



COUNCIL OF LEGAL EDUCATION NEWSLETTER



SEPTEMBER
ISSUE

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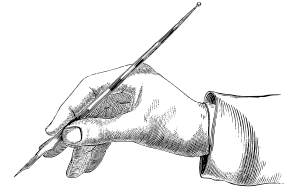
The September Grandeur





COUNCIL OF LEGAL EDUCATION

SEPTEMBER 2025 ISSUE



The 13th edition!

In this edition of our newsletter features a rich collection of articles and reflections. We begin with *Gazettement: The Grand Finale, Beyond the Classroom Door*, which examines inclusivity in education as a human rights issue, highlighting the Council's efforts in accommodating candidates with special needs and disabilities during the ATP Examination. We also share insights on the impact of globalization and Communities of Practice in reshaping education, alongside an overview of the Council's 2023–2027 Strategic Plan, which prioritizes examination reforms, partnerships, and institutional growth. From the international front, lessons are drawn from the American Evaluation Association on advancing best practices in evaluation, while at home, updates are provided on the development of an ADR Policy and a Human Resource induction manual to strengthen processes. To close on a reflective note, this edition also carries *The September Grander*, a poem celebrating the cultural and symbolic significance of September.

Wishing you an insightful read!



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AND NOW...GAZETTEMENT: THE GRAND FINALE!

By Peter Kipyegon



THE KENYA GAZETTE

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Snapshot of Kenya Gazette

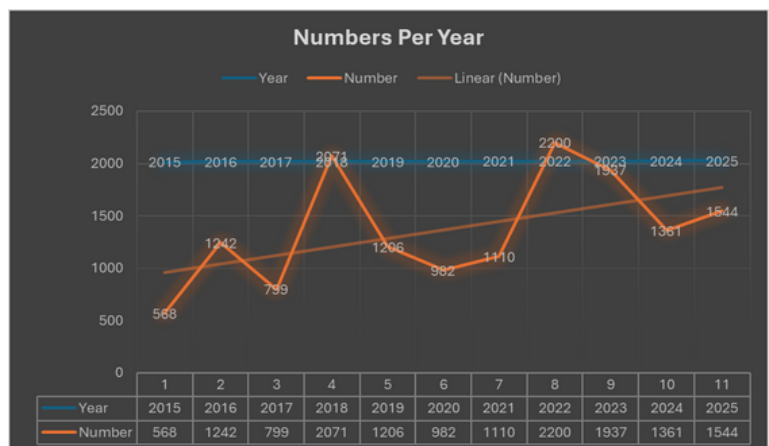
In the context of Legal Education and Training, the mention of the word Gazettelement elicits a pleasant cathartic moment with subtle sublimating effects on all and sundry. Gazettelement marks a tremendous crescendo and milestone — the transition from a lawyer to an Advocate of the High Court of Kenya.

It is the grand finale of the long and arduous path of an ATP candidate. It is the culmination of months — even years — of hard work, discipline, focus, and fervent prayers, all aimed at making it to the official list of qualified candidates approved quarterly by the Council and submitted to the Government Printer for inclusion in the official government publication of the Republic of Kenya, the Kenya Gazette.

In the run up to this period, anticipation and anxiety run high. Every passing minute is punctuated by the hitherto familiar hushed whispers and numerous inquiries from expectant eyes and voices “Am I in the list?” In a moment full of palpable emotions, the answer can only be solely dependent on the outcome of the internal verifications against the established qualification criteria.

The joy is unparalleled, for the qualified. It is a moment of pure elation. As it may be, life is subjectively impressionistic and as such, those moments are arguably nostalgic and comparable only to the melodious line “Tazama kule kule kule tumetoka” in Jagua’s all-time hit, Kipepeo.

Gazettelement and Transition to the Bar: Number of Candidates Since 2015



To all awaiting candidates — don't lose hope. The next gazettelement is coming soon, in December 2025.



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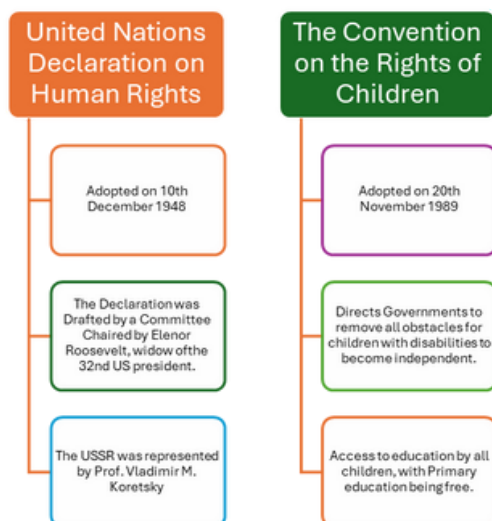
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BEYOND THE CLASSROOM DOOR: TOWARDS INCLUSIVITY IN EDUCATION By Peter Kipyegon



Education is a fundamental human right, and as such, it must be inclusive. This principle is strongly upheld by numerous international declarations and treaties. The foundational impetus stems from the Universal Declaration of Human Rights (1948), which recognizes education as a basic right for all individuals. Further strengthening this commitment, the Convention on the Rights of the Child (CRC, 1989) not only reaffirms education as a human right but also emphasizes the importance of inclusive education systems. It advocates for appropriate content, pedagogical approaches, educational processes (including assessment), and a favourable learning environment that accommodates the diverse needs of all children (and adults), regardless of their (dis)abilities, background, or circumstance.

The path towards inclusivity



Inclusivity is a Human Rights Issue

At its core, the concept of inclusive education is a rights-based perspective to education, which underscores that every learner must be given the opportunity to learn, alongside their peers, regardless of their individual circumstances. Inclusive education, therefore, reiterates the right of learners with disabilities, girls, racial minorities, and migrant workers to receive education in the regular or mainstream education systems.

The Burden of Inclusivity

Inclusive education requires a redesign of education systems for equity in access and participation by learners. Therefore, inclusive education assures equity in access to educational opportunities by giving the responsibility for adaptation and unique support to the learners to each institution rather than the individual learner. In the simplest terms, inclusive education enables learners to participate together in the learning process with the provision of support for each learner's unique and special needs. Bengt Lindqvist, UN Special Rapporteur on Disability (1994), captures the context of inclusion in his quote, *"It is not our education systems that have a right to certain types of children...it is the school system of a country that must be adjusted to meet the needs of all children."*

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The Role of the Society

Inclusive education must become the concern of the wider society where the community and other sectoral players actively work to ensure that every child, irrespective of gender, language, ability, religion, nationality, or other characteristics, is supported to meaningfully participate and learn alongside his/her peers and develop to his/her full potential.

Levels of Intervention

Realization of inclusivity in education will, therefore, call for interventions at different levels. Interventions will therefore include review of policies, systems, practices, and cultures in schools so that they can respond to the diversity of learners in their locality, as well as working closely with the communities and society at large.

Levels of Intervention



The Shirika Plan, a Panacea or a Cul de sac?

Kenya is a major refugee-hosting country, ranking fifth in Africa and thirteenth globally, with over 577,000 registered refugees and asylum seekers as of February 2023. The majority live in designated camps such as Dadaab in Garissa County and Kakuma in Turkana County, while approximately 92,000 refugees reside in urban areas, including Nairobi.

In line with the Global Compact on Refugees (GCR) and its Comprehensive Refugee Response Framework (CRRF), Kenya—in partnership with the UNHCR—has developed the Shirika Plan (formerly known as the Marshal Plan).

The Shirika Plan is an ambitious and important policy shift aiming to transform how refugees are managed and integrated — moving away from encampment and humanitarian-driven models toward a development-led inclusion.

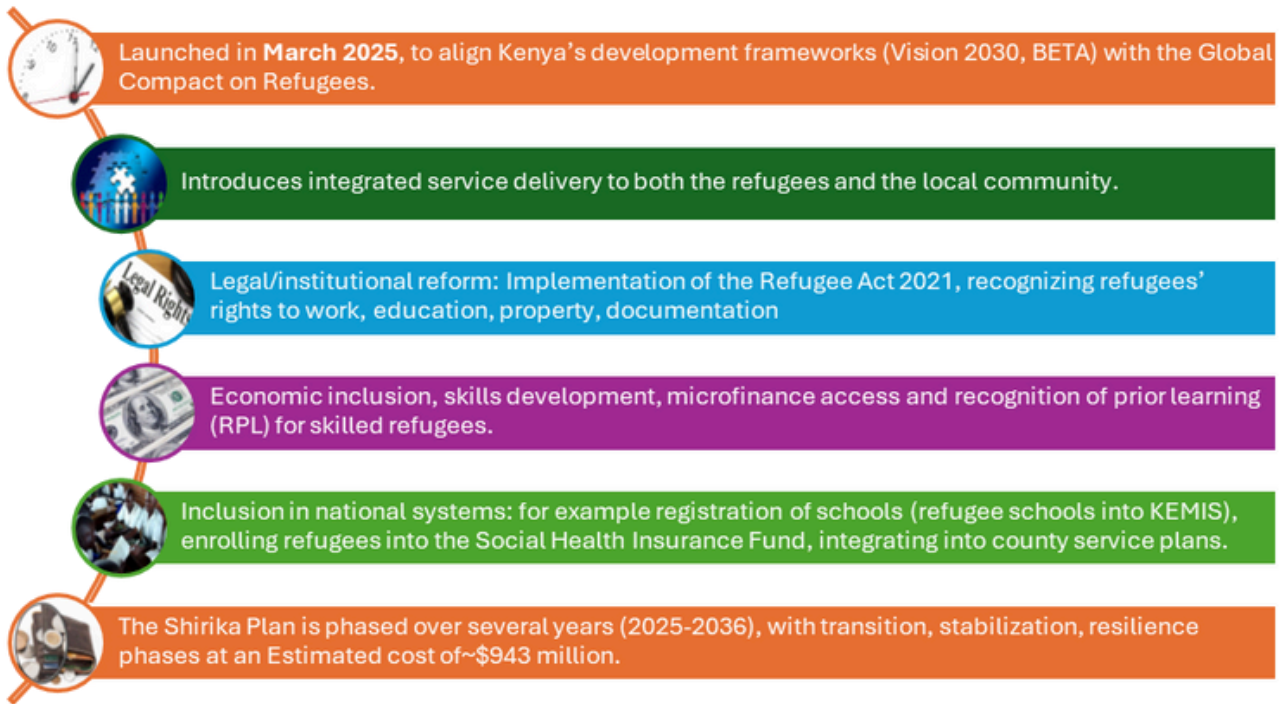


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The Key Highlights of Shirika Plan



The Long term Outcomes of the Shirika Plan





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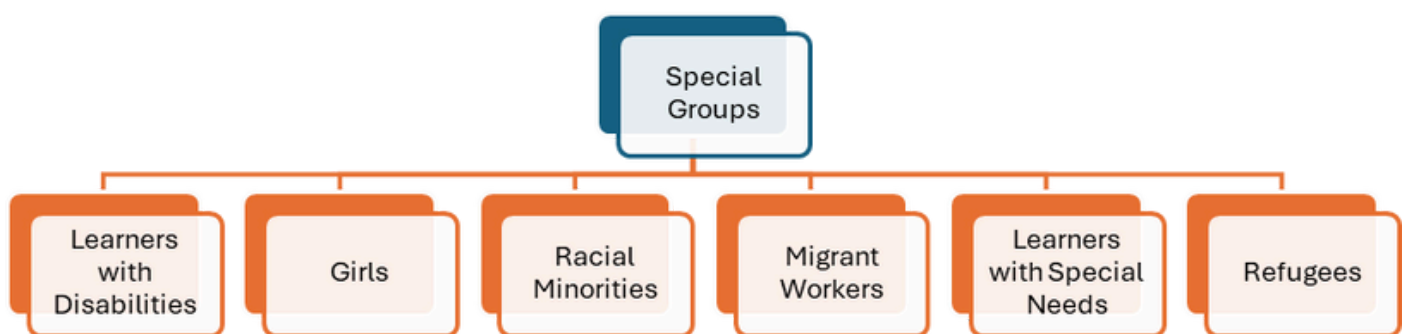
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A Special Need or Disability?

A special need refers to a condition that may be temporary or subject to change over time. A candidate with a special need is therefore one whose current circumstances require assistance, even if such support may not be necessary after the examination period. Examples include temporary illnesses or injuries that impact the candidate's ability to take the examination under standard examination room conditions. On the other hand, a candidate with a disability is one whose condition is permanent in nature. Such candidates are often registered with the relevant government agency and possess a valid registration certificate for identification. Like the special needs candidates, candidates living with disabilities are required to indicate the specific form of accommodation or assistance they will need from the Council to facilitate their participation in the examination. Where a candidate is unable to register in person, an assistant can be sought for the purposes of registration.

Some of the Categories of Special Needs Children





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Inclusivity at Home, the ATP Examination

The ATP Examination is an (inter)national assessment that attracts candidates with diverse backgrounds, including those with various forms of disabilities. Over the years, the Council of Legal Education has made significant strides in promoting inclusivity and full compliance with the rights of persons with disabilities. In line with this commitment, Council regularly partners with organizations such as the Kenya Institute for the Blind to support the planning and administration of the ATP Examination for candidates with various forms of disabilities.

As with all other examination cycles, in preparation for the November 2025 ATP Examination, candidates have been requested to submit information regarding the nature of any disability to Council. This information will be taken into consideration during the planning and administration of the examination to ensure appropriate support and accommodations are provided.

Inclusivity and Accommodation by Council

In recognition of its status as a public entity, Council has considered the provisions of the Persons with Disabilities Act of 2025. Consequently, Council continues to review and strengthen its examination policy to establish a robust accommodation framework for candidates in need. During each ATP examination cycle, the Council receives and processes various requests for accommodation and facilitation.

After a thorough review of these requests, appropriate and reasonable accommodations are provided to support eligible candidates in sitting the examination.

Forms of Accommodation at Council's Policy Level



Typing Machine-laptop



Braille Embosser



Large Print



Amenuensis



JAWS/NVDA Software

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Socio-Economic benefits of inclusivity

Inclusivity in education is beneficial. International research conducted by UNESCO has demonstrated that quality is not related to the cost of education but rather to the inclusiveness of the learning environment where learners co-exist side by side and learn from each other. In addition, studies have shown that inclusive education is cost-effective and academically and socially more effective than segregated schooling.

NONE IS AS GOOD AS ALL OF US,

By Peter Kipyegon



Members of the AEAK, in the recent meeting Mr. Peter Chirchir, second right, presenting the CEO CLE

Globalization has transformed the world into an interconnected community and continues to influence virtually every aspect of human life — including education. As national boundaries become increasingly permeable to the flow of information, technology, and culture, education systems around the globe are undergoing significant changes to meet the demands of a globalized society.

The increased mobility of students and educators, the rise of cross-border partnerships between educational institutions, and the growing use of digital learning platforms have all contributed to the globalization of education. This influence is evident in the widespread adoption of international standards, curricula, and assessment practices. Collectively, these developments have challenged traditional thinking among scholars, leaders, and institutions, prompting them to come together in communities of practice.

Impact of Globalization on Education and the Society





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Community of Practice

A community of Practice (CoP) is a group of people or organizations who share a common concern, a passion for a topic, or a set of problems, and who deepen their knowledge and expertise by interacting and learning together over time. Members participate in ongoing interactions to share information, solve problems, and develop collective expertise, fostering a *"doing and learning environment"*. CoPs can emerge organically or be formed intentionally, and they focus on learning and knowledge sharing as their primary purpose, differing from formal teams with specific project goals. In a CoP, members have the underlying philosophy that "none of us is as good as all of us." Inherent in the term is a shared view that their collective competence is of highest value.

Benefits of Membership to a Community of Practice



Filling the Gap, the Imminent Outcomes

The 2023–2027 Strategic Plan prioritizes reforms in the administration of the Bar examination, as well as the enhancement of the Council's image through strategic partnerships and branding. A key initiative under this plan is the Council's active participation in the Association for Educational Assessment in Kenya (AEAK). Through this collaboration, Council will engage with the other stakeholders within the educational assessment community, thereby strengthening its partnerships, improving examination processes, and elevating its public image.

The International Context

In Europe and America, examination authorities have long-established associations and consortiums to share ideas, develop best practices, and enhance the management and administration of examinations.

The European Context

Throughout Europe, there is the Association of Educational Assessment with three main objectives.

Objectives of the Association of Educational Assessment in Europe

Annual Conference

- Hold Annual Conference which provides opportunities to meet and share presentations

Knowledge Exchange

- Offer unique platform for exchange of knowledge, experiences and expertise on Educational assessment

Liaison and Cooperation

- Forum for international liaison and cooperation



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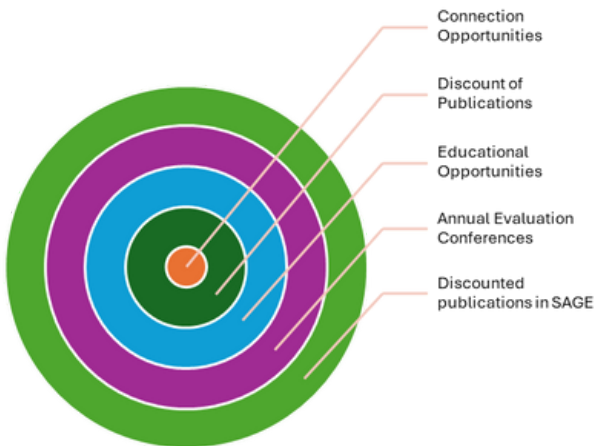
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The American Context

In the United States of America, the American Evaluation Association (AEA) is a professional association of evaluators devoted to the application and exploration of evaluation as a profession. The association prioritizes the advancement of evaluation best practices in multiple types of evaluation, including program evaluation, personnel evaluation, evaluation in education, evaluation in government, independent consulting, and more. AEA has over 5,000 members representing all 50 states in the United States as well as more than 80 foreign countries.

Objectives of the American Evaluation Association

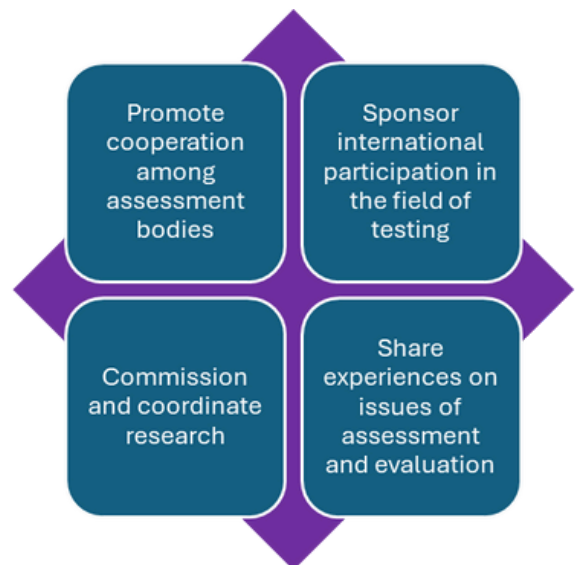


The Association for Educational Assessment in Africa

The Association for Educational Assessment (AEAA) is an African consortium established in 1982. Its main objective is the harmonization of educational assessment on the continent. AEAA is a non-profit organization established to promote co-operation amongst examining and assessment bodies in Africa.



Objectives of the AEAA





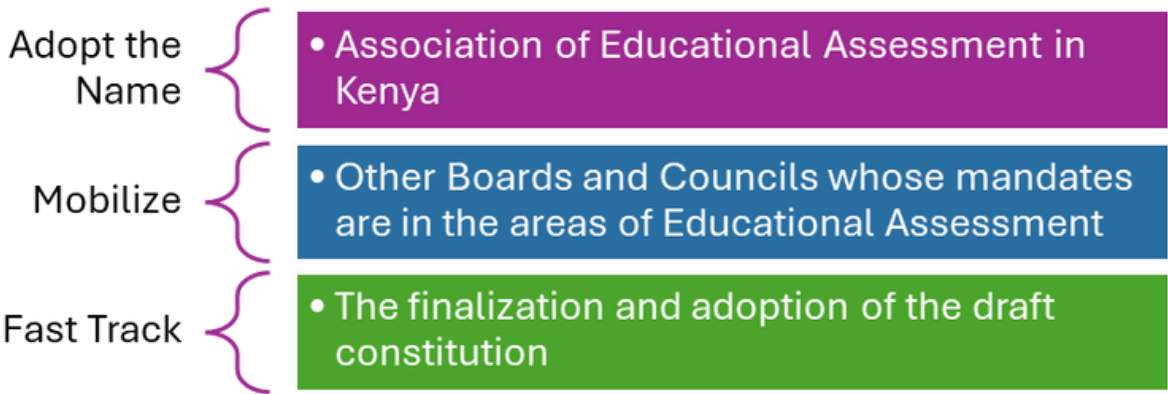
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The Kenyan Initiative-Association for Educational Assessment

The idea to form the Association for Assessment in Kenya (AEAK) was first proposed during a meeting of Chief Executive Officers of Examination Boards and Councils held on 24th June 2024 at the Kenya National Examinations Council (KNEC).



The Association for Educational Assessment in Kenya

The concept of the association for educational assessment has already gained the attention of eleven key institutions mandated with educational assessment.

AEAK Membership





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ENHANCING THE FIGHT AGAINST CORRUPTION: NCAJ LAUNCHES GUIDELINES FOR EXPEDITIOUS TRIAL OF CORRUPTION AND ECONOMIC CRIMES



Prof. Jack Mwimali, CEO CLE, third far left

The fight against corruption in Kenya has received a renewed boost following the launch of the National Council on the Administration of Justice (NCAJ) Guidelines for Expeditious Trial of Corruption and Economic Crimes in Special Magistrates' Courts.

The guidelines, officially unveiled this week, seek to fast-track the handling of corruption and economic crime cases in Kenya's special magistrates' courts. They are designed to promote efficiency, clarity, and consistency in the administration of justice while upholding the constitutional right to a fair and timely trial.

The new framework therefore aims to eliminate bottlenecks, enhance coordination among justice actors, and ensure corruption and economic crime cases are handled with the urgency and integrity they demand.

CLE was represented at the launch by its Chief Executive Officer, Prof. Jack Mwimali, who commended the initiative as a significant step toward strengthening accountability and reinforcing public confidence in the justice system.

The NCAJ, through this initiative, continues to champion collaborative efforts among justice sector institutions, including the Judiciary, the Office of the Director of Public Prosecutions, the Ethics and Anti-Corruption Commission, and oversight bodies, to strengthen case management, promote the use of technology such as e-filing, and foster inter-agency cooperation.

As Kenya continues its journey toward a more transparent and accountable justice system, the launch of these guidelines marks a significant milestone in ensuring that corruption and economic crime cases are resolved swiftly, fairly, and effectively, thereby reinforcing public confidence in the rule of law.





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STRENGTHENING DISPUTE RESOLUTION THROUGH THE DEVELOPMENT OF THE ADR MECHANISM POLICY

By Victoria Wahu



Prof. Jack Mwimali, CEO CLE at the centre with members of staff at CLE and Hon. Yufnalis Okubo

In line with its mandate to uphold the highest standards of legal education, training, and regulatory oversight, CLE deemed it fit to develop an Alternative Dispute Resolution (ADR) Mechanism Policy. This initiative underscores CLE's commitment to fostering a culture of dialogue, efficiency, and fairness in the resolution of disputes within the organisation and with its stakeholders.

The ADR Mechanism Policy will provide a structured framework for addressing disputes through non-adversarial approaches such as mediation, negotiation, conciliation, and arbitration. By embedding these principles into institutional processes, CLE seeks to promote timely, cost-effective, and mutually beneficial outcomes while easing reliance on protracted litigation.

The policy aligns with Kenya's constitutional commitment under Article 159(2)(c), which emphasizes ADR in the administration of justice.

The development of this policy marks a significant milestone in building institutional resilience, trust, and inclusivity. It provides clear procedures for handling disputes that may arise with candidates, Legal Education providers, or other stakeholders, thereby enhancing transparency and accountability.

Moving forward, CLE plans to hold capacity-building sessions for its staff to ensure effective implementation of the policy and equip them with practical skills to handle disputes constructively and professionally.

The ADR Mechanism Policy is therefore not just a regulatory tool it is a transformative step towards entrenching a culture of harmony, fairness, and collaboration in legal education.



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CLE DEVELOPS COMPREHENSIVE INDUCTION MANUAL TO ENHANCE STAFF EXPERIENCE

By Matthew Ndolo



Prof. Jack Mwimali, CEO CLE at the centre with members of staff at CLE

In September, CLE held a workshop dedicated to the development of a comprehensive induction manual designed to strengthen both onboarding and offboarding processes for staff.

The initiative seeks to provide clear guidance and standardized procedures to ensure new employees integrate smoothly into the institution, while those exiting transition responsibly and seamlessly. The manual, crafted during the workshop, is now a vital resource for streamlining processes, reducing uncertainty, and enhancing the overall employee experience.

By establishing standardized practices, CLE promotes consistency in communication, clarity in roles, and stronger organizational cohesion. This structured approach not only supports staff engagement and retention from the very first day but also ensures that transitions at every stage of employment are handled with professionalism and care.

Speaking during the workshop, CLE's Chief Executive Officer, Prof. Jack Mwimali, highlighted the critical role of structured induction in institutional growth. *"A thoughtful induction process sets the tone for an employee's journey with us, ensuring they feel valued and equipped to contribute to our strategic goals,"* he remarked.

The induction manual marks an important milestone in CLE's continuous commitment to building a supportive work environment where staff thrive, contribute meaningfully, and feel part of the institution's broader mission.





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THE SEPTEMBER GRANDEUR BY PETER KIPYEGON

September —
The 9th moon,
Of the Julian and Gregorian calendars,
Heralds the Ecclesiastical Year,
Of the normative Eastern Orthodox
Church.

Thou knowest?
In the ancient Roman calendar, March's
the onset of the year.
September, etymologically septem,
The seventh month,
Uptil January, February re-ordered the
calendar.

A journey through time,
Reveals:
September cometh with blessings—
Among the Anglo-Saxons, it's the "Barley
Month,"
A season of harvest, abundance, and
thanksgiving.

Currently,
In the United States:
September's the demographic star:
Ranked in the most common birth months,
Third in frequency, following July and
August.
September's culinary-

- National Honey Month
- National Potato Month
- National Chicken Month.

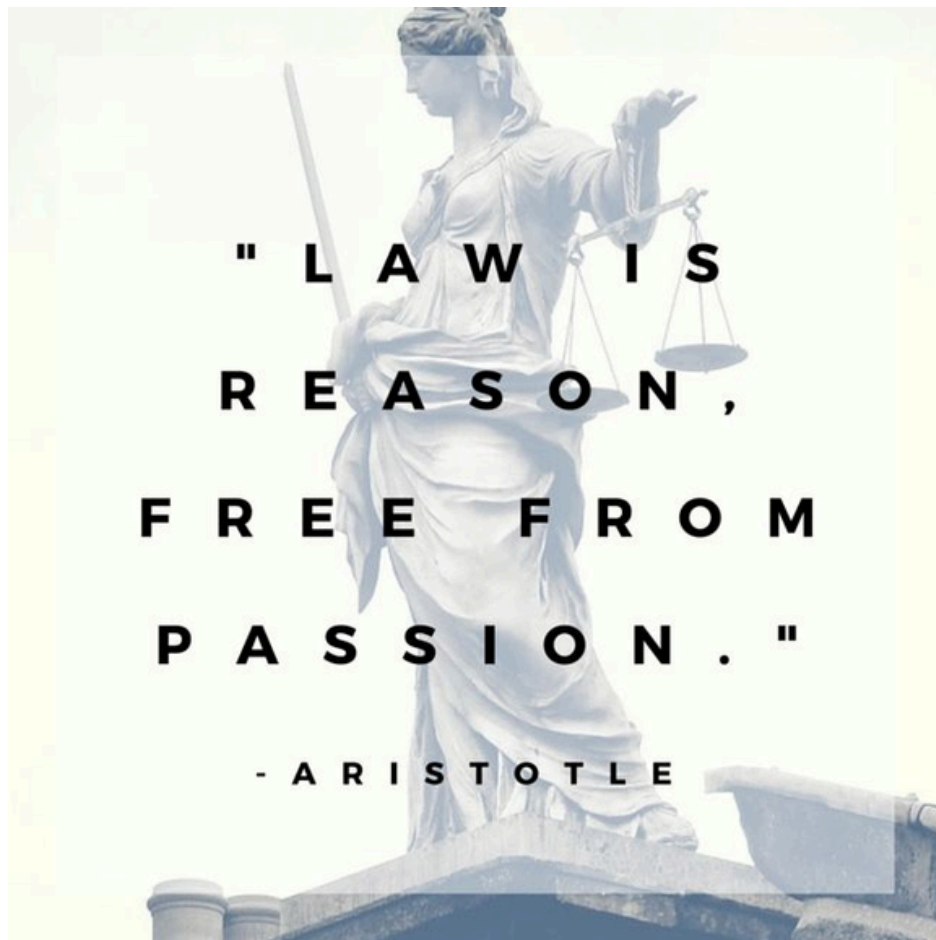
Celestially,
It's transition of seasons across hemispheres.
The month of equinoxes—
Moments of celestial equilibrium:
In the Northern Hemisphere,
Ushers in the Autumnal Equinox,
While in the Southern Hemisphere,
Marks the Vernal Equinox.

At Council,
It's a defining chapter—
Of reflection and gratitude,
Marked notably by:
• Gazettement of a record Nine Hundred and
Twenty-Five qualified ATP candidates.
• Installation of the Chief Executive Officer—
The 4th in succession—
Signalling a strategic renewal in leadership and
vision,
For the stewardship of legal education and
training.
So did you enjoy your September?



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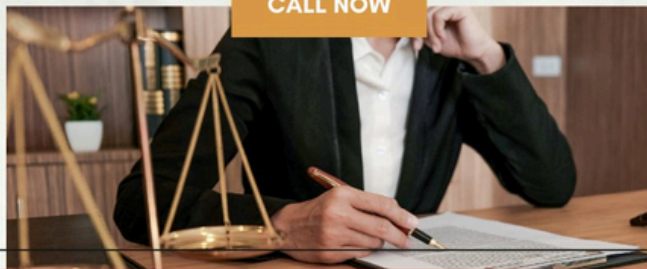
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