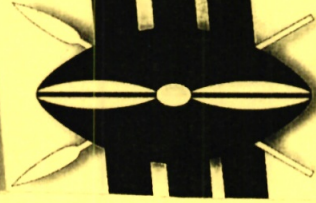




ANNUAL REPORT 2017 – 2018

Milestones in Respect of
The Commission's Work for The Period
2013 – 2018



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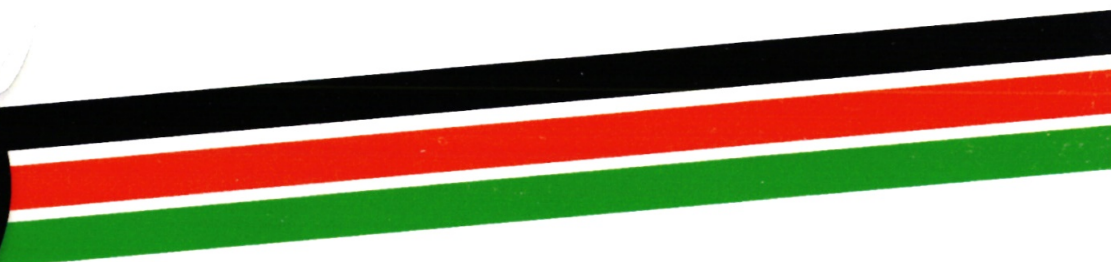


Paper hard
By the leader of the
Majority Party
Hon. Aden Duale
Thursday 4/10/2018
H



ANNUAL REPORT 2017 – 2018


Milestones in Respect of
The Commission's Work for The Period
2013 – 2018




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CONTENTS

LETTER OF TRANSMITTAL	6
FOREWORD BY THE CHAIRPERSON	7
PREFACE BY THE SECRETARY /CHIEF EXECUTIVE OFFICER	10
ACKNOWLEDGEMENTS	13
LIST OF ACRONYMS	14
PART ONE: ANNUAL REPORT FOR THE FINANCIAL YEAR 2017/18	16
CHAPTER ONE: BACKGROUND OF THE COMMISSION	17
1.1 Introduction	17
1.2 Mandate of the Commission	17
1.3 Specific Functions of the Kenya Law Reform Commission	18
1.4 Vision	19
1.5 Mission	19
1.6 Core Values	19
1.7 Inherent Principles and Attributes	19
1.8 Structure and Administration of the Commission	20
CHAPTER TWO: KEY RESULT AREAS, TARGETS AND ACHIEVEMENTS	21
2.0 Introduction	21
2.1 Constitutional Implementation	22
2.2 Research and Development	23
2.3 Review and Development of Legislation	23
2.4 Public Education on Law Reform	26
2.5 Realization of National Cohesion and National Values	28
2.6 Building Partnerships and Stakeholder Collaboration	29
2.7 Bolstering Institutional Capacity	30
CHAPTER THREE: FINANCIAL STATEMENTS	35
3.0 Introduction	35
3.1 Statement of Financial Performance for the Year Ended 30th June 2018	35



3.2 Statement of Financial Position for the Year Ended 30 June 2018	35
3.3 Statement of Changes in Net Assets for the Year Ended 30th June 2018	36
3.4 Statement of Cash-flows for the Year Ended 30 June 2018	36

PART TWO: HIGHLIGHTS OF THE COMMISSION'S WORK FOR THE PERIOD 2013-2018 **38**

CHAPTER FOUR: ESTABLISHMENT AND GOVERNANCE OF THE COMMISSION **39**

4.0 Introduction	39
4.1 Enactment of KLRC Act no 19 of 2013 and Appointment of Commissioners	39
4.2 The Commissioners	40

CHAPTER FIVE: GOALS, ASPIRATIONS AND APPROACH **41**

5.0 Introduction	41
5.1 Goals and Aspirations	41
5.2 The Approach	41

CHAPTER SIX: KEY ACHIEVEMENTS AND MILESTONES **46**

6.0 Introduction	46
6.1 Effective Implementation of CoK, 2010	46
6.1.1 Development of Required Legislation	46
6.1.2 Setting of Institutional Mechanisms	46
6.1.3 Operationalization of Devolution and Devolved Governance	47
6.2 Alignment of Existing Legislation to the Constitution	47
6.3 Technical Assistance to National and County Governments	47
6.3.1 Review and Drafting of Legislation	47
6.4 Enhancing Public Participation Tenets in Legislative Development	49
6.5 Promotion of Good Governance and Fight against Corruption	49
6.6 Support for Kenya's Electoral Reforms	49
6.7 Enhanced Institutional Capacities	50
6.8 Notable Milestones	51

PART THREE: CHALLENGES, LESSONS AND WAY FORWARD **53**

CHAPTER SEVEN: CHALLENGES AND RECOMMENDATIONS **54**

7.0 Introduction	54
7.1 Challenges	54

CHAPTER EIGHT: LESSONS LEARNT AND WAY FORWARD **58**

8.0 Introduction	58
8.1 Summary of the Commission's Strategic Objectives	58
8.2 Lessons Learnt and Way Forward	58
8.3 Conclusion	59



9.0 APPENDICES	60
Appendix I: List of Bills Reviewed during the FY 2017/18	60
Appendix II: List of Regulations Developed during the FY 2017/18	61
Appendix III: List of County Legislation Reviewed and Developed	62
Appendix IV: List of Counties and Clusters visited during the Dissemination of the Guide	63
Appendix V: List of Development Partners	65
Appendix VI: Institutions that Participated in the Validation of this Report	66
Appendix VII: Profile of the Commissioners	66



LETTER OF TRANSMITTAL

The Clerk,
Kenya National Assembly,
P.O Box 41842-00100,
Parliament Buildings,
Nairobi, Kenya.

Attention Mr. Sialai,

RE: ANNUAL REPORT FOR THE FINANCIAL YEAR 2017/2018

The Kenya Law Reform Commission (KLRC) has a mission to facilitate law reform conducive to social, economic and political development through keeping all the law of Kenya under review, ensuring its systematic development and reform in conformity with the Constitution of Kenya, 2010.

KLRC's Annual Report 2017/2018 highlights the goals, achievements, challenges and recommendations of the Commission relating to the reporting period. The Report also contains a special supplement of the Commission's work for the period 2013-2018 covering the tenure of the outgoing commissioners. The Annual Report is statutorily shared with the Office of the President, National Assembly and other key stakeholders. It is hoped that the report will serve as an accountability tool for the period to which it relates.

It is our pleasure to formally present the 2017/2018 Annual and the Commission's 2013-2018 Exit Report in accordance with Section 32 of the KLRC Act of 2013.

We thank you in advance for the continued support.

Mr. Mbage Ng'ang'a
Chairman



FOREWORD BY THE CHAIRPERSON

The Kenya Law Reform Commission (KLRC) is pleased to publish its Annual Report for the financial year 2017/18 and a special chapter in the life of the first Commission for the period 2013-2018. The Commission draws its mandate and functions from the Constitution of Kenya 2010 (CoK), Section 6 of the KLRC Act of 2013, the State Corporations Act (Cap446) and the County Governments Act, 2012 among other statutes. These instruments broadly require KLRC to spearhead law reform in Kenya and provide technical support to both National and County Governments. We envision being *a vibrant agency for responsive law reform* with a mission to facilitate law reform which is conducive to social, economic and political development through keeping all the law of Kenya under review, ensuring their systematic development and reform in conformity with the CoK, 2010.



Mr. Mbage N. Ng'ang'a
Chairman

The 2017/2018 Annual Report captures the strategic objectives and performance in respect of the reporting period; strategies and methods employed in the realization of the objectives; results and key achievements; challenges encountered and recommendations aimed at mitigating the hurdles in the subsequent years. This year's Annual Report further documents the initiatives and statistical information towards the attainment of our mission and vision. Further, owing to the expiry of the term of the first Commission (appointed in the year 2013 following the enactment of the KLRC Act, 2013), the Report has captures the aspirations of this Commission in setting the foundation, work done and results achieved during the period under review especially as encapsulated in the Commission's 2013-2017 Strategic Plan.

In the financial year 2017/2018 the Commission witnessed a wide range of milestones and success stories especially in the key areas of constitutional implementation, development of legislative proposals towards the Vision 2030 flagship projects, technical support to MDAs of both the National and County Governments and other targeted law reform initiatives. This was largely achieved with the support of relevant agencies and collaboration with stakeholders.



At the apex, the Commissioners leveraged on their rich experience and backgrounds in supporting the Commission in policy formulation and supporting monitoring for optimum performance. Notably, the Commission is satisfied that in setting the foundation, it took deliberate efforts to strengthen internal capacity and governance processes so as to effectively deliver on its constitutional and statutory mandates. This was informed by a comprehensive staff training needs analysis and subsequent retraining and capacity building.

Indeed, the achievements outlined above would not have been possible without the innovation, resourcefulness, commitment and hard work of the members of the Commission, staff, partners, and other stakeholders. In this regard, the Commission expresses gratitude to the KLRC Secretary/CEO, Mr. Joash Dache, MBS and the entire staff for work well done. The Commission also acknowledges the relentless efforts of the Vice-Chairperson, Ms. Doreen Muthaura, Commissioner Njoki Kahiga and all other Commissioners. We remain indebted to our partners for their support in the 2017/2018 financial year.

In conclusion, we express our gratitude for the honour granted to us in service to the people of the great Nation of Kenya in various capacities at Kenya Law Reform Commission (KLRC). We are confident that the Commission, its partners and the people of Kenya will continue working closely in all areas in strengthening issue based, citizen centred, accountable and result-oriented law reform towards realizing the constitutional aspirations and Kenya Vision 2030's Social, Economic and Political development goals.

Mr. Mbage Ng'ang'a
Chairman

PREFACE BY THE SECRETARY /CHIEF EXECUTIVE OFFICER

The Kenya Law Reform Commission is indeed privileged to publish the 2017/18 Annual Report and Financial Statements. This is especially so given that the term of the founding Commission appointed following the enactment of the Kenya Law Reform Commission (KLRC) Act No. 19 of 2013 comes to an end. The Report therefore highlights key milestones of the current Commission and also documents the targets and achievements in respect of the period under review.

It is worth noting that the Commission started building the foundation for its autonomy from the Office of the Attorney-General and Department of Justice in 2013 and was only declared a 'public service' in 2016 after the establishment of its contributory Pension Scheme. The operational independence of the Commission has engendered a culture of institutional reform upon which basis the internal policies and administrative structures have been entrenched. This paradigm shift has directly contributed to the achievement of excellence and effectiveness in our celebrated law reform work.

The financial year 2017/18 witnessed a positive progression in our service delivery to both the National and County Governments and our other customers. Indeed there has been improved confidence in our work as reflected in the end of year customer satisfaction survey which ranked our customers overall satisfaction with our performance at 81%. We have equally endeavored to comply with the Public Service regulations on recruitment and promotions; Public Procurement and Treasury Circulars on procurement of goods and services and disposal of assets and financial management respectively; Access to Information and other Presidential directives such as those relating to Access to Government Procurement Opportunities (AGPO) and internships.

While the Kenya Law Reform Commission has the mandate to review all the law of Kenya to



Mr. Joash Dache, MBS
Secretary/ CEO



ensure that it is modernized, relevant and harmonized with the Constitution, the development of policies and legislation requires consultation with all the players and stakeholders. As a Commission, we embraced this approach from the onset and the results are worthwhile. For instance we were in a position to offer technical support to virtually all the 47 county governments in developing their various pieces of legislation and also supported over 30 National Governments MDAs with regards to development and review of their legislative proposals and policies.

The Commission has equally enjoyed the support of key stakeholders and partners including from all the arms of National Government, State Organs, County Governments, Civil Society Organizations and other Non-State Actors and the Media among others. Of particular mention is the close working relationship with the Office of the Attorney-General and Department of Justice and the people of Kenya in general. Indeed their support has been a testament and recognition of the crucial role of the Commission as the primary law reform agency in Kenya.

While the year 2017/2018 was not without its challenges, the management team of Kenya Law Reform Commission (KLRC) continued to successfully implement its mandate and to advance its goals and objectives as outlined in the Strategic Plan and policy directions of the Commission. The KLRC Management Team is grateful for the continued support of the Chairperson, the Vice Chairperson and the Commissioners for their strategic direction, leadership and oversight of the Secretariat which has enabled us to accomplish our mission during the year.

We will remain dedicated and committed in achieving our vision “of being a vibrant agency for responsive law reform” and our mission “of facilitating law reform conducive to social, economic and political development”. The Secretariat will continue to ensure the effective implementation of the programmes of the Commission including supporting implementation of the next Strategic Plan 2018-2022.

A handwritten signature in blue ink, appearing to read 'Joash Dache'.

Mr. Joash Dache, MBS
Secretary/ Chief Executive Officer



ACKNOWLEDGEMENTS

We would like to acknowledge all members, staff, partners and stakeholders who have made efforts and commitments towards the realization of the goals of the financial year 2017/18 and during the first Commission's life-span 2013-2018. First and foremost, the unflinching support of the Office of Attorney-General and Department of Justice cannot be taken for granted. Secondly, we appreciate the leadership and membership of the following institutions: Parliament; Cabinet and respective Ministries, Departments and Agencies at both levels of government for the shared success. The support from the Kenyan public has and will always be invaluable.

The publication of this edition of the Commission's 2017/18 Annual and the Commissioners' Exit Report has been made possible by the generous financial support of the International Development Law Organization (IDLO) through its Kenyan office. Mr. Romualdo Mavedzenge, the Country Director and his dedicated colleagues, Ms. Anne Nderi and Mr. Bernard Moseti, deserve special mention in this regard. In the same breadth, we want to sincerely thank Mr. Amos Omollo (Editorial & Design Consultant) and KLRC officers: Mr. Joash Dache, MBS (Secretary/CEO); Ms. Josephine Sinyo (Director Legislative Services); Mr. Peter Musyimi, HSC (Head of Legislative Drafting); Ms. Mercy Muthuuri (Head of Public Education); Ms. Faith Sialai (Head of Legal Research); Jacob Otachi (Head of Corporate Affairs and Communications); and all other Heads of Departments and staff who made contributions in the preparation of this Report.

Finally, the Commission is indebted to the People of Kenya for entrusting us with this critical mandate and believing in our ability to deliver.

Asanteni Sana!

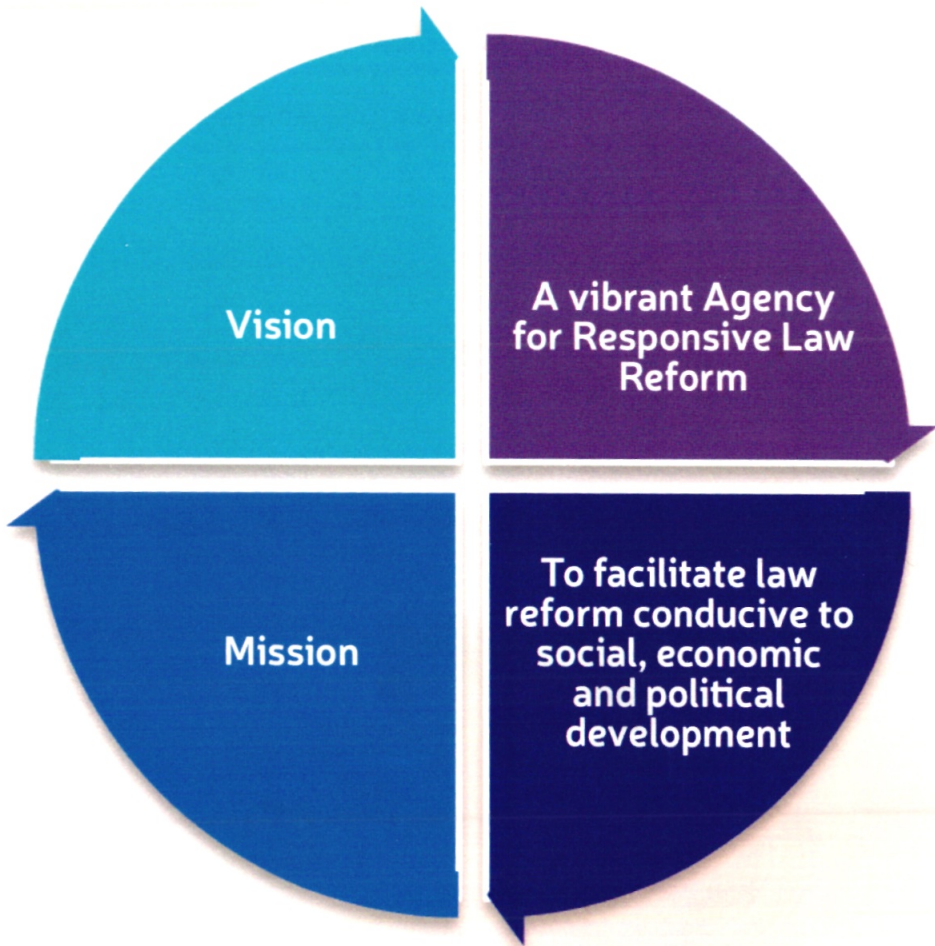


LIST OF ACRONYMS

AFFA	Agriculture, Fisheries and Food Authority	IIEC	Interim Independent Electoral Commission
AG	Attorney General	ISO	International Organisation for Standardization
CAF	County Assemblies Forum	KLRC	Kenya Law Reform Commission
CAF	County Attorneys' Forum	KNCPD	Kenya National Council for People with Disabilities
CAJ	Commission on Administrative Justice	KSG	Kenya School of Government
CEO	Chief Executive Officer	MDA	Ministries Departments and Agencies
CIC	Commission for the Implementation of the Constitution	MoDP	Ministry of Devolution and Planning (MoDP)
CIOC	Constitutional Implementation Oversight Committee	OAG&DoJ	Office of the Attorney General and Department of Justice
CoE	Committee of Experts on Constitutional Review	PSC	Public Service Commission
CoG	Council of Governors	SCAC	State Corporation Advisory Committee
CoK	Constitution of Kenya, 2010	SRC	Salaries and Remuneration Commission
EACC	Ethics and Anti-Corruption Commission	SUNY-AHADI	State University of New York-Agile and Harmonized Assistance for Devolved Institutions
GJLOS	Governance, Justice, Law and Order Sector	SP	Strategic Plan
IDLO	International Development Law Organization	UNDP	United Nations Development Program
IEBC	Independent Electoral and Boundaries Commission	USAID	United States Agency for International Development
IIBRC	Interim Independent Boundaries Review Commission		
IICDRC	Interim Independent Constitutional Dispute Resolution Court		



KENYA LAW REFORM COMMISSION



PART ONE

REPORT FOR THE FINANCIAL YEAR 2017/18

Summary

This Part is specific to financial year 2017/18 and is subdivided into three chapters. Chapter One is the introduction and captures the mandate, functions, vision and mission of KLRC. It also contains principle attributes and the organizational structure. Chapter Two contains the key result areas, targets, achievements and milestones. Chapter Three highlights the unaudited financial statements for the FY 2017/18.



BACKGROUND OF THE COMMISSION

1.1 Introduction

This Chapter highlights the mandate, functions, vision and mission of the Kenya Law Reform Commission (KLRC). It also highlights KLRC's core values, governance and administration.

1.2 Mandate of the Commission

1.2.1 Statutory Mandate

The Kenya Law Reform Commission (KLRC) is a statutory body corporate with perpetual succession, which serves both National and County governments in matters of law reform. KLRC draws its mandate from a number of legal instruments which govern its establishment, structure, functions and operations. These instruments are the Kenya Law Reform Commission Act, 2013, the State Corporations Act (Cap 446) and the CoK, 2010. Further, the County Governments Act, 2012 expands the Commission's mandate to provision of technical assistance to county governments in the preparation and reform of their legislation.

1.2.2 Constitutional Mandate

The statutory mandate was enhanced under Clause 5(6) (b) of the Sixth Schedule to the Constitution of Kenya 2010 (CoK, 2010) which required the Commission to coordinate with the Commission for the Implementation of the Constitution (CIC) and the Attorney-General (AG) to prepare for tabling in Parliament legislation required to implement the Constitution. The CoK, 2010 placed the ultimate emphasis on law reform beginning with the express demand for construing of all laws existing immediately before its effective date. Specifically, such law would have to be construed with alterations, qualifications and exceptions necessary to bring each into conformity with the CoK, 2010 (Clause 7 of the Sixth Schedule).

1.2.3 Traditional mandate

The Kenya Law Reform Commission was established by the Law Reform Commission Act, No. 2 of 1982 (now repealed) as a primary agency to spearhead law reform and review processes in the country. Its mandate as contained in section 3 of Chapter 3 of the Laws of Kenya



(repealed statute) was: “to keep under review all the law of Kenya to ensure its systematic development and reform, including in particular the integration, unification and codification of the law, the elimination of anomalies, the repeal of obsolete and unnecessary enactments and generally its simplification and modernization.”

1.3 Specific Functions of the Kenya Law Reform Commission

The functions of the Commission are set out in Section 6 of the Kenya Law Reform Commission Act (2015), which provides that the Commission shall –

- (a) keep under review all the law and recommend its reform to ensure –
 - (i) that the law conforms to the letter and spirit of the Constitution;
 - (ii) that the law systematically develops in compliance with the values and principles enshrined in the Constitution;
 - (iii) that the law is, among others, consistent, harmonized, just, simple, accessible, modern and cost-effective in application;
 - (iv) the respect for and observance of treaty obligations in relation to international instruments that constitute part of the law of Kenya by virtue of Article 2(5) and (6) of the Constitution;
 - (v) keep the public informed of review or proposed reviews of any laws; and
 - (vi) keep an updated database of all laws passed and reviewed by Parliament;
- (b) work with the Attorney-General and the Commission for the Implementation of the Constitution (defunct) in preparing for tabling in Parliament, the legislation and administrative procedures required to implement the Constitution;
- (c) provide advice technical assistance and information to the national and county governments with regard to the reform or amendment of a branch of the law;
- (d) upon request or on its own motion, undertake research and comparative studies relating to law reform;
- (e) formulate and implement programmes, plans and actions for the effective reform of laws and administrative procedures at national and county government levels;
- (f) consult and collaborate with State and non-State organs, departments or agencies in the formulation of legislation to give effect to the social, economic and political policies for the time being in force;
- (g) formulate, by means of draft Bills or otherwise, any proposals for reform of national or county government legislation;
- (h) upon request or on its own motion, advise the national or county governments on the review and reform of their legislation;
- (i) undertake public education on matters relating to law reform; and
- (j) perform such other functions as may be prescribed by the Constitution, this Act or any other written law.



1.4 Vision

“A vibrant agency for responsive law reform”

1.5 Mission

“To facilitate law reform conducive to social, economic and political development through keeping all laws in Kenya under review, ensuring their systematic development and reform in conformity with the CoK2010”

1.6 Core Values

To achieve its Vision and Mission, KLRC endeavours to articulate and execute its functions with fidelity to the following core values:

- (i) Integrity;
- (ii) Teamwork;
- (iii) Professionalism;
- (iv) Transparency and Accountability; and
- (v) Courtesy and Equality.

1.7 Inherent Principles and Attributes

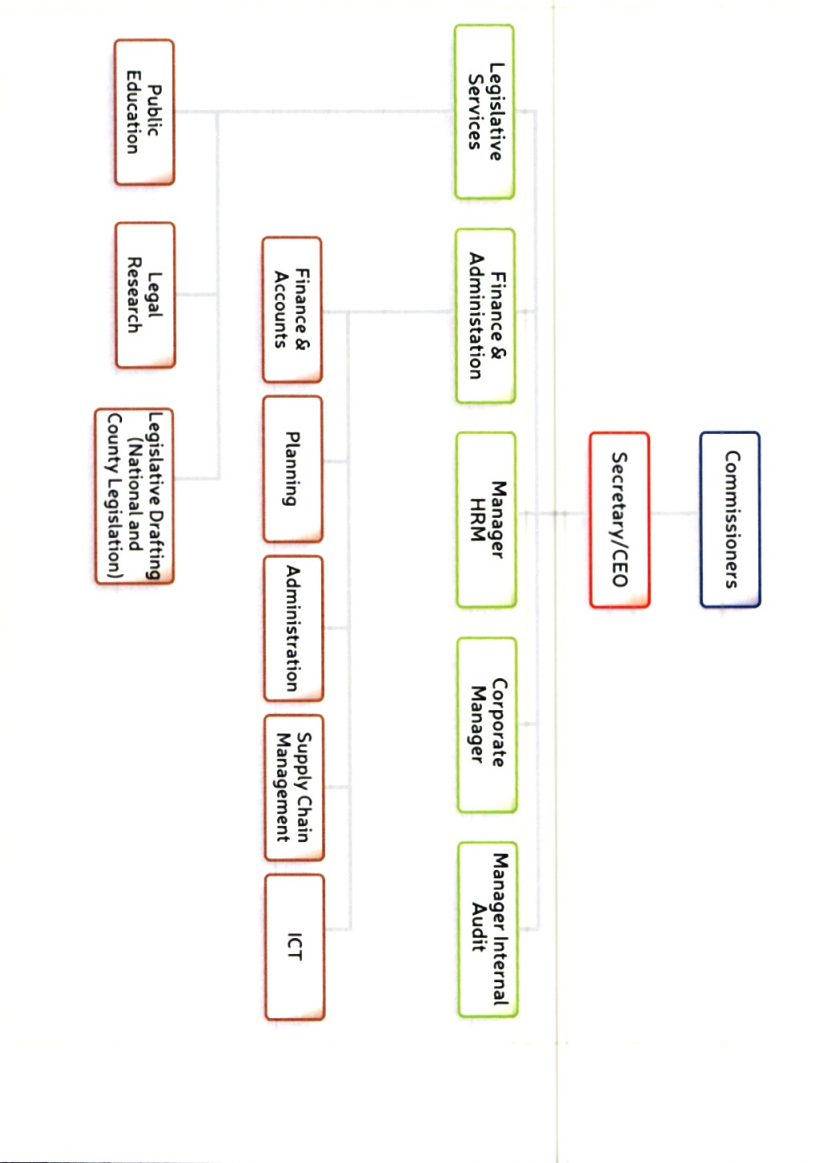
KLRC, like other Law Commissions in the Commonwealth appreciates the fact that a national law reform agency should possess certain distinguishing characteristics that is to say: it should be permanent, authoritative, full-time, independent, generalist, consultative and implementation-minded. The Commission has strived to and continues to hold these ideals as it executes its mandate.

1.8 Structure and Administration of the Commission

At the apex of the Commission is the Board of Commissioners headed by the Chairperson. This is the policy organ of the Commission. The Secretary is the Chief Executive Officer and is responsible to the Commission for day-to-day administration. All the Commissioners meet at least once a month to review projects and programmes of the Commission and provide appropriate direction to the Secretariat. When there is need, Commissioners may meet more frequently especially in Committees. The full organizational structure of the Commission is captured in the organogram below.



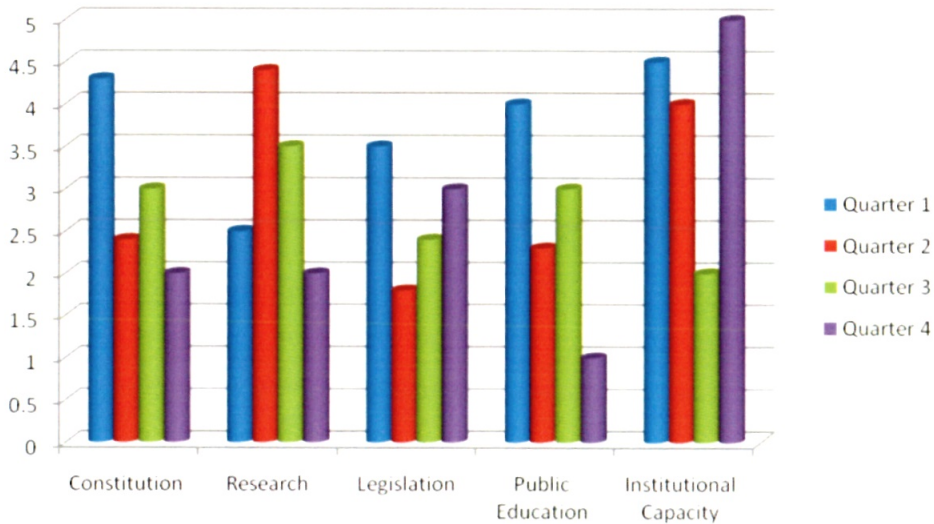
1.8.1 The Commission's Organization Structure



KEY RESULT AREAS, TARGETS AND ACHIEVEMENTS

2.0 Introduction

This Chapter summarises the KLRC’s key result areas, targets and achievements for the financial year 2017/18. The result areas are drawn from the Strategic Plan, Performance Contract and Annual Work Plan adopted in the reporting period. The targets were developed taking into consideration the Medium Term Plans and the Kenya Vision 2030. It also documents some success stories that emanated from projects and programmes implemented during the reporting period. These have been captured in key strategic and performance areas among them: Constitutional Implementation; Technical Assistance to County Governments; Research and Development; Public Education, Review of Legislation and Enhanced Institutional Capacity.





2.1 Constitutional Implementation

2.1.1 Targets

To facilitate continued implementation of the Constitution KLRC aimed to support development and quality of legislation so as to give effect to prevailing social economic and political issues. This also formed part of the technical assistance given to national and county governments including all MDAs. Further, KLRC aimed to review all the law of Kenya that was in existence before the promulgation of the Constitution. During the period under review, the Commission targeted to audit and review some 150 pieces existing legislation in the Statute Book. The audit was aimed at ascertaining the constitutionality of the laws and to make relevant recommendations for reform and alignment to the Constitution of Kenya 2010.

2.1.2 Achievements

In the reporting period KLRC developed legislation necessary to give effect to the Constitution, Kenya Vision 2030 and other Government policies including the “Big Four” Agenda. The development and review of these laws was pursuant to the Commission’s mandate to review the law to align it to the prevailing socio-economic and political agenda.

KLRC also initiated an on-going review of all the law that existed prior to the promulgation of the Constitution in 2010 and to make recommendations for the repeal or amendment. Subsequently, an audit of the first 150 chapters of the Statute Book was completed. The audit was aimed at ensuring that the laws promote a purposive interpretation, that national law respect the functional demarcations of mandates between the two levels of Government, the law upholds the national values and principles and that obsolete laws are identified and necessary actions recommended.

2.1.3 Milestones

A Report of this Audit was submitted to the Constitutional Oversight Implementation Committee and the Justice and Legal Affairs Committee of the National Assembly. The findings also informed the development of significant aspects of the Statute Law (Miscellaneous) Amendment Bill, 2018.

2.2 Research and Development

2.2.1 Targets

KLRC aimed at conducting various types of research in order to inform constitutional and law reform matters in the targeted, planned and other emerging areas. Routine research in developing and the review of all legislation were also carried out. Among them were Desk Reviews; Focus Group Discussions; Benchmarking and Customer Satisfaction Surveys.



2.2.2 Achievements

KLRC conducted research on the full implementation of Article 2 (5) & (6) of the Constitution (Application of rules of international law and treaties and conventions to which Kenya is a party). KLRC also conducted research of the national and county government laws on agriculture, health, trade investment and public finance, urban development, land and physical planning and natural resources management. This was done in partnership with the CoG and IDLO. To further boost the research knowledge of the institution, KLRC purchased Four (4) Legal and Sixteen (16) general books.

2.3 Review and Development of Legislation

2.3.1 Targets

KLRC also planned to undertake a comprehensive review of selected legislation upon receipt of legislative proposals and references from national government MDAs and county governments. This review was intended to align the laws to the Constitution and respective mandates.

2.3.2 Achievements

(i) Provision of Technical Assistance to National Government MDAs

KLRC partnered with over 20 MDAs and provided technical assistance in the review of their laws (see Appendix I). Key among the Bills prepared and handed over to relevant ministries include: Older Persons Bill; Social Protection Bill and the Mobilization and Group Registration Bill. The Commission also assisted MDAs in the development of subsidiary legislation and guidelines necessary to enable them to fully implement the legislation falling within their respective mandates as shown in appendix I & II. Further, a draft popular version of the Political Parties Act was prepared. The Commission was also instrumental in the development of a handbook on Police Reforms which has since been launched by the President of the Republic of Kenya.

(ii) Review of Legislative Proposals

During the 2017/18 financial year, KLRC also reviewed legislative proposals referred to it by the relevant Parliamentary Committees. These included:

- (i) Review of the Independent Electoral and Boundaries Commission Act;
- (ii) Review of the Industrial and Commercial Development Act;
- (iii) Review of the Constituencies Development Act; and
- (iv) The Constitution of Kenya (Amendment) Bill, 2017.

(iii) Technical assistance to national government MDAs

The following pieces of legislation were developed or reviewed during the reporting period:

- (i) audit of national and county devolution laws;
- (ii) review of the County Governments Act, 2012;
- (iii) review of the Intergovernmental Relations Act, 2012;



- (iv) development of legislation on transport and infrastructure. KLRC assisted in the harmonization of the National Roads Toll Bill with the Roads Bill, 2018;
- (v) review the Kenya Medical Training College Act;
- (vi) the development of the Kenya Foods and Drugs Authority Bill;
- (vii) development of a Handbook on Police Laws and Policies.

These Bills have been submitted to the respective MDAs for stakeholder consultations.

(iv) Technical Assistance to County Governments

During the 2017/18 financial year, the Commission provided technical assistance in respect of the following county legislation amongst others:

- (i) Review of the Busia County Co-operative Development Fund Act;
- (ii) Development of the Busia County Co-operative Enterprise Development Fund Regulations, 2018;
- (iii) Nairobi County Revenue Administration Bill, 2018;
- (iv) The Nairobi County Licensing Bill, 2018;
- (v) The Kajiado County Inspectorate Bill, 2018;
- (vi) The Nyamira County Water services Bill 2018;
- (vii) The Meru County Agriculture Bill, 2018;
- (viii) Nyamira County Co-operative Development Fund Regulations, 2018;
- (ix) Kericho County Co-operatives Regulations, 2018;
- (x) Kericho County Trade Licenses Regulations, 2018;
- (xi) Transzoia County Mortgage Regulations, 2018;
- (xii) Bomet Car Loan Regulations, 2018;
- (xiii) Transzoia Car Loan Regulations, 2018; and
- (xiv) Tharaka Nithi County Assembly Fund Regulations, 2017





(v) Development of Regulations

The following Regulations and guidelines were developed during the 2017/18 financial year:

- (i) Regulations on the Land Act, 2017;
- (ii) Regulations on the Land Registration Act, 2017;
- (iii) Regulations on the Community Land Act, 2017;
- (iv) Regulations under the Firearms Act, 2017;
- (v) Handbook on Police Reforms. 2017;
- (vi) Popular version of the Political Parties Act, 2017;
- (vii) Review of the Supreme Court (Presidential Election Petition) Rules, 2017;
- (viii) Review of the Elections (Parliamentary and County Elections) Petition Rules, 2016;
- (ix) Development of the Court of Appeal (Election Petition) Rules, 2017;
- (x) Development of the Political Parties Dispute Tribunal Regulations, 2017;
- (xi) Elections (Party Primaries and Party Lists) Regulations, 2017;
- (xii) Election (Voter Education) Regulations, 2017;
- (xiii) Elections (Technology) Regulations, 2017;
- (xiv) Election (Voter Registration)(Amendment) Regulations, 2017;
- (xv) Election (General) Regulations(Amendment) Regulations, 2017;
- (xvi) The Insolvency (Amendment) Regulations, 2017; and
- (xvii) The Controller of Budget Regulations 2018

2.4 Public Education on Law Reform

2.4.1 Targets

KLRC aimed at enhancing the capacity of County Governments with regards to policy development, drafting of legislation and law reform.

2.4.2 Achievements

(i) Partnership with other agencies in training

KLRC collaborated with Parliament through the Centre for Parliamentary Studies and Training (CPST) on the training of Members of the County Assemblies (MCAs) from Siaya, Embu, Nakuru, Turkana, Nyeri, Kwale and Garissa after the general elections. The MCAs were trained on their role under the Constitution and other devolution laws. Further, in collaboration with the Kenya Urban Roads Authority (KURA), the Commission offered legal aid and awareness to the public in the counties of Meru, Embu, Kitui and Machakos during KURA's annual road safety campaign.



(ii) Induction of TOTs

KLRC also conducted an induction and training of Trainers in seven counties for the dissemination of the Guide to the Legislative Process in Kenya and the County Model Laws. The Counties reached were: Turkana, Embu, Garissa, Nyeri, Nakuru, Kwale and Siaya. Further, a concept paper and training of legal officers on drafting gender responsive legislation and policies at the national and county levels was done. The project sought and received funding from the World Food Programme (WFP) and UN Women. Subsequently, training was conducted in the targeted 8 ASAL counties: Wajir, Baringo, Turkana, Samburu, Marsabit, Isiolo, Garissa and Tana River.

2.5 Realization of National Cohesion and National Values

2.5.1 Targets

KLRC aimed to implement measures to promote the realization of National Cohesion and National Values internally and among the stakeholders.

2.5.2 Achievements

KLRC participated in the development of legislation that recognized and appreciated the non-discrimination and protection of the marginalized. KLRC also promoted inclusive public participation in the review and development of legislation and national policies and the proactive implementation of the HR Manual in compliance with Article 10 of the Constitution. Internally, staff members were sensitized on further enforcement of the related policies.

KLRC aimed to entrench avenues for consultation and collaboration with stakeholders including holding seminars, public barazas and holding round table meetings. The measure was to be undertaken based on best practices and above all to secure a shared understanding and consensus on law reform work. KLRC also aimed to finalize most of its projects and initiatives with input from the stakeholders.

2.6.1 Targets

2.6 Building Partnerships and Stakeholder Collaboration



2.6.2 Achievements

KLRC engaged with stakeholders in various fora. In the reporting period, KLRC participated in the Annual Devolution Conference in Kakamega, Law Society of Kenya Conference, Nairobi International Trade Fair in Nairobi and the Constitutional Commissions and Independent Offices forum of Chairpersons. The Commission also hosted the ALRAESA (Association of Law Reform Agencies of Eastern and Southern Africa) Annual Conference in November 2017. The Conference brought together delegates from over 17 member States including a representative from the Common-Wealth. During these events, the Commission was able to interact, show case its work and receive useful feedback from the stakeholders.





2.7 Bolstering Institutional Capacity

2.7.1 Targets

KLRC aimed at building its institutional capacity for effective performance. A number of initiatives were earmarked including: acquisition of requisite infrastructure; improving work environment and staff welfare; training, hiring of additional staff and recruitment of additional interns. Further, KLRC aimed to improve its communications and visibility, use of ICTs and improving resolution of public complaints. These efforts were tailored towards making its services more effective and efficient.

2.7.2 Achievements

(i) Competency Development

During the reporting period, KLRC inducted the thirteen (13) newly appointed officers to equip them with knowledge on operations of government. There was also continued implementation of the Succession Management Plan that was developed in November, 2015. In this regard, Ten (10) officers were promoted and twenty five (25) others were trained to attain requisite qualifications as contained in the Career Progression Guidelines. In addition, further relevant trainings were offered to address the knowledge gaps and to enhance staff performance and productivity.

(ii) Provision of Youth Internships

In line with internal HR policy and government directives, KLRC offered internships/ attachments to 26 interns who had a chance to learn, acquire skills and experience. The following departments hosted the interns during the year:

Department/ Directorate	No of Interns
Legal	20
Corporate Affairs	1
Procurement	1
Finance and Accounts	2
Human Resources	1
Library	1

(iii) Environmental Sustainability

KLRC established and operationalized an Environmental Sustainability Committee. The Committee conducted an environmental sustainability audit and prepared a compliance report in accordance with Environmental Management Act (EMCA) 1999. The Committee also developed a quality framework (policy) that is currently under implementation for better environmental sustainability. Subsequently, heads of departments and staff were trained on environmental sustainability.



(iv) Asset/ Inventory Management

KLRC made best use of its equipment, machinery and work related tools. This was achieved by regular update of the catalogue of its assets and property (inventory management), maintenance and relevant repairs to prevent damages. Additional office space was acquired to cater for the increased staff.

(v) Adoption of Technology

KLRC continued implementing its IT policies in line with the government's National ICT Policy. Consequently, most services and operations have been automated. To enhance connectivity and technology use, internet within its premises was made available for all staff, Commissioners and other stakeholders. In the financial year 2017/18, KLRC also initiated the use of Enterprise Resource Management Software (ERMS) which links the Procurement, Finance and Accounts Units. To protect data and information, several measures were put in place including installation of cyberoam firewalls, staff trainings/sensitization and server protection. Currently the staff to computer ration is 1:1.

(vi) Improved Communication and Knowledge Management

In the reporting period, there was improved communications through proactive implementation of KLRC's Communications Strategy and Policy. Some of the initiatives conducted included: proactive media engagement through press releases and advisories, publication and dissemination of over 1,000 pieces of IEC materials and other knowledge products, targeted public events such as the Nairobi International Trade Fair and proactive dissemination of information to the public via online platforms. Particularly, KLRC website www.klrc.go.ke, Facebook and Twitter proved useful in reaching out to many of our stakeholders





both local and international. On knowledge management, procedures were put in place for capturing, developing and sharing of tacit and non- tacit information. This was achieved by developing a mechanism of sharing experiences and lessons learnt for integration and continuous improvement.

(vii) Improved Staff Welfare

KLRC participated in the Job Evaluation exercise by the Salaries and Remuneration Commission which was unveiled in May, 2016 and the salary model issued in July, 2017. There is ongoing work in the harmonization and implementation of the model salary. Further, working conditions were enhanced especially for persons with disabilities and those living with HIV/AIDS. This was achieved by providing counseling services and adequate facilities. Staff also continued to enjoy medical cover and pension scheme among other benefits.

(viii) Procurement Consistent with Government Regulations

In the reporting period, there was significant progress to comply with the government procurement regulations and policies. For instance, capacity of the youth, women and persons with disabilities was conducted. The annual seminars were on: government procurement procedures, the requirements for accessing government procurement opportunities and the specific opportunities available within KLRC to the groups.

Additionally, an allocation of approximately 30% of the total budget for procurement of goods and services was issued to youth, women and persons with disabilities under the auspices of AGPO. This was achieved by a thorough pre-qualification of the registered groups under this category at the beginning of the financial year. Consequently, the groups were given opportunities for quotations and a summary report was shared with the Public Procurement Regulatory Authority (PPOA). There was a further implementation of the 40 % dedication requirement for locally produced goods and services.

(ix) Effective Absorption of Allocated Funds

During the reporting period 2017/18, the Commission effectively utilized its allocation of Kshs. 330 Million in programmes and projects for which they were appropriated and planned. The Commission also ensured that all its financial obligations were met and sustained bills below 1% of the total budget at the end of the financial year. The Commission also adhered to the Public Finance Management Act, related regulations and Circulars from the National Treasury. This was achieved by timely preparation of the: Financial Programme Performance Reports; Annual Accounts; Annual Procurement Plans; Annual Work Plans and Cash Flow Projections.



FINANCIAL STATEMENTS

3.0 Introduction

This chapter entails the financial statements for the financial year 2017/18.

3.1 Statement of Financial Performance for the Year Ended 30th June 2018

	Note	2017-2018	2016-2017
Government Grants	18.4	330,700,000	330,000,000
Revenue from Exchange Transactions			
Other Income	18.5	27,000	630,619
Total Revenue		330,727,000	330,630,619
Expenses			
Employee Costs (Secretariat)	18.6	175,917,494	197,963,541
Commissioners Salaries	18.7	30,232,920	29,250,392
Contractual Employees	18.8	6,863,909	4,368,546
General Expenses	18.9	80,834,268	77,716,000
Repair and Maintenance	18.10	3,166,954	3,080,241
ICT related cost	18.11	3,220,567	4,076,500
Commissioners Allowances	18.12	2,043,500	2,869,055
Outstanding Obligations	18.13	20,000,000	-
Depreciation Expenses	18.14	5,169,163	5,675,112
Total Expenditure		327,448,776	324,999,387
Surplus		3,278,225	5,631,232



3.2 Statement of Financial Position for the Year Ended 30 June 2018

	Note	2017-2018	2016-2017
ASSETS		Kshs.	Kshs.
Non-Current Assets			
Property, Plant & Equipment	18.13	17,092,227	18,086,090
Intangible Asset		3,929,458	
Inventory	18.17	1,546,702	2,295,347
Sub-total		22,568,387	20,381,437
Current Assets			
Cash and Cash Equivalents	18.14	2,750,748	2,766,559
Receivables from Non-Exchange	18.15	7,604,140	8,769,031
Sub-total		10,354,888	11,535,590
Grand-total		32,923,275	31,917,027
LIABILITIES			
Current Liabilities			
Trade & Other Payables from Exchange Transactions	18.16	-	2,271,977
Surplus (Opening)	15	29,645,050	24,013,818
Surplus for the year	13	3,278,225	5,631,232
Total Liabilities		32,923,275	31,917,027

3.3 Statement of Changes in Net Assets for the year ended 30th June 2018

	Note	Capital Reserve Kshs.	Accumulated Surplus Kshs.	Total Kshs.
			2017-2018	2016-2017
Changes in Equity for the year 2016/17				
Balance as at 1st July 2016	14		29,645,050	24,013,818
Surplus for the year	13		3,278,225	5,631,232
Transfers to/from accumulated surplus			32,923,275	29,645,050



3.4 Statement of Cash-flows for the Year Ended 30 June 2018

	Note	2017-2018	2016-2017
Cash flow From Operating Surplus for the year before tax	13	3,278,224	5,631,232
Adjusted for: Depreciation	18.13	5,169,164	5,675,112
Contributed assets		0	0
Working capital adjustments			
Increase in inventory	18.17	748,645	(1,242,226)
Increase in receivable	18.15	1,164,891	(1,956,895)
Decrease in Payables	18.16	(2,271,977)	409,533
Net cash flows from operating activities		4,810,722	2,885,524
Cash flow from investment activities			
Purchase of property, plant and equipment	18.13	(4,175,300)	(6,515,469)
Purchase Of Intangible Assets		(3,929,458)	(6,515,469)
Net cash flow from investment activities		(8,104,758)	(6,515,469)
Cash flow from Investing Activities		0	0
Cash and Cash equivalent as at the beginning of the year		2,766,559	765,272
Cash and Cash equivalent as at the end of the year		2,750,748	2,766,559

Approval of the Financial Statements

The Kenya Law Reform Commission's Financial Statements were approved by the Commission

_____ And signed on its behalf by:

Mbage Njuguna Ng'ang'a
CHAIRMAN

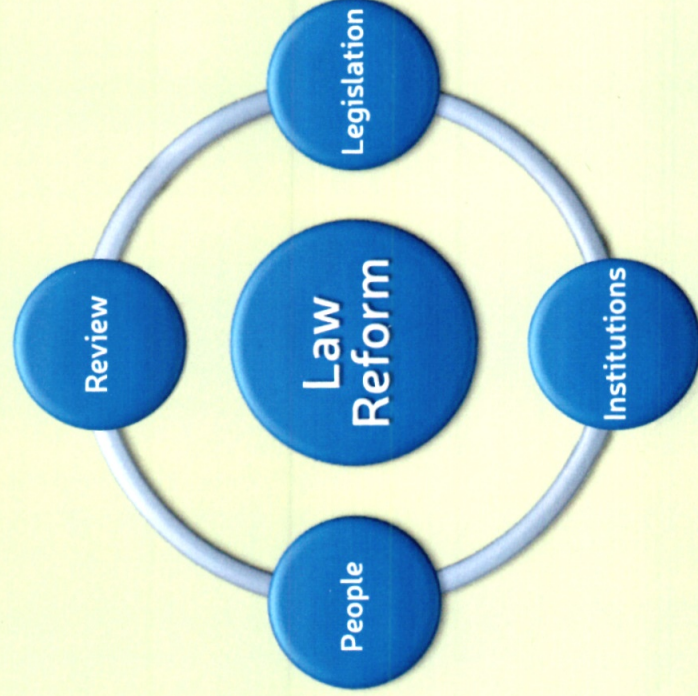
Joash Odhiambo Dache, MBS
SECRETARY/CEO

PART TWO

HIGHLIGHTS OF THE COMMISSION WORK FOR THE PERIOD 2013-2018

Summary

This Part highlights the work of the Commission for the period 2013-2018 and is subdivided into three chapters: Four, Five and Six. Chapter Four highlights the enactment of KLRC Act no. 19 of 2013 and subsequent appointment of the first Commissioners. Chapter Five describes the goals and aspirations of the Commission and the approaches they adopted. Chapter Six contains the achievements and milestones for the period 2013-2018.





ESTABLISHMENT AND GOVERNANCE OF THE COMMISSION

4.0 Introduction

This Chapter captures the enactment of KLRC Act no 19 of 2013 and the subsequent appointment of the Commissioners. It also highlights the composition of the Commission.

4.1 Enactment of KLRC Act no 19 of 2013 and Appointment of Commissioners

The Kenya Law Reform Commission Bill No. 67 of 2012 was passed by the 10th Parliament on 9th January, 2013 and assented to on 14th January, 2013. This set in motion the current mandate of the Commission (under section 6 of the Act) and further the appointment of the first Commissioners who were to serve for a period of five years (2013-2018). The appointments were staggered to allow for continuity and proper succession at the expiry of the term. Further, the provisions of Section 8 of the KLRC Act, 2013 informed the composition of the Commission whose appointment is stipulated as follows:

- (a) a chairperson to be appointed by the President through an open and competitive process;
- (b) two members appointed by the Cabinet Secretary through an open and competitive process;
- (c) two members, one of whom shall be a member of the Law Society of Kenya appointed by the Attorney-General;
Introduced by the 2014 amendment to the Act
- (d) a representative of the Director of Public Prosecutions appointed in writing; and
- (e) a representative of the Chief Justice appointed in writing.

In addition, Section 11 (1) of the KLRC Act, 2013, requires that the chairperson and members of the Commission be appointed by a selection panel to be constituted by the PSC whenever a vacancy arises. This panel comprises individual nominees from:

- (a) the Office of the President;



- (b) the Office of the Attorney-General;
- (c) the National Council for Science and Technology;
- (d) the National Economic and Social Council;
- (e) the Association of Professional Societies of East Africa;
- (f) the Law Society of Kenya;
- (g) the Federation of Women Lawyers, and;
- (h) the National Council for persons with disabilities.

4.2 The Commissioners

Following the above stipulations, seven Commissioners were appointed in September 2013. There were three full-time (the Chairperson, Vice- chairperson and one Commissioner) and four whose tenure was part-time. The Commission's primary role was to set the policy direction and provide oversight to the secretariat which is headed by a Chief Executive Officer who also serves as the Commission Secretary.

The current Commissioners are:

1. Mbage Ng'ang'a – Chairperson (full time)
2. Doreen Muthaura – Vice-Chairperson (full time)
3. Njoki Kahiga, OGW – Commissioner (full time)
4. Mary Wairagu – Commissioner (Ex-officio)
5. Apollo Mboya – Commissioner (Part-time)
6. Ruth Kirwa – Commissioner (Part-time)
7. Linda Murila – Commissioner (Ex-officio)
8. Joash Dache, MBS – Secretary/CEO



GOALS, ASPIRATIONS AND APPROACH

5.0 Introduction

This Chapter captures the goals and aspirations of the Commissioners upon their inauguration in January 2014. It also highlights the approach used in realizing their objectives.

5.1 Goals and Aspirations

In the year 2014, the Commission earnestly set out to prepare a result based roadmap that would facilitate the realization of KLRC's mandate and goals. In this endeavour, they were primarily guided by the Constitution of Kenya 2010, the Kenya Law Reform Commission Act, 2013, the Commission's Strategic Plan 2013-2017 and other relevant statutes. Below are the major goals that the Commissioners set out to achieve:

- a) Implementation of the Constitution of Kenya, 2010 through development of legislation that were required to be tabled in Parliament during the transition period (5th Schedule legislation);
- b) Review and alignment of existing legislation to the Constitution of Kenya, 2010;
- c) Support the realization of Vision 2030 by assisting National and County Government MDAs in developing legislation that were in line with MTP II;
- d) Support devolution by providing technical assistance to County Governments and other devolution agencies;
- e) Enhancing law reform knowledge in Kenya through public education and communication; and
- f) Enhancing institutional capacity of the Commission.

5.2 The Approach

In order to meet the above goals and aspirations, the Commissioners adopted diverse strategies to maximize on both its internal and external environments. Some of the immediate goals were to set up a foundation and address existing challenges.



5.2.1 Research and Development

The Commission embarked to build research capacity owing to the new arena of constitutional implementation following the promulgation of the Constitution only in 2010. This was partly informed by inadequate research especially with devolved governance in the country. There were also other emerging areas such as cyber-crime which were yet to receive adequate administrative and policy attention. Overall, basic types of research would inform the work of the Commission among them: Desk Reviews; Focus Group Discussions; Bench Mark Visits; Baseline Surveys and Audit of Legislation.

5.2.2 Targeted Review of Legislation

There existed over 700 pieces of legislation, policies and regulations prior to the promulgation of the Constitution August 27th 2010. In addition, legislative bodies (County Assembly, National Assembly and the Senate) continued enacting other laws post constitutional promulgation. The Commission opted to provide targeted technical support in drafting and review of existing legislation so as to conform with the Constitution. This was premised on receipt of legislative proposals/references from National and County Government MDAs. The review of legislation was also to be predicated on the Vision 2030 blue-print, MTP II and other development agenda.

5.2.3 Stakeholder Mapping, Consultations and Collaboration

The Commission acknowledged that its major work of law reform and constitutional implementation was a continuous milieu. It further was a product of lengthy processes that required in-depth engagements, consultation and collaboration both locally and internationally. The Commission thus established various avenues for stakeholder consultation and collaboration such as use of project committees. Such an approach would secure understanding, consensus and focus in the work of the Commission.

5.2.4 Establishment of Committees

The Commission acknowledged the need to incorporate staff and other stakeholders for effective realization of their goals. They thus sought to establish both standing and ad hoc committees among them: Audit and Risk management; Finance and Administrative Services, Legislative Policy and Governance Committees among others. These Committees regularly met to deliberate on key policy and administrative decisions. This also informed decisions made by the whole Commission.

The Commissioners further established Committees whenever a reference or proposal was taken up. These project specific committees would at-least comprise of one Commissioner and other technical staff as would be deemed appropriate. In assembling the Project Committee, due regard was paid to specialization, experience and interest. The Project Committee(s) would be tasked with:

- a) Managing and undertaking comprehensive research to determine the prevailing legal position and the deficiencies in the law requiring review;



- b) Setting time-frames for the review;
- c) Receiving, collating and analyzing views, including peer review by other legal staff and Commissioners;
- d) Organizing the requisite consultative fora;
- e) Preparing a Discussion paper as a key product of its initial research; and
- f) Preparing the necessary reports and draft bill.

5.2.5 Capacity Enhancement and Training

This being the first Commission under the Commission Act of 2013, it faced the need to build its internal capacity for it to deliver effectively on its mandate. The Commission therefore targeted to: develop a career progression and staff training policy; enhance its staff establishment through recruitment and to enhance peer-learning and mentorships. Similarly, with the devolved system of governance being new, a good number of implementers needed to be equipped with policy, administrative, institutional, and legislative and law reform knowledge. The Commission thus opted to systematically build the capacity of the devolution implementers in the aforementioned competencies. To further build understanding and appreciation of law reform issues, the Commission prepared targeted needs- based capacity building programmes conducted through seminar trainings and development and dissemination of manuals in consultative forums among other approaches.

5.2.6 Public Communication and Outreach

As part of the endeavour to improve KLRC's public communications and engagement with key stakeholders and the public in general, the Commission adopted a variety of communication strategies among them media supplements, press conferences, public barazas, seminars, stakeholder briefing sessions, use of digital media (ICTs) such as revamping of its website and Facebook. The Commission also aimed to employ advisories and IEC materials to respond to various challenges facing the implementation of the Constitution and to inform and seek views from the public on constitutional implementation. In the reporting period, the Commission also developed and adopted the Communications Strategy and Policy. Through these mechanisms, the Commission hoped to receive in/direct and valuable feedback on the impact of its programmes and initiatives as well as suggestions for service delivery improvement from diverse corners of the Republic.

5.2.7 Enhancing Governance and Administration

The Commission acknowledged the need to streamline its governance so as to tap into the diverse capacities and competencies of each commissioner. In this regard, committees were set up comprising of at least one or more commissioners and staff. There were also other ad- hoc committees that were regularly set up to respond to key and emerging issues. To further facilitate the quick evaluation of work done and gather consensus on the next course of direction, the Commission met on a regular basis. By the end of the financial year 2017/18, the Commission had at least met 36 times. The Commissioners generally represented the Commission in designated policy level meetings.



The Commission also incorporated the secretariat under the leadership of the Secretary/CEO, in the implementation of Commission policies and directives. For instance, the Commission's Annual Performance Contract was further cascaded to heads of departments who were responsible for direct implementation. A raft of Commission policies was adopted during the period to facilitate effective administration. Some of them include: the HR Manual, Career Progression Guidelines, Succession Management Policy, ICT Use Policy and Procurement, Legislative Services and Communications Policy and Strategy.

5.2.8 Regular Assessments, Monitoring, Evaluation and Reporting

In order to obtain information and feedback on their work, the Commission purposed to conduct regular monitoring and assessments. This was to be achieved by law reform impact assessments; analysis of various reports; customer satisfaction surveys and direct communication with the beneficiaries/stakeholders. The Commission was to further subject its annual work for review and evaluation. It further purposed to do regular reports on a quarterly and on annual basis as would be needed.



KEY ACHIEVEMENTS AND MILESTONES

6.0 Introduction

This chapter contains key achievements and milestones of the Commission for the period 2013-2018.

6.1 Effective Implementation of CoK, 2010

To fully implement the Constitution, the Commission worked with the Attorney General and the defunct Commission for Implementation of the Constitution to prepare bills for tabling in Parliament. All these pieces of legislation were required to be enacted within the transition period 2010-2015. Besides the enactment of bills, a number of institutional and policy frameworks were established or reviewed together with the progressive realization of values and principles of governance as contained in Article 10 of the Constitution. The following are key highlights:

6.1.1 Development of Required Legislation

The Commission fully prepared for tabling in Parliament legislation that was required to implement the Constitution under the Fifth Schedule. However, some contentious bills were drafted, tabled in Parliament but not finally enacted (e.g. the 2/3rd gender Bill). In some instances, such as the one above, opinion and interpretation of courts was sought.

6.1.2 Setting of Institutional Mechanisms

The Commission supported the preparation of necessary legislative, policy, institutional and regulatory frameworks to establish and operationalize offices enshrined in the Constitution. Such legislation included: the Commission for the Implementation of the Constitution, the Teachers Service Commission, Public Service Commission, Commission on Revenue Allocation, Judicial Service Commission, Salaries and Remuneration Commission, The Ethics and Anti-Corruption Commission (formerly KACA), the National Equality and Gender Commission, the National Commission on Human Rights, The National Land Commission, and the Commission on Administration of Justice among others. These institutions were established and entrenched to discharge specific mandates in constitutional implementation.



6.1.3 Operationalization of Devolution and Devolved Governance

To operationalize the system of devolved governance, the Commission assisted in the preparation of a number of bills such as the Urban Areas and Cities Bill, 2011, County Governments Bill, 2011, the Inter-Governmental Relations Bill, 2011, the Transition to Devolved Government Bill, 2011, and the Public Finance Management Bill, 2011. All are now enacted into law.

6.2 Alignment of Existing Legislation to the Constitution

In enhancing law reform, KLRC through the Commission reviewed existing laws to ensure conformity to the letter and the spirit of CoK, 2010. Among key laws reviewed included the Advocates Act, the Societies Act, and the National Crime Research Centre Act among others. The Commission further audited existing laws for alignment with the Constitution.

6.3 Technical Assistance to National and County Governments

KLRC assisted various Ministries, Departments and Agencies in both National and County Governments to review and develop legislation. The Commission also undertook various Projects/ Programmes in line with the Second Medium Term Plan of the Kenya Vision 2030. These efforts were in line with its mandate, functions and goals and the support was in form of:

6.3.1 Review and Drafting of Legislation

Specifically the Commission participated in the development of over 70 bills and the formulation of regulations. Key among of them include: the Marriage Bill, 2014, Movable Property Security Rights Bill, Tribunals Bill, Associations Bill, Insolvency Bill, Partnerships Bill, Computer and Cyber Crime Bill and the Land Value Index Laws (Amendment) Bill. These bills were finalized and forwarded to the Office of the Attorney General for onward transmission to the Cabinet and Parliament.

6.3.2 Public Education and Training

The Commission adopted myriad of strategies to conduct public education, training and capacity building. For instance it conducted a nationwide training of Trainers of Trainers (TToTs) on the Legislative Process in Kenya. The Guide to the Legislative Process in Kenya was developed, published and disseminated in the 47 counties by the TToTs under 12 clusters (see appendix iv). The Commission also developed and launched over 50 County Model laws in October 2016. In addition, the Commission conducted several tailor made trainings to various stakeholders: County Assembly; County Executives, National Government. Sensitization fora on the Constitution and Law Reform were also conducted using online media, public barazas and stakeholder meetings. Particularly, these trainings were on policy initiation, development and translation into bills. Overall, there has been increased knowledge of law reform among stakeholders.



6.3.3 Development and Dissemination of County Model Laws

The Commission recognized that the birth of devolution was one such milestone that required a quality legislative, policy and administrative environment. KLRC further appreciated the need to have a model legislative framework for optimum realization of the gains of devolution in the 14 County Government functions listed under the 4th Schedule to the Constitution. The Commission thus developed County model laws with an aim of providing standard legislation which would be adapted and customized to suit county specific needs. Consequently, through a comprehensive stakeholder consultation process, the “Model Laws” were subjected to a multi-stakeholder introspection and review in 2015. The Commission in collaboration with the Ministry of Devolution and Planning did launch County Model Laws in November 2016.

6.3.4 Provision of Advisory Opinions

The Commission provided professional comments and opinions on key law reform issues. Some of them include: Comments on the Auctioneers Act; Comments on the Bribery Act; Comments on the Languages of Kenya Bill and Comments on the Proposed Employment (Amendment) Act. It further offered legal opinions on some of the following topics:

- (i) Implementation of the Supreme Court Advisory on the respective roles of the Ministry of Land, Housing and Urban Development and the National Land Commission;
- (ii) Coffee Licensing regime-Roles of the Director AFFA and Governors in the coffee sector;
- (iii) Proposed amendment to the Transition to Devolved Government Act, 2012;
- (iv) The Prevention of Torture Act;
- (v) The Kenya Institute Of Curriculum Development (Amendment) Bill, 2016;
- (vi) The National Government Constituencies Development (Amendment) Bill, 2016;
- (vii) Removal of the Members of County Public Service Board; and
- (viii) Appointment of County Chief Officers.

6.4 Enhancing Public Participation Tenets in Legislative Development

Public participation principle under Article 10 of the Constitution encourages transparent debates and participation by various stakeholders. The Commission actively participated in supporting county governments develop Public Participation Bills as well as developing the National Public Participation Policy in Kenya. The Commission also promoted public participation in policy, law making and as well as other governance and reform processes.

6.5 Promotion of Good Governance and Fight against Corruption

The letter and spirit of Constitution of Kenya requires good governance, transparency and accountability in all tenets of public service. In this respect, the Commission contributed by way of drafting a number of far-reaching legislations which have since been enacted. These



include: the Anti-corruption (Amendment) Bill 2016, the Whistle-blowers Protection Bill, 2016 and the Bribery Bill, 2015. The Commission also implemented the Presidential directives on corruption by developing the National Anti-Corruption Campaign Steering Committee Bill, 2016. The on-going implementation of these pieces of legislation has impacted positively in the dispensation of justice and in the war against corruption.

6.6 Support for Kenya's Electoral Reforms

Chapter Seven (7) of the Constitution of Kenya 2010 provides for representation of the people. It broadly stipulates the general principles (Article 81) for the electoral system and specifically requires Parliament to enact legislation (Article 82) for effective management of the electoral process in Kenya. The Commission participated in the development of several bills electoral regulations and administrative procedures. Some of the bills have since been enacted into law and operationalized. Key among them include: the Elections Offences Bill, 2016 (now enacted), Elections (Amendment) Bill, 2016 and the Political Parties (Amendment) Bill, 2016. The Commission further supported the Review of the Elections Act, Review of IEBC Act, Election Regulations and the Review of Election Offences Act. These efforts were made in collaboration with other stakeholders so as to consolidate and strengthen the electoral system in Kenya in accordance with the Constitution. More specifically, the reforms facilitated the conduct of the General Elections in the year 2017.

6.7 Enhanced Institutional Capacities

6.7.1 Enhanced Staff Establishment and Capacity

The Commission was faced with inadequate technical staff owing to the need to serve 47 County and the National Governments and their MDAs. To address this challenge; the Commission recruited additional staff while some were seconded/embedded. To meet the expanding staff compliment, the Commission equally increased its infrastructural capacity and the acquisition of additional office space. Further, the Commission trained the existing and new officers. The trainings were tailored to address the knowledge gaps and to enhance staff performance and productivity and the needs of the Commission.

The Commission correspondingly finalized the preparation and revision of the necessary HR and Administrative Documents such as the Career Progression Guidelines and Code of Conduct. These were further aligned to those in the mainstream Public Service. These have assisted the Commission to facilitate proper HR practices, attract and retain skilled and qualified staff for effective implementation of the Commission's mandate.

6.7.2 Promotion of Integrity in Public Service

Internally, the Commission also made significant contributions to combat and prevent corruption, unethical practices and promote standards and best practices in governance in line with the Ethics and Anti-Corruption Commission Act No. 22 of 2011 and the Leadership and Integrity Act of 2012. This was achieved by carrying out a Risk Assessment and development



of Risk Mitigation Plan, submission of Procurement Plans to EACC, establishment of a Gift Register; and capacity building for heads of departments and staff. The Commission has also established a Corruption Prevention Committee (CPC) whose members were trained on corruption eradication. Similarly, staff were trained on risk management. To further provide leadership on anti-corruption and integrity; Commissioners signed the Mwongozo Code of Governance in the year 2016.

6.8 Notable Milestones

Partnership and Collaboration

1. Collaboration with key partners such as Parliament, defunct CIC, AG's Office, CoG especially to prepare for tabling in Parliament the law and as required by CoK, 2010;
2. Collaboration with CSOs and Development partners e.g. AHADI and IDLO, and their effect on Commission capacity and outcomes;
3. Enhanced engagement with County legislative Assemblies and with County Executives;
4. Built long term capacity building initiatives for Counties in collaboration with the County Assemblies Forum (CAF) and Development partners such as AHADI and IDLO;
5. Law reform work was conducted in the context of regional integration through the East African Community (EAC). This included legislative drafting and partnership with EAC to harmonize Kenyan laws with those of the EAC Parliament;
6. Partnered with FIDA Kenya to train County Women MCAs on legislative review for gender sensitivity;
7. Publication and dissemination of the *Guide to the Legislative Process in Kenya and County Model* laws being the first of their kind in Kenya;
8. Ongoing audit of national policy and legislation on various thematic areas e.g. health and education, which could help improve reforms; and
9. All 47 County Counsel trained on legislative drafting, especially on child-friendly legislation and others on gender policy and legislation.

Institutional Capacities

1. Growth in technical capacity by training over 8 technical staff in legislative drafting and other relevant courses;
2. Additional 12 legal officers were recruited in the reporting period: 4 in the 2015-2016 and 8 in the 2016-2017 financial years;
3. The Commission established and recruited staff for 3 new departments namely: Legal Research, Public Education and Corporate Affairs and Communications;
4. Digitalization of KLRC functions and services, leading to more effective and efficient service delivery;
5. Computers were procured for the technical and support staff to an optimum ration of ratio 1:1;



6. The Commission automated departmental systems and implemented the financial management system (ERP) linking the Accounts and Procurement units and established a Pension and Medical Scheme;
7. To facilitate knowledge exchange and learning, the Commission subscribed to e-newspapers and e-publications;
8. The Commission increased its infrastructural capacity through the acquisition of additional office space on 4th and 8th floor of Reinsurance Plaza;
9. The Commission developed a fleet management system which is awaiting its operationalization and implementation;
10. The Commission also purchased 3 Fortune vehicles and repaired 2 Prados to enhance its fleet; and
11. The Commission realized its 2013-2017 Strategic Plan goals and objectives;

PART THREE

CHALLENGES, LESSONS AND WAY FORWARD

Summary

This Part is subdivided into two chapters: Seven and Eight. Chapter Seven captures the challenges the Commission faced for the period 2013-2018 as well as in the financial year 2017/2018. It also highlights the recommendations. Chapter Eight is on lessons learnt during the periods and way forward.



CHALLENGES AND RECOMMENDATIONS

7.0 Introduction

This Chapter presents a summary of key challenges that the Commission faced in the reporting period. It further outlines specific recommendations and measures that could be employed to address the challenges. These have been clustered into general, specific and stakeholders-oriented.

7.1 Challenges

7.1.1 Operational Challenges

KLRC has a wide mandate which would not programmatically fully be met by the GoK funding. This occasioned gaps in several fronts such as: legal research and public education. It also led to inadequate implementation of the job evaluation results with regards to staff salaries thus occasioning unnecessary staff turnover.

RECOMMENDATIONS

- a) KLRC to proactively engage with Parliament and other development partners for additional funding in the underfunded programmatic areas;
- b) KLRC to enhance its staff motivation, reward and retention strategies;
- c) KLRC to continuously develop and strengthen partnerships with development partners and likeminded institutions who may offer support to the Commission in carrying out its mandate, programmes and functions;
- d) KLRC to align its activities and programs to the National agenda like the Big Four, Vision 2030 and SDGs so as to attract additional funding from GoK that is set aside for projects under these agenda;
- e) KLRC to develop a resource mobilization policy and strategy ; and
- f) KLRC to explore to possibility of increasing its Appropriation in Aid.



7.1.2 Functional Challenges

i) Effect of Omnibus legislation

In the reporting period there were instances where substantive clauses were introduced in some legislation without the knowledge of the Commission. The effect of this could be a potential inconsistency in the Statute Book and with the spirit and letter of the Constitution.

RECOMMENDATIONS

- a) KLRC to lobby to be included in the consultation processes by Parliament on any relevant amendments;
- b) KLRC to be proactive in exercising its mandate;
- c) KLRC to set out guidelines of reviewing omnibus legislation in conjunction with the Office of the Attorney General and other institutions mandated to carry out the law reform function.

ii) Supremacy Battles among various institutions

During the initial stages of the transition period of constitutional implementation, there were power and functional conflicts in the key institutions and organs charged with implementation such as Senate vs. National Assembly; County Assembly vs. Governors; National Assembly vs. Governors and the converse was true. This delayed implementation of devolution and even subsequent development of relevant legislation.

RECOMMENDATIONS

- a) Relevant agencies to be sensitized on their various roles in law reform so as to forestall duplicity of processes; and
- b) KLRC to proactively engage MDAs and other stakeholders so as to receive advance notice of upcoming legislative work.

iii) Inadequate Legislative Drafting Capacity in Kenya

There was the need to support all the 47 county governments in the development and review of bills and policy frameworks. However, this required specialized drafting skill was inadequate owing to the huge demand for this service. KLRC was thus overstretched and had to consider offering short training courses to relevant officers. This also later proved inadequate as these officers were sometimes transferred or re-employed elsewhere.

RECOMMENDATIONS

- a) KLRC to proactively engage with stakeholders such as County Assemblies, County Executives and so as to develop the needed capacity; and
- b) KLRC to develop and disseminate a legislative drafting manual that will aid in training of legislative drafters.

iv) Unrealistic Stakeholders' and Public Expectations

KLRC faced unrealistic stakeholders' and public expectations on the outcomes and impact of



its work especially with regards to the realization of justice and eradication of corruption due to its misunderstood mandate and low visibility.

RECOMMENDATIONS:

- a) KLRC to facilitate effective stakeholder engagement and public education for an understanding of its mandate and appreciation of the principles of law reform in the context of the Constitution;
- b) KLRC to update stakeholders on the existence of its feedback mechanisms and a complaints referral mechanism for quick resolutions; and
- c) KLRC to enhance its corporate image and visibility to its stakeholders and communicate its vision and mandate using appropriate channels and fora.

v) Attempts to amend the KLRC Act No. 19 of 2013

There were attempts to amend the KLRC Act. The amendments were twice tabled in the National Assembly without the knowledge of the Commission. Had they sailed through, they would have threatened the independence and functional autonomy of the Commission.

RECOMMENDATIONS:

Relevant agencies to support KLRC in its work and statute amendments be accommodated only in enhancement of law reform;

vi) Inadequate Law Reform Capacity

The promulgation of the Constitution in 2010 occasioned the need for heightened law reform in several fronts: policy, legislative, administrative and constitutional reforms. However, capacity both human and technical in the area has not correlated effectively to match this demand. Further, those tasked with legislative and law reform work both in the National and County Governments keep changing with every electoral cycle.

RECOMMENDATIONS:

- a) Parliament to consider allocation of additional resources for improving the technical and human capacity of the agencies tasked with law reform; and
- b) Relevant development partners be approached so as to help in building the capacity of relevant law reform players;



LESSONS LEARNT AND WAY FORWARD

8.0 Introduction

This Chapter contains a summary of the Commission's strategic objectives for the period 2013-2017; Lessons learnt and Way Forward. These lessons also applied to the financial year 2017/18.

8.1 Summary of the Commission's Strategic Objectives

This report is the last in the current Commission's life-span 2013-2018. In the reporting period; the Commission worked tirelessly towards the realization of the strategic goals and objectives. The specific objectives of the Commission were to:

1. To facilitate preparation of legislation required to implement the Constitution;
2. To facilitate development and review of legislation required for the successful implementation of the Medium Term Plan;
3. To facilitate reform of the Law, Policies, Regulations and Administrative Procedures to conform to the Constitution and the Medium Term Plan; and
4. To enhance requisite institutional capacities for effective delivery of the Commission's mandate.

8.2 Lessons Learnt and Way Forward

The following were the key lessons learnt by the Commission in the reporting period:

8.2.1 Law Reform as a cornerstone of Kenya's social, economic and political well-being

Law Reform is at the center of people's social, political and economic well-being. As such, law reform players need to exercise this power and privilege with caution and in constant consideration of the people's needs. Additionally, National and County Governments need more collaboration, consultation and co-ordination for effective service delivery. KLRC on



its part will endeavor to conduct research targeted at explaining the people's needs for meaningful law reform.

8.2.2 Proactive Public Participation and Civic Education in Law Reform

Public participation is one of the critical values and principles of governance enshrined in the Constitution. The full realization of this principle occasions meaningful law reform and actuates self-governance by and of the people. KLRC will remain proactive in enhancing civic education in the realm of law reform.

8.3 Conclusion

This Report captured the Commissions achievements in the reporting period. With notable milestones and success stories, the Report presents challenges but with rich prospects for enhanced law reform in Kenya. While tremendous success is documented, a number of gaps in existing monitoring and evaluation reports point to the need for strategic and increased financing of law reform in Kenya. The Commission is pleased to have lived to its vision of being a vibrant agency for responsive law reform and its mission of facilitating law reform conducive to social, economic and political development.



APPENDICES

Appendix I: List of Bills Reviewed during the FY 2017/18

- (i) Draft Kenya Food and Drugs Authority Bill, 2017
- (ii) Draft National Volunteerism Bill, 2018
- (iii) Draft Victim Protection (Amendment) Bill, 2018
- (iv) Draft Group Registration Bill, 2018
- (v) Draft Social Protection Bill, 2018
- (vi) Draft Older Persons Bill, 2018
- (vii) Draft Social Assistance Authority Bill, 2018
- (viii) Draft Culture Bill, 2018
- (ix) Review the Kenya Medical Training College Act
- (x) The Data Protection Bill, 2018
- (xi) The Employment (Amendment) Bill, 2018
- (xii) Draft Museum Bill, 2018
- (xiii) The Insolvency (Amendment) Bill, 2017
- (xiv) The Community Groups (Registration) Bill, 2018
- (xv) The Intergovernmental Relations (Amendment) Bill, 2018
- (xvi) The County Attorney Bill, 2018
- (xvii) The Statute Law (Miscellaneous Amendment) Bill, 2018
- (xviii) Report on the review of the National Employment Authority Act, 2016



Appendix II: List of Regulations Developed during the FY 2017/18

- (i) Regulations on the Land Act, 2017;
- (ii) Regulations on the Land Registration Act, 2017;
- (iii) Regulations on the Community Land Act, 2017
- (iv) Regulations under the Firearms Act, 2017
- (v) Regulations of the Victim Protection Act, 2014
- (vi) Developed a handbook on Police Reforms, 2017
- (vii) Prepared Popular version of the Political Parties Act, 2017
- (viii) Review of the Supreme Court (Presidential Election Petition) Rules, 2017
- (ix) Review of the Elections (Parliamentary and County Elections) Petition Rules, 2016
- (x) Development of the Court of Appeal (Election Petition) Rules, 2017
- (xi) Development of the Political Parties Dispute Tribunal Regulations, 2017
- (xii) Elections (Party Primaries and Party Lists) Regulations, 2017
- (xiii) Election (Voter Education) Regulations, 2017
- (xiv) Elections (Technology) Regulations, 2017
- (xv) Election (Voter Registration)(Amendment) Regulations, 2017
- (xvi) Election (General) Regulations) (Amendment) Regulations, 2017
- (xvii) The Insolvency (Amendment) Regulations, 2017
- (xviii) The Controller of Budget Regulations, 2018.



Appendix III: List of County Legislation Reviewed and Developed

- (i) Review of the Busia County Co-operative Development Fund Act
- (ii) Development of the Busia County Co-operative Enterprise Development Fund Regulations, 2018
- (iii) Nairobi County Revenue Administration Bill, 2018
- (iv) The Nairobi County Licensing Bill, 2018
- (v) The Kajiado County Inspectorate Bill, 2018
- (vi) The Nyamira County Water services Bill 2018
- (vii) The Meru County Agriculture Bill, 2018
- (viii) Nyamira County Co-operative Development Fund Regulations, 2018
- (ix) Kericho County Co-operatives Regulations, 2018
- (x) Kericho County Trade Licenses Regulations, 2018
- (xi) Trans-Nzoia County Mortgage Regulations, 2018
- (xii) Bomet Car Loan Regulations, 2018
- (xiii) Trans-Nzoia Car Loan Regulations, 2018
- (xiv) Tharaka Nithi County Assembly Fund Regulations, 2017



Appendix IV: List of Counties and Clusters visited during the Dissemination of the Guide

CLUSTER (REGION)	COUNTIES	VENUE	DATES
Lower Eastern (PILOT)	1. Makueni 2. Machakos 3. Kitui 4. Embu	Machakos	1st- 4th August, 2016
South Nyanza	5. Kisii 6. Nyamira 7. Migori	Kisii	9th-11th August, 2016
South Rift	8. Kericho 9. Bomet 10. Narok 11. Kajjado	Kericho	16th - 18th August, 2016
North Nyanza	12. Kisumu, 13. Homabay, 14. Siaya	Kisumu	12th -14th September, 2016
Western	15. Bungoma 16. Kakamega 17. Vihiga 18. Busia	Bungoma	31st August to 2nd September, 2016
Coast	19. Kwale 20. Mombasa 21. Kilifi 22. Tanariver 23. Lamu 24. Taita Taveta	Kwale	5th -7th September, 2016
North Rift	25. Turkana 26. West Pokot, 27. Trans-Nzoia 28. Uasin Gishu 29. Elgeyo Marakwet	Turkana	21st -23rd September, 2016
North Eastern	30. Garissa 31. Mandera 32. Wajir	Nakuru	27th – 30th March, 2017
Central Rift	33. Samburu 34. Nandi 35. Baringo 36. Laikipia 37. Nakuru	Nakuru	27th – 30th March, 2017
Upper Eastern	38. Marsabit 39. Isiolo 40. Meru 41. Tharaka Nithi	Marsabit	27th – 30th March, 2017
Central	42. Nyandarua 43. Nyeri 44. Kirinyaga 45. Muranga 46. Kiambu 47. Nairobi	Nyandarua	27th – 30th March, 2017



Appendix V: List of Development Partners

1. International Law Development Organization (IDLO) (Technical Support);
2. USAID Agile Harmonized Assistance for Devolved Institutions (AHADI) - Dissemination of the Guide and Development of the National Public Participation Policy championed by the AG;
3. United Nations Development Program (UNDP) - Provision of technical support to Arid and semi-Arid Counties in Developing Disaster Management Policies and Legislation;
4. United States Agency for International Development (USAID);
5. Institute for Economic Affairs (IEA-Kenya) (Partners in research for Evaluation of the Fifth Schedule legislation and penal legislation).



Appendix VI: Institutions that participated in the validation of this report

1. The Judiciary- Performance Management Department
2. Controller of Budget
3. Kenya School of Law
4. National Assembly
5. Law Society of Kenya
6. FIDA-Kenya
7. National Treasury
8. Commission on Administrative Justice
9. Ethics and Anti-Corruption Commission
10. Salaries and Remuneration Commission
11. Ministry of Devolution and Planning
12. Council of Governors
13. Kenya National Commission on Human Rights
14. Public Service Commission
15. ICJ-Kenya
16. SOCATT
17. Kenya Editors Guild
18. Office of the Attorney General and Department of Justice
19. USAID/AHADI
20. IDLO



Appendix VII: Profile of the Commissioners



Mr. Mbage N. Ng'ang'a
Chairman, KLRC

Mr. Mbage N. Ng'ang'a is the Chairman, Kenya Law Reform Commission. He is an Advocate of the High Court of Kenya and a CPS (K). He is a former Chairman of the Energy Tribunal, Kenya. He holds a Master of Law degree in International Business Law from the University of London. He also has Masters of Science in Agricultural Development from the same University. Mr. Mbage Ng'ang'a holds a Bachelor of Laws from the University of Nairobi. He was until his appointment to the Commission a Senior Partner, Waruhiu and K'owade and Ng'ang'a Advocates, Nairobi in Kenya. As a member of Law society of Kenya, he has served in various Committees of the Law Society of Kenya including being a Convener of the Property Law, Conveyance and Land Reform Committee.



Ms. Doreen Muthaura
Vice-Chairperson, KLRC

Ms. Doreen Muthaura is the Vice-Chairperson, Kenya Law Reform Commission. She holds a Master of Laws (LL.M) in Advanced Legislative Studies. Bachelors of Laws (LLB), a Postgraduate Diploma in Legal Studies, a Certificate in Legislative Drafting from RIPA International-London, Certificate in Evidence Based Policy Making and Certificate in Policy Formulation and Implementation. She worked as a Principal Program Officer – Legislative Drafting, a Senior Program Officer and a Researcher at the Commission for the Implementation of the Constitution and as a Parliamentary Counsel in Legislative Drafting Department- Office of the Attorney-General (State Law Office). She has trained legal officers, County Officials amongst others on Legislative Drafting, policy formulation and Law Reform at the Kenya School of Law. She drafted, in collaboration with others,

the first ever Guide to the Legislative Process in Kenya (Published). She has drafted several policies, Regulations, Rules and other legal and administrative instruments. She has drafted and reviewed various Bills (now Acts of Parliament) to implement the Constitution of Kenya. She has drafted several County Governments Bills. She has contributed heavily in legal drafting, law reform and Constitution implementation. Ms. Doreen Muthaura is a member of the Commonwealth Association of Legislative Counsel (CALC); member of the Law Society of Kenya, member of the Federation International De Abogadas (FIDA- Kenya) and a Chevening Scholar Alumni. She has participated in several task teams and Committees on Law Reform matters.



Ms. Njoki Kahiga, HSC,OGW
Commissioner, KLRC

Ms. Njoki Kahiga is a Commissioner at the Kenya Law Reform Commission. She holds a Master of Science in Human Resource Management degree from Salford University, UK and a Bachelor of Education (B.ed) degree from the University of Nairobi. She is a certified professional mediator and has also trained in Advanced Management Programme – IESE Business School, University of Navara, Corporate Governance Course – Institute of Corporate Governance, Advanced Training of Trainers - USAID and Strategic Negotiations in the Public Sector – Jamaica.

Prior to joining the Commission, Ms. Kahiga was a career civil servant where she rose through the ranks to the position of Ag. Permanent Secretary in the Ministry of State for Public Service. She is a member of Kenya Institute of Management,

Kenya Association of Public Administration and Management (KAPAM) and an honorary fellow of the Institute of Certified Public Secretaries of Kenya (ICPSK).



Ms. Ruth Kirwa
Commissioner, KLRC

Commissioner Ruth Kirwa is an Advocate of the High Court and Commissioner for Oaths and also serves as the University Secretary at the Technical University of Kenya. She draws a vast wealth of experience having previously consulted with: the Africa Nazarene University, Kenya, Messrs' Kalya & Co Advocates, Eldoret. She was a Research Fellow at the Moi University, Kenya- School of Environmental Studies and taught at the University of Nairobi, Kenya- Faculty of Law as well as tutoring at the Kenya School of Law. Other roles that she performs include but not limited to being; a Lead Expert with the National Environmental Management Authority (NEMA) in conducting Environmental Impact Assessments (EIAs); an Auditor and Implementer of the International Standardization 9001:2008 (ISO). She holds a Masters in

Law (LLM) (Corporate Law and Finance); Bachelor of Law (LLB) (Upper Second Class) and a Diploma in Law from the Kenya School of Law. She is also trained in Legislative Drafting from the Kenya School of Law and Intellectual Property Rights: Patent Drafting from the Kenya Industrial Property Institute (KIPI), Kenya. Other professional affiliations include: Federation of Kenyan Employers (FKE), The Institute of Certified Public Secretaries and the Chartered Institute of Arbitrators. She additionally was assisting as a volunteer lawyer for the Kituo cha Sheria and lately has provided pro bono services to the Child Welfare of Kenya.



Mr. Apollo Mboya, HSC
Commissioner, KLRC

Mr. Apollo Mboya, HSC, is a Commissioner of the Kenya Law Reform Commission. He holds a Bachelor of Arts (Political Science & History), LL.B and Masters of Arts degrees in International Studies (Diplomacy & International Relations). He is a holder of a Diploma in Law from Kenya School of Law, Post Graduate Diploma in Human Rights from the Institute of Social Studies (The Hague); Security Studies from the National Defence College, Nairobi. He worked as a specialist with the United Nations Development Programme. He also worked as a State Counsel in the Department of Treaties and Agreements, Office of the Attorney-General. He previously served as Secretary/CEO, Law Society of Kenya. He is a member of the Institute of Certified Public Secretaries of Kenya, International Commission of Jurists, East African Law Society, Commonwealth Lawyers Association and Outreach Official of the International Bar Association (Africa Region) and a Certified Professional Mediator, Mediation Training Institute.



Mary M. Wairagu
Commissioner, KLRC

Mrs. Mary Wairagu is an Advocate of the High Court of Kenya and a Commissioner for Oaths and a Notary Public having been admitted to the Bar on 19th December 1991. She has an LLB degree Second Class Honours Upper Division from the University of Nairobi (1990), and also a Post graduate Diploma in Law, Kenya School of Law, (1991). Mary Wairagu has Post graduate Diplomas in Gender and Human Rights, Legislative Drafting (Parliament of India, 2012) and Strategic Leadership Development Programme, (SLDP), Kenya School of Government, (2011), Governance, Ethics and Anticorruption Reforms, ESAMI, (2009) Corporate Governance and Ethics Strategies (Commonwealth Training) (2009) Uppsala University, Sweden, (2008).



Ms. Linda Murila
Commissioner (Ex-Officio)

Ms. Linda Musilivi Murila is a Commissioner (Ex-Officio) of the Kenya Law Reform Commission. She holds an LL. B (Hons) degree from the University of Nairobi, Faculty of Law. She has a Diploma (Law) from the Kenya School of Law, Advanced Diploma in Legislative Drafting from the University of West Indies, Barbados. She was a member of the drafting team, Proposed Constitution of Kenya, Multi Sectoral Constitutional Review Committee, Member of the Technical Team to Review laws relating to elections, member of the Task Force on the review of Health and Health Related Acts, drafts person to the Inter-parties Parliamentary Group on Constitutional Reforms, member of various taskforces including taskforces to review