as well as adequate systems of internal financial control.

Nothing has come to the attention of the members and Management of the Council to indicate that the Corporation will not remain a going concern for the next twelve months from the date of this statement.

Signed by:

Director/Chief Executive & SECRETARY, COUNCIL OF LEGAL EDUCATION KENYA SCHOOL OF LAW

Signed by:

Chairman
COUNCIL OF LEGAL EDUCATION

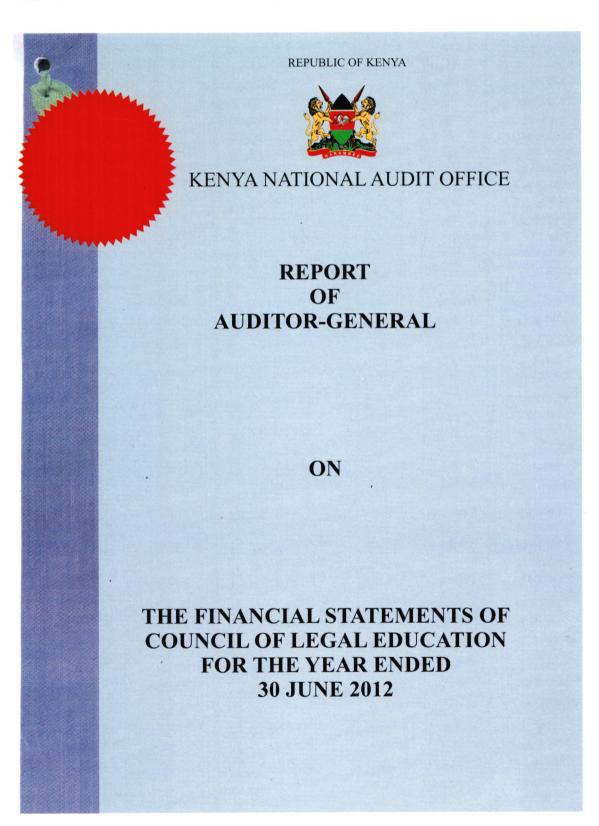
KENYA SCHOOL OF LAW

27th Mar. 2013

27th Mar. 2013



REPORT OF THE CONTROLLER AND AUDITOR GENERAL





REPORT OF THE CONTROLLER AND AUDITOR GENERAL

REPUBLIC OF KENYA

Telephone: +254-20-342330 Fax: +254-20-311482 E-mail: cag@kenyaweb.com



P.O. Box 30084-00100 NAIROBI

KENYA NATIONAL AUDIT OFFICE

REPORT OF THE AUDITOR GENERAL ON COUNCIL OF LEGAL EDUCATION FOR THE YEAR ENDED 30 JUNE 2012

REPORT ON THE FINANCIAL STATEMENTS

I have audited the accompanying financial statements of Council of Legal Education set out on pages 1 to 11, which comprise the statement of financial position as at 30 June, 2012 and the statement of comprehensive income, statement of changes in capital fund and reserves and statement of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 14 of the Public Audit Act, 2003. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Financial Reporting Standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

The management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 13 of the Public Audit Act, 2003.

Auditor-General's Responsibility

My responsibility is to express an opinion on these financial statements based on the audit and report in accordance with the provisions of Section 15(2) of the Public Audit Act, 2003 and submit the audit report in compliance with Article 229(7) of the Constitution of Kenya. The audit was conducted in accordance with International Standards on Auditing. Those standards require compliance with ethical requirements and that the audit be planned and performed to obtain reasonable assurance about whether the financial statements are free from material misstatement.



REPORT OF THE CONTROLLER AND AUDITOR GENERAL

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of the Council as at 30 June 2012 and of its financial performance and its cash flows for the year then ended, in accordance with International Financial Reporting Standards and comply with the Council of Legal Education Act, Cap. 16 A of the Laws of Kenya.

Edward R.O. Ouko, CBS AUDITOR-GENERAL

Nairobi

8 April 2013



STATEMENT OF FINANCIAL POSITION AS AT 30TH JUNE, 2012

		June 2012	June 2011
	NOTES	KES	KES
ASSETS			
Non-Current Assets			
Property and Equipment	11	858,249,309	761,598,053
Current Assets			
Consumables Stocks		6,886,872	6,473,921
Receivables and Prepayments	8	136,147,828	87,715,570
Cash and Bank Balances	10	29,364,250	19,264,694
Short-term Deposits	10	1,736,787	1,673,935
		174,135,738	115,128,119
TOTAL ASSETS		1,032,385,046	876,728,800
CAPITAL FUND AND LIABILITIES			
Capital fund		1,009,219,890	909,219,890
Revaluation Reserve		15,720,875	15,720,875
Revenue reserve		(215,431,181)	(170,729,175)
		809,509,584	754,211,590
Current Liabilities			
Bank Overdraft	10	21,951,512	7,380,290
Payables & Accruals	9	200,923,952	115,136,920
		222,875,464	122,517,210
TOTAL EQUITY AND LIABILITIES		1,032,385,048	876,728,800

The financial statements on pages 1-10 were approved and signed on behalf of the Council by

Prof. W. Kulundu Bitonye, EBS

DIRECTOR/CHIEF EXECUTIVE AND SECRETARY

COUNCIL OF LEGAL EDUCATION

KENYA SCHOOL OF LAW

Hon. Mr. Justice Emmanuel O. O'Kubasu JA

CHAIRMAN

COUNCIL OF LEGAL EDUCATION/

KENYA SCHOOL OF LAW





STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDING 30TH JUNE, 2012.

KES
136,580,850
134,000,000
30,077,756
300,658,606
135,252,056
27,923,146
122,821,991
13,492,085
500,000
30,213,197
330,202,475
(29,543,869)
_





STATEMENT OF CASHFLOW FOR THE YEAR ENDED 30TH JUNE, 2012

		June 2012	June 2011
	Notes	KES	KES
CASHFLOWS FROM OPERATING ACTIVITIES			
Net Loss for the year		(44,702,006)	(29,543,869)
Adjustments for:-		04.040.054	00.040.407
Depreciation	11	34,940,954	30,213,197
Interest Income			(348,072)
Surplus before working capital changes		(9,761,051)	321,256
Increase in Receivables		(48,432,259)	(36,895,724)
Increase in Inventory		(412,951)	(266,127)
Increase in Payables		85,787,032	38,180,505
Net cash flows from operating activities		27,180,771	1,339,910
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchase of property and equipment		(131,592,210)	(118,856,836)
Interest received			348,072
Net cash flows from investing activities		(131,592,210)	(118,508,764)
CASH FLOWS FROM FINANCING ACTIVITIES			
Grant from GOK		100,000,000	100,000,000
Net Cashflow from Financing Activities		100,000,000	100,000,000
Net Increase in Cash and Cash Equivalents		(4,411,439)	(17,168,854)
Cash and Cash Equivalents at beginning of the per	iod	13,558,338	30,727,192
Cash and Cash Equivalents at end of the period	10	9,149,527	13,558,338





STATEMENT OF CHANGES IN CAPITAL FUND AND RESERVES FOR THE YEAR ENDED 30TH 30 JUNE, 2012

	Revenue Reserve KES	Revaluation Reserve	Capital Fund KES	Total KES
At 1st July 2010	(141,185,307)	, -	809,219,890	668,034,583
Revaluation		15,720,875		15,720,875
GoK Development Grant			100,000,000	100,000,000
Deficit for the year	(29,543,869)		_	(29,543,869)
As at 30th June, 2011	(170,729,175)	15,720,875	909,219,890	754,211,590
At 1st July 2011	(170,729,175)	15,720,875	909,219,890	754,211,590
Revaluation		-		-
GoK Development Grant			100,000,000	100,000,000
Deficit for the year	(44,702,006)		-	(44,702,006)
As at 30 th June 2012	(215,431,181)	15,720,875	1,009,219,890	809,509,584





All property and equipment are initially recorded at cost and thereafter at historical cost less accumulated depreciation. Depreciation is calculated on a straight-line basis at annual rates estimated to write-off carrying values of the assets over their expected useful lives.

The annual depreciation rates in use are:

Computer Equipment	33.3%
Office Equipment	30.0%
Motor Vehicles	25.0%
Library Books	20.0%
Furniture and Fittings	12.5%
Buildings	2.5%

Gains or losses on disposal of property and equipment are determined by reference to their carrying amount and are taken into account in determining the surplus for the year. Depreciation for the year was Kshs. 34,940,954.00

(e) Receivables

Trade receivables are recognised and carried at original invoice amounts less an allowance for the uncollectible amounts. An estimate for doubtful debts is made when collection of the full amount is no longer probable. Bad debts are written off as incurred. Account receivable for the year were were

(f) Cash and Cash Equivalents

For purposes of the cashflow statement, cash and cash equivalents comprise cash on hand; deposits in banks and short-term deposits readily convertible to known amounts of cash and subject to insignificant risk of change in value. Cash and cash equivalent for the year amounted to Kshs.

(g) Stocks

Stocks of consumables are valued at the lower of cost and net realizable value

(h) Payables

Liabilities for trade and other amounts payable are carried at cost which is the fair value of the consideration to be paid for goods and services received whether or not billed to the Council. Account

(i) Provisions and Accruals

Provisions are recognised when the Council has a present obligation (legal or constructive) as a result of a past event, and it is probable that an outflow of resources embodying economic benefits

(i) Retirement Benefits

The Council operates a defined contribution benefit scheme for all its employees. The scheme is administered by Alexander Forbes Financial Services and operates according to provisions of the Retirement Benefits Act (1997). The assets of the scheme are held in a separate trustee administered fund that is funded by both the Council and its employees.

The Council also contributes to a statutory defined contribution scheme, the National Social Security fund (NSSF). The contributions are determined by the National Social Security Fund Act (Cap 258)

The Council's contributions to this scheme are charged to the income statement in the year to which they relate.



1 SIGNIFICANT ACCOUNTING POLICIES

The principal accounting policies adopted in the preparation of these financial statements are set out below;

(a) Basis of Operation

The financial statements have been prepared in compliance with International Financial Reporting Standards (IFRS). The measurement basis applied is the historical basis of accounting. The financial statements are presented in Kenya Shillings (Kes)

The preparation of financial statements is in conformity with the IFRS which require the use of estimates and assumptions. It also requires management to exercise its judgement in the process of applying the Council's policies.

(b) Revenue Recognition

Income is recognised in the period in which it is earned. Government funding is recognised on receipt.

Grants related to property, equipment and other assets are presented in the reserves. Grants for recurrent expenditure are dealt with in the income statement in the year it is received. Gok Grant

Investment income is recognised in the period in which it is earned

(c) Critical Accounting Estimates and Judgement

Estimates and judgement are continually evaluated on the basis of historical experience and other factors, including experience of future events that are believed to be reasonable under the circumstances.

In the process of applying accounting policies, the Council makes certain estimates and assumptions about future events. Such estimates and assumptions that have a significant risk of causing material adjustment to the carrying amounts of assets and liabilities within the financial year, are described below:

(d) Property and Equipment

The Council makes estimates in determining the depreciation rates of property and equipment. The rates used are set out in the accounting policy for depreciation of property and equipment in below



2 FEES INCOME

	Tuition Fees Examination Fees Application/Registration Fees Pupilage Supervision Library Fees	135,719,780 37,516,500 2,905,000 4,446,000 5,235,833	118,932,850 6,993,000 2,253,500 3,796,000 4,605,500
	Total	185,823,113	136,580,850
3	OTHER INCOME		
	Conference & Sports Facilities (4)	7,684,908	391,897
	Rent Income	2,548,000	2,502,500
	Interest Income	375,083	348,072
	Continuing Professional Development	16,755,483	20,382,488
	Accreditation Income	12,300,000	-
	Other Income	3,277,566	6,452,799
	Total	42,941,040	30,077,756

Income from conference facilities is net of direct expenses totalling Kes. 28,891,078.14 (2010/2011 was KShs 24,463,748.64)

4 STAFF EMOLUMENTS AND BENEFITS

5

OPERATING EXPENSES		
Total	154,790,694	135,252,056
Staff Welfare & Uniforms	-	1,659,582
Training and Development	-	6,932,091
Medical Expenses	4,674,376	4,035,177
Leave Allowance	2,257,145	1,521,766
Other Allowances	14,733,784	12,526,905
Retirement Benefits	16,685,131	10,074,284
House Allowance	24,853,870	20,578,000
Salaries & Wages	91,586,388	77,924,250

Total	42,049,679	27,923,146
Hire of Facilities	2,081,213	154,759
Continuing Professional Development	13,074,000	10,768,496
Students Welfare	5,743,727	3,885,871
Examinations Expenses	4,242,681	2,182,930
Accreditation Expenses	2,601,399	-
Part-time Lecturers	9,146,500	9,192,468
Pupilage Supervision	4,002,434	989,030
Library expenses	1,157,724	749,592



6	ADMINISTRATION EXPENSES		
	Traveling and Accommodation	6,500,663	13,661,984
	Postage & Delivery	71,734	236,419
	Telephone Expenses	4,688,747	4,895,473
	Official Entertainment	230,618	1,026,737
	Electricity	7,337,401	5,371,450
	Water and Sewerage	5,351,490	5,157,345
	Printing & Stationery	24,946,162	23,192,786
	Advertising and publicity	7,016,646	6,720,743
	Computer Costs	3,266,391	3,050,626
	Bank Charges	3,047,936	1,569,863
	Other Expenses	2,206,264	1,743,038
	Motor Vehicle Running Expenses	10,047,859	13,384,858
	Cleaning	9,442,669	8,536,259
	Repairs & Maintenance	29,334,937	26,354,010
	Insurance Expenses	1,300,432	1,434,622
	Security services	3,552,404	3,395,360
	Professional Fees	4,384,087	3,090,417
	Training and Development	5,546,429	_
	Staff Welfare & Uniforms	2,574,804	_
	Total	130,847,671	122,821,991
7	Council Members Allowances		
,	Council Members Allowances	10 927 160	12 102 005
	Total	10,837,160 10,837,160	13,492,085 13,492,085
	Total	10,037,100	13,492,003
8	RECEIVABLES AND PREPAYMENTS		
0	Non- Fees Debtors	62 240 744	E0 707 E00
	Fees Debtors	63,310,744	50,767,506
	Staff Receivables	12,680,966	6,203,531
	Prepayments & Deposits	5,181,090	2,555,719
	Rent receivable	1,001,835	485,788
	VAT Receivables	9,351	9,351
	Salary control	53,686,480	27,477,442
	Staff advances	227,167 27,300	216,233
	Bank Loans	21,473	-
	HELB payable	1,424	-
	Total	136,147,828	97 745 570
	Total	130,147,828	87,715,570



9	PAYABLES AND ACCRUALS Non-Fees Debtors Staff advances Fees Paid in Advance Accounts Payables Withholding Tax Payable Contract Retentions Payroll Liabilities	6,513,177 - 108,304,417 52,986,725 747,430 16,672,702 15,049,502	34,150 58,966,250 26,781,680 253,984 14,343,604 14,107,252
	Provision for Audit Fees	650,000	650,000
	Total	200,923,952	115,136,920
10	CASH AND CASH EQUIVALENTS		
	Cash and Bank Balances Cash in hand Bank A/C 0100131599701 Bank A/C 0100131599702 Bank A/C 0100132090200 BBK A/C 2022099224 BBK A/C 2022099110 BBK 2022099240 Total	10,870 17,749,076 3,257,103 254,609 8,089,592 3,000 29,364,250	5,451 9,146,688 3,273,903 261,809 4,985,612 1,591,232
	Bank Overdraft		
	Bank A/C 0100131599700 BBK A/C 2022099110	(21,723,725) (227,787)	(7,380,290)
	Total	(21,951,512)	(7,380,290)
	Short-term Deposit Total	1,736,787 9,149,526	1,673,935 13,558,338



$\widetilde{\mathcal{S}}$ NOTES TO THE FINANCIAL STATEMENTS FOR THE PERIOD ENDING 30TH JUNE, 2012

11. PROPERTY & EQUIPMENT SCHEDULE

	Leasehold Land	Buildings	Capital Work in Progress	Office Equipment	Computer Equipment	Libray Books	Motor Vehicles	Furniture & Fittings	Total
	Kes	2.50% Kes	0.00% Kes	30.00% Kes	33.33% Kes	20.00% Kes	25.00% Kes	12.50% Kes	Kes
COST/VALUATION		-							
As at 30th June 2011	84,000,000	413,348,623	270,477,441	10,221,752	22,652,870	9,786,955	15,778,448	26,879,971	853,146,060
Additions	1	94,077	113,076,928	9,522,292	3,226,246	1,122,918	0	4,549,749	131,592,210
Revaluation Adjustment	0	0	0			. 1			
Disposals	ı	,	1	,	•	1	•		<
Transfers		,	1		,	,			•
As at 30th June 2012	84,000,000	413,442,700	383,554,370	19,744,044	25,879,116	10,909,873	15,778,448	31,429,719	984,738,270
DEPRECIATION									
As at 30th June 2011	•	69,841,468	. 1	3,066,526	7,550,957	3,784,448	3,944,612	3,359,996	91,548,007
Charge for the year	ı	10,336,067	ī	5,923,213	8,626,372	2,181,975	3,944,612	3,928,715	34,940,954
Eliminated on Valuation	1	1	,						1
As at 30th June 2012		80,177,536		8,989,739	16,177,329	5,966,422	7,889,224	7,288,711	126,488,962
NET BOOK VALUE									
As at 30th June 2011	84,000,000	343,507,154	270,477,441	7,155,227	15,101,913	6,002,507	11,833,836	23,519,974	761,598,053
As at 30th June 2012	84,000,000	333,265,164	383,554,370	10,754,305	9,701,787	4,943,451	7,889,224	24,141,008	858,249,309



SERVICE CHARTER

PREAMBLE

By this service charter, the Council of Legal Education/Kenya School of Law commits and dedicates itself to diligently and unreservedly serve and deliver its vision and mandate to our stakeholders, development partners and the general public. We re-dedicate ourselves to live by our Motto and core values of: Integrity, Excellence, Client Orientation, Teamwork and Partnership, Competence and Professionalism, and Transparency and Accountability!!

We invite our stakeholders, development partners and the public at large to hold us to account on the standards we have set for ourselves. Point out where we have gone wrong, positively criticize our actions and processes by offering suggestions on things we can do better. But where we have done well do not be shy or hesitate to complement us too.

Both Management and the staff of the Council of Legal education/Kenya School of Law are invited to live the commitments and values espoused in this document, our Service Charter.

THE OBJECT OF THE SERVICE CHARTER

The purpose of this Service Charter is to enhance levels of awareness amongst Kenyans on our role, give insights on our core activities and values, and provide information on the range of services we offer, the standards we have set as well as our commitment to continuous improvement of services to satisfy all clients and stakeholders in service delivery.

THE SERVICE CHARTER OUTLINE

- 1. Our Vision
- 2. Our Mission
- 3. Our Mandate
- 4. Our core functions
- 5. The School's core values
- 6. Our clients

- 7. What our School aims to do for its clients
- 8. Clients' responsibilities
- 9. Our Range of services
- 10. Commitment to service delivery
- 11. Our standards
- 12. Amendment to this Charter
- 13. Customer feedback
- 14. Review of this charter
- 15. Contact details

1. OUR VISION

A preferred centre of excellence in professional legal training in the East African Region and beyond

2. OUR MISSION

To offer quality and practical legal training for professionals and other actors in the legal sector

3. OUR MANDATE

To undertake practical training in law and other related disciplines for the professional development of lawyers and other actors in the legal sector.

4. OUR CORE FUNCTIONS

The core functions of the School include:

- Accredit training institutions and ensure compliance with quality Legal Education
- Training of advocates for entry into legal profession
- Professional legal development via Continuing Legal Education
- Provision of Paralegal studies
- Provision of customer tailored consultancies and research services

5. OUR CORE VALUES

Our core values are:

- Integrity
- Excellence
- Client Orientation
- Team Work and Partnership
- Competence and Professionalism
- Transparency and Accountability





Cont.

SERVICE CHARTER

6. OUR CLIENTS

Our clients include

- · Law students
- Civil Society Organizations
- Public and private sector agencies
- Academia and professional bodies

7. WHAT WE AIM TO DO FOR OUR CLIENTS

We undertake to:

- Provide efficient and effective delivery of service
- Be accountable and transparent in our operations
- Embrace professionalism and integrity
- · Offer quality and focused leadership
- Use resources prudently
- Ensure equity, fairness, and justice
- Formulate policies which are for the good of the School and it's clients

8. CLIENTS' RESPONSIBILITIES

You can help us to provide reliable and efficient services by:

- Engaging us in constructive criticism
- Giving us ideas on national and international trends in legal education
- · Participating in our programmes and committees

9. OUR RANGE OF SERVICES

We will provide the following services:

- Accredit training institutions and ensure compliance with quality Legal Education
- Training of advocates
- Training of Paralegal Personnel
- Delivery of consultancy services to corporate clients
- Delivery of continuing legal education to practising members of the Bar and the Bench

10. COMMITMENT TO SERVICE DELIVERY

In service delivery, we commit ourselves to:

- Provide leadership in offering effective and efficient services to clients
- Offer services in a transparent and accountable manner
- Uphold and respect all clients and encourage participative and consultative interaction

- Encourage all clients and stake holders to offer ideas freely on how best to improve training and education service delivery
- · Be friendly, approachable and professional
- Respond quickly and efficiently to requests for service
- Answer telephone calls quickly and help people who use our facilities
- Respond promptly to all enquiries about our services
- Correct things promptly when they have gone wrong, and learn from complaints
- Consult clients regularly and take account of their comments
- Promote equality and fair treatment of staff and clients
- Aim to continuously improve our services for our clients
- Ensure zero tolerance to corruption
- · Apply best management practices
- Welcome complaints and suggestions
- Ensure efficient and effective service delivery

11. OUR STANDARDS

The School is committed to meeting the needs of our clients in a professional manner. You should expect the following standards from us:

Service for all

We provide services that are accessible to all and will ensure that the School premises are accessible to every client. We will also ensure that privacy and dignity are fully respected.

Clear and concise information

We will inform the clients about our services and facilities and how to use them effectively. We will also aim to ensure that the information is easy to read and is comprehensive.

Courteous service

We will provide a polite and welcoming service and will deal with your enquiry promptly. Confidentiality will be respected.



Cour.

SERVICE CHARTER

Answering the telephone

We undertake to answer all calls within 20 seconds of the first ring.

Dealing with queries

We will respond to all queries, written correspondence and e-mails within five (5) working days of receipt. If the subject matter is more complex and requires greater attention, we will contact you to explain the reason for the delay and, where possible, say when a response should be available. If prolonged investigations are needed, we will inform you of the progress within 5 working days.

12. REVIEW OF THIS CHARTER

In case where service delivery is deemed ineffective, redress may be sought amicably and with mutual understanding. Expressions of complaints or dissatisfaction may be brought to the attention of the Director/Chief Executive or any other responsible officer through:

- Letter
- · Face to face
- Telephone call
- · Fax message
- An e-mail message

In all cases, communication must be clear with indication of circumstances and critical facts. Our clients are however, encouraged to identify themselves to avoid difficulties in handling, anonymous complaints.

13. CUSTOMER FEEDBACK

- · The School welcomes clients feedback and suggestions for improvement
- Your feedback will help us to review and update this charter as required.
- · Customer feedback should be directed to the Director/Chief Executive

14. REVIEW OF THIS CHARTER

Due to changing global trends, we will, in consultation with our clients and other stakeholders subject this charter to review and amendments as and when necessary with a view to ensuring sustainability of efficiency and effectiveness in service delivery.

15. OUR CONTACT DETAILS

Kenya School of Law is located along Langata-South Road, Karen.

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Tel.: (020) 269958/6

ISDN Line: 020 8896000

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