

GNT-4

3

THURSDAY, JULY 4, 1985

DAILY NATION

Ex-clerk wants A-G jailed for contempt

By KIPSEREM MARITIM

A former clerk with the Attorney-General's Chambers wants the Attorney-General, the Registrar-General and the Secretary to the Council of Legal Education jailed for what he alleges to be contempt of court.

Mr Geoffrey Ndung'u Theuri, who is aspiring to be an advocate, filed an application yesterday with the Court of Appeal for the three officials to be arrested and tried.

In his application, the Attorney-General, Mr Guy Muli, and the Registrar-General, Mr Joseph King'ari, have disregarded a High Court order to issue him with a certificate of service for the 13 years he worked as a clerk with the Chambers.

He also claims the Secretary to the Council of Legal Education, Mr John Wycliff Mwangi, has disobeyed a High Court order requiring him to issue the applicant with an enrolment certificate, by July 25, 1983, and to register his articles of clerkship with Messrs Alexander and Kinjari, a firm of advocates.

The order, Mr Theuri states in his application, was made by two High Court judges, Mr Justice

Emmanuel O'Kubasu and Mr Justice Fidahusein Abdullah on May 20, and it directed the respondents to execute the specific orders.

Among the orders was that the principal of the Kenya School of Law readmit Mr Theuri to the school to prepare for the Council of Legal Education's examinations.

Mr Theuri states that the principal, Mr Tudor Jackson, had complied with the order and readmitted him.

Mr Theuri also names a High Court Judge, Mr Justice Abdul Rauf, as having "erroneously adjourned" a hearing of his application (for the orders to be executed by arresting and jailing Mr John Wycliff Mwangi) until an appeal against the order by the Attorney-General was heard and decided.

He claims the adjournment and the failure by the other respondents to comply with the order was "highly prejudicial" to his legal rights by delaying his legal studies, his services under the articles of clerkship, and his pursuit of legal qualifications.

And he seeks the Court of Appeal's order to arrest the respondents and to appoint "other suitable persons or public officers" to execute the order "which would have been performed by the persons named".

Mr Theuri is fighting to be admitted as an advocate without a law degree.

In a related case, the court of Appeal dismissed an application by the Law Society to strike out an appeal by Mr Theuri.

Mr Justice A.R.W. Hancox, sitting with Mr Justice J.O. Nyarangi and Mr Justice H.G. Platt — an acting judge of the

Court of Appeal — dismissed the application.

The society wanted the Court of Appeal to strike out an appeal to the same court by Mr Theuri against an earlier High Court ruling.

Mr Theuri had wanted the High Court to restrain the society from what he alleged was interference in his articles of clerkship.

This is the exhibit marked GNT-4 referred to in the annexed Affidavit of Geoffrey N. Theuri sworn before me this 18th day of July 1985 at Nairobi

[Signature]
Commissioner for Oaths