

COMMISSION FOR UNIVERSITY EDUCATION

Credit Accumulation and Transfer System Bachelor of Laws

June 2013

CREDIT ACCUMULATION AND TRANSFER SYSTEM
BACHELOR OF LAWS

Commission for University Education
Nairobi, Kenya, June 2013

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TABLE OF CONTENTS

FOREWORD	iv
LIST OF PARTICIPATING INSTITUTIONS	v
DEFINITIONS.....	vi
ABBREVIATIONS AND ACRONYMS	vii
LIST OF STATUTES	viii
1. PROGRAMME TITLE.....	9
2. INTRODUCTION TO THE BACHELOR OF LAWS PROGRAMME	9
3. OVERALL GOAL OF THE PROGRAMME	11
4. MINIMUM ADMISSION REQUIREMENTS	11
5. ACADEMIC STRUCTURE OF THE PROGRAMME	12
6. GRADING OF COURSES	13
7. MINIMUM CREDIT TRANSFER REQUIREMENTS.....	13
8. OVERALL LEARNING OUTCOMES OF THE LAW PROGRAMME.....	16
9. CORE COURSES LEARNING OUTCOMES	20
10. REGULATION OF LEGAL EDUCATION BY PROFESSIONAL STATUTORY BODIES AND CORE LAW SUBJECTS	20
11. PROGRAMME STRUCTURE/MATRIX.....	23
12. COURSE DESCRIPTIONS.....	25
Legal Research and Writing.....	25
Legal Systems and Methods	26
Principles of the Law of Torts	27
Torts	28
Principles of the Law of Contracts.....	29
Enforcement of Contracts	30

Constitutional Theory	32
Constitutional Process.....	33
Principles of Criminal Law	34
Crimes	35
Principles of Evidence	36
Procedures and Practice in Evidence	38
Sale of Goods and Agency Law (Commercial Law I).....	39
Bankruptcy, Hire Purchase and Commercial Securities Law (Commercial Law II) ...	40
Administrative Law	41
Equity	42
The Law of Trusts	43
Property Theory	44
Land Law	45
Judicial Attachment	47
Jurisprudence	48
Public International Law	49
Company Law	50
Partnerships and Co-Operatives Law.....	51
Family Law	53
Law of Succession	54
Labour Law	55
Professional Ethics and Responsibility	57
Intellectual Property Law.....	58
East African Community Law	60
Dissertation	61
Principles of Civil Procedure	62

Civil Procedure and Practice.....	63
Criminal Procedure	65
13. PROGRAMME STRUCTURE/MATRIX.....	67
14. ELECTIVE COURSES LEARNING OUTCOMES	69
APPENDIX 1.0: REQUISITE AND RECOMMENDED FACILITIES FOR MOUNTING A LAW DEGREE PROGRAMME.....	72
APPENDIX 2.0: VARIOUS TEACHING AND LEARNING METHODOLOGIES	
PROPRIATE FOR LAW SCHOOLS.....	74
APPENDIX 3.0: RECOMMENDED LIST OF CORE TEXTS FOR CORE	
COURSES/UNITS.....	82
APPENDIX 4.0: ASSESMENT METHODS	88
APPENDIX 5.0: RECOMMENDED TEMPLATE FOR COURSE DESCRIPTION	92
APPENDIX 6.0: RECOMMENDED TEMPLATE FOR COURSE OUTLINE – WEEKLY BASIS	97

FOREWORD

Over the years, the world has become a global village. Globalization has led to increased migration of human resource from one region to another. This phenomenon has also affected the education sector and there is now cross-border education that has been expanding over the years. Mobility of students from one education institution to another has become imperative, thus resulting in the need for recognition and transfer of credits earned in various educational institutions, within and across the countries. This has made it critically important to develop measures for recognizing and transferring credits, consequently leading to the formation of credit systems all over the world.

In East Africa, the process of development of minimum standards for purposes of accumulation and transfer of credits and promotion of similar competencies among the graduates of comparable academic programmes offered in the universities of the region was initiated in 2006 by the three higher education regulatory agencies of the National Council for Higher Education (NCHE), Uganda; Tanzania Commission for Universities (TCU), Tanzania; and the then Commission for Higher Education (CHE), Kenya. The regional project on Credit Accumulation and Transfers Systems (CATS), which was funded by the Rockefeller Foundation, took place between 2007 and 2009. Subsequent phases of the project have been national-based.

In Kenya, the CATS project, which is carried out in phases, has since its inception, witnessed the development of nationally adopted minimum standards for seventeen (17) academic programmes offered in the universities of the country. During the fourth phase of the project (2012-2013), the Commission, in collaboration with the universities, embarked in the drafting of minimum standards for *Bachelor of Laws* and *Master of Business Administration* programmes. The drafts were extensively discussed by experts in the two fields of study and adopted at a national stakeholders' workshop. The fourth phase of the project has therefore culminated in the publication of the national minimum standards for **Bachelor of Laws** programmes in Kenya as hereby presented.

The Commission shall endeavor to facilitate the development of national minimum standards for all academic programmes offered in universities in the country. The continuation of this exercise is vital to the development of common frames of academic programme that are universally understood, comparable and transferable. It is only from such frames that reference can be made to a developed qualifications' framework. We look forward to continued support from partners and stakeholders in this ongoing venture.

Prof David K. Some

Commission Secretary/CEO

Commission for Higher Education

Nairobi, Kenya

LIST OF PARTICIPATING INSTITUTIONS

No.	Institution	Name of Participants
1.	Africa Nazarene University	Dr. Tom Kabau
2.	Jomo Kenyatta University of Agriculture and Technology	Mr. Elijah Oluoch Asher's
3.	Kabarak University	Ms. Mercy Mutheu Muendo
4.	Kenyatta University	Dr. Linda Musumba
5.	Kenyatta University	Mr. Nzuki Mwinzi
6.	Masinde Muliro University	Mr. Francis Kaburu
7.	Moi University	Mr. Josphat Ayamunda
8.	Strathmore University	Dr. Luis Franceschi
9.	Strathmore University	Dr. Elizabeth Gachenga

DEFINITIONS

For purposes of this programme the following definitions apply:

- Course unit: A course unit is equivalent to three (3) credits which is also equivalent to forty five (45) lecture hours;
- Credit accumulation: Means the system of recognition of grades obtained by students in units the studies for which were undertaken in other institutions;
- Credit: Means the equivalent of fifteen lecture hours;
- Credit transfer: Denotes the recognition and assumption by an institution of grades attained by a student in studies in a unit or units undertaken in other institutions and the use thereof in the aggregation of the final grade;
- Credit: A credit is equivalent to fifteen (15) lecture hours;
- Exemption: Means the exemption of a student from undertaking studies in a unit or units offered by an institution, the content of the unit or units having been covered in studies in another institution, although the grades attained in the latter institution shall not be used in the aggregation of the student's final grade;
- Lecture hour: A lecture hour is equivalent to one (1) contact hour of lectures or two (2) hours of tutorial or three (3) hours of practical work

ABBREVIATIONS AND ACRONYMS

CATS	Credit Accumulation and Transfer System
CHE	Commission for Higher Education
CLE	Council of Legal Education
CUE	Commission for University Education
JSD	Doctor of Juridical Science
KACE	Kenya Advanced Certificate of Education
KCSE	Kenya Certificate of Secondary Education
LL.B	Bachelor of Laws
LL.D	Doctor of Laws
LL.M	Master of Laws
Ph.D	Doctor of Philosophy

LIST OF STATUTES

1. The Constitution of Kenya
2. The Universities Act 2012
3. Legal Education Act 2012
4. Kenya School of Law Act 2012

1. PROGRAMME TITLE

The programme is titled ‘the Bachelor of Laws,’ and abbreviated as ‘(LL.B).’

2. INTRODUCTION TO THE BACHELOR OF LAWS PROGRAMME

The Bachelor of Laws degree is an academic qualification conferred for studies in law. It generally prepares a person for legal careers but it does not confer a licence to practise law (that is, it does not render the holder an Advocate of the High Court of Kenya). In such a programme of study, a person seeks to obtain a deeper understanding of the nature of law, of legal reasoning, legal systems and of legal institutions. The programme engages the meanings, values, practices, and institutions of law and legality. As such, studying law develops a person’s understanding of the levers of power in society and enhances his/her rigour, thoughtfulness, adaptability, and clarity of thought and expression. The programme is therefore designed to ensure strong emphasis on analytical skills, problem solving and communication.

The provision of legal education in Kenya is governed by two regulatory frameworks. These are the Commission for University Education (CUE) and the Council of Legal Education (CLE). The Commission for University Education is established under the Universities Act of 2012 and its functions are outlined under Section 5 as being to: ‘(a) promote the objectives of university education; (b) advise the Cabinet Secretary on policy relating to university education; (c) promote, set standards and assure relevance in the quality of university education; (d) monitor and evaluate the state of university education systems in relation to the national development goals; (e) licence any student recruitment agencies operating in Kenya and any activities by foreign institutions; (f) develop policy for criteria and requirements for admission to universities; (g) recognize and equate degrees, diplomas and certificates conferred or awarded by foreign universities and institutions in accordance with the standards and guidelines set by the Commission from time to time; (h) undertake or cause to be undertaken, regular inspections, monitoring and evaluation of universities to ensure compliance with set standards and guidelines; (i) collect, disseminate and maintain data on university education; (j) accredit universities in Kenya; (k) regulate university education in Kenya; (l) accredit and inspect university programme in Kenya; (m) promote quality research and innovation, and; (n) perform such other functions and exercise such other

powers as the Commission may deem necessary for the proper discharge of its mandate under this Act.’ Furthermore, Section 5(3) of the Universities Act of 2012 provides that ‘for the avoidance of doubt, save as may be provided for under any other written law, the Commission shall be the only body with the power to perform the functions set out in this section.’

Under the Legal Education Act of 2012, the mandate of the Council of Legal Education as provided in Section 8 of the Act shall be: to regulate legal education and training in Kenya; to license legal education providers; supervise legal education providers; and to advise the Government on matters relating to legal education and training. The Act further provides that the CLE is responsible for setting and enforcing standards on accreditation of legal education providers, curricula and mode of instruction, mode and quality of examinations, and harmonization of legal education programmes. In addition, the Act grants CLE the role of evaluating and monitoring legal education providers and training programmes. Further, the Legal Education Act explicitly provides, under Section 8(4), that ‘Where any conflict arises between the provisions of this section and the provisions of any other written law for the time being in force, the provisions of this section shall prevail.’

From the foregoing, it is clear that any institution desirous of offering the Bachelor of Laws degree must satisfy the requirements of the CUE, which is responsible for accrediting Universities in Kenya, and the CLE, which is responsible for accreditation of the LL.B programme in institutions offering or desirous of offering the same. Such institutions are, therefore, advised to contact both the CUE and CLE at the outset.

The CUE, which is the successor of the Commission for Higher Education (CHE), initiated the Credit Accumulation and Transfer System (CATS) project for the Bachelor of Laws programme. This project was aimed at facilitating integration and harmonization of similar academic programmes and promoting mobility of students across institutions of university education. It also aimed at providing a model of attributing credits that link diploma awarding institutions with universities.

The outcome of the project was this report, which provides the minimum standards for credit accumulation and transfer for the Bachelor of Laws degree. The recommendations in this report have been drawn from the expertise and experiences of the experts in the academic

fields, and they take into account current trends at national, regional and international levels and relevant market dynamics.

2.1. METHODOLOGY

The drafting of the LL.B programme Credit Accumulation and Transfer System was a joint effort involving the Commission for University Education, various public and private universities offering law programmes and relevant stakeholders. The CATS project involved a series of meetings and drafting workshops towards the end of 2012 and in early 2013. Participants from various universities were allocated specific tasks which were discussed and refined during meetings held at Strathmore University and Kenyatta University. A drafting workshop was then held from 18th to 20th March 2013 at the Kenya School of Monetary Studies which included representatives of the various universities and CUE. A stakeholders' workshop was then held on 15th April 2013 at the Kenya School of Monetary Studies for purposes of deliberating on and ratifying the minimum standards. The participants at the workshop included some members of the drafting committee, representatives of CUE and relevant stakeholders.

3. OVERALL GOAL OF THE PROGRAMME

The Bachelor of Laws degree programme aims at training and eventually producing law graduates who have sound ethical and professional values, as well as the national values enshrined in the Constitution of Kenya. They should also be able to critically, analytically and independently search for and formulate legal solutions for the social, economic and political issues arising in a dynamic local, regional and international context.

4. MINIMUM ADMISSION REQUIREMENTS

- a) Kenya Certificate of Secondary Education (KCSE) mean grade of C+ and a grade of B (plain) in English or equivalent qualification, or
- b) Kenya Advanced Certificate of Education (KACE) certificate with a minimum of two principal passes of at least grade (C) in Literature, and any of the following: History, Geography, Christian Religious Education and Economics; and a subsidiary in the General Paper, or

- c) A Two Year Diploma in Law with at least a credit pass from a recognised institution, with a minimum grade of C in the Kenya Certificate of Secondary Education (KCSE) and a minimum C+(plus) grade in English or equivalent qualification, or
- d) A degree from an institution recognised by the Commission for University Education with a minimum of grade B (plain) in English at the Kenya Certificate of Secondary Education or equivalent qualification

5. ACADEMIC STRUCTURE OF THE PROGRAMME

5.1. ACADEMIC YEARS

The minimum duration of the Bachelor of Laws degree programme shall be four academic years or the time required to complete the total number of credit hours allocated to the core courses.

5.2. DEFINITION OF CREDIT HOURS AND LECTURE HOURS

For purposes of this section, the following definitions apply:

- a) **Lecture hour:** one lecture hour is equivalent to one (1) class contact hour with the lecturer or two (2) tutorial hours or three (3) hours of practical work;
- b) **Credit:** a credit is equivalent to fifteen (15) lecture hours;
- c) **Course unit:** a unit is equivalent to three (3) credits, that is, forty -five (45) lecture hours.

5.3. MINIMUM CREDIT/LECTURE HOURS FOR THE PROGRAMME

The programme shall consist of at least fifty (50) units. These translate into at least 2250 lecture hours.

5.4. CLASSIFICATION OF DEGREES

The degree shall be classified as follows, using the overall average mark

Overall Average Mark	Degree Classification	GPA
70% and above	First Class Honours	4.0
60% - below 70%	Second Class Honours (Upper Division)	3.0
50% - below 60%	Second Class Honours (Lower Division)	2.0
40% - below 50%	Pass	1.0
Below 40%	Fail	0.0

6. GRADING OF COURSES

Each unit shall be graded out of 100 marks and the pass mark is 40 marks. The marks shall be translated into letter grades or GPA as below.

Marks	Grade	GPA
70% and above	A	4.0
60% to below 70%	B	3.0
50% to below 60%	C	2.0
40% to below 50%	D	1.0
Below 40%	E	0

7. MINIMUM CREDIT TRANSFER REQUIREMENTS

7.1. GENERAL RULES ON TRANSFER OF CREDIT AND EXEMPTIONS

A person may apply for transfer of credit or exemptions at the same level of legal education. No credits are transferable nor may exemptions be granted at degree level for any course unit undertaken at diploma level.

7.2. MAXIMUM EXEMPTIONS AND CREDIT TRANSFERS

No transfer of credits or exemptions may be granted for more than forty-nine (49) per cent of the total required course units for the whole programme at diploma or degree level.

7.3. ELIGIBILITY FOR CREDIT TRANSFERS OR EXEMPTIONS

Persons admitted into a diploma or degree programme may at the same level apply for credit transfer or exemption from particular course units taken in institutions recognised by the Commission for University Education subject to the conditions in this part.

7.3.1. TRANSFER OF CREDITS FOR DIPLOMA IN LAW

- a) The applicant shall have followed a course of instruction in a similar course unit or units at the same level for at least the minimum contact hours and passed examinations by attaining at least grade C or equivalent;
- b) The Commission for University Education may equate grades for the purposes of credit transfer from institutions in non-English based education systems.

7.3.2. TRANSFER OF CREDITS FOR BACHELOR OF LAWS DEGREE

- a) The applicant shall have followed a course of instruction in a similar course unit or units at the same level for at least the minimum contact hours and passed examinations by attaining at least grade C or equivalent;
- b) The Commission for University Education may equate grades for the purposes of credit transfer from institutions of higher learning in non-English based education systems.

7.3.3. EXEMPTIONS FOR DIPLOMA IN LAW

- a) The applicant has followed the prescribed course of instruction in the relevant course unit or course units for at least the minimum required contact hours and passed the applicable examination or examinations at an institution recognized by the Commission for University Education by attaining at least a grade C or equivalent; or
- b) The applicant has followed a course of instruction in a subject or subjects which subsumes the content of the relevant course unit or units for at least the minimum contact hours and passed the applicable examination or

examinations in respect of the whole subject or subjects taken at an institution recognized by the Commission for University Education by attaining at least a grade C or equivalent; or

- c) The applicant has passed a law examination in a course unit or units, other than a core unit, administered by a recognized professional body of repute by attaining at least a grade C or equivalent, and based on a curriculum the content of which is not less exhaustive than that of the relevant unit or units at the university.

7.3.4. EXEMPTIONS FOR BACHELOR OF LAWS DEGREE

- a) A person who has followed the prescribed course of instruction in the relevant course unit or course units for at least the minimum required contact hours and passed the applicable examination or examinations at a university recognized by the Commission for University Education by attaining at least a grade C or equivalent; or
- b) A person who has followed a course of instruction in a subject or subjects which subsumes the content of the relevant course unit or units for at least the minimum contact hours and passed the applicable examination or examinations in respect of the whole subject or subjects taken at university or other institution of higher learning recognized by the Commission for University Education by attaining at least a grade C or equivalent; or
- c) A person who has passed a law examination in a course unit or units, other than a core unit, administered by a recognized professional body of repute by attaining at least a grade B or equivalent, and based on a curriculum the content of which is not less exhaustive than that of the relevant unit or units at the university.

7.3.5. ASSESSMENT OF ELIGIBILITY

- a) For purposes of determining eligibility for transfer of credits or exemptions an applicant shall submit the following documents:
 - i. Official transcripts of the applicant, and
 - ii. Course outline in English (or official English translation) clearly showing the name of the institution and instructor, subject

coverage on a week by week basis verified by the institution and containing the following additional details:

- Course title and code;
- Number of lecture hours;
- Number of credit units;
- Grading system;
- Grading scale

- b) An institution may at its discretion subject any applicant to internal examinations for purposes of assessing eligibility for credit transfer or exemption.

8. OVERALL LEARNING OUTCOMES OF THE LAW PROGRAMME

By the end of the LL.B program, a law student should have acquired some knowledge, skills, experience, attitude, and professional etiquette by virtue of the various courses and training activities they should have been exposed to. For clarity, the foregoing indicators are briefly explained below:-

- a) **Knowledge:** refers to courses and learning activities that provide information concerning the nature of various legal rules, including their generation, implementation and enforcement. Knowledge may be on substantive and procedural issues concerning the relevant legal rules, and it may include skill, experience, attitude and professional etiquette issues;
- b) **Skills:** refers to courses that endow students with the capacity to practice law competently in various professional settings, which may be within or outside of the court system;
- c) **Experience:** refers to courses that provide students with an opportunity to have a practical contact with various legal practice procedures;
- d) **Attitude:** refers to law courses that help nurture, in a student, a progressive and positive way of viewing and advocating the role of law, lawyers and legal institutions in society;

- e) **Professional etiquette:** refers to courses and activities that provide students with the opportunity to learn the customary code of conduct of legal professionals in various settings *e.g.* courtroom etiquette.

More specifically, following completion of the LL.B degree programme, a law student should be able to exhibit the following traits, which for ease of reference are divided into six broad areas that are further discussed below:

8.1. LEARNING OUTCOME 1 - KNOWLEDGE

Graduates of the Bachelor of Laws degree will demonstrate an understanding of a coherent body of knowledge that includes:-

- a) the fundamental areas of legal knowledge, the Kenyan legal system, and underlying principles and concepts, including international and comparative contexts;
- b) the broader social, economic and political contexts within which legal issues arise; and
- c) the principles and values of justice and of ethical practice in lawyers' roles.

8.2. LEARNING OUTCOME 2 - ETHICS AND PROFESSIONAL RESPONSIBILITY

Graduates of the Bachelor of Laws degree will demonstrate a leaning towards adhering to the known ethics and standards of the legal profession and in particular:-

- a) an understanding of theoretical approaches to ethical decision-making;
- b) an ability to recognise, reflect upon, and respond to ethical issues likely to arise in professional contexts;
- c) an ability to recognise and reflect upon the professional responsibilities of lawyers in promoting justice and in service to the community; and
- d) a developing ability to exercise professional judgement.

8.3. LEARNING OUTCOME 3 – CRITICAL THINKING SKILLS

Law graduates will be able to:-

- a) identify and articulate legal issues clearly;
- b) ably apply legal reasoning and research to generate appropriate responses to legal issues;
- c) engage in critical analysis of the various contexts in which legal issues arise and make a reasoned choice amongst alternatives; and

- d) think creatively in approaching historical and contemporary legal issues and generating appropriate and practical responses.

8.4. LEARNING OUTCOME 4 –RESEARCH AND WRITING SKILLS

Law graduates will be able to demonstrate the intellectual and practical skills required to:-

- a) identify, search for, and collect information pertaining to various legal phenomena;
- b) collate, coalesce, analyse and synthesise information and data collected;
- c) distinguish between factual information and fallacies pertaining to the subject matter of research;
- d) carry out research independently and of their own motion regarding relevant legal and policy issues;
- e) write well thought out and reasoned reports that are grammatically sound; and
- f) participate usefully in legal consultancies and technical bids.

8.5. LEARNING OUTCOME 5 - COMMUNICATION AND TEAMWORK

Graduates of the Bachelor of Laws degree will be able to:-

- a) distinguish between the communication needs of legal and non-legal audiences;
- b) communicate effectively, appropriately, and persuasively both in and out of courts and in other work-related forums as well public forums; and
- c) work well with other lawyers and non-lawyers as a valued team player;

8.6. LEARNING OUTCOME 6 - SELF-MANAGEMENT

Graduates of the Bachelor of Laws degree will be able to:-

- a) learn, carry out research, and work independently without the need for supervision or validation; and
- b) assess their own capabilities and performance and take the necessary steps to improve themselves personally and professionally based on relevant and appropriate feedback.

8.7. SUMMARY OF THE LEARNING OUTCOMES

In sum, at the end of the LLB program, a law graduate should be capable of:-

- a) demonstrating comprehensive knowledge of the broader social, economic and political contexts within which legal issues arise, including the relevant principles and values of justice and ethical practice;

- b) adhering to the relevant ethical guidelines and fulfilling required professional responsibilities in the promotion of justice and in service to the community;
- c) applying critical thinking skills and techniques such as appropriate legal reasoning, thinking innovatively while addressing contemporary legal challenges and articulating issues clearly;
- d) conducting excellent legal research and drafting well written and reasoned out legal documents;
- e) communicating effectively and persuasively in work related forums as well as in public forums, in addition to enhancing team work; and
- f) managing both the professional and personal affairs efficiently including the capacity to work independently without the need for supervision and to identify areas of self improvement

8.8. LEARNING OUTCOMES AND THE RELEVANT COURSE UNITS TABLE

	LEARNING OUTCOME	RELEVANT COURSE UNITS
1.	Knowledge	All core units and electives
2.	Ethics and Professional Responsibility	Professional Ethics and Responsibility; Constitutional Law
3.	Critical Thinking Skills	Legal Methods; Jurisprudence; Professional Ethics and Responsibility; Property Law
4.	Research and Writing Skills	Legal Research and Writing; Dissertation; Legal Systems and Methods; Judicial Attachment
5.	Communication and Teamwork	The group work and mootng component of all core and elective units; Judicial Attachment
6.	Self-Management	Legal Research and Writing; Dissertation

9. CORE COURSES LEARNING OUTCOMES

The current project seeks to identify the core competencies, skills and knowledge that constitute the basic or minimum content sufficient for the provision of legal education in preparation for the degree of the Bachelor of Laws. The present section seeks to identify the core courses for a Bachelor of Laws degree, and which must, therefore, be included in the curriculum of all higher education institutions offering a Bachelor of Laws Degree.

While recognising that the objective of this exercise is distinct and broader than that of the Council of Legal Education (CLE) which also sets out the basic minimum content for a sufficient legal education, the present work uses the core courses identified by the CLE as a starting point for determining the basic content requirement for the LLB degree.

10. REGULATION OF LEGAL EDUCATION BY PROFESSIONAL STATUTORY BODIES AND CORE LAW SUBJECTS

In most commonwealth countries, the legal profession is regulated by a statutorily created body. The role of these professional bodies is to control the legal profession and ensure the maintenance of high professional standards. The mandate of these bodies often includes the determination of the rules for admission of lawyers into legal practice. The rules in many cases set out the basic academic requirements deemed essential in order for a person to be admitted to legal practice. In some cases, the legal rules go as far as to specify the content of the legal education considered as providing sufficient academic training.

In Kenya, most local universities adopt the Council of Legal Education core law courses and although there may be slight differences in the names used to refer to the courses, the substance is the same. They include: Legal Research and Writing, Law of Torts, Law of Contracts, Legal Systems and Methods, Constitutional Law, Criminal Law, Family Law and Succession, Law of Evidence, Commercial Law (including Sale of Goods and Agency), Law of Business Associations, Administrative Law, Jurisprudence, Equity and the Law of Trusts, Public International Law, Property Law and Labour Law. An evaluation of the legal curriculum of universities from other commonwealth countries confirms that this is common practice. In most cases, the minimum standards set by the professional legal bodies determine the basis for identifying core law courses for legal education.

The team also considered whether the CLE core units are comprehensive and thus sufficient for ensuring the provision of legal education. Research in legal education in other

commonwealth countries confirmed that most of the courses identified as core by the CLE are comparable to courses regarded as mandatory for sufficient legal education in other commonwealth countries. These core law courses relate to the central areas of legal practice. The team concluded that there was good reason to use the CLE subjects as the basis for the core law subjects necessary for the provision of a sufficient legal academic education.

The table below identifies the core law courses as per the CLE requirements and prescribing several other courses that constitute the minimum requirements for the provision of an adequate legal training for a Bachelor of Laws degree graduate in Kenya.

Year One	Year Two
Legal Research and Writing	Law of Evidence I (Principles of Evidence)
Law of Torts I (Principles of the Law of Torts)	Law of Evidence II (Procedures and Practice)
Law of Torts II (Torts)	Administrative Law
Law of Contract I (Principles of the Law of Contract)	Commercial Law I (including Sale of Goods and Agency)
Law of Contract II (Enforcement of Contracts)	Commercial Law II (including Bankruptcy Law, Hire Purchase and Commercial Securities)
Legal Systems and Methods	Property Law (Property Theory)
Constitutional Law I (Constitutional Theory)	Land Law
Constitutional Law II (Constitutional Process)	Equity
Criminal Law I (Principles of Criminal Law)	Law of Trusts

Criminal Law I (Crimes)	Judicial Attachment (although universities have a discretion to determine when students should undertake the Judicial Attachment, it is recommended that it be done after students have covered Civil and Criminal Procedure. It can, therefore, be after the end of the second year of study)
	Criminal Procedure
	Civil Procedure
Year 3 and 4	
Law of Business Associations I (Company Law)	
Law of Business II (Partnerships and Cooperatives)	
Family Law	
Law of Succession	
Jurisprudence	
Public International Law	
Labour Law	
Dissertation	
Professional Ethics	
Intellectual Property Law	
East African Community Law	

11. PROGRAMME STRUCTURE/MATRIX

LEARNING OUTCOMES	YEAR 1		YEAR 2		YEAR 3 AND 4	
	Courses	Credit/Contact hours	Courses	Credit/Contact hours	Courses	Credit/Contact hours
Knowledge Gathering Skills	Legal Methods and Research	45	Law of Evidence I (Principles of Evidence)	45	Law of Business Associations I (Company Law)	45
	Law of Tort 1	45	Law of Evidence II (Procedures and Practice)	45	Law of Business II (Partnerships and Cooperatives)	45
	Constitutional Law 1	45	Administrative Law.	45	Family Law	45
	Constitutional Law 2	45	Commercial Law (Including Sale of Goods and Agency).	45	Law of Succession	45
	Contract 1	45	Commercial Law II	45	Jurisprudence	45
	Contracts 2	45	Property Law	45	Public International Law	45
	Criminal Law 1	45	Land Law	45	Labour Law	45
			Equity	45	Dissertation	90
			Law of Trusts	45	Professional Ethics	45
			Judicial Attachment	45	Intellectual Property Law	45
					East African Community Law	
Ethics and professional responsibility skills	Constitutional 1	45			Professional Ethics	45
	Constitutional 2	45			Jurisprudence	45
Critical Thinking skills	Legal Methods and Research	45				
	Property Law	45				

Research and Writing Skills	Legal Research and Writing Legal Methods and Research	45 45	Judicial Attachment	45	Dissertation	90
Communication Skills	Communication Skills Mooting	45 90	Judicial Attachment	45		
Teamwork	Group Work					
Time Management	Group Work Mooting					
Self Management	Legal Research and Writing	45			Dissertation	90
Legal Drafting Skills					Civil Procedure 1 Civil procedure 2 Legal Writing and Drafting	45 45 45
Accounting Skills					Accounting for Lawyers	45
Negotiation Skills					Alternative Dispute Resolution	45

12. COURSE DESCRIPTIONS

LEGAL RESEARCH AND WRITING

Unit Title	Legal Research and Writing
Lecture Hours	45
Prerequisite	None
Purpose	To equip the students with the skills necessary for conducting legal research and for legal writing
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Identify sources of law and legal resources; 2. Conduct legal research using primary and secondary resources; 3. Identify the various components of a case; 4. Analyze case law and other sources of law; 5. Develop coherent legal arguments; 6. Learn legal writing skills
Content	Introduction to legal research including types of legal sources; use of law library and e-resources; identification and organization of legal authorities; legal reasoning and legal writing in several contexts; application of legal research and legal writing skills
Learning and Teaching Methodologies	Lectures, group discussions, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment¹	<p>Weighting</p> <ol style="list-style-type: none"> 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% <p>Total score 100%</p>
Core Texts	See appendix 3

¹ The modes of assessment discussed above, with regard to the distribution of marks between the continuous assessment tests and the final examination, are general recommendations. Universities, therefore, have the discretion to vary the distribution of the marks depending on their examinations policy and other relevant issues.

Further Reading Materials and Resources	See appendix 3
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LEGAL SYSTEMS AND METHODS

Unit Title	Legal Systems and Methods
Lecture Hours	45
Prerequisite	None
Purpose	Introduce the students to the different types of legal systems and their respective approaches to the law with an emphasis on the common law system
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Distinguish between the common law systems, civil law systems and mixed systems; 2. Interpretation of statutory law, case law and customary law; 3. Describe the doctrine of precedent and the principles of statutory interpretation; 4. Analysis of legal problems and application of relevant case law particular facts; 5. Identify Kenya's constitutional instruments, structures and doctrines
Content	Historical background of legal systems; Kenya's legal system; comparative legal systems; legal methods, comparison across legal systems; doctrine of precedent and interpretation of statutes in the common law systems; application of the common law system in Kenya; development of mixed legal systems
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment

Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

PRINCIPLES OF THE LAW OF TORTS

Unit Title	Principles of the Law of Torts
Lecture Hours	45
Prerequisite	None
Purpose	Equip the student with the basic principles of the Law of Torts
Expected Learning Outcomes	<ol style="list-style-type: none"> Outline the historical and policy factors underlying the Law of Torts; Identify the fundamental principles underlying the different basis for liability in Tort; Extract the basic principles of the Law of Torts from the relevant legislation and case law; Evaluate critically the development of the basic principles of the Law of Torts over time; Apply the basic principles of the Law of Torts to given factual scenarios; Explore potential areas for reform of the Law of Torts
Content	Introduction to the nature of tortious liability and comparison with other forms of liability; general types of torts; causation, defences and immunities; remedies for breach; types of tortious liability; limitation of action in torts; state of law of torts in Kenya

Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

TORTS

Unit Title	Torts
Lecture Hours	45
Prerequisite	Principles of the Law of Torts
Purpose	Equip the student with deeper understanding of individual Torts
Expected Learning Outcomes	1. Appraise the principle of liability relating to different torts; 2. Investigate the defences to specific torts; 3. Recognise and apply the defences available against common tortious claims; 4. Interpret and apply the remedies available in different tortious claims
Content	Specific torts; negligence; trespass; defamation; strict liability (the

	Rule in <i>Rylands v. Fletcher</i>); nuisance. Types of torts; intentional torts; statutory torts; customary torts; family torts. Government liability for torts. Specific defences. Remedies; damages; injunctions.
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

PRINCIPLES OF THE LAW OF CONTRACTS

Unit Title	Principles of the Law of Contracts
Lecture Hours	45
Prerequisite	None
Purpose	Equip the students with the basic principles of the Law of Contracts
Expected Learning Outcomes	1. Describe the basic principles of the law of contract in relation to formation of contract; 2. Describe the basic principles underlying contractual terms; 3. Identify the principles limiting the ordinary effect of contract; 4. Describe the rights and remedies arising from contracts; 5. Identify statutory provisions and case law relating to the principles

	of the Law of Contract; 6. Apply the Law of Contract to legal problems; 7. Evaluate the development of the Law of Contract
Content	Historical development of law of and theories of contract law; nature and types of contracts; elements of contract; limitation of liability under contracts; breach of contracts; rights and remedies arising from contracts; defences
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

ENFORCEMENT OF CONTRACTS

Unit Title	Contracts
Lecture Hours	45
Prerequisite	Principles of the Law of Contracts
Purpose	Expose students to the various legal mechanisms for the enforcement of contracts
Expected Learning	1. Assess factual situations and determine whether there is a breach of contract;

Outcomes	<ol style="list-style-type: none"> 2. Assess and examine the principles for interpreting and enforcing contracts; 3. Evaluate factual situations and decide whether a contract is void, voidable or invalid; 4. Outline and critique the processes of discharging contractual obligations; 5. Reconstruct and distinguish the legal and equitable remedies for breach of contract
Content	<p>Grounds for invalidating contracts: duress; undue influence; unconscionability; misrepresentation; non-disclosure; mistake. Discharge of contracts: performance; agreement-renegotiation; breach. Remedies: damages for breach of contract; principles for assessment of damages; mitigation of loss, and specific remedies. Introduction to contract aspects of unjust enrichment and restitutionary remedies. Current developments in contract law.</p>
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White Board, projector, computer and other necessary ICT equipment.
Assessment	<p>Weighting</p> <ol style="list-style-type: none"> 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% <p>Total score 100%</p>
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

CONSTITUTIONAL THEORY

Unit Title	Constitutional Theory
Lecture Hours	45
Prerequisite	None
Purpose	Provide the student with an understanding of the underlying principles of Constitutional Law and of the Constitution of Kenya
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Describe the main provisions of the Constitution; 2. Interpret the provisions of the Constitution in the context of relevant cases; 3. Understand the political system and the role of the Constitution in implementation of the rule of law, separation of powers and independence and accountability of judiciary; 4. Apply constitutional principles to specific facts including current judicial and academic debate; 5. Evaluate the Constitution in light of its historical development and the review process and stakeholder consultation
Content	Historical background on the nature of constitutions and constitutional law; types and functions of constitutions; government systems and the rule of law and separation of powers; fundamental rights and freedoms in the constitution; nationality and citizenship; history of Kenya's constitution and the constitutional reform process
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	<p>Weighting</p> <ol style="list-style-type: none"> 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70%

	Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

CONSTITUTIONAL PROCESS

Unit Title	Constitutional Process
Lecture Hours	45
Prerequisite	Constitutional Theory
Purpose	Provide the student with an understanding of comparative constitutionalism and the process of democracy Kenya
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Compare and contrast various models of constitutional structure, architecture and design; 2. Distinguish various systems of governance and political structures; 3. Evaluate the application of constitutional principles in the context of Kenya's legal and political processes.
Content	The structure and systems of government, definitions of state power; devolution: definition and models of devolution, unitary and federal constitutions; legislative, executive and judicial power of the state; fiscal and financial power of the state; organization and control of the state apparatus of force; recruitment of holders of state offices: elective and appointive approaches to recruitment; electoral systems and processes; constitutional status of political parties; coalition governments and governments of national unity; governance and anti-corruption strategies: national and international anti-corruption mechanisms; constitutional breakdown, governance in failed states, constitutional crises
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper

Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

PRINCIPLES OF CRIMINAL LAW

Unit Title	Principles of Criminal Law
Lecture Hours	45
Prerequisite	None
Purpose	Develop an understanding of the fundamentals principles of criminal law
Expected Learning Outcomes	<ol style="list-style-type: none"> Identify and analyze critically the basic elements of a crime; Trace the historical development of principles of criminal law; Interpret sources of criminal law including statute and case law; Apply the principles of criminal law to factual situations; Evaluate the relationship between morality and criminal policy and law; Identify areas for reform
Content	Historical background of criminal law; nature and classification of crimes; fundamental principles of criminal law; principles of criminal liability.

Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper								
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.								
Assessment	<table> <tr> <th></th><th>Weighting</th></tr> <tr> <td>1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation)</td><td>30%</td></tr> <tr> <td>2. Final exam</td><td>70%</td></tr> <tr> <td>Total score</td><td>100%</td></tr> </table>		Weighting	1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation)	30%	2. Final exam	70%	Total score	100%
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Total score	100%								
Core Texts	See appendix 3								
Further Reading Materials and Resources	See appendix 3								

CRIMES

Unit Title	Crimes
Lecture Hours	45
Prerequisite	Principles of Criminal Law
Purpose	Develop an understanding of specific crimes in Kenya and how the courts deal with such crimes
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Explain elements and features of specific crimes in Kenyan law; 2. Explore the defences to specific crimes and charges in criminal law; 3. Assess factual situations and decide whether they give rise to criminal liability; 4. Evaluate factual situations and criminal charges and determine whether specific defences would apply; 5. Critique the various theories and policies on sentencing and punishment in criminal law.

Content	Specific crimes, essential elements and defences: murder, manslaughter, assault, theft and robbery, bigamy, rape, and other sexual offences, treason, sedition, terrorism and other offences against public order and state security. Legal responses to crime; concepts of criminal justice: sentencing and punishment in criminal law: retributive justice; restorative justice; preventive/deterrence theories; capital punishment, imprisonment, probation, community service orders, post-prison supervision.
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

PRINCIPLES OF EVIDENCE

Unit Title	Principles of Evidence
Lecture Hours	45
Prerequisite	None
Purpose	Explain the fundamental principles of evidence law in Kenya

Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Identify the principles and rules underlying the doctrines of the laws of evidence; 2. Describe the principles determining admissibility of facts in civil and criminal trials; 3. Evaluate critically the suitability of the rules of evidence in the interest of administration of justice; 4. Interpret the rules of evidence in relation to broader policy goals.
Content	Definitions and principles of evidence; admissibility and relevance, similar fact evidence, matters established otherwise than by evidence, burden of proof, standard of proof, opinion testimony, relevant facts which may not be proved; estoppel, public policy and illegally obtained evidence, evidence generally held inadmissible
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	<p>Weighting</p> <ol style="list-style-type: none"> 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% <p>Total score 100%</p>
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

PROCEDURES AND PRACTICE IN EVIDENCE

Unit Title	Procedures and Practice in Evidence								
Lecture Hours	45								
Prerequisite	Principles of Evidence								
Purpose	Explain the rules and procedures for presenting evidence in Kenyan courts								
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Assess factual case profiles and determine strategies for assembling proof or contesting claims; 2. Outline and critique the procedures and tactics for presenting or contesting evidence in court. 								
Content	Competence and compellability of witnesses; evidence of children; witness summons in civil and criminal proceedings, examination of witnesses: examination in chief; leading questions hostile witness; cross-examination; powers of the court; <i>de bene esse</i> proceedings; forensic evidence, evidence of character; experts and opinion evidence; evidence and conflicts of law; witness commissions to receive testimony of witnesses outside the jurisdiction.								
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper								
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.								
Assessment	<table> <tr> <th colspan="2">Weighting</th></tr> <tr> <td>1. Continuous assessment (<i>e.g.</i> term/research paper presentation (group and individual) & class participation)</td><td>30%</td></tr> <tr> <td>2. Final exam</td><td>70%</td></tr> <tr> <td>Total score</td><td>100%</td></tr> </table>	Weighting		1. Continuous assessment (<i>e.g.</i> term/research paper presentation (group and individual) & class participation)	30%	2. Final exam	70%	Total score	100%
Weighting									
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2. Final exam	70%								
Total score	100%								
Core Texts	See appendix 3								
Further Reading Materials and Resources	See appendix 3								

SALE OF GOODS AND AGENCY LAW (COMMERCIAL LAW I)

Unit Title	Sale of Goods and Agency Law
Lecture Hours	45
Prerequisite	Law of Contracts
Purpose	Provide an understanding of the principles of Sale of Goods and Agency
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Explain the principles and practices of Sale of Goods and Agency; 2. Distinguish sale of goods from other transactions; 3. Apply Sale of Goods and Agency principles and rules to factual situations; 4. Critically evaluate the different aspects of Sale of Goods and Agency in light of developments in the economy and society.
Content	Nature, definition and characteristics of commercial law; the contract of sale of goods including formation of the contract, the passing of property between buyer and seller, transfer of title, implied terms, remedies to the buyer and seller. Principles of the law of agency including the creation of the agreement, authority of the agent, relations with third party and relations between principle and agent.
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading	See appendix 3

Materials and Resources	
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**BANKRUPTCY, HIRE PURCHASE AND COMMERCIAL SECURITIES LAW
(COMMERCIAL LAW II)**

Unit Title	Bankruptcy, Hire-Purchase and Commercial Securities Law
Lecture Hours	45
Prerequisite:	Law of Contracts, Law of Sale of Goods and Agency
Purpose	Provide an understanding of the principles hire purchase and commercial securities
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Identify the principles and rules underlying the doctrines of the law on bankruptcy; 2. Distinguish hire purchase contracts from other transactions; 3. Evaluate factual situations and decide the liability of parties to agreements for hire purchase; 4. Enumerate the functioning of the various commercial securities.
Content	Bankruptcy law including distinction between bankruptcy and insolvency, acts of bankruptcy, meaning of adjudication order, proceedings after petition, administration of the estate, receivership, trustee in bankruptcy, property of the bankrupt and realization of property, claims of creditors, priority of debts, distribution of assets, discharge of bankrupt, bankruptcy offences; hire purchase law including definition and nature of a hire purchase agreement, formal requirements, termination and completion of the agreement, negotiable instruments; rules and principles regulating commercial securities such as bailment, lien and guarantee
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.

Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

ADMINISTRATIVE LAW

Unit Title	Administrative Law
Lecture Hours	45
Prerequisite	None
Purpose	Provide an understanding of the law relating to the control of public administrative agencies
Expected Learning Outcomes	<ol style="list-style-type: none"> Analyze the current law relating to judicial control of administrative decision-making; Explain the principles underlying accountability of public administration; Apply the law relating to grounds of judicial review to complex factual scenarios; Explain the structures and functions of the principal organs of public administration; Evaluate the effectiveness of public administration organs
Content	Nature and purpose of administrative law; scope of administrative law; administrative law and democratic governance; doctrine of judicial review in a democracy; the significance of procedures in democratic governance; delegated legislation; types of administrative agencies; local authorities and service delivery

Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

EQUITY

Unit Title	Equity
Lecture Hours	45
Prerequisite	None
Purpose	Provide students with an overall understanding of the law of equity
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Explain the key principles of equity; 2. Apply these principles to factual situations; 3. Extract and apply principles of equity to relevant case law and legislative provisions; 4. Evaluate and critique the current legal rules in relation to the specific aspects of equity.
Content	Historical background on principles of equity; application of equity to areas of law; maxims and doctrines of equity; equitable remedies

Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

THE LAW OF TRUSTS

Unit Title	The Law of Trusts
Lecture Hours	45
Prerequisite	Equity
Purpose	Provide students with an overall understanding of the law relating to trusts.
Expected Learning Outcomes	<ol style="list-style-type: none"> Explain the key principles of the law of trusts; Apply these principles to factual situations; Assess factual situations and determine whether there is a fiduciary relationship; Reconstruct and predict the future directions for the reform of the law of trusts in Kenya.
Content	Concept of trusts; origin and development of trusts; requirements of trusts; types of trusts: express trusts; implied trusts; resulting trusts,

	constructive trusts/proprietary estoppel, functions and duties of trustees; trust property and investment; administration, termination and liquidation procedures
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

PROPERTY THEORY

Unit Title	Property Theory
Lecture Hours	45
Prerequisite:	None
Purpose	Develop students' knowledge and understanding of the law governing property
Expected Learning Outcomes	<ol style="list-style-type: none"> Identify and explain the underlying theories of property law; Comprehend the different forms of property
Content	Property theory (the concept and history of property); legal regulation of relationships in the acquisition, use and transfer of resources; origins and evolution of the law on property; nature of property rights; various

	types of property (realty, intangible property and intellectual property); emerging forms of property (futures and spectrum space)
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

LAND LAW

Unit Title	Land Law
Lecture Hours	45
Prerequisite	Property Theory
Purpose	Develop students' knowledge and understanding of the law governing land in Kenya
Expected Learning Outcomes	<ol style="list-style-type: none"> Demonstrate a sound knowledge of the different land registration systems and relevant statute and case law; Identify, analyze and explain legal issues relating to interests in land and property rights and apply legal principles to resolve land claim and ownership issues; Apply land law to theoretical issues including land title systems; Evaluate and critique the current land law given the context in

	<p>which land law operates;</p> <p>5. Analyze the impact of the ongoing reform process in relation to land law.</p>						
Content	<p>Kenyan land law and policy including: categories of interests in land, content of property rights in land; creation and transmission of rights to land, servitudes and encumbrances; joint ownership, joint tenancy, tenancies in common, community land, private and government land, State regulation of and control of rights and interests in land: eminent domain and elements of land use law, compulsory acquisition; adverse possession, customary law claims to land; current developments in Kenyan land law: land grabbing and human rights; the 2010 constitution and the regulation of land holding/ownership.</p>						
Learning and Teaching Methodologies	<p>Lecture groups, discussions, presentations, research paper</p>						
Instructional Materials/ Equipment	<p>White board, projector, computer and other necessary ICT equipment.</p>						
Assessment	<p>Weighting</p> <table> <tr> <td>1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation)</td> <td>30%</td> </tr> <tr> <td>2. Final exam</td> <td>70%</td> </tr> <tr> <td>Total score</td> <td>100%</td> </tr> </table>	1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation)	30%	2. Final exam	70%	Total score	100%
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2. Final exam	70%						
Total score	100%						
Core Texts	<p>See appendix 3</p>						
Further Reading Materials and Resources	<p>See appendix 3</p>						

JUDICIAL ATTACHMENT

Unit Title	Judicial Attachment
Lecture Hours	45
Prerequisite	Civil Procedure, Criminal Procedure
Purpose	Enable the student complete a period of judicial attachment where they will observe the practical workings of the judicial system. This aspect of the LLB Course is invaluable as it assists students to have a practical understanding of the working of law in real life situations.
Expected Learning Outcomes	<ol style="list-style-type: none">1. Relate and compare the theoretical aspects of the law with the law in practice;2. Make informed observations on the areas of reform;3. Explain the practical workings of the courts and court registries;4. Explain the various roles played by the actors in the judicial system;5. Take down proceedings in the appropriate format;6. Write a judgment;7. Make informed arguments on appropriate approaches to legal aid;8. Make informed arguments on professional etiquette.
Content	This unit will be undertaken after completion of the fourth semester. Under the supervision of a magistrate or judge, students will sit in court for a period of eight weeks. They will follow proceeding and do tasks required of them by the supervising jurist. Additional tasks in the court registries may be given. During the attachment period a member of academic staff will visit the students in the field and file a report on the students' progress. The student shall also submit to the School of Law an attachment report at the end of the period of attachment.
Learning and Teaching Methodologies	Lectures prior to attachment, seminar discussions prior to attachment and field visits/industrial attachments.
Instructional Materials/ Equipment	White board, projector, computer and log book.

Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. student log book, assessment by judicial officer and by member of academic staff) 30% Written report 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

JURISPRUDENCE

Unit Title	Jurisprudence
Lecture Hours	45
Prerequisite	None
Purpose	Provide an understanding of the Philosophy of Law in the context of the historical development of legal theory
Expected Learning Outcomes	<ol style="list-style-type: none"> Describe the nature of jurisprudence; Outline and trace development of legal philosophy and theory; Identify and explain the principles shaping justice; Identify the interface between law, morality and other societal norms; Evaluate the objective and value-free character of law in orientation.
Content	Introduction to legal theory and philosophy; concept of law and main schools of jurisprudence; legitimacy of the legal order; contemporary legal theories; influence of legal theory on laws and legal systems.
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper

Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

PUBLIC INTERNATIONAL LAW

Unit Title	Public International Law
Lecture Hours	45
Prerequisite	None
Purpose	Provide students with an in-depth knowledge of the international law governing relations between states and individuals, international organisations and states
Expected Learning Outcomes	<ol style="list-style-type: none"> Outline the historical foundations of international law; Analyze key concepts, rules and principles of international law; Evaluate the normative foundations and legitimacy of the international legal system; Evaluate prevailing systems for the enforcement of international law; - Apply the principles and rules of international law to factual situations
Content	Nature and development of international law; international law theories; sources of public international law; subjects of international law; relation of international and municipal law; international criminal law; law of treaties; law of the sea; air and outer space law;

	international humanitarian law; environmental law; international law on refugees; intellectual property law; international trade law; settlement of international disputes
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

COMPANY LAW

Unit Title	Company Law
Lecture Hours	45
Prerequisite	Law of Contract
Purpose	Provide an understanding of the law relating to companies
Expected Learning Outcomes	<ol style="list-style-type: none"> Identify different types of companies and explain their legal and commercial advantages and disadvantages; Explain the key concepts of company law such as corporate personality, limited liability and share capital; Explain important constitutional arrangements of the company;

	4. Explain the process of formation of companies, financing and dissolution
Content	Types and classification of business associations; incorporated associations; formation of companies; promoters and pre-incorporation contracts; consequences of incorporation; corporate structure and management; corporate financing; corporate insolvency; developments in business organizational law and company law reform
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

PARTNERSHIPS AND CO-OPERATIVES LAW

Unit Title	Partnerships and Co-operatives Law
Lecture Hours	45
Prerequisite	Law of Contract
Purpose	Provide an understanding of the law relating to partnerships and co-operatives
Expected	1. Explain the legal framework that regulates the activities of

Learning Outcomes	<p>cooperative societies and partnerships;</p> <p>2. Analyse factual situations and determine the existence of a cooperative or partnership business association;</p> <p>3. Explain the law's regulation of relations among partners and between partners and third-parties;</p> <p>4. Interpret factual situations and determine contested claims of rights and obligations in cooperatives and partnership business associations</p>								
Content	<p>Legal framework for regulating cooperatives in Kenya, definitions, principles of cooperation; registration of cooperative societies, management of cooperative societies, rights and duties of cooperative societies, rights and obligations of members; legal status of members' share contributions; settlement of internal disputes of cooperative societies, supervision and inspection of registered societies; dissolution of cooperative societies; insolvency of cooperative societies: procedures for payment of secured and unsecured creditors, liquidation and winding up of cooperative societies; Partnership law: definition of partnership, comparison with other business associations, types of partnerships, formation of partnerships: firm name; partnership relations- rights and obligations of partners; third parties and the partnership firm; limits of partnership liability, partnership property, dissolution of partnerships.</p>								
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper								
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.								
Assessment	<table> <tr> <th></th><th>Weighting</th></tr> <tr> <td>1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation)</td><td>30%</td></tr> <tr> <td>2. Final exam</td><td>70%</td></tr> <tr> <td>Total score</td><td>100%</td></tr> </table>		Weighting	1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation)	30%	2. Final exam	70%	Total score	100%
	Weighting								
1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation)	30%								
2. Final exam	70%								
Total score	100%								
Core Texts	See appendix 3								

Further Reading Materials and Resources	See appendix 3
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FAMILY LAW

Unit Title	Family Law
Lecture Hours	45
Prerequisite	None
Purpose	Provide an understanding of the law applying to family matters in Kenya
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Identify the legal framework for the regulation of family relationships in Kenya (statute, case law and customary law); 2. Identify the various rights and obligations that arise in the institution of the Family; 3. Assess factual situations and determine the nature of family relationship applicable to the parties; 4. Interpret factual situations and determine the existence and extent of family rights and obligations of the parties; 5. Evaluate any need for reform in family law
Content	Functions of law in the family, typologies of families in Kenya, the systems of marriage law, conflicts of marriage law, requirements of a valid marriage in Kenya, matrimonial rights and obligations, parental rights and responsibility; matrimonial and family proceedings, dissolution of marriage, state obligations in family breakdown, domestic violence, family property; various models for matrimonial property rights, families outside marriage; cohabitation and family rights; sexual orientation criminal law and family rights; human rights and family law; current developments in family law

Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

LAW OF SUCCESSION

Unit Title	Law of Succession
Lecture Hours	45
Prerequisite	Family Law
Purpose	Provide an understanding of the law applying to succession matters in Kenya
Expected Learning Outcomes	<ol style="list-style-type: none"> Identify the substantive law on succession matters (statute, case law and customary law); Explain procedural aspects of the law of succession such as probate and administration of estates of deceased persons; Apply succession law to specific factual scenarios; Assess factual situations and determine whether there is a valid will; Interpret judicial decisions, powers of administrators and rights of dependants and other interested parties

Content	History and evolution of the law of succession in Kenya, relationship between law of succession and other laws, testacy including the nature and characteristics of a will, creation of a valid will, types of wills, revocation, alteration and revival of wills, gifts by will and their failure, construction of wills, drafting a will, intestacy and rules thereof, an introduction to probate and administration including personal representatives, forms of grant and procedure for applying for grants.
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

LABOUR LAW

Unit Title	Labour Law
Lecture Hours	45
Prerequisite	Law of Contract

Purpose	Provide students with an understanding of the law relating to employment contracts in Kenya								
Expected Learning Outcomes	<p>- Identify legal issues in employment relationships;</p> <ol style="list-style-type: none"> 1. Describe key statutes and common law regulating employment contracts, at individual contractual level and at collective level; 2. Interpret statutes which apply to employment and labour law; 3. Apply their knowledge of employment and labour law to hypothetical scenarios; 4. Compare the different remedies, procedures and enforcement systems of employment law; 5. Evaluate the fairness, effectiveness and efficiency of employment and labour law 								
Content	Development of labour law; employment laws (individual and collective); industrial relations; the International Labour Organization (ILO); international labour standards and their relevance/applicability in Kenya								
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper								
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.								
Assessment	<table> <tr> <th></th><th>Weighting</th></tr> <tr> <td>1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation)</td><td>30%</td></tr> <tr> <td>2. Final exam</td><td>70%</td></tr> <tr> <td>Total score</td><td>100%</td></tr> </table>		Weighting	1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation)	30%	2. Final exam	70%	Total score	100%
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2. Final exam	70%								
Total score	100%								
Core Texts	See appendix 3								
Further Reading Materials and Resources	See appendix 3								

PROFESSIONAL ETHICS AND RESPONSIBILITY

Unit Title	Professional Ethics and Responsibility
Lecture Hours	45
Prerequisite	None
Purpose	Inculcate into students the requisite professional ethics in the practice of law as advocates that should guide their relationship with their clients, fellow advocates and the court.
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Explain the history of professional ethics, etiquette and practice of advocates; 2. Identify the rights and obligations that attach to a person practicing as an advocate; 3. Identify ethical problems from the standpoint of the practicing lawyer confronted with real world issues requiring decision making on the lawyers part, rather than abstract speculation; 4. Identify changes in the legal profession in recent years (<i>i.e.</i> rise of mega firms, entry of women and minorities, the implications of Kenya's 2010 Constitution on advocacy and the way lawyering is done); 5. Examine ethical problems that illustrate the kinds of situations with which lawyers must deal, which call for deliberation on moral, legal, and practical considerations; 6. Appreciate the importance of careful judgment in confronting both the opportunities and pressures they will face in modern law practice; 7. Have knowledge on the history and sociology of the profession, philosophical approaches to professional ethics, the role of legal education in the evolution of the legal profession, diversity issues in the profession, the profession and public perception
Content	Origins of the law profession; effect of professionalizing the practice of law; history and structure of the legal profession in Kenya; key definitions in the legal profession; advocacy; duties of an advocate to society; ethical standards applicable in criminal and civil litigation; court etiquette; triple duties of an advocate; professional conduct and

	its role in advocacy/society; advocates practice rules – subsidiary legislation; remuneration of advocates; Advocates Disciplinary Committee; continuing legal education; changing trends and ideologies in the legal profession in Kenya and worldwide.
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

INTELLECTUAL PROPERTY LAW

Unit Title	Intellectual Property Law
Lecture Hours	45
Prerequisite	Property Theory
Purpose	Provide the students with comprehensive knowledge of Intellectual Property Law
Expected Learning Outcomes	1. Gain clear and concise explanations of the different areas of intellectual property law; 2. Understand the basic justifications for intellectual property rights;

	<ol style="list-style-type: none"> 3. Comprehend the underlying principles governing intellectual property legislation in the US, UK, EC and Kenya; 4. Put into operation aspects of intellectual property law; 5. Gain clear knowledge of recent international developments in the area of intellectual property law; 6. Comprehend the problematic issues in intellectual property realm; 7. Understand the contemporary trends in protection of intellectual property rights
Content	History; human rights and economic efficiency rationales; copyright; patents and related rights; designs; plant variety protection; trademarks; common law rights; application and grant processes; international, regional and national instruments and institutions; where time allows, discussion of contemporary issues in intellectual property rights, such as biotechnology, development and education.
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

EAST AFRICAN COMMUNITY LAW

Unit Title	East African Community Law
Lecture Hours	45
Prerequisite	Public International Law
Purpose	To equip students with sufficient knowledge on the law relating to political and economic integration within the East African region
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Explain global economic integration in a generic sense; 2. Discuss the legal implications of regional integration within the African context; 3. Evaluate the norms and institutions of the East African Community; 4. Critique the relations between regional and Partner States norms; 5. Comprehend the different laws governing political, economic, environmental and social aspects of integration within the East African Community
Content	The concept of economic or regional integration; theories of integration; levels/types of integration. History of regional integration in East Africa; Legal and institutional framework of the East African Community; East African Community Treaty; institutions of the East African Community: Summit of Heads of States; Council of Ministers; Sectoral Councils; East African Community Legislative Assembly; East African Court of Justice. Organs of East African Community; East African Community Customs Union; East African Community Common Market. Comparative perspectives: EU; ECOWAS; SADC. Contemporary challenges and prospects for regional integration in East Africa.
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.

Recommended Assessment	Weighting 1. Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70% Total score 100%
Core Texts	See appendix 3
Further Reading Materials and Resources	See appendix 3

DISSERTATION

Unit Title	Dissertation
Lecture Hours	90
Prerequisite	Legal Research and Writing
Purpose	To equip students with sufficient skills on how to identify a research problem, analyze the problem and propose solutions from a legal perspective
Expected Learning Outcomes	1. Explain ways of identifying a relevant problem and choosing a topic for dissertation; 2. Apply the various methodology in gathering relevant information for a dissertation; 3. Apply various techniques and style in writing a dissertation
Content	Lectures on writing skills for academic works, research and research methodology, plagiarism, referencing style, choosing a topic wisely and proposal writing; preparation of a work plan for guiding the writing process from start to finish; drafting the proposal; dissertation writing under the supervision of a faculty member presentation of the final bound and approved dissertation in triplicate.

Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting Dissertation 100% Total score 100%
Core Texts	Dependent on the area of research
Further Reading Materials and Resources	Dependent on the area of research

PRINCIPLES OF CIVIL PROCEDURE

Unit Title	Principles of Civil Procedure
Lecture Hours	45
Prerequisite	None
Purpose	To introduce the students to sources and functions of civil procedure rules and the role of the court in civil proceedings.
Expected Learning Outcomes	1. Analyse factual situations and decide the steps to be taken to institute and defend civil suits; 2. Identify the various components of a case; 3. Plan and conduct civil proceedings in a court of law; 4. Outline and critique the roles of judges and advocates in civil proceedings
Content	Functions of civil procedure rules; sources of rules of civil procedure; jurisdiction of courts; types of pleadings; preliminaries to suing; joinder of parties; place of suing; institution of suits; service of process; appearance; plaints; defences and counterclaim; amendment

	of pleadings; prosecution of suits, discovery and interrogatories; hearing; examination of witnesses; submissions; rulings and judgments; orders and decrees; review; execution; applications for judicial review; government proceedings; petitions; originating summons and originating motions, constitutional applications; appeals
Learning and Teaching Methodologies	Lectures, group discussions, research paper, presentations, moot court
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See Appendix 3
Further Reading Materials and Resources	See Appendix 3

CIVIL PROCEDURE AND PRACTICE

Unit Title	Civil Procedure and Practice
Lecture Hours	45
Prerequisite	Principles of Civil Litigation
Purpose	Train students in the processes of civil trial including, drawing of issues, introduction of documents, examination of witnesses, affidavits and the taking and recording of evidence in a court of law, drafting judgments, extraction of decrees and orders.
Expected Learning	1. Assess factual situations and create statements of issues, lists of witnesses, schedules of documents to be used in civil hearings;

Outcomes	2. Analyse factual situations and draft rulings, judgments and decrees; 3. Assess factual situations and draft applications for stay of executions, notices of appeal and applications for review; 4. Draft applications for civil litigation proceedings
Content	The trial process; introduction of evidence; production of documents; affidavits; summoning and examination of witnesses; delivery of judgments; extraction of decrees and orders; execution of orders and decrees; attachment of debts; suing in different capacities; injunctions; applications; time; originating summons; proceedings in specific contexts: Government proceedings; interpleader; appeals; review; constitutional applications: human rights litigation, constitutional interpretations; administrative jurisdiction: applications for judicial review; election petitions; proceedings in the industrial court
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper, moot court
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment
Assessment	Weighting <ol style="list-style-type: none"> Continuous assessment (e.g. term/research paper presentation (group and individual) & class participation) 30% Final exam 70% Total score 100%
Core Texts	See Appendix 3
Further Reading Materials and Resources	See Appendix 3

CRIMINAL PROCEDURE

Unit Title	Criminal Procedure
Lecture Hours	45
Prerequisite	None
Purpose	Train the student on constitutional principles of criminal justice and due process and the role of the court in criminal proceedings
Expected Learning Outcomes	<ol style="list-style-type: none"> 1. Outline and critique the constitutional safeguards for fairness and due process in criminal justice; 2. Assess factual situations and prepare charge sheets and applications for warrants of arrest and search; 3. Assess factual situations and prepare applications for bail, appeals and other proceedings in criminal litigation
Content	Historical development of criminal procedure; inquisitorial and adversarial systems of trial; structure of criminal courts; role of courts in criminal justice; role of prosecutor in criminal justice; powers to institute and control public criminal prosecutions; private prosecutions; investigation of crime; search and seizure; arrest; interrogation, indictments and charge sheets; arraignment; plea taking; joinder of parties; constitutional protections in criminal trials; <i>nolle prosequi</i> ; verdict and judgment; sentencing; forms of punishment: probation, compensation and restitution; review; appeals; prerogatives of mercy
Learning and Teaching Methodologies	Lecture groups, discussions, presentations, research paper, moot court
Instructional Materials/ Equipment	White board, projector, computer and other necessary ICT equipment.
Assessment	<p>Weighting</p> <ol style="list-style-type: none"> 1. Continuous assessment (<i>e.g.</i> term/research paper presentation (group and individual) & class participation) 30% 2. Final exam 70%

	Total score 100%
Core Texts	See Appendix 3
Further Reading Materials and Resources	See Appendix 3

13. PROGRAMME STRUCTURE/MATRIX

LEARNING OUTCOMES	YEAR 1		YEAR 2		YEAR 3 AND 4	
	Courses	Lecture Hours	Courses	Lecture Hours	Courses	Lecture Hours
Knowledge Gathering Skills	Legal Methods and Research	45	Law of Evidence I (Principles of Evidence)	45	Law of Business Associations I (Company Law)	45
	Law of Tort 1	45	Law of Evidence II (Procedures and Practice)		Law of Business II (Partnerships and Cooperatives)	45
	Constitutional Law 1	45	Administrative Law.		Family Law	45
	Constitutional Law 2	45	Commercial Law (Including Sale of Goods and Agency).	45	Law of Succession	45
	Contract 1		Commercial Law II		Jurisprudence	45
	Contracts 2		Property Law	45	Public International Law	45
	Criminal Law 1	45	Land Law		Labour Law	45
		45	Equity		Dissertation	90
			Law of Trusts	45	Professional Ethics	45
			Judicial Attachment	45	Intellectual Property Law	45
				45	East African Community Law	
Ethics and professional responsibility skills	Constitutional 1	45			Professional Ethics	45
	Constitutional 2	45			Jurisprudence	45
Critical Thinking skills	Legal Methods and Research	45				
	Property Law	45				

Research and Writing Skills	Legal Research and Writing Legal Methods and Research	45 45	Judicial Attachment	45	Dissertation	90
Communication Skills	Communication Skills Mooting	45 90	Judicial Attachment	45		
Teamwork	Group Work					
Time Management	Group Work Mooting					
Self Management	Legal Research and Writing	45			Dissertation	90
Legal Drafting Skills					Civil Procedure 1 Civil procedure 2 Legal Writing and Drafting	45 45 45
Accounting Skills					Accounting for Lawyers	45
Negotiation Skills					Alternative Dispute Resolution	45

14. ELECTIVE COURSES LEARNING OUTCOMES

14.1. NATURE OF ELECTIVE COURSES

Whereas specialization is possible in certain academic disciplines at the undergraduate level, the same is not possible where a Bachelor of Laws degree is concerned. Although every institution designs its course in a unique way that could possibly give their students a unique identity, this cannot be considered specialization strictly so called. For instance, university X may design its curriculum to teach law with an inclination in commercial practice, while university Y may design its curriculum to teach law with an inclination in technology. Despite this, the students in university X and university Y all graduate with a basic law degree that does not indicate the inclination their respective universities espouse. For this reason, the emphasis in undergraduate law programmes is on the electives students take, usually in their third and fourth years of study, and which electives vary from institution to the other based on the niche they wish to acquire.

The differences in curricula of institutions arise as a result of the flexibility that each institution enjoys in choosing the elective subjects to offer, other than the recommended core units. Most institutions have chosen to offer a variety of such electives ranging from subjects that have commercial element, environmental aspects, human rights aspects, technological aspects to family aspects. It is on the basis of the electives that an individual student chooses to study in bulk that necessarily gives the student a leaning either in commercial law, human rights law, environmental law *etc.* This however does not amount to specialization. Instead, it gives the student an advantage in these fields which may subsequently form the basis of their study at Master of Laws (LL.M), Doctor of Philosophy (Ph.D), Doctor of Laws (LL.D) or Doctor of Juridical Science (JSD) level, and at which point they could be considered as having acquired a specialization in law.

14.2. WHY OFFER ELECTIVE COURSES?

The type of elective subjects offered varies greatly from one institution to another. Regardless of the elective subjects chosen by a student, it is important to note that the purpose of gaining knowledge in specialized areas of law at undergraduate level is to stimulate thinking and nurture a desire within students to pursue these areas of law in depth at a future stage. They may pursue this further whether as courtroom lawyers, corporate lawyers, in academia, in public or international service.

Naturally, depending on the niche an institution wishes to carve out for itself it will offer elective units accordingly. These may range from much older fields of law to contemporary ones or electives designed to inculcate certain skills or expose students to the legal market with certain objectives.

14.3. WHEN SHOULD ELECTIVE COURSES BE OFFERED?

It is recommended that elective subjects be offered in the third and fourth years of the programme. At this stage, it is believed, that the student will be better placed to make a good choice of what they want to learn. There is a wide range of elective subjects that an institution can choose from. Besides, an institution may as well come up with totally new subjects to be taught as elective subjects in accordance with known principles of curriculum development and according to the laid down procedure of the institution in question.

14.4. LIST OF POSSIBLE ELECTIVE COURSES

As already alluded, electives may serve different objectives. Below is a list of electives that an institution may offer. It should be noted that it is the responsibility of the institution to choose what electives they wish to offer and to develop and deliver the course to the standards required. The list below reflects some electives offered by institutions currently offering law. The list is by no means exhaustive and should be used only as a guide to ignite a serious debate by an institution wishing to offer legal studies as to what electives they should offer. As you will note, the framework that has been used to itemize the electives is also intended to guide the thinking thereof.

Table of Possible Electives

Traditional Elective Units	Skills-Based Units	Novel/ Contemporary Units
1. Accounting for Lawyers 2. Banking Law 3. Conflict of Laws 4. Customary Law in Kenya 5. Human Rights 6. Insurance Law 7. International Criminal Law 8. International Dispute Resolution 9. International Humanitarian Law	1. Alternative Dispute Resolution 2. Clinical Seminar 3. International Dispute Resolution 4. Legal and Legislative Drafting 5. Mooting 6. Public Interest Clinic	1. Atomic Energy Management Law 2. Aviation Law 3. Children and the Law 4. Clinical Seminar 5. Competition Law 6. Consumer Protection 7. Devolution 8. Electoral Law 9. Environmental Law 10. Health and the Law 11. Information and

10. Law and Gender Relations 11. Tax Law 12. Social Foundations of Law		Communication Technology Law 12. Law of the Sea 13. International Trade and Investment Law 14. Internet and Communication Law 15. Islamic Law 16. Law, Science and Technology 17. Oil and Mineral Resources Law 18. Sports law 19. Law on Climate Change
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APPENDIX 1.0

REQUISITE AND RECOMMENDED FACILITIES FOR MOUNTING A LAW DEGREE PROGRAMME

A MINIMUM RESOURCES AND FACILITIES

The following should be the minimum requisite resources and facilities for an institution offering either undergraduate or post graduate training in law:

- a. **Human Resources:** Adequate number of lecturers with a minimum professional qualification that is equivalent to a Master of Laws (LL.M) degree or Master of Philosophy in Law (MPhil) with a lecturer to student ratio that shall from time to time be determined by the CUE and the CLE;
- b. **Physical Facilities:** Adequate lecture rooms, staff rooms, a moot court room² and a conference room;
- c. **Teaching Facilities:** PowerPoint projectors, portable computing devices, printer, photocopier, white boards and markers;
- d. **Research Facilities:** Law training institutions should have an adequately stocked library that contains both print and electronic resources. Institutions should have adequate copies of all the core reference text books. In addition, institutions should subscribe to at least two mainstream online legal journals providers *e.g.* Heine Online, Lexis Nexis, Westlaw, Jstor *et cetera*. Staff and students should have access to computers, in addition to being provided with internet access on their computing and electronic devices while within the institution premises. Law training institution should also have an adequately staffed computer and information technology centre for the provision of services and solutions relating to internet access, networking, data security *et cetera*. Institutions should also subscribe to plagiarism prevention software such as turnitin for purposes of conducting originality tests for student research papers and dissertations.

² The Council of Legal Education only makes an express reference to lecture rooms, office for the staff, moot court room and a library as the requisite facilities for a law training institution. See, Council of Legal Education, *Handbook of Legal Education Accreditation* (CLE, Nairobi 2011) 27.

B ADDITIONAL RECOMMENDED RESOURCES AND FACILITIES

- a. Sporting facilities and equipments such as a swimming pool, tennis court, soccer pitch *et cetera*;
- b. A Cafeteria
- c. Health Unit and Voluntary Counselling Testing (VCT) facilities
- d. Counselling Centre
- e. Suitable places for students from the various faiths to worship
- f. Recreation facilities

APPENDIX 2.0:

VARIOUS TEACHING AND LEARNING METHODOLOGIES APPROPRIATE FOR LAW SCHOOLS

A INTRODUCTION

Law schools adopt varying and diverse modes of teaching. However, the most prevalent mode of teaching within law schools in Kenya is the lecture method. The lecture method is applied in Kenyan law schools at the undergraduate level through dictation. This entails the lecturer reading from his notes and dictating the same to the students. The other form of the lecture method is whereby the lecturer, after properly preparing for the course, gives a lecture from a podium. This is often by giving a talk on the content that was to be covered during that lesson to the students and then delivering the rest of the notes to the students. This has been the norm in most law schools in Kenya. It results in student being involved in note taking most of the time. The negative implication is that it forces students to accept whatever is lectured without having the time to question what the lecturer is saying.

However, this method is not unique to Kenya and East Africa law schools only as it is also widely utilized in other courses within the universities. There is, however, a difference between a student who is pursuing a law degree and one who is studying a non-legal degree, which determines whether such an approach is effective in the teaching of law. Law is a profession that is technical in nature and has its own unique goals. These are the goals and skills the law lecturer and law student should aim to attain.

The main goal is for the lecturer to be satisfied that the law student knows the substantive and procedural law of the state and legal system utilized in the state. The main skills imparted are oratory, communication, reading, analytical and critical thinking skills. These skills can be imparted through various lecturing methods, which we proceed to discuss.

B LECTURE METHOD

As stated above, it is the teaching method used in most institution. This is the mode of delivery whereby the lecturer talks to the class about a certain topic. The aim of this mode of teaching is simply to impart a lot of information to the audience (class). There is, however, the question of how the lecturing method became the most popular mode of imparting

information to students in law schools.³ Historically law was taught in an apprenticeship manner whereby a budding lawyer learnt the skills of law from a qualified lawyer. It took place in the judiciary or in a judge's chamber. However, after an increase of apprentices, and an influx of lawyers in the society, there was a need to regulate the provision of legal training.⁴

Institutions which were later referred to as law schools subsequently took up this role. These law schools were initially referred to as lecture schools because lectures were the modes used to instruct budding lawyers. The lectures took place in the form of commentaries on the law. The lecturer, therefore, usually gave a commentary on the law and application of the law.⁵

The above method of lecturing eventually brought about a new style of teaching known as the textbook method.⁶ The main aim of this method was for the student to read the textbooks and commentaries written on the subject and memorise the literature in the books. The student was then required to recite the material to the lecturer. The lecturer, based on this information and his understanding of the material, then quizzed the student. These two methods of instruction, the lecture method and textbook recitation method, are still the preferred methods of teaching in most law schools. However, to be effective in contemporary times, they need to be complemented with the use of technology because of the large class sizes and the need for explanations and clarifications that the lecturer has to do for the student to clearly understand complex and ambiguous issues. This method of teaching, therefore, requires to be supplemented by the use of power points presentations, white boards and good public address systems. In addition, relevant movies and video recorded lecturer series on the topics taught are also beneficial.

C CASE METHOD

This is the method that was introduced to Harvard Law School by Prof. Christopher Columbus Langdell in 1875, a lawyer who was appointed the Dean of the Law School for purposes of reforming the law curriculum.⁷ His view was that the principles of law are best

³ Ursula Cheer *et al.*, 'Improving the Effectiveness of Large Class Teaching in Law Degrees' *University of Canterbury* (2012) 17 <<http://akoatearua.ac.nz/download/ng/file/group-7/improving-the-effectiveness-of-large-class-teaching-in-law-degrees.pdf>> accessed 30 April 2013.

⁴ Arthur D. Austin, 'Is the Casebook Method Obsolete?' (1965) 6(2) *William and Mary Law Review* 157, 158.

⁵ *Id* 160.

⁶ *Id* 161.

⁷ Arthur D. Austin (n 4) 160.

practiced and learned by a study of actual legal situations (cases) in which they occur. The case method essentially entails learning through the study of cases.⁸

Cases are arranged in a sequence, commencing with the leading case that shows the main principle of the course. This is followed by the cases that demonstrate the extensions or limitations of the principle. The casebook is modified as time passes, with inclusion of new cases that set up new principles. It also one of the common methods of instruction used in law schools worldwide.

D SOCRATIC METHOD

This method of teaching is associated with the great philosopher Socrates. It is an approach where one seeks the truth by a series of questions after a discussion ensues on the same. This is also commonly known as the question and answer method. It is normally coupled with the case method discussed above.⁹ It is based and justified on the ground that no fact in law is assumed, and that it has an answer to its being. The law student is meant to understand the principles of law and keep on asking the question as to why the principle arose and the basis of its application. It is basically supported by Socrates statement and argument that a five years old child's various 'why, why, why,' questions are the best approach to learning. Therefore, a law student and lawyer should be able to ask the same questions. This creates opportunities for the law student to develop his analytical and critical thinking skills.¹⁰ It also forces the student to ask questions and challenge the lecturer. Hence this opens up and broadens the lecturers and other students view and perspective on a subject. For this to be effective, the lecturer needs to understand the nature of the subject in question then feign ignorance of the same. This exercise should be done with patience because if wrongly done, it can have undesirable effects. It can lead to humiliation of the student to the rest of the class, hence shattering his confidence, which is contrary to the objectives of the Socrates method.¹¹

E ILLUSTRATION OF THE SOCRATES METHOD

For one to employ the Socratic method, he needs to understand the nature of each thing that is subject to the discussion. Answers are based on reason after one gains understanding of the subject. Through this method assumptions are destroyed. The line of understanding goes

⁸ Tempus Programme, 'Legal Education at the University of Split (LE Split)' (1/9/2007 - 31/8/2009) *Tempus Info-letter No 3* <<http://www.ksl.ac.ke/images/cleaccreditationhandbookpublication.pdf>> accessed 30 April 2013.

⁹ Ursula Cheer (n 3) 18.

¹⁰ *Id* 19

¹¹ *Id* 20

from pure knowledge, to reason, to belief and finally to illusion. Belief and illusion combine to create opinion, which in turn represents a world of becoming. Pure knowledge and reason combine to reflect knowledge, which represents reality. The role of the instructor, through feigning ignorance, is to guide the student along the correct path, correcting misconception and incomplete and inaccurate perceptions. The objective is that the student will develop sound reasoning that becomes the basis for his answers.

F SEMINAR METHOD

This is a participative method of imparting information to the student. The context is an academic setting but the main aim is to discuss a particular subject with guidance from the lecturer. The lecturer acts as a facilitator of the session. A student is allocated a specific task to research on a certain topic. He is then given a day to make a presentation of the same to the rest of the class. The other students have also read the topic and have prior prepared questions to ask the presenter. The students then discuss the topic of the seminar between each other. It is effective if conducted in a small group of twenty to forty students.

G TUTORIALS

This method involves smaller group of students than a seminar class. It is a one to one meeting between the lecturer and the student. The student is normally given an assignment and is expected to prepare thoroughly by reading extensively and preparing topics, and perhaps an essay, for discussion. Tutorials are more extensive than seminars and if one has not prepared they will be at a disadvantage because he is required to play an active role. Tutorials provide the student with the opportunity to test out ideas and question their tutor/lecturer.

H MOOT COURT METHOD

This method is used to teach students court presentation skills. A moot is a competitive mock court hearing. It normally takes the form of a fictitious civil or criminal case. It focuses on the practicalities of mooting and on legal arguments. Moots often do not include the details and technical requirements of the court procedure. For instances, there are no witnesses or juries at moots. Moots involve two teams of two law students one of whom acts as a leading counsel. Both teams present their arguments to a judge or panel of judges.¹² Moot judges are typically law lecturers or practicing lawyers. Lecturers are advised to use mooting as a way of imparting information to the law students especially due to the fact that it is an avenue for the

¹² Glanville William, *Learning the Law* (Cambridge University Press, Cambridge 1969) 28

students to learn practically. This method can be utilized in procedural courses such as civil procedure, judicial review and trial advocacy.¹³

I LECTURING MODES TABLE

Below is a chart displaying the various lecturing methods employed in law schools across the world, and which are also appropriate for law schools in Kenya. However, in order for these methods to be utilized effectively, they need to be complemented by the relevant facilities and technology. Every law school should at least be equipped with the following resources:

- A moot court room;
- Power point projectors;
- White board;
- Public address systems for big classes;
- An electronic learning platform whereby discussions can take place outside class hours

Lecturing Methodology	Whether Effective in Large Classes	Advantages	Disadvantages	Type of Class Size
Lecturing Method and Text Book Method	Yes	<ul style="list-style-type: none"> •It imparts a lot of information to the students; •It provides helpful updating information on the latest cases and developments; •The lecturer imparts expert insights and information not yet available in books. 	<ul style="list-style-type: none"> •It encourages passive learning on the part of the law students; •The lecturer dictates his notes to the students most of the time; •It does not encourage critical thinking and analysis by students; •While preparing for the examination, the students memorize the information without thinking through it. Student may therefore find difficulty in 	It is ideal for large classes. This is because the lecturer can disseminate a lot of information to the students.

¹³ Knowles J. and Thomas P., *Effective Legal Research* (Sweet & Maxwell, London 2006).

			applying the information practically.	
Socratic Method	No	<ul style="list-style-type: none"> •Students learn critical analysis skills; •They also learn to discern relevant facts from irrelevant ones; •The professor tests the reading and understanding of the students; •It encourages a reading culture and discourages rote learning; •It stimulates rational thinking and imparts ideas; •The students arrive at their own conclusion from the facts; •Students learn through critical thinking. 	<ul style="list-style-type: none"> •It may be humiliating for a student who is not adequately prepared; •The confidence of the student may be affected negatively 	It is not conducive for large classes. However, it can be utilised in large classes if used together with the lecture method. The challenge arises because the students are many and it's difficult for the lecturer to keep track of them. In addition, it may be inappropriate for undergraduate students as they are not mature enough to appreciate the workload required.
Case Method	Yes	<ul style="list-style-type: none"> •The case method forces the law students to interpret, critically analyse and come up with their conclusions on the meaning of judicial decisions; •Harvard University uses the case method and Socratic method thus adequately preparing various graduates to become academicians and practitioners. The class size at Harvard is 150 students; •The law students graduate to become capable and well skilled attorneys; •Students learn critical analysis skills. They also learn to discern relevant facts from irrelevant ones; •The students learn to distinguish between seemingly similar facts and issues. They also 	<ul style="list-style-type: none"> •It requires one to carry out more research and do more preparations; •It increases the workload of the law students; •It is more time consuming 	It can be used in large classes. However, the challenge is that students are required to read the cases before hand and the lecturer has to confirm that they do so. Due to the big class size the lecturer may be unable to do so. Hence most students may not read the cases and therefore may not participate effectively in class. However if the class comprises of mature students and is interactive the method can be utilised well regardless of the class size.

		<p>learn to analogize between dissimilar facts and issues. The lecture room should be designed in a way that a white board and PowerPoint can be used together;</p> <ul style="list-style-type: none"> •The case method makes the class more interactive and more interesting. This is because it involves real parties with real problems and therefore tends to stimulate the students more than text book questions do; •Caveat – point the students to the case and let them read it for themselves and extricate the facts in issue and the principle in the finding; •The students learn to reduce cases to four basic components: <ul style="list-style-type: none"> - Facts of the controversy; - Legal issue that the court decides upon; - The holding or legal resolution that the court reaches; - The reasoning that the court uses to explain its decision. •Students in the first year of study often outline these components in written case briefs. They can then refer to them during classes and while they prepare for examinations 		
Seminar Method	No	<ul style="list-style-type: none"> •The class is more interactive; •The students learn from each other; •The class is informal and the students are more comfortable in airing their views; 	<ul style="list-style-type: none"> •If a student is not prepared he is unable to follow the teaching and participate in the discussion; 	Only conducive for small classes. However it can be utilised with the lecture method and Socratic method.

		<ul style="list-style-type: none"> •Everyone is equal in the class and therefore other students can also critic and correct the presenters work and give positive feedback. 		
Tutorials	No	<ul style="list-style-type: none"> •The student is able to question the lecturer; •The student can receive clarifications in areas he is encountering problems. 	<ul style="list-style-type: none"> •It can only be utilised effectively in a small class. 	It can be utilised in small classes.
Moot Court	Yes	<ul style="list-style-type: none"> •Teaches students to think on their feet; •Students learn various skills such as communication, presentation, persuasion and debating. 		It can be utilised in both large and small classes. In small classes the student is given a legal brief to argue individually. In large classes the students are divided into teams/groups known as law firms to present the case before the class.

APPENDIX 3.0:

RECOMMENDED LIST OF CORE TEXTS FOR CORE COURSES/UNITS

1.	Legal Research and Writing	<ol style="list-style-type: none"> 1. Bryan Garner (2001), <i>Legal Writing in Plain English</i>, University of Chicago Press. 2. Richard Neumann (2005), <i>Legal Reasoning and Legal Writing</i>, 5th edition, Aspen Publishers. 3. Anne Enquist and Laurel Currie Oates (2005), <i>Just Writing: Grammar, Punctuation and Style for the Legal Writer</i>, 2nd edition, Aspen Publishers. 4. C.R. Kothari (1985), <i>Research Methodology</i>, 2nd revised edition, John Wiley and Sons (Asia) Ltd. 5. Jean Dane and Phillip. A. Thomas (2001), <i>How to Use a Law Library: An introduction to Legal Skills</i>, Sweet and Maxwell. 6. Olive Mugenda and Abel G. Mugenda (1999), <i>Research Methods: Quantitative and Qualitative Approaches</i>, revised edition, African Centre for Technology Studies. 7. David Pester (2003), <i>Finding Legal Information</i>, Chandos Publishing. 8. Bryan A. Garner ed. (2004), <i>Black's Law Dictionary</i>, 8th edition, Thomson West.
2.	Law of Torts	<ol style="list-style-type: none"> 1. W.V.H. Rogers (2006), <i>Winfield and Jolowicz on Tort</i>, 16th edition, Sweet and Maxwell. 2. R.A. Buckley and R.F.V. Heuston (1996), <i>Salmond and Heuston on the Law of Torts</i>, 21st edition, Sweet and Maxwell. 3. John Murphy (2007), <i>Street on Torts</i>, 12th edition, Oxford University Press. 4. Jenny Steele (2007), <i>Tort Law: Text, Cases and Materials</i>, Oxford University Press.
3.	Law of Contracts	<ol style="list-style-type: none"> 1. R.W. Hodgkin (2007), <i>Law of Contract in East Africa</i>, Kenya Literature Bureau. 2. Cecil Herbert Stuart Fifoot (1970), <i>History and Sources of the Common Law, Tort, and Contract</i>, Greenwood Press. 3. M.P Furmston, Geoffrey Chevalier Cheshire, William B. Simpson, Cecil Herbert Stuart Fifoot Contributor, <i>Cheshire, Fifoot and Furmston's law of contract</i>, 15th edition Oxford University Press. 4. Ian Ayres and Richard E. Speidel (2008), <i>Studies in Contract Law</i>, Foundation Press. 5. Peter Benson, ed. (2007), <i>The Theory of Contract Law</i>, Cambridge University Press. 6. Ewan McKendrick (2007), <i>Contract Law</i>, 7th edition, Palgrave. 7. Edwin Peel and G.H Treitel (2007), <i>Treitel on the Law of Contract</i>, 6th edition, Sweet and Maxwell. 8. Law of Contract Act, Chapter 23 Laws of Kenya, Government Printers.

4.	Legal Systems and Methods	<ol style="list-style-type: none"> 1. William B. Harvey, <i>An Introduction to the Legal System of East Africa</i>, East Africa Literature Bureau. 2. Martin Partington (2010), <i>Introduction to the English Legal System</i>, Oxford University Press. 3. Marie Fox and Christine Bell (2006), <i>Learning Legal Rules</i>, 6th edition, Oxford University Press. 4. Wade Mansel, Belinda Meteyard and Alan Thompson (2004), <i>A Critical Introduction to Law</i>, 3rd edition, Cavendish. 5. Carl F. Stychin C. (2007), <i>Legal Method: Text and Materials</i>, 3rd edition, Sweet and Maxwell. 6. Tudor Jackson (1988), <i>The Law of Kenya</i>, 3rd edition, Kenya Literature Bureau.
5.	Constitutional Law	<ol style="list-style-type: none"> 1. Stanley Alexander de Smith (1998), <i>Constitutional and Administrative Law</i>, 8th edition, Penguin Books. 2. Makau Mutua (2008), <i>Kenya's Quest for Democracy: Taming Leviathan</i>, Lynne Rienner Publishers. 3. Douglas Greenberg, Stanley. N. Katz et al. (1993), <i>Constitutionalism and Democracy-Transitions in the Contemporary World</i>, Oxford University Press. 4. Jackton Boma Ojwang (1990), <i>Constitutional Development in Kenya</i>, African Centre for Technology Studies (ACTS) Press. 5. Yash Pal Ghai and Mc Auslan(2001), <i>Public Law and Political Change in Kenya</i>, London: Oxford University Press. 6. Benjamin Obi Nwabueze (1973), <i>Constitutionalism in the Emergent States</i>, Fairleigh Dickinson University Press. 7. Kivutha Kibwana and Peter Chris Maina (2003), <i>Constitutionalism in East Africa</i>, Fountain Publishers. 8. Constitution of Kenya, 2010, Government Printers

6.	Criminal Law	<ol style="list-style-type: none"> 1. Rupert Cross (1995), <i>Criminal Law</i>, 13th edition, Lexis Nexis, Butterworths. 2. David Ormerod, Smith and Hogan (2005), <i>Criminal Law: Cases and Materials</i>, 9th edition, Oxford University Press. 3. Roach Kent, Patrick Healy and Gary Trotter (2004), <i>Criminal Law and Procedure: Cases and Materials</i>, 9th edition, Montgomery. 4. Shlomo Giora Shoham, Ori Beck and Martin Kett (2007), <i>International Handbook of Penology and Criminal Justice</i>, Routledge. 5. David Scott (2008), <i>Penology</i>, Sage. 6. Andrew Ashworth (2006), <i>Principles of Criminal Law</i>, 5th edition, Oxford University Press. 7. Mike Maguire, Rodney Morgan and Robert Reiner eds. (2002), <i>The Oxford Handbook of Criminology</i>, 3rd edition, Oxford University Press. 8. Community Service Orders Act Kenya Gazette Supplement No. 10/1998, Government Printers (1998). 9. William G. Eckert (1997), <i>Introduction to Forensic Sciences</i>, CRC Press. 10. Penal Code, Chapter 63 Laws of Kenya, Government Printers (1985). 11. Prisons Act Chapter 90 Laws of Kenya, Government Printers (1977). 12. Probation of Offenders Act Chapter 64 Laws, Government Printers (1981) 13. Sexual Offences Act Kenya Gazette Supplement No. 3/ 2006, Government Printers (2006).
7.	Family Law and Succession	<ol style="list-style-type: none"> 1. Cotran, Eugene (1968), <i>Casebook on Kenya Customary Law</i>, East African Literature Bureau. 2. Lowe, Nigel and Gillian Douglas (2007), <i>Bromley's Family Law</i>, 10th edition, Sweet and Maxwell. 3. Probert, Rebecca (2009), <i>Cretney's Family Law</i>, 7th edition, Sweet and Maxwell. 4. Charton, Ellen and Sue Ellen (1984), <i>Women in the third world development</i>, Westview Press. 5. Phillips, Arthur and Henry F. Morris, <i>Marriage laws in Africa</i>, Oxford University 6. African Christian Marriage and Divorce Act, Chapter 151 Laws of Kenya, Government Printers. 7. Hindu Marriage and Divorce Act, Chapter 157 Laws of Kenya, Government Printers. 8. Mohammedan Marriage, Divorce and Succession Act, Chapter 157 Laws of Kenya, Government Printers 9. Marriage Act, Chapter 150 Laws of Kenya, Government Printers.
8.	Law of Evidence	<ol style="list-style-type: none"> 1. Evidence Act, Chapter 80 Laws of Kenya, Government Printer. 2. Philip P. Durand (1969), <i>Evidence for Magistrates</i>, Government Printer. 3. Rupert Cross Taper Colin (1985), <i>Cross on Evidence</i>, 6th edition, Butterworth. 4. Adrian Keane (2008), <i>Modern Law of Evidence</i>, 7th edition, Oxford University Press. 5. John H. Wigmore (1995), <i>Wigmore on Evidence Vol. I-XI</i>, 4th edition, Little Brown. 6. J. B. Thayer (2000), <i>A Preliminary Treatise on Evidence at the Common Law</i>, Adamant Media Corporation

9.	Commercial Law (Sale of Goods & Agency)	<ol style="list-style-type: none"> 1. Patrick S. Atiyah, John N Adams and Hector L. MacQueen (2005), <i>The Sale of Goods</i> (2005), 11th edition, Longman. 2. Roy Goode (2009), <i>Commercial</i>, 4th edition, Penguin. 3. L.S. Sealy and R.J.A. Hooley (2008), <i>Commercial Law: Text, Cases, And Materials</i>, Oxford University Press. 4. Benjamin A. G. Guest (2006), <i>Benjamin's Sale of Goods</i>, Sweet and Maxwell. 5. Sale of Goods Act, Chapter 31 Laws of Kenya, Government Printers.
10.	Law of Business Associations	<ol style="list-style-type: none"> 1. Davies, Paul L. (2008), <i>Gower And Davies: The Principles of Modern Company Law</i>, 8th edition, Sweet and Maxwell. 2. Hicks, Andrew and S. Goo (2008), <i>Cases and Materials on Company Law</i>, 6th edition, Oxford University Press. 3. Klein, William A., J. Mark Ramseyer and Stephen M. Bainbridge (2009), <i>Business Associations, Cases and Materials on Agency, Partnerships And Corporations</i>, 7th Edition, Foundation Press. 4. Morse, G., S. Garvin and S. Frisby (2005), <i>Charlesworth's Company Law</i>, 17th Edition, Sweet and Maxwell. 5. Companies Act, Chapter 486 Laws of Kenya, Government Printers.
11.	Administrative Law	<ol style="list-style-type: none"> 1. A. W. Bradely and E. Ewing (2002), <i>Constitutional and Administrative Law</i>, 13th edition, Longman. 2. Paul. P. Craig (2003), <i>Administrative Law</i>, 5th edition, Sweet and Maxwell. 3. Migai Akech (2009), <i>Privatization and Democracy in East Africa: The Promise of Administrative Law</i>, East African Educational Publishers. 4. Le Sueur Andrew, de S.A de Smith, Right Hon. Lord Woolf and J.L Jowell (2007), <i>De Smith, Woolf and Jowell's Judicial Review of Administrative Action</i>, 6th edition, Sweet and Maxwell. 5. Fordham Michael (2008), <i>Judicial Review Handbook</i>, Hart Publishing.
12.	Jurisprudence	<ol style="list-style-type: none"> 1. Freeman, M.D.A (2008), <i>Lloyd's Introduction to Jurisprudence</i>, 8th edition, Sweet and Maxwell. 2. Bix, Brian (1999), <i>Jurisprudence: Theory and Context</i>, 4th Edition, Sweet and Maxwell. 3. Hart, H.L.A. (2007), <i>The Concept of Law</i>, Clarendon Press. 4. Kelsen, Hans (1981), <i>Pure Theory of Law</i>, University of California Press. 5. Rawls, John (2005), <i>A Theory of Justice</i>, Belknap Press of Harvard University Press. 6. Bhalla, R.S, <i>Concepts of Jurisprudence</i>, Nairobi University Press (1990).
13.	Equity and the Law of Trusts	<ol style="list-style-type: none"> 1. Woolf, Emille, (1992), <i>ACCA Study Text: Executorship, Trusts and Accounts</i>, Emille Woolf Publications. 2. Gardner, Simon (2003), <i>An Introduction to the Law of Trusts</i>, 2nd edition, Oxford University Press. 3. Watt, Garry (2009), <i>Todd and Watts' Cases and Materials on Equity and Trusts</i>, 7th edition, Oxford University Press. 4. Martin, Jill. E. (2009), <i>Hanbury and Martin Modern Equity</i>, Sweet and Maxwell. 5. Pettit, Philip H. (2006), <i>Equity and the Law of Trusts</i>, 10th edition, Oxford University Press. 6. McGhee, John (2005), <i>Snell's Equity</i>, Sweet and Maxwell

14.	Public International Law	<ol style="list-style-type: none"> 1. Brownlie Ian (2008), <i>Principles of Public International Law</i>, 7th edition, Oxford University Press. 2. Malcolm N. Shaw (2003), <i>International Law</i>, 5th edition, Cambridge University. 3. Jeremy Levitt (2008), <i>Africa: Mapping New Boundaries in International Law</i>, Hart Publishing. 4. D.J. Harris (2004), <i>Cases and Materials on International Law</i>, 6th edition, Sweet and Maxwell. 5. Lori Henkin, Richard Crawford Pugh, Oscar Schachter, Hans Smit (1998), <i>International Law: Cases and Materials</i>, Sweet and Maxwell.
15.	Property Law (Theory)	<ol style="list-style-type: none"> 1. Jon W. Bruce and James W. Ely Jr (2007), <i>Cases and Materials on Modern Property Law</i>, 6th edition, American Casebook Series. 2. Jesse Dukeminier and James Krier (2002), <i>Property</i>, 5th edition, Aspen Publishers. 3. Wesley Newcomb Hohfeld and Walter Wheeler Cook (2000), <i>Fundamental Legal Conceptions: As Applied in Judicial Reasoning</i>, Lawbook Exchange Ltd. 4. Stephen R. Munzer (1990), <i>A Theory of Property</i>, Cambridge University Press. 5. Margaret Jane Radin (1996), <i>Re-Interpreting Property</i>, University of Chicago Press. 6. Grant S. Nelson, William B. Stoebuck and Dale A. Whitman (1996), <i>Contemporary Property</i>, Thomson West.
16.	Labour Law	<ol style="list-style-type: none"> 1. Servais, Jean-Michel (2005), <i>International Labour Law</i>, Kluwer Law International. 2. Upex, Robert (2006), <i>Labour Law</i>, Oxford Press. 3. Deakin, Simon and Gillian Morris (1995), <i>Labour Law</i>, Butterworths. 4. Whincup, Michael (1995), <i>Modern Employment Law</i>, 7th edition, Butterworth-Heinemann. 5. Employment Act, 2007, Government Printers. 6. Work Injury Benefits Act, 2007, Government Printers. 7. Labour Institutions Act, 2007, Government Printers. 8. Labour Relations Act, 2007, Government Printers.
17	Principles of Civil Procedure/Civil Procedure and Practice	<ol style="list-style-type: none"> 1. Richard D. Freer (2006), <i>Introduction to Civil Procedure</i>, Aspen 2. Richard Kuloba (2005), <i>Judicial Hints on Civil Procedure</i>, 2nd Edition, LawAfrica 3. Langen & D.J. Henderson (1983), <i>Civil Procedure</i>, 3rd Edition, Sweet & Maxwell 4. Nan D. Hunter (2002), <i>The Power of Procedure</i>, Aspen Publishers 5. Joseph W. Glannon (2001), <i>Civil Procedure</i>, Aspen Publishers, 4th Edition 6. W. Blake Odgers (2006), <i>Principles of Pleadings and Practice in Civil Actions in the High Court of Justice</i>, 2nd Edition, Sweet & Maxwell 7. C. Blake & Gittuddy (2006), <i>Introduction to Legal Practice</i> Vol. 1, 2nd Edition, Sweet & Maxwell 8. Craig Osborne (1991), <i>Introduction to Legal Practice</i>, Vol. 2, 3rd Edition, Sweet & Maxwell 9. John T. Cross (2005), <i>Civil Procedure</i>, 6th Edition, Aspen

18.	Criminal Procedure	<ol style="list-style-type: none"> 1. Bwonwonga, M. (1994), <i>Procedures in Criminal Law in Kenya</i>, (East African Literature Bureau 2. P.L.O. Lumumba (2005), <i>A Handbook on Criminal Procedure in Kenya</i>, 2nd Edition, LawAfrica 3. T.O. Mweseli (1997), <i>An Outline of Criminal Procedure in Kenya</i>, Faculty of Law, University of Nairobi 4. Brown (1970), <i>Criminal Procedure in Uganda and Kenya</i>, 2nd Edition, Sweet & Maxwell 5. John Sprack (2004), <i>A Practical Approach to Criminal Procedure</i> 10th Edition, Oxford University Press
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APPENDIX 4.0:

ASSESSMENT METHODS

The objective of law schools or legal training institutions is to produce competent legal professionals. Law students have to acquire certain skills such as knowledge gathering, critical thinking, research and writing, communication, self-management skills *etc* in order to be competent professionals upon graduation from the law school. For a lecturer to effectively impart the above-mentioned skills on the law students, he has to rely on the various lecturing methods tailored to impart such skills. The teaching methods include lecturing method, Socratic method, case method, moot court method, seminar method and tutorials.

After successful teaching, the lecturer is required to evaluate whether law students have acquired the relevant skills and knowledge. Various methods may be utilized in assessing law students. Historically, legal skills were taught in informal settings and law students were required to learn by following and apprenticing for a legal practitioner. After a specific period of time the law student graduated into a full-fledged lawyer who could offer his services independently to the community at large. There was, therefore, no formal method of assessing the law student except through the output from his work. Hence the society was the judge and evaluator of the law student.¹⁴ Formal legal training subsequently evolved and there was a need for law schools and legal training centers and a formal approach to students' evaluation and assessment was adopted in such institutions. This entailed tests and examinations. A test is a procedure intended to establish the quality, performance or reliability of something or somebody¹⁵ such as a law student. It is essentially an exercise, event or situation that reveals the strength or quality of someone or something by putting them under strain.

There are various modes of assessment tests which vary in accordance to style, requirements and outcomes. The common assessment methods are discussed here below:

¹⁴ Arthur D. Austin (n 4) 158.

¹⁵ New Oxford Advanced Learners Dictionary (7th Edn Oxford University Press, Oxford 2005).

A CLOSED BOOK EXAMINATIONS

1 CONTINUOUS ASSESSMENT TESTS

A Continuous Assessment Test (CAT) is often used as a tool for assessing and improving students learning before the end of the course, and is mostly administered when the course curriculum is halfway. It may be administered to the entire class. This mode of examination is practiced in various law schools all over the world. In Kenya, it is normally administered as the first examination in a course. It is administered in the formative stage of a law course so as to assess the quality of learning and retention of information. A CAT also provides useful feedback and opportunity for improvement to both the lecturer and the students before the course comes to an end.¹⁶

2 ESSAYS

An essay is an assessment mechanism that can be administered to the entire class. It often comprises of problem questions that test the students' ability to handle hypothetical legal problems. The objective of this assessment method is to determine whether law students are able to extract relevant facts from complex issues and doctrines quickly and accurately. For instance, it evaluates whether the law student has given the appropriate depth to the researching and evaluating of all relevant issues, and presented them coherently and adequately. In addition, it can expose students who fail to contextualize a legal problem in its broader setting, and, therefore, end up adopting a narrow perspective. However, a demerit of the essay method is that some circumstances, such as the required length and time of completion of the test or assignment, may contribute to the law student over simplifying arguments, leaving out core sub-issues and nuances, and failing to adequately address opposing views.¹⁷

3 MULTIPLE CHOICE EXAMINATIONS

These are examinations that are formal in nature and are administered in the form of short questions that are answered in one word. The student is required to choose one of the choices provided as answers. The answers are meant to test the law student's knowledge of the specific legal issues. An advantage of the multiple choice examinations is that they can be

¹⁶ William Kapamwe, 'The Implementation of School Based Continuous Assessment in Zambia' 105 <www.academicjournals.org/err/PDF/Pdf%202010/Mar/Kapambwe.pdf> accessed 13 May 2013.

¹⁷ Marjorie Shultz and Sheldon Zedeck, 'Predicting Lawyer Effectiveness: Broadening the Basis for Law School Admission Decisions' 16 <www.usc.edu/program/predictinglawyereffectiveness.pdf> accessed 13 May 2013.

used to test understanding, analysis, problem solving and evaluative skills of a student. Such examinations evaluate a student's knowledge of the precise ingredients of the relevant legal principle rather than abstract issues. In addition, the lecturer is able to assess the student's ability to be organized and focused under pressure. Further, the lecturer tests the student's capacity to draw on wide range of knowledge and identify recurrent theories. Some of the demerits of multiple choice examinations are that a student gets little feedback, it is time consuming for the lecturer especially while marking, and it puts more emphasis on examination technique rather than how well the student has learnt.

4 ORAL EXAMINATIONS

These are examinations that are oral in nature and often lack formality. They have the objective of determining the law students' oral presentation competency, that is, the proper and effective use of language, listening skills and persuading skills. Such examinations have the merit of being very flexible and adaptable, therefore making it possible for the lecturer to comprehensively evaluate a student's knowledge of the course. In addition, a student is able to improve his oral communication skills and confidence. Oral examinations also encourage a student to prepare thoroughly for an examination, and are less tedious to administer and evaluate compared to written ones. Further, oral examinations permit the lecturer to probe the depth of the student's understanding of the course, and determine whether the student is only memorizing the answer. However, a demerit of an oral examination is that it may end up consuming a lot of time as the lecturer has to deal with each student on a one on one basis. In addition, students may share the questions and answers with their fellow examinees that are yet to be examined.¹⁸

5 GROUP PRESENTATIONS

These forms of assessment are meant to determine and evaluate the law student's legal analysis competency, including analyzing the relevant facts and applicable law and consequently the formulation of a legal theory. In addition, such form of assessment seeks to test the law student's practice of management competency, which includes the proper use of time, team work capabilities, selecting and adhering to appropriate research and presentation management procedures *etc.*

¹⁸ Bendix Asklund, 'Oral vs. Written Evaluation' *Lund Institute of Technology*, 1
<http://fileadmin.cs.lth.se/cs/Personal/lars_bendix/Publications/AB03b/lth.pdf> accessed 13 May 2013.

B OPEN BOOK EXAMINATIONS

These are formal examinations in which students are allowed to carry notes, texts or resource materials into the examination venue. The objective of an open book examination is to test the ability of the student to find and apply information and knowledge. Open book examinations are often used in courses where direct reference is required and where information can be retrieved from written materials like statutes or textbooks. Such examinations test beyond rote learning and memorization. They focus on the student's analytical skills and ability to find the applicable law and facts. They also evaluate the student's intellectual abilities and skills and his application of knowledge and critical thinking. However, a drawback of open book examinations is that they limit the memorization and information retention skills of the student. In addition, carrying in too many materials and resources may end up distracting the student and taking up most of his time during the examination.

APPENDIX 5.0:

RECOMMENDED TEMPLATE FOR COURSE DESCRIPTION (OUTLINE)

A COURSE DESCRIPTION (OUTLINE) DEFINED

A course description provides students with basic information to help them evaluate their enrolment for that subject. Course descriptions contain information about a university's classes, and may be published in course catalogues that outline degree requirements, and in course schedules which contain course descriptions for all classes offered during a particular semester. It is recommended that a course description should have the following information:

- Name of the institution;
- Semester in which the course is offered;
- Course name and number;
- Number of credits (hours per week);
- Restrictions or prerequisites;
- Brief summary of topics covered in the class;
- Every subject should have a course description and below is the recommended format including a sample course description.

B RECOMMENDED TEMPLATE

UNIT TITLE	THE TITLE SHOULD BE STATED HERE								
Contact Hours	The number of credit hours for teaching the subject should be indicated								
Purpose	This section must briefly, but clearly outline the purpose or the aim of the course								
Expected Learning Outcomes	This section should indicate Specific, Measurable, Achievable, Realistic and Time-bound statements of target								
Content	This section should indicate a break-down of the essential elements that must be taught in the subject								
Learning and Teaching Methodologies	The methods of delivering the subject should be indicated, <i>i.e.</i> lectures, seminar discussions, tutorials								
Instructional Materials/ Equipment	This section should indicate teaching aids, <i>i.e.</i> LCD Screens, microphones, writing boards, <i>etc.</i>								
Assessment	<p>This section should indicate how assessment is to be carried out, <i>i.e.</i></p> <table> <tr> <td>Type</td><td>Weighting (%)</td></tr> <tr> <td>Examination (sit-in 2 hours) -</td><td>70 (choice of institution)</td></tr> <tr> <td>Continuous assessment (sit-in CAT, the other can be group work or take away assignment) -</td><td>30 (choice of institution)</td></tr> <tr> <td>Total -</td><td>100%</td></tr> </table>	Type	Weighting (%)	Examination (sit-in 2 hours) -	70 (choice of institution)	Continuous assessment (sit-in CAT, the other can be group work or take away assignment) -	30 (choice of institution)	Total -	100%
Type	Weighting (%)								
Examination (sit-in 2 hours) -	70 (choice of institution)								
Continuous assessment (sit-in CAT, the other can be group work or take away assignment) -	30 (choice of institution)								
Total -	100%								
Core Texts	<p>This section should indicate the main texts on the subject that are readily available in the school library or to the students online.</p> <p>N/B It is an ethical concern to require a student to read a core text that is not readily available to him/her.</p>								
Further Reading Materials and Resources	This section should indicate any other materials that are relevant on the subject. This category of materials need not be in the library though.								

C SAMPLE COURSE DESCRIPTION/OUTLINE

UNIT TITLE	CONSUMER PROTECTION
Contact Hours	42 hours
Purpose	The aim of this course is to introduce students to the international, regional and national scheme for the protection of consumers. It also seeks to expose students to the freedom of contract and consumer protection, in addition to the impact of technology on consumer protection. The course specifically focuses on the law on consumer protection in health, housing, entertainment, transport, financial services and other sectors; the law on standardization and quality control of goods and services in Kenya and the role of the Kenya Bureau of Standards (KEBS). Further, the course analyses consumer rights and protection under the Constitution of Kenya, 2010.
Expected Learning Outcomes	<p>At the end of this course, the students should be able to:</p> <ul style="list-style-type: none"> ▪ Discuss competently the international, regional and national scheme for the protection of consumers; ▪ Demonstrate an understanding of the operation of the law on consumer protection in various sectors; ▪ Demonstrate an apt understanding of the law on standardization and quality control of goods and services in Kenya and the role of the Kenya Bureau of Standards (KEBS); ▪ Give an informed appraisal of how the Constitution of Kenya protects consumers; ▪ Demonstrate an understanding of the significance of consumer protection laws; ▪ Compare and Contrast the relationship between the different laws relating to consumer protection
Content	Introduction to the international, regional and national scheme for the protection of consumers; the freedom of contract and consumer protection; the impact of technology on consumer protection; the law on consumer protection in health, housing, entertainment, transport, financial services and other sectors; the law on standardization and quality control of goods and services in Kenya; the role of the Kenya Bureau of Standards (KEBS); access to justice or redress mechanisms.

Learning and Teaching Methodologies	<p>Lectures;</p> <p>Seminar discussions;</p> <p>Tutorials;</p> <p>Case studies;</p> <p>Individual and group presentations;</p> <p>Problem-based learning;</p> <p>Mooting;</p> <p>Field visits/industrial attachments</p>								
Instructional Materials/ Equipment	<p>In-house school academic policies and guidelines:</p> <p>Policy on plagiarism of academic works,</p> <p>Guidelines on referencing and attribution of academic works</p> <p>Internet sources:</p> <p>Lexis Nexis;</p> <p>E-Journals;</p> <p>Law Africa;</p> <p>Kenya Law Report;</p> <p>Handouts:</p> <p>Select pieces from teaching staff;</p> <p>Audio visual equipment:</p> <p>LCD screen, projectors and laptop for Power Point presentations;</p> <p>Whiteboard and markers;</p> <p>Microphones and speakers</p>								
Assessment	<table> <tr> <th>Type</th><th>Weighting (%)</th></tr> <tr> <td>Examination (sit-in 2 hours)</td><td>70%</td></tr> <tr> <td>Continuous assessment (sit-in CAT, the other can be group work or take away assignment)</td><td>30%</td></tr> <tr> <td>Total</td><td>100%</td></tr> </table>	Type	Weighting (%)	Examination (sit-in 2 hours)	70%	Continuous assessment (sit-in CAT, the other can be group work or take away assignment)	30%	Total	100%
Type	Weighting (%)								
Examination (sit-in 2 hours)	70%								
Continuous assessment (sit-in CAT, the other can be group work or take away assignment)	30%								
Total	100%								
Core Texts	<ul style="list-style-type: none"> ▪ The Constitution of Kenya, 2010, Government Printer. ▪ The Consumer Protection Bill of Kenya (2007), Government Printer. ▪ The Competition Act, Act No. 12 of 2010 (Kenya), Government Printer ▪ The Architects and Quantity surveyors Act, Chapter 525 Laws of Kenya, Government Printer. 								

	<ul style="list-style-type: none"> ▪ The Copyright Act, Act No. 12 of 2000(Kenya), Government Printer. ▪ The Food, Drugs and Chemical substances Act, Chapter 254 Laws of Kenya, Government Printer. ▪ The Occupational Safety and Health Act, Act No. 15 of 2007(Kenya), Government Printer. ▪ The Sale of Goods Act, Chapter 31 Laws of Kenya, Government Printer. ▪ Harvey, Brian W. (1978). <i>The Law of Consumer Protection and Fair Trading</i>, London: Butterworths. ▪ Oughton & Lowry, (2000), <i>Textbook on Consumer Law</i>, Blackstone ▪ Hewells & Weatherhill, (1995), <i>Consumer Protection Law</i> Dartmouth. ▪ Okoth O., 'Law and Genetic Resources in Kenya' (1995) 2 <i>University of Nairobi Law Journal</i>
Further Reading Materials and Resources	<ul style="list-style-type: none"> ▪ Attiyah (1986), <i>Sale of Goods</i>, London: Pitman Publishing. ▪ Abbot, K. R. & Pendlebury (2007) <i>Business Law</i>, 6th Ed. London: Sweet & Maxwell. ▪ Consumer Protection Diagnostics Study-Financial Sector Deepening(FSD) Kenya by Ochieng M.: WWW.fsdkenya.org/pdf.../11-02-22-Consumer-diagnostics-study.pdf [22.7.2012]. ▪ A guide to developing consumer protection law, published by Consumers International in May, 2011, ISBN No. 978-0-9567403-4-2

APPENDIX 6.0:

RECOMMENDED TEMPLATE FOR COURSE OUTLINE – WEEKLY BASIS

A COURSE OUTLINE DEFINED

A course outline gives a week-by-week or class by class break down of how a subject is taught. A course outline is developed from a course description and is anchored on the information contained in the course description regarding the specifics of the respective course.

The course outline is a summary of course design plans and serves as a ‘contract’ between the lecturer and the students regarding the course described. There is no uniform way of drawing a course outline. However, it must contain administrative information such as course name and number, semester, lecturer’s name and contact information, and office hours. It must also contain required texts, readings, or materials, brief summary of the content of the course, course goals or objectives, structure and sequence of class activities and relevant policies such as those for late assignments or missed exams or class attendance.

Below is the recommended template for preparing course outlines to support the teaching of the law degree including a sample course outline.

B RECOMMENDED TEMPLATE**{Name of the institution to appear at the top}****Unit Title and Code: {The title of the subject should be indicated here}****Lecturer: {Name}****Class Representative's name: {If this applies to the institution or class, or any other communication channel the lecturer deems fit}****Phone: {Optional-it is only necessary for communication with any member of the class.****Email or any other medium may be used, including Facebook, Twitter or Skype}**

Aim: {The purpose or aim of the course should be stated here in a clear and precise manner}.	Course Learning Outcomes: {This section should contain specific, measurable, achievable, realistic and time-bound statements of target. The statements should cover the entire content of the subject beginning with introduction or philosophical or theoretical foundation of the subject, then the substance of the subject, areas of reform, new developments in the area, <i>etc.</i> }
Contact Hours:	{Credit contact hours allocated for teaching the subject should be indicated. It is also advisable to indicate the weekly contact hours or the duration of each class}
Pre-Requisite:	{Any subject that the student is required to have learned and passed must be indicated with the required pass mark <i>i.e.</i> 50% in Constitutional Law as a pre-requisite to study East African Regional Law}
Class Activity:	{This is recommended if the lecturer can foresee in advance any activity necessary to be undertaken during the learning period <i>i.e.</i> industrial visit or trip, learning arrangements <i>i.e.</i> creating of groups that will research given topics and lead the class in discussions}
Any Other Important Item	{The lecturer may indicate his/her rules of engagement or the mode of teaching}
Week/Dates	This section only indicates the week / the day of the semester or the term that a particular topic shall be taught.
Topic	This section must contain the topic that is being taught in that particular week or the date indicated in column one. It is highly recommended that the topics should be arranged and taught in their coherence sequence in order to enable the student comprehensively understand the subject <i>i.e.</i> from the introductory part of the subject to the last item. The main topic should be stated in general terms. However, it is

	advisable for the breakdown of the topic to also be indicated in this section.								
Intended Learning Outcomes	This section should contain measurable outcomes expected after every topic. At least three general outcomes should be stated.								
Reading List	This section indicates the recommended texts and materials, including, statutes, online resources and cases that are essential for a student to read on the specific topic in that week, even where reading materials are provided for generally in the course outline. A minimum of five different items is advised								
Course Delivery Methodology	This part should indicate the following: <ul style="list-style-type: none"> - The number of expected classes/ hours in a week; - The mode of teaching that the lecturer will employ in teaching; <i>i.e.</i> use of Power Point, group discussions, seminars, tutorials <i>etc</i>; - How students will acquire notes on the subject {Students are encouraged to study apart from the short notes that they may jot down in class. They should comprehensively read online books available.} 								
Academic Assessment	<p>This section should indicate the mode of examining the students <i>i.e.</i></p> <table> <tr> <th>Type</th><th>Weighting (%)</th></tr> <tr> <td>Examination</td><td>70%</td></tr> <tr> <td>CAT(s)</td><td>30%</td></tr> <tr> <td>Total</td><td>100%</td></tr> </table>	Type	Weighting (%)	Examination	70%	CAT(s)	30%	Total	100%
Type	Weighting (%)								
Examination	70%								
CAT(s)	30%								
Total	100%								

C SAMPLE COURSE OUTLINE – WEEKLY BASIS**Unit Code and Title: LCC 404: Consumer Protection****Lecturer:****Class Representatives: Hongera Mzalendo – Phone: 07XXXXXXXX****Amani Maisha – Phone: 07XXXXXXXX**

Aim:	The aim of this course is to introduce students to the international, regional and national scheme for the protection of consumers. It also seeks to expose students to the freedom of contract and consumer protection, in addition to the impact of technology on consumer protection. The course specifically focuses on the law on consumer protection in health, housing, entertainment, transport, financial services and other sectors; the law on standardization and quality control of goods and services in Kenya and the role of the Kenya Bureau of Standards (KEBS). Further, the course analyses consumer rights and protection under the Constitution of Kenya, 2010.
Course Learning Outcomes:	<p>At the end of this course, the students should be able to:</p> <ul style="list-style-type: none">▪ Discuss competently the international, regional and national scheme for the protection of consumers;▪ Demonstrate an understanding of the operation of the law on consumer protection in various sectors;▪ Demonstrate an apt understanding of the law on standardization and quality control of goods and services in Kenya and the role of the Kenya Bureau of Standards (KEBS);▪ Give an informed appraisal of how the Constitution of Kenya protects consumers;▪ Demonstrate an understanding of the significance of consumer protection laws;▪ Compare and contrast the relationship between the different laws relating to consumer protection
Contact Hours:	42 (3 hours per week for 14 weeks=42 hrs, and 2 hours of examinations)
Class Activity:	The class will select three consumer protection issues that will be dealt with during the semester. This will involve engagements with the relevant stakeholders, ministry <i>etc.</i> The issues will be selected during the first lesson.
NB	From time to time, additional reading lists will be distributed on each topic

	where necessary.
Week /Dates	Week 1 & 2
Topic	<p>The introduction to the concept of consumer protection(1st lesson)</p> <p>Introduction to the international, regional and national scheme for the protection of consumers.</p> <p>N/B</p> <p>Take away assignment shall be given out and to be returned in the first class of week 12</p>
Intended Learning Outcomes	<p>By the end of the this topic, students should be able to:</p> <ul style="list-style-type: none"> ▪ Name and discuss all international and regional schemes for consumer protection; ▪ Discuss how the interplay between national consumer protection schemes and regional and international ones; ▪ Evaluate sufficiency of the regional and international consumer protection schemes.
Reading List	<ul style="list-style-type: none"> ▪ Jean, P. C., Maur, J. C. (2011) <i>Preferential Trade Agreement Policies for Development: A Handbook</i>, World Bank. ▪ Dr. Michael Baker- <i>International Consumer Protection Treaty</i> (2000). www.michael-baker.com/ideas/icpt.html [23.7.2012] (This page outlines ideas for an International Consumer Protection Treaty.) ▪ The Hague Conference (2010), <i>International Protection of Consumers</i>, International Law Association. http://www.google.com/search?q=www.ila-hq.org%2F...%2F8C82A2BE-2223-4F8E-BA793A6E04D2BC13&ie=utf-8&oe=utf8&aq=t&rls=org.mozilla:en-US:official&client=firefox-a [23.7.2012] ▪ Claudia Lima Marques, <i>Insufficient Consumer Protection in the Provisions of Private International Law – The Need for an Inter-American Convention (CIDIP) on the Law Applicable to Certain Contracts and Consumer Relations</i>. http://www.oas.org/dil/AgreementsPDF/Inglesdocumento%20de%20apoyo%20a%20la%20convencion%20propuesta%20por%20br%E2%80%A6.pdf [28.07.2012].
Week/Dates	Week 3 & 4
Topic	The freedom of contract and consumer protection
Intended	By the end of this topic, students should be able to:

Learning Outcomes	<ul style="list-style-type: none"> ▪ Discuss competently the rights of consumers in contracts of sale of goods; ▪ Show why it is necessary to limit contractual freedom; ▪ Show how consumer protection laws limit contractual freedom; ▪ Discuss how of Unfair Trade practices undermine consumer rights.
Reading List	<ul style="list-style-type: none"> ▪ Kimel, D. (2012) <i>Neutrality, Autonomy, and Freedom of Contract</i>, Oxford University Press. ▪ Ely, J. W. JR. (2000) <i>The State and Freedom of Contract</i>, Independent Review Publisher. ▪ Atiyah, P. S. (1979) <i>The Rise and Fall of Freedom of Contract</i>, Clarendon press. ▪ Peter Cartright (2001) <i>Consumer Protection and the Criminal Law: Law, Theory, and Policy in the UK</i>, Cambridge University Press.
Week/Dates	Week 5
Topic	The impact of technology on consumer protection
Intended Learning Outcomes	<p>By the end of this topic, students should be able to:</p> <ul style="list-style-type: none"> ▪ Show challenges posed to consumer protection schemes by technological changes in the world; ▪ Discuss how technological changes affect contracting behaviours; ▪ Identify areas of reform and suggest possible schemes that can make consumer protection schemes adapt to the changes in technology.
Reading List	<ul style="list-style-type: none"> ▪ Winn, K. J. (2006) <i>Consumer Protection in the Age of the 'Information Economy</i>, Ashgate Publishing, Ltd. ▪ Solove, J. D. (2004) <i>The Digital Person: Technology and Privacy in The Information Age</i>, New York University Press ▪ Consumer protection, competition, competitiveness and development, note by the UNCTAD Secretariat(2001) ▪ Graubert, J & Coleman, J, <i>Consumer Protection and Antitrust Enforcement at the Speed of Light: The FTC Meets the Internet</i>, 25 CAN.-U.S. L.J. 275, 286 (1999). ▪ Alfredo B. G, 'General themes: The Right to Be Mistaken: Products Liability in Peru (2003), <i>Arizona Journal of International and Comparative Law</i>. https://litigationessentials.lexisnexis.com/webcd/app?action=DocumentDisplay&crawlid=1&doctype=cite&docid=20+Ariz.+J.+Int%27l+%26+Comp.+Law+99&srctype=smi&srcid=3B15&key=efb496322690eefa017ddf97af3973a1[21.7.2012].
Week/Dates	6, 7 & 8

Topic	The law on consumer protection in: health, housing, entertainment, transport, insurance, financial services and other sectors.
Intended Learning Outcomes	<p>By the end of this topic, students should be able to:</p> <ul style="list-style-type: none"> ▪ Demonstrate an appreciation of the need to have consumer protection schemes in various sectors of the economy; ▪ Demonstrate an understanding of the operation of the law on consumer protection in various sectors; ▪ Discuss sufficiency of consumer protection schemes in insurance claims settlement processes and outcomes; ▪ Discuss the sufficiency of various national consumer protection schemes in the various sectors; ▪ Illustrate how M-PESA customer care service helps consumers protect themselves as recourse mechanisms; ▪ Demonstrate the role of IRA, RBA and CMA in protecting consumers; ▪ Compare consumer protection mechanisms that exist in various mobile phone financial services such as M-Pesa, Zain's Zap service and Essar Telecom Kenya's Yu Cash; ▪ Discuss an understanding of the Banking Act guidelines on practices that affect consumers; ▪ Discuss how insufficiency of bank disclosure of prices and service terms compromises consumer rights; ▪ Discuss sufficiency of dispute resolution mechanisms in banks and how consumer complaints are handled.
Reading List	<ul style="list-style-type: none"> ▪ Nolan, C (2011) <i>'Health and Consumer Protection Directorate: International Health- Governance and Security'</i>. www.arso-oran.org/wp-content/themes/.../nolan%20addis%20btsf.ppt [22.7.2012]. ▪ Consumer Protection & Advocacy in the Area of Health and Wellness Services. www.onwellness.info/consumer-protection/index.html [22.7.2012]. ▪ World Bank. (2009). <i>Good Practices for Consumer Protection and Financial Literacy in Europe and Central Asia: A Diagnostic Tool</i>. Washington DC: World Bank. ▪ Digital Watermarking: Enhancing Consumer Access to Entertainment

	<p>Content, Protecting Copyrights (2007), by Digital Watermarking Alliance.</p> <p>http://www.digitalwatermarkingalliance.org/docs/presentations/dwa_entertainmentcaucus.pdf [23.07.2012].</p> <ul style="list-style-type: none"> ▪ The Kenya Information and Communications Consumer Protection Regulations <p>http://www.cck.go.ke/links/consultations/published_responses/draft_regulations/jamii/Consumer_Protection_Regulations_2009.pdf [22.07.2012].</p> <ul style="list-style-type: none"> ▪ Bank Negara Malaysia (2007) <i>Market Conduct and Enhancing Financial Capability</i>. <p>http://www.bnm.gov.my/files/publications/fsps/en/2007/cp04.pdf [16.7.2012].</p> <ul style="list-style-type: none"> ▪ Consultative Group to Assist the Poor (CGAP) and Financial Sector Deepening (FSD) (2009) <i>Mobile Payments in Kenya: Findings from a survey of users, agents and operators</i> Nairobi, Kenya. <p>http://www.fsdkenya.org/pdf_documents/110214_Mobile_payments_in_Kenya.pdf [23.07.2012].</p> <ul style="list-style-type: none"> ▪ Consultative Group to Assist the Poor (CGAP) (2009) <i>Cambodia Consumer Protection Diagnostic Report</i>, Washington DC. <p>http://www.cgap.org/publications/cgap-consumer-protection-policy-diagnostic-report-cambodia[22.06.2012].</p> <ul style="list-style-type: none"> ▪ Dias, Denise and Katharine McKee (2010) <i>Protecting Branchless Banking Consumers: Policy Objectives and Regulatory Options</i>. <p>http://www.siteresources.worldbank.org/FINANCIALSECTOR/Resources/P-ReadingProtectingBranchless.pdf[24.07.2012].</p> <ul style="list-style-type: none"> ▪ Lester, Rodney (2009) <i>Consumer Protection Insurance</i>. Issue 7, World Bank Primer Series on Insurance. Washington, DC: World Bank. ▪ Morawczynski, Olga, & Mark Pickens (2009) <i>Poor People Using Mobile Financial Services: Observations on Usage and Impact of M-PESA</i>. Brief. Washington, D.C.: CGAP, August 2009. <p>http://www.cgap.org/gm/document-1.9.36723/MPESA_Brief.pdf [23.7.2012].</p> <ul style="list-style-type: none"> ▪ Research International. (2007). <i>Bank Pricing Study</i> Technical report
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	<p>prepared for Central Bank of Kenya.</p> <p>http://www.gsma.com/mobilefordevelopment/wpcontent/uploads/2012/03/enablingmobilemoneytransfer92.pdf[22.07.2012].</p> <ul style="list-style-type: none"> ▪ Constitution of Kenya (2010), Government Printer. ▪ The National Hospital Insurance Fund (NHIF) Act, Chapter 390 Laws of Kenya, Government Printer. ▪ The National Social Security Fund (Amendment) Act (1997), Chapter 258 Laws of Kenya, Government Printer. ▪ The Retirement Benefits Act of 1997 (Kenya), Government Printer. ▪ The Restrictive Trade Practices, Monopolies and Price Control Act, Chapter 504 Laws of Kenya, Government Printer. ▪ The Capital Markets Act, Chapter 485A Laws of Kenya, Government Printer. ▪ The Central Depositories Act, 2000 (Kenya), Government Printer. ▪ Central Bank of Kenya Act, Chapter 496 Laws of Kenya, Government of Kenya. ▪ The Food, Drug and Chemical substances Act, Government Printer (Kenya). ▪ The Public Health Act, Government Printer (Kenya). ▪ The Medical Practitioners and Dentists Act, Government Printer (Kenya). ▪ Trade Description Act, Government Printer(Kenya). <p><u>Cases</u></p> <ul style="list-style-type: none"> ▪ <i>Lockett V Charles</i> [1938] 4 All ER 170 ▪ <i>Donoghue V Stevenson</i> [1932] UKHL 100 ▪ <i>Stenuet V Hancock</i> [1939] 2 All ER 578 ▪ <i>Barnett V H.J. Parker & Co.</i> ▪ <i>Grant V Australian Knitting Mills Ltd</i> [1936] A.C. 562 ▪ <i>Kubach V Hollands</i>[1937] 3 All ER 907 ▪ <i>Holmes V Ashford</i> [1950] 2 All ER 76. ▪ <i>Andrews V Hopkinson</i> [1957] 1 QB. 229.
Week/Dates	9
Topic	The law on standardization and quality control of goods and service in Kenya
Intended Learning	<p>By the end of this topic, students should be able to:</p> <ul style="list-style-type: none"> ▪ Demonstrate an appreciation for the need to require certain standards in

Outcomes	<p>goods and services;</p> <ul style="list-style-type: none"> ▪ Discuss all the laws that operate to regulate national standards of goods and services; ▪ Discuss how standardization of goods and services enhances consumer rights;
Reading List	<ul style="list-style-type: none"> ▪ The Standards Act, Chapter 496 Laws of Kenya, Government Printer. ▪ The Standardization Marks (Permits and Fees) Regulations. ▪ The Standards (National Scheme for the Registration of Assessors) Regulations, 1995 ▪ The Standards Order, 1981. ▪ The Standards Order, 1982. ▪ The Standards (no. 2) Order, 1982. ▪ Kenya Bureau of Standards Interim Guidelines for Verification for Quality of Imports of 2005. http://www.kra.go.ke/pdf/publications/KenyaBureauofStandardsGeneralGuidelines.pdf[21.7.2012].
Week/Dates	10
Topic	The role of the Kenya Bureau of Standards (KEBS)
Intended Learning Outcomes	<p>By the end of this topic, students should be able to:</p> <ul style="list-style-type: none"> ▪ Demonstrate an understanding of the role of KEBS; ▪ Discuss the effectiveness of KEBS in controlling standards of goods and services;
Reading List	<ul style="list-style-type: none"> ▪ The Standards Act, Chapter 496 Laws of Kenya, Government Printer. ▪ The Standardization Marks (permits and Fees) Regulations ▪ The Standards (national Scheme for the Registration of Assessors) Regulations, 1995 ▪ The Standards Order, 1981. ▪ The Standards Order, 1982. ▪ The Standards (no. 2) Order, 1982. ▪ Kenya Bureau of Standards Interim Guidelines for Verification for Quality of Imports of 2005. <p>www.revenue.go.ke/.../KenyaBureauofStandardsGeneralGuidelines.</p>

	<p>p... [23.7.2012].</p> <ul style="list-style-type: none"> Outline of Services offered by Kenya Bureau of Standards. www.epzakenya.com/.../Presentation%20by%20KEBS%20[22.07.2012].
Week/Dates	11
Topic	Access to justice and redress mechanisms in safeguarding consumer rights
Intended Learning Outcomes	<p>By the end of this topic, students should be able to:</p> <ul style="list-style-type: none"> Discuss whether the Kenyan judicial system clearly does not offer mass market consumers an accessible and affordable mechanism for third-party recourse against a financial service provider; Assess effectiveness of IRA, CMA, and Co-operative Tribunals in protection of consumer rights; Discuss whether alternative dispute resolution (ADR) mechanisms including court-mandated arbitration could offer effective and complementary recourse options for financial service-related complaints when internal dispute resolution is inadequate.
Reading List	<ul style="list-style-type: none"> The Constitution of Kenya (2010), Government Printer. The Capital Markets Act, Chapter 485A Laws of Kenya, Government Printer. The Central Depositories Act of Kenya (2000), Government Printer. The Companies Act, Chapter 486 Laws of Kenya, Government Printer. The Hire Purchase Act, Chapter 507 Laws of Kenya, Government Printer. The Insurance (Amendment) Act of 2006, Chapter 487 Laws of Kenya, Government Printer. The Central Bank of Kenya Act, Chapter 496 Laws of Kenya, Government Printer. The Insurance (Motor Vehicle Third Party Risks) Act Chapter 40 Laws of Kenya, Government Printer. The National Social Security Fund (Amendment) Act 1997 Act, Chapter 258 Laws of Kenya, Government Printer. The National Hospital Insurance Fund Act, Chapter 390 Laws of Kenya, Government Printer The Competition Act, No. 12 of 2010(Kenya), Government Printer. Nelson, Candace & Wambugu, Angela, <i>Financial Education in Kenya</i>, Financial Sector Deepening(FSD) Kenya, August 2008.
Week/Dates	12 & 13
Topic	N/B: You are reminded to hand in your take away assignments in the first

	<p>lesson of week 12</p> <p>The viability of existent consumer protection mechanisms in relation to overlapping memberships to regional economic organizations.</p>
Intended Learning Outcomes	<p>By the end of this topic, students should be able to:</p> <ul style="list-style-type: none"> ▪ Discuss mechanisms in regional economic organisations to which Kenya is a member with bias on EAC and COMESA; ▪ Discuss challenges posed to consumer protection by overlapping membership to regional organizations.
Reading List	<p>Apart from handing in a soft copy of the assignment through e-mail for the purposes of passing it through the anti-plagiarism software, this should be accompanied by a compact disk, a hard copy of the work and ultimately a power point presentation in class on the same.</p> <ul style="list-style-type: none"> ▪ The EAC Treaty of 1999 as amended ▪ The EAC Customs Union Protocol ▪ The EAC Common Market Protocol ▪ The COMESA Treaty ▪ Meyer, N. <i>et al.</i> (2010), 'Bilateral and Regional Trade Agreements and Technical Barriers to Trade: An African Perspective,' <i>OECD Trade Policy Working Papers</i>, No. 96, OECD Publishing.
Week/Dates	14
Topic	Reform areas in consumer protection regime in Kenya
Intended Learning Outcomes	<p>During this topic, students should:</p> <ul style="list-style-type: none"> ▪ Identify weaknesses in consumer rights protection mechanisms both internationally and nationally; ▪ Suggest possible mechanisms to redress the weaknesses identified.
Reading List	<p>The Kenya Consumer Protection Diagnostic Study Report of 2011, Financial Sector Deepening (FSD)Kenya.</p> <p>*Review all instruments that deal with consumer protection in Kenya including statutes and guidelines made there under.</p>
Course Delivery Methodology	<p>Three Class lectures a week will be used to deliver the theoretical aspects of the units.</p> <p>The students will have a practical experience through the use of PowerPoint presentations in their class discussions and presentation and the use of other digital devices such as clips and movies to examine professional ethics in other jurisdictions.</p> <p>Students will be encouraged to moot questions (the problem method approach)</p>

	<p>to determine their capability, knowledge and understanding of what they have learnt. This will be combined with clinical simulations.</p> <p>Students are encouraged to study apart from the short notes they may jot down in class. They should comprehensively read online books available and note any changes in this unit since the advent of the new Constitution and attend court sessions to build skills.</p> <p>Students are further encouraged to make their own notes and attend all classes as various other aids will be used to demonstrate various aspects.</p> <p>Prior reading and active class discussions are encouraged as well as commitment to study groups.</p>								
Academic Assessment	<table> <tr> <th>Type</th><th>Weighting (%)</th></tr> <tr> <td>Examination</td><td>70%</td></tr> <tr> <td>2 CATs</td><td>30%</td></tr> <tr> <td>Total</td><td>100%</td></tr> </table>	Type	Weighting (%)	Examination	70%	2 CATs	30%	Total	100%
Type	Weighting (%)								
Examination	70%								
2 CATs	30%								
Total	100%								
Course Reference Materials	<p>Please note that these reading materials are just to aid you on the course generally as there is no comprehensive text capturing everything. Further check the handout given in class for details of the core texts, recommended reading and websites to be reviewed during the course of this unit. Please note that a significant component of the unit will require a good knowledge of the use of ICT given that there will be several opportunities for presentations to be made using Power Point, the screening of online clips <i>etc.</i></p>								
Classes	<p>Proper time management is fundamental and class attendance register to be signed at each lesson</p> <p>E- Learning is encouraged as well given that the courts are going ‘paperless.’</p>								
Assignments and/or Course Work	<p>Students are to join study group for various assignments including research and power point presentations</p> <p>Students should subscribe to the class online group to post and comment on various issues each week in order to develop IT skills</p> <p>Students in all the above assignments should be guided by the university rules on writing, plagiarism, referencing and citation</p> <p>The class should feel free to give suggestions on how to make the learning experience better or state any concerns freely as this is crucial to a good learning environment</p>								
Communication Channels	<p>E-mail, Administrative team, Mobile phone, Class representatives</p>								