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## **OBJECTIVE**

An experienced, dynamic and forward-looking professional focused on working with academic and non-academic organisations to assist them in meeting their objectives by managing risks, identifying and creating opportunities for maximum exploitation in line with the agreed objectives.

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## **EDUCATION**

### **I. PhD Law University of Liverpool (2013-2018): Whistleblowing and Capital Markets - <https://ethos.bl.uk/OrderDetails.do?uin=uk.bl.ethos.784935>**

Law/Securities Regulation and Whistleblowing Law (Financial Services Law).

**Thesis title:** Supplementing Kenya's Capital Markets Act Securities Disclosure Law Enforcement Framework with a Court Centric Securities Whistleblowing Law: Determining an Appropriate Incentive Matrix.

#### **A brief synopsis of research and research interests:**

My research investigates the potential of whistleblowing law to improve the enforcement of Kenyan law and improve transparency while protecting whistleblowers. The overall objective of my research is to explore how private enforcement of public law in Kenya can be enhanced by exploiting the synergy that comes from combining public and private enforcement to supplement public enforcement. To this end, my PhD research investigated the potential of whistleblowing law to enhance the enforcement capacity of Kenya's Capital Markets Authority to enable it to respond to breach of securities disclosure law. This investigation was against the backdrop of the financial scandals that have led to the collapse of public and private companies that raise capital through the stock exchange.

As such, the research adopts an economic analysis of law approach to critically analyse Kenya's securities law (Capital Markets Act, Company Act, Corporate Governance Regulations and Accountants Act) and draws lessons from mature capital markets like the US, UK, and Canada as a basis for proposing a responsive improvement to Kenya's securities law that can be used to improve protection of investors, market integrity, confidence and reduce systemic risk.

The research particularly draws lessons from the US False Claims Act to develop a qui tam or court centric whistleblowing framework that is responsive to Kenya's unique regulatory environment.

### **II. LLM University of Westminster London (2011-2012): Corporate Finance Law- Distinction**

This course was research-led and focused on corporate finance widely conceived from an academic and practise perspective. To this end, I successfully studied the following law and finance modules that were examined through research papers:

- Securities Regulation Law
- International Project finance law
- Corporate Governance
- Insolvency law
- Project Finance Law
- Corporate Whistleblowing
- Investment banking principles and practice
- Anti-money laundering law and terrorist financing

My LLM dissertation investigated the inadequacy of corporate governance under the United States Sarbanes Oxley Act and the Dodd-Frank Act and the role of corporate whistleblowing in improving compliance.

### **III. LLB University of Nairobi Kenya 2004-2007: Second class (Hons)**

Majored in corporate and commercial law widely conceived. Optional modules taken include:

- Company Law
- Securities law
- Property and Conveyancing law
- Tax law
- Environmental law
- Bankruptcy & Insolvency law

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## **TEACHING AND ADMINISTRATIVE EXPERIENCE**

### **I. June 2022 – to date University of Embu Lecturer and Chair, Department of Commercial Law**

#### **Contribution**

Team leader in the department of Commercial Law responsible for ensuring that University policies are adhered to.

Managing the academic aspect of the School of Law at departmental level.

Ensuring that regular Departmental meetings are held and that all the eligible members of staff attend such meetings.

Represent the Department on the appropriate University Committees and other bodies as per the UoEm statutes.

Ensuring that proper and acceptable standards of teaching, examinations and research are maintained in the Department.

Submit the Department budget, procurement plans, annual reports and performance contracts returns.

Make recommendations with respect to probation, renewal of contracts, advancement, promotion and disciplinary issues of academic and non-academic staff in the Department.

Providing career advice to students.

Teaching Undergraduate courses in:

- commercial law,
- civil procedure and
- alternative dispute resolution

- Examining students

**II. 2021- to date Adjunct lecturer Riara University School of Law**

**Teaching undergraduate students in:**

- Capital Markets law

- Banking Law
- Whistleblowing Law
- Corporate governance
- Company Law
- Setting and marking exams
- Offering career advice to students

### **III. 2014-19: University of Liverpool- Chief Invigilator**

#### **Contribution**

- Working as the chief exam invigilator responsible for overseeing a team of assistant invigilators
- Acted as the main contact person between the exams team and exams office
- Preparing exam invigilation reports by recording any occurrences during exam sessions
- Working with different teams to invigilate and make sure that exams are done without hitches
- Addressing any challenges that arise during the exam.
- Managing a team of two to seven invigilation assistants
- Ensuring exam integrity is observed and that exam rules are adhered to
- Coordinating the preparation of exam rooms, entry and exit of students

### **IV. 2015-2017: University open day guide**

- Explaining to parents and potential students what the University has to offer and why it is the right University for them
- Answering questions from prospective students and parents regarding University life and academic life
- Explaining to prospective students and their parents of the University's diversity and experience as an international student

### **V. 2014-2019: Volunteered as a Residential Advisor**

This was a voluntary position that involved providing pastoral care to students living in University halls of residence.

#### **Contribution**

- Managing a team of 4 residential advisors.
- Filing daily reports to the accommodation team and colleagues to communicate how the accommodation halls are running.
- Providing pastoral care to students
- Discussing and advising students on how to deal with academic challenges or life on campus with emphasis on first-year undergraduate students
- Organising and coordinating internal and external functions for students' well-being. Organised socials for first year students.

- Preparing the residential advisor team duty rota

## **VI. Jan 2010- June 2011: Embu College:**

Civil Procedure, Company Law

- Undertaking core teaching responsibilities by structuring and leading seminars
- Preparing teaching notes
- Preparing and marking coursework
- Offering career advice

## **Jan- June 2009: Corner Stone College of Accountancy:**

Teaching: Business law Tax Law and Corporate governance to Association of Chartered Certified Accountants (ACCA-UK) Candidates

Responsibilities:

- Preparing and marking coursework
- Preparing and marking mock exams
- Academic Advice

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## **PRESENTATIONS AND CONFERENCES**

### **I. Whistleblowing Presentations**

- January 2018: Presented a Paper titled: Rethinking the development of securities whistleblowing: Lessons for Kenya from the US & Canada at the University of Manchester Private and Commercial Law conference.
- January 2018- University of Manchester Commercial Law Conference. Presented a paper on court-centric whistleblowing.
- February 2017: Hillsborough law symposium Liverpool: Contributed to the whistleblowing draft law project
- June 2016: University of Liverpool Annual conference: Presented a paper titled: financial incentives for whistleblowing
- June 2015: University of Liverpool Annual conference: Presented a paper titled: Soft touch and aggressive financial regulation across the Atlantic

- June 2014: University of Liverpool Annual conference: Presented a paper titled: Causes of the Financial Crisis

## **II. Whistleblowing and Enforcement Conferences**

- May 2023: Council of Legal Education: Stakeholders validation forum on development of a regulatory framework for Accreditation of Paralegal Education and Licencing guide and a standard Curriculum on Paralegal Education.
- July 2020: Reading University – Blowing the whistle against financial crime: A shared responsibility
- June 2020: Maynooth University and TI Ireland: The EU Whistleblowers Directive: Transposition imperatives for Ireland.
- May 2020: International Bar Association: Whistleblowing and whistleblower protections in the Covid-19 era.
- September 2016: University of Liverpool London: Financial Crime Symposium: Past lessons contemporary challenges and future solutions: Deferred prosecutions by the UK National Crime Agency and Plea Bargains in the US
- July 2016: Newcastle University: Fossilisation and Innovation in Law (Funded)
- March 2016: University of Westminster: The ethics of Compliance: Burdens and benefits of transparency

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## **PUBLICATIONS, INTERDISCIPLINARY PROJECTS, AND FUNDING**

### **Publications**

- Supplementing Kenya’s Capital Markets Act Securities Disclosure Law Enforcement Framework with a Court Centric Securities Whistleblowing Law: Determining an Appropriate Incentive Matrix
- Jumpstarting whistleblowing in Kenya (forthcoming 2020)
- Evidential centre ground in Kenya: Between a preponderance of evidence and beyond reasonable doubt (forthcoming 2020)

### **Interdisciplinary Projects, Funding**

- 2019 Selected to take part in a multidisciplinary consultancy project with colleagues from Manchester, Keel and Lancaster Universities under the Business Collaboratories for Early Career

Researchers. My project involved carrying out research on the impact of artificial intelligence in the legal industry and particularly in relation to consumer purchase decisions where legal aid is

involved. I worked with two other experts in information technology and systems designs respectively to deliver the project.

- July 2016- Newcastle Law School Fossilisation & Innovation in Law. Bursary worth £150

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## **RELEVANT TRAINING**

### **2015-2023:**

- Research training
- UK Prince 2 project management
- Critical thinking course
- Introduction to project management
- Tools and approaches for collaboration
- Presentation and teaching through webinars
- Mental health first aid England standard course
- Safe talk: Suicide alertness for everyone

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## **PROFESSIONAL QUALIFICATIONS**

### **I. Qualified Lawyers Transfer Scheme part 1 of 2: Solicitors Regulation Authority**

Successfully prepared and passed core law modules under English law including English legal systems, contract law, criminal law, public law, tort law, Human rights law, Business law, Equity and trusts and EU law.

### **II. June 2010 ACCA-Association of Chartered Certified Accountants**

I have successfully passed all but two optional papers for certification as a UK chartered accountant. The core value of this exposure to my teaching is the ability to simplify technical issues (Finance, Accounting & Corporate governance) for law students. Further, this exposure and my experience in both law, finance and tax inform my research.

### **III. November 2010: Called to the Kenyan Bar as an Advocate of the High Court of Kenya.**

Law Society of Kenya (LSK): Advocate Kenya LSK No. P105/8103/10

### **IV. February 2008: Associate Member Chartered Institute of Arbitrators.**

My experience in dispute litigation and alternative dispute regulation methods will also assist in teaching by providing wide coverage of dispute resolution in the business world.

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## **PROFESSIONAL EXPERIENCE**

### **I. 21<sup>st</sup> August 2020 to date: Consultant-Amnesty International: Whistleblowing**

Anti-Fraud and corruption program advisor

Member Advisory Committee on Whistleblowing

### **Contribution**

- Providing whistleblowing law advice to amnesty international.
- Contributing to the development of whistleblowing training programs.
- Providing an international outlook on whistleblowing law for the establishment of Kenya's whistleblowing law.

## **II. 21<sup>st</sup> October 2019 – 30<sup>th</sup> April 2020**

Hewlett Swanson Commercial Law Manchester UK: Registered Foreign Lawyer: Fee Earner

Employment Law & Commercial Litigation

Employment Law

- Providing whistleblowing advice based on the Public Interest Disclosure Act to clients before filing employment tribunal claims.
- Collating and preparing evidence for Acas negotiations and representing clients in the negotiations by liaising with the Acas mediator(s) and outlining clients' points of dispute.
- Providing client care by advising clients on the Employment Tribunal procedures and meaning of case management orders and updating them on case developments.
- Drafting applications and impact statements to comply with case management orders.
- Interviewing witnesses and drafting witness statements pursuant to the Employment Tribunal procedures.
- Instructing and liaising with counsel to prepare for preliminary and full hearings
- Attending preliminary and full hearings
- Corresponding with counsel and respondents

### **Commercial Law**

- Acted for investors in a multi-million-pound investment fraud scheme where I investigated the fraudulent scheme and advised the clients on the available legal recourse.
- Preparing witness statements for commercial suits filed in the UK Business List Courts.
- Acting for corporate clients to change their registers.
- Drafting and filing applications with the High Court for the rectification of the register.
- Defending corporate clients in various commercial disputes
- Corresponding with clients and government agencies and providing client care.

## **III. 2018-2019 Jackson Lees LLP Liverpool**

## **Law and technology consultancy June 2019**

I was the lead legal consultant in a team of three consultants from different fields. The consultancy involved auditing the client's use of technology with the aim of assessing how artificial intelligence can improve its efficiency and competitiveness.

## **IV. SPG Law Liverpool November 2018**

Worked as part of the litigation team in the VW emissions scandal. My role was gathering facts from clients to determine liability in preparation for the suit.

## **V. Brian Cave Leighton Paisner LLP Manchester June 2018**

I worked in the real estate department on an international property transaction involving one of the biggest energy companies in the United Kingdom. My duties included carrying out due diligence by ensuring that all property rights and encumbrances affecting properties involved in the transactions were identified and acted upon.

## **VI. January 2010- September 2013: Wanjiku & Co. Advocates: Dispute Resolution Lawyer**

- Successfully investigated a complex and long running corruption scheme and acted for a whistleblower in complex criminal and civil litigation cases in the Magistrates and Industrial and Labour Relations Courts respectively on a pro bono basis over a 10-year period.
- Conducted legal due diligence, drafted an exclusivity agreement, and incorporated special purpose vehicles for the injection of venture capital in an energy company dealing with petroleum products.
- Advising a start-up on the appropriate business vehicle for their business including the tax consequences. Drafted a limited liability agreement and incorporated the partnership.

## **Regulation & Compliance**

- Advised corporate clients on corporate governance requirements for setting up internal compliance systems.
- Advised mid-level financial service clients on setting up internal reporting systems as part of their corporate risk strategy based on local and international corporate governance legislation including Sarbanes-Oxley, Dodd-Frank, and the UK corporate governance code.
- Consulting on local and international anti-money laundering, bribery and anti-corruption legislation drawing lessons from the UK Bribery Act, US FCPA and FATF recommendations as well as EU AML Directives.
- Advised microfinance clients on designing internal anti-money laundering systems in compliance with anti-money laundering legislation. My role in consultation with the senior partner was to advise clients on how to meet anti-money laundering legislation requirements.

## **Tax Transactions**

- Acted for an agrochemical company in challenging a tax assessment, accrued interest, and penalties before the Tax Tribunal.

- Advised corporate and high net worth clients involved in residential property business on the new residential tax requirements
- Advised high net worth individuals on the legal implication on their tax arrangements in view of the new Tax Procedure Act with emphasis on the new anti-avoidance rule.
- Advised corporate clients and high net worth clients on the meaning, impact, and legal requirements of the reintroduced capital gains tax.

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### **MEMBERSHIP & LICENSURES**

- Solicitors Regulation Authority (SRA):614866 - Registered foreign lawyer
- Law Society of Kenya (LSK): P105/8103/10 - Commissioner for Oaths and Notary Public
- Associate Member: Chartered Institute of Arbitrators (Kenya Branch) 2008
- Student Member: Chartered Certified Accountants Part 3a (ACCA-professional papers)