

PROF. WINIFRED W. KAMAU

CURRICULUM VITAE

PERSONAL INFORMATION

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

KEY COMPETENCIES

- PhD in law with excellent research and writing skills
- Extensive teaching experience in Kenya and Canada
- Extensive experience in consultancy in the law, justice and governance sector
- Excellent training and facilitation skills
- Experience at senior management level
- Experience in policy development and review
- Excellent verbal and written communication skills
- Excellent interpersonal skills

EDUCATIONAL QUALIFICATIONS

Doctor of Philosophy (PhD): 2007

Osgoode Hall Law School, York University, Canada

Master of Laws (LLM): 1996

University of Nairobi

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

University of Nairobi

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

Kenya High School

East Africa Certificate of Education ('O' Levels): 1979

Loreto High School Limuru

PROFESSIONAL QUALIFICATIONS

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

Chartered Institute of Arbitrators (ACI Arb): 1992

Qualified for Associateship

Advocate, High Court of Kenya: 1987, Admitted to the Roll of Advocates in the Kenyan Bar

WORK EXPERINENCE

Current Position: DEAN, Faculty of Law, University of Nairobi
Associate Professor, Faculty of Law, University of Nairobi

Academic Responsibilities:

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

Courses taught

- Criminal Law
- Education Law and Policy
- Jurisprudence and Legal Theory
- Banking and Financial Services Law

Key Research Interests

- Criminal Justice
- Gender and Law
- Restorative Justice
- Education Law and Policy

Theses Supervision

Successfully supervised the following:

PhD in Law

- David Kariuki Muigua, graduated in 2011
- Scholastica Omondi, graduated in 2013

Masters of Laws

- Over 12 Masters Theses

Administrative Responsibilities

- Dean, Faculty of Law (Starting May 2021)
- Former Chair, Department of Private Law (2014-2020)
- Member, University Senate
- Member, College Academic Board
- Member, College Management Board
- Chair, School Board and Board of Examiners
- Former Chair, Research, Library and Publications Committee
- Former Chair, Examinations Committee
- Former Managing Editor, East African Law Journal

Senate Committees

- Chair, Senate Students Mentorship Committee

- Chair, Student Election Petition Framework Committee
- Member, Terms of Deans' Engagement Sub-Committee
- Member, Committee on Developing Guidelines on Staff Transfers
- Member, University of Nairobi Statutes Review Committee
- Member, Senate Sub-Committee on Online Teaching and Learning
- Member, Senate Committee on Review of Examination Policies
- Chair, Whistleblowing Policy Development Committee
- Chair, Transport Policy Development Committee
- Member, Committee on Aligning University Policies to the 2010 Constitution of Kenya
- Member, Committee on Aligning Student Governance to Universities Act, 2012
- Member, RRI Constitution Sensitisation Committee

College Committees

- Member, Committee to determine research management challenges faced by Principal Investigators
- Member, UoN@50 Committee to Nominate Outstanding Achievers

External Moderation and Curriculum Review

- External Examiner, University of Zimbabwe (2019)
- External Moderator, Council of Legal Education (2015 to 2019)
- External Examiner, Makerere University (2016-2017)
- External Examiner, Strathmore University School of Law (2012 to date)
- External Examiner, Kabarak University School of Law (2012-2015)
- External Moderator, Kenya School of Law (2011-2014)
- Peer Curriculum Reviewer, Commission for University Education (2015 to 2017)
- Peer Curriculum Reviewer, Council of Legal Education (2011 to 2019)
- Examiner, Kenya Institute of Bankers (1998- 2002)

OTHER WORK EXPERIENCE

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

Key responsibilities

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

Other Teaching Assignments

York University, Canada, 2003 – 2006

Kenya College of Accountancy, 2000 – 2001
Kenya School of Monetary Studies, 1998 – 2002
Jomo Kenyatta University of Agriculture and Technology, 1995

PUBLICATIONS

Winifred Kamau, “The Legal Profession in Kenya: Between Globalisation and Constitutionalism” in Abel, Schultz, Sommerlad & Hammerslev, eds, *The Legal Professions of the World*, Vol. 1, (Bloomsbury Professional Publishing, 2020) 495-514.

Winifred Kamau, Patricia Nyaundi & Jane Serwanga, “Dismantling Barriers to Women’s Equality: Making the Case for the Criminalisation of Marital Rape in Kenya”, in Melanie Randall, Jennifer Koshan, & Patricia Nyaundi (eds), *The Right to Say No: Marital Rape and Law Reform in Canada, Kenya, Ghana and Malawi* (London: Hart Publishing, 2017) 197-230.

Winifred Kamau, “Law, Gender and Pluralism: Judicial Approaches to the Applicability of Customary Law to Succession Disputes in Kenya” (2015) *East African Law Journal* 140-164.

Winifred Kamau, Book Review of Njaramba Gichuki, *Financial Services Law of Kenya* (2015) *East African Law Journal* 267-268.

Winifred Kamau, “Women’s Representation in Elective and Appointive Offices in Kenya: Towards Realisation of the The Two-Thirds Gender Principle”, in Mbondeyi *et al* (eds), *Democracy, Human Rights and Socio-Political Transformation in Kenya: A Post 2007 Appraisal* (Pretoria: Pretoria University Law Press, 2015).

Winifred Kamau, “Legal Treatment of Consent in Sexual Offences in Kenya” (2014) 10 (1) *Law Society of Kenya Journal* 27.

Winifred Kamau & Kieya Kamau, “Victory for 160 Girls in Defilement Constitutional Challenge: Case Comment on Petition No. 8 of 2012, *C.K. (A Child) & 11 Others v. Commissioner of Police/Inspector-General of the National Police Service & 2 Others*” (Kenya Law Journal online, 2014: <http://kenyalaw.org/kl/index.php?id=4504>).

Winifred Kamau, “Women Judges and Magistrates in Kenya: Challenges, Opportunities and Contributions”, in Ulrike Schultz & Gisela Shaw, eds, *Gender and Judging* (Oxford: Hart Publishing, 2013) 167.

Winifred Kamau, Patricia Nyaundi & Jane Serwanga, “The Legal Impunity for Marital Rape in Kenya: A Women’s Equality Issue” (2013) (<http://theequalityeffect.org>).

Winifred Kamau, “Customary Law and Women’s Rights in Kenya” (2011) (<http://theequalityeffect.org>).

Celestine Nyamu Musembi, Patricia Kameri-Mbote, Winifred Kamau & Nancy Baraza, *Promoting the Human Rights of Women in Kenya: A Comparative Review of the Domestic Laws* (UNIFEM Regional Office for East and Horn of Africa, Nairobi, 2010).

Winifred Kamau, "Law, Culture and Dispute Resolution: Prospects for ADR in Africa" (2009) 15 *East Africa Journal of Peace and Human Rights* 336 - 360.

Winifred Kamau, "S.M. Otiemo Revisited: A View through Legal Pluralist Lenses" (2009) 5 *Law Society of Kenya Journal* 59 - 74.

Winifred Kamau, "Law, Pluralism and the Family in Kenya: Beyond Bifurcation of Formal Law and Custom", (2009) 23 *International Journal of Law, Policy and the Family* 133.

Winifred Kamau, "Indigenous and State Justice Systems in Kenya: Towards a Realization of Justice", in John D. Whyte, ed., *Moving Towards Justice: Legal Traditions and Aboriginal Justice* (Regina, SK: Purich Publishing, 2008) 206.

E. Wangari, W. Kamau & A.M. Kinyua, "Globalization and its Impact on Women in the Third World" Vol. 1, No.3 (2005) *Gender Discrimination: A Global Perspective Forum on Public Policy* 290 - 304.

DISSERTATIONS AND THESES

Winifred W. Kamau, *Law, Family and Dispute Resolution: Negotiating Justice in a Plural Legal Context*, PhD Dissertation, Osgoode Hall Law School, York University, Canada, 2007.

Winifred W. Ngugi, *Legal Illiteracy in Kenya: A Case for the Right to Legal Literacy*, LLM Thesis, University of Nairobi, 1996.

Winifred W. Ngugi, *Sex Discrimination in Employment*, LLB Dissertation, University of Nairobi, 1986.

SELECT CONFERENCE/SEMINAR PRESENTATIONS

Discussant in virtual book launch of Anne Griffiths' "Transformations on the Ground: Space and the Power of the Land in Botswana", International Institute for the Sociology of Law, Onati, Spain, January 2021.

"A Gender Perspective of *Annarita Karimi Njeru v Republic*", Law Society of Kenya Discourse Webinar, *The Good, the Bad and the Dictum: Exorcising the Ghost of Annarita Karimi v Republic*, July 2020.

"Training and Regulating Kenyan and East African lawyers", Harvard Law School and Strathmore Law School Conference on The African Legal Profession in the Age of Globalization, Strathmore Law School, Nairobi, December, 2019

"The Legal Profession in Kenya: Between Globalisation and Constitutionalism" Law and Society Association Annual Meeting, Washington D.C., June 2019.

“Quality Assurance and Regulation of Professional Education: Towards A Model of Collaboration and Consultation”, Commission for University Education 2nd Biennial Conference on the State of Higher Education in Kenya, Nairobi, October 2018.

“Law and Language”, Harvard 9th Annual Africans Language in the Disciplines and Professions Conference, USIU-Africa, Nairobi August 2018.

“Gender and Succession in Kenya: Constraints and Possibilities for Women’s Care in a Plural Legal Context” Workshop on Care, Work and Property: How is Care Labour Valued? British Institute for Eastern African Institute, Nairobi, August 2017.

“The Legal Profession in Kenya Post-2010 Constitution: Challenges and Opportunities” Law and Society Association International Meeting, Mexico City, June 2017.

“Justification for Specialised Tribunals and Role of Professionals” Induction Training Course for Chairpersons and Members of Tribunals, Judiciary Training Institute, October 2016.

“Cultural Perspectives of Women’s Representation in Africa: Limitations, Challenges and Opportunities to Women’s Participation in Decision Making”, ICJ-Kenya Annual Jurists Conference, Mombasa, December 2015.

“Social Context of Judicial Decision Making”, Induction Training Course for Newly Appointed Judges, Judiciary Training Institute, May 2015.

“Meaning of the Constitution and the Responsibilities of the Citizen to the Constitution”, DAAD Scholars Association (KDSA) Annual Conference, Kenyatta University, May, 2015.

“Leadership and Integrity”, Refresher Training for University of Nairobi Corruption Prevention Committee Members and Integrity Assurance Officers, Kenya School of Monetary Studies, November, 2014.

“Social Context”, Induction Training Course for Newly Appointed Judges, Judiciary Training Institute, July 2014.

“The Constitutional Threshold for Public Service and Leadership in Kenya”, Rapid Results Initiative (RRI) on the Role of the University of Nairobi in Implementation of the Constitution of Kenya 2010, September 2013.

“Land, Environment and Natural Resources”, Rapid Results Initiative (RRI) on the Role of the University of Nairobi in Implementation of the Constitution of Kenya 2010, September 2013.

“The National Land Policy and Regional Issues”, Consultative Forum on Land Issues hosted by the Institute for the Study of African Realities, Africa International University and Concordis International, KCB Leadership Centre Karen, September 2012.

“Social Context in the Magistrates’ Courts”, Induction Training Course for Newly Employed Resident Magistrates, organised by the Judiciary Training Institute, Utalii Hotel, August, 2012.

“Constitutional Provisions for dealing with Land Related Grievances”, Consultative Forum on Land Issues hosted by the Institute for the Study of African Realities, Africa International University, the Sychar Centre and Concordis International, Sarova Panafric Hotel, Nairobi, August 2011.

“Recent Banking Law Reforms”, Emerging Trends in Commercial Law Workshop hosted by School of Law, University of Nairobi, KCB Leadership Centre Karen, June 2011.

“The Role of the Interim Independent Constitutional Dispute Resolution Court (IICDRC) in the Constitutional Making Process in Kenya”, IICDRC Judges’ Working Retreat, Mt. Kenya Safari Club, April 2010.

“Concept of Banking”, Seminar on Law Relating to Banking, Kenya School of Law, March 2010.

“Corporate Governance”, Workshop for Board of Directors, Childline Kenya, 2009.

“Law, Gender and Pluralism : Succession Disputes in Kenya”, African Customary Law Revisited Conference hosted by the Leitner Centre for International Law and Justice, Fordham Law School and the University of Botswana, Gaborone, Botswana, October 2008.

“Gender Dimensions of Judicial Decision Making: The Case of Succession in Kenya”, Law & Society Association and Canadian Law & Society Association Conference, Montreal, Canada, May/June 2008.

“Legal Framework for Engendering Science and Technology”, Workshop for Mainstreaming Gender in Science, Technology and Innovation hosted by the National Council for Science and Technology, Mombasa, May 2008.

“Stigma and Discrimination: The Legal Perspective on HIV and AIDS”, Health Rights Advocacy Forum (HERAF), Annual Conference on Right to Health: An Assessment of Kenya’s Commitment to Health as a Fundamental Human Right, Nairobi, November 2007.

“Resolution of Succession Disputes in Kenya: The Role of Traditional Leaders”, International Conference on Traditional Leadership, Durban, South Africa, October 2007 (co-written with Patricia Kameri-Mbote).

“Women, Law and Dispute Resolution in Kenya: The Impact of Legal Pluralism”, LSA/RCSL International Conference on Law and Society, Humboldt University, Berlin, July 2007.

“Indigenous and State Justice Systems in Kenya: Towards Realization of Justice”, Moving Towards Justice Conference on Indigenous Law, Regina, Saskatchewan, March 2006.

“Globalization and Third World Women”, Oxford Round Table Conference, Oxford University, U.K, August 2003 (co-written with Esther Wangari).

“Women’s Legal Literacy Strategies in East Africa: The Limits of Law”, Graduate Law Students Conference, Osgoode Hall Law School, York University, Toronto, May 2003.

Key resource person and facilitator in various seminars for banking professionals at Kenya School of Monetary Studies, Nairobi, 1998-2002.

CONSULTANCIES/RESEARCH PROJECTS

United Nations Office on Drugs and Crime (UNODC) 2020 to date: Consultant in development of a Benchbook for Kenyan Judiciary on Wildlife, Forest and Fisheries Crime

Elimika Wajibike: Researcher in youth empowerment programme that seeks to create knowledge communities among Kenyan youth.

We Effect 2016: Consultant in Women’s Political Representation Enhanced (WOPRE), study on the comparative impact of women’s participation in leadership and decision making in order to increase gender equality in elective positions during the 2017 General Elections.

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

World Bank 2008 – 2012: Consultant in the Kenya Justice Sector Assessment (KJSA) project on social context in judicial decision-making. The study focused on the magistrate’s courts in Kenya and sought to understand the challenges posed by social context and how the social context of a particular region impacts on equality of access to law and judicial decisions in the magistrates’ courts in Kenya.

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

Riara University – 2010 to 2011: Lead consultant in curriculum development of the Bachelor of Laws (LLB) programme for the Riara University Law School. Work involved conception and design of the entire curriculum including rationale, justification, aims and objectives and drafting of course outlines for over 40 individual courses. The LLB curriculum received full accreditation by the Council of Legal Education.

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

UNIFEM 2008-2009: Consultant in a UNIFEM funded study involving a comprehensive review of Kenya's constitutional and legal framework relating to women's rights. The study sought to assess the extent of compatibility of Kenya's laws with the provisions of CEDAW and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, and to identify any gaps or "silences" in the Kenyan legal framework.

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

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

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

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

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

Public Law Institute 1988: Member of a Legal Task Force under the auspices of the Public Law Institute (PLI) and the former Women's Bureau (Ministry of Social Services), whose mandate was to review the Kenyan legal framework as it affected women's rights.

LEGAL PRACTICE

Partner, Kamau & Kamau, Advocates, 1993-2001

Partner, Walker Kontos, Advocates, 1991-92

Legal Assistant, Walker Kontos Advocates, 1988-89

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

Pupil, Kaplan & Stratton, Advocates, 1986-1987

RESEARCH AFFILIATIONS

Co-Convener, Law and Society Association International Research Collaboration on Gender in Customary and Indigenous Law and Proceedings: The objective is to undertake research on the interplay between gender and indigenous legal systems around the world.

Member, Law and Society Association Legal Professions of the World International Research Collaborative: The objective is to carry out research on the legal professions around the world with emphasis on changes and trends in the last 30 years.

Member, Law and Society Association Gender & Judging International Research Collaboration: The mandate of the network is to carry out research on the different dimensions of gender and judging around the world, with emphasis on the difference women judicial officers can make in the quest for gender equality in the courts.

Member, Global Lawyers in Emerging Economies (GLEE) Reading Group based in Harvard Law School, Centre on the Legal Profession. Objective is undertake research on the legal profession in emerging economies, including Africa.

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

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

GenderJustice Research Collaboration, 2007-2009: Member of research collaborative under the auspices of the Feminist Legal Institute, Osgoode Hall Law School (York University, Canada).

SCHOLARSHIPS/AWARDS

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

OTHER COMPETENCIES

Accredited consultant and user of internationally acclaimed psychometric assessments:

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

LANGUAGE PROFICIENCY

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

MEMBERSHIPS

Professional

- Member, Law Society of Kenya
- Member, Institute of Certified Public Secretaries of Kenya
- Member, International Commission of Jurists, Kenya Chapter
- Member, FIDA-Kenya
- Formerly Member, UN Women Civil Society Advisory Group for Kenya
- Formerly Member, LSK Journal Editorial Board

National

- Member, Council of Legal Education (CLE)
- Member, National Council for Law Reporting (KenyaLaw)
- Member, National Steering Committee for the Implementation of Alternative Justice Systems (NASCI-AJS)

Social/Community

- Member, Board of Management, Gathugu Secondary School
- Christian Education Advisory Team, Central Region, Presbyterian Church of East Africa
- Patron, Parklands Campus Christian Union (2007-2011)
- Member, Executive Committee, Parents Teachers Association, Kenya High School (2017)
- Member, Board of Governors, Mary Leakey Girls High School (2000-2002)

SIGNED:



PROF. WINIFRED W. KAMAU

DATE: December, 2021