

HD 12/3726



**NOTICE OF MOTION FOR SUSPENSION OF PRESIDENT
OF LAW SOCIETY OF KENYA MR. ISAAC OKERO**

TAKE NOTICE that the undersigned, **Murigi Kamande Advocate** will move the following motion at the **SPECIAL GENERAL MEETING** convened and to be held on **11th November 2017** at the Hilton Hotel, Nairobi.

1. Pursuant to **Section 16(6)** and **16(7)** of the Law Society of Kenya Act, 2014, the President of the Law Society of Kenya do step aside and in his place either the Vide-President or any other Member of the Council of the Law Society do preside over the Motion herein.
2. Pursuant to **Section 31 (3)** of the Law Society of Kenya Act, 2014 the meeting to be held on **11th November 2017** be deemed to be a special meeting for the purposes of this Motion.
3. Pursuant to **Sections 12, 16(1)** and **22(1)** of the Law Society of Kenya Act, 2014 the general meeting do resolve that the President of the Law Society of Kenya, Isaac Okero be and is hereby suspended from holding the office of the President of the Society or conducting any duty as such on the following grounds:-
 - (i) **Misuse and misappropriation of funds.**
 - Upon being elected as President of the Law Society of Kenya in **March 2016** the President has travelled to the following cities while attending unauthorized and irrelevant conferences:-
 1. London
 2. Abuja
 3. Lagos

4. Johannesburg
5. New York
6. Sydney
7. Hague
8. Paris
9. Dar-es-Salam
10. Kampala
11. Arusha
12. Cape Town
13. Durban
14. Toronto
15. Kuala Lumpur
16. Washington DC
17. Chicago
18. Dubai
19. Hong Kong
20. Tokyo

The total sum spent on the said travels amount to over **Kshs. 11,600,000/-**.

(ii) **Abuse of office and illegal expenditure.**

- In a conference held in Cape Town the President authorized an illegal payment to of flight ticket, accommodation and registration to a female advocate(whose name will be disclosed at the meeting) to accompany him.

(iii) **Lack of capacity to head the Society**

- The President has not been able to steer the Council towards performing the functions and roles of the Society under Section 4 of the Act.
- Under the President's leadership the Council has not taken any meaningful decision in the interest either the Membership of the Society or the general public.

- Whereas the Country is going through a Constitutional and legal crises yet the President and the Council have not taken any steps to advise the government, courts and the public of the law.
- (iv) **The Centre can no longer hold**
- The Council of the Law Society is divided due to poor leadership of the President.
- (v) **Sponsoring and supporting a suit by Malindi Branch of the Law Society which ousted the jurisdiction of Magistrates Courts in relation to land matters.**
- The President supported the Malindi High Court Suit and decision that ousted the jurisdiction of the Magistrates Court to deal with land matters. As a result litigants, advocates and members of the public suffered for over 2 years.
 - The President opposed the appeal (by branches of the Law Society of Kenya) against the said Malindi High Court decision. The Court of Appeal ruled in favour of the branches.
4. There be an audit of the expenditure on travel by the President of the Law Society of Kenya during his term of office. The Report to be made available for discussion in the General meeting to be held in **March 2018**.
5. While under suspension, the President do respond to the charges herein for reporting to the general meeting of **March 2018**.

DATED at Nairobi this 24th day of October 2017.

MURIGI KAMANDE ADVOCATE

Signed

MURIGI KAMANDE
ADVOCATE
P. O. B. 200005 00400
NAIROBI