

TO ALL MEMBERS OF
THE LAW SOCIETY OF KENYA

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Our Ref: S/20

Your Ref: TBA

Date: 13th October 2023

STATEMENT ON BRIAN NJAGI MWENDA

Dear Members,

The Council convened an emergency Council meeting yesterday the 12th October, 2023 at 5:00 P.M - 8:30 P.M to discuss the issue relating to the identity theft of one of our members known as **BRIAN MWENDA NTWIGA** of **P.105/21249/22** by a masquerader who referred to himself as “**BRIAN. N. MWENDA.**” The meeting was prompted by the information we received from the Secretariat, that the issue has been undergoing internal investigations from the moment, the said Advocate **BRIAN MWENDA NTWIGA** reported the issue to the Secretariat as outlined below: -

- a) On the 5th Day of August, 2022, Brian Mwenda Ntwiga was admitted to the Bar and the information supplied upon admission was picked from the JAMS system and his correct email address was captured and an Account opened for him in the Advocates portal;
- b) We have since reached out to Advocate Brian Mwenda Ntwiga who confirmed that he had not applied for a practicing certificate since his admission, reason being that he had been working at the Office of the Attorney General and did not require a Practising Certificate. It was only until sometimes in September 2023 when he attempted to login in to the system and activate his profile with the intention of applying for his Practising Certificate that he realized he could not access his LSK Portal;
- c) He promptly alerted the ICT personnel at the Secretariat vide an email on the 28th September 2023, who upon inquiry noted that the details in the system, more particularly his email address did not belong to him hence the reason why he could not access his Membership portal.

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Riziki Emukule (Coast Representative)

- d) The ICT Department resolved the issue and commissioned an internal investigation to determine how the email address could have been changed in breach of the established protocols.
- e) In light of the same and having considered the preliminary information available to us, the Council made the following observations and recommendations: -
 - i. The preliminary findings indicate that the masquerader applied the use of a common international fraud scheme known as Business Email Compromise (BEC) where a criminal in this case Brian Mwenda identified a genuine advocate status as being inactive, made contact to the secretariat to make an application for payment of his PC but which he couldn't because his email credentials are incorrect.
 - ii. Upon being allowed access to the account he took control of the portal and changed his profile picture, the workplace and applied and paid for the practicing certificate. However, his application was not processed since he was required to provide documents including the certificate of business incorporation which is an additional security measure which unless supplied and verified the application cannot be processed.
 - iii. We wish to reiterate that our portal was not compromised and member's data remain safe and protected.
 - iv. The LSK has commissioned an immediate review of the established protocols on change of membership credentials to enhance the internal control/ approval mechanisms.
 - v. We have invited the DCI to send their investigators to launch a massive manhunt and the immediate arrest of the masquerader, (Brian Mwenda) and all his accomplices.

The Council of the Law Society recognizes that masqueraders pose a serious threat to the practice of law and is determined to take decisive action to deal with this issue. We call on members to remain vigilant and inform the Secretariat or their respective Branches of any cases of suspected masqueraders for investigation and apprehension. We have further in cognizance of the challenges of investigating, tracing and arresting masqueraders, in the budget for the financial year 2024 made provisions for funds to support the weeding out of masqueraders.

We wish to inform members that upon assumption of office we have implemented a process of enhancing automation to improve service delivery to members and will soon launch a model that allows advocates to apply for the Advocates ID online with enhanced security feature and authentication, therefore giving greater control to advocates to manage their advocates' Portal.

We would like to assure members that the society has adequate data protection mechanisms and that the membership data is securely held. We regularly update our security protocols including conducting period penetration tests to determine the

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adequacy of the security mechanisms deployed to protect membership data. The actions we have taken will help us to further enhance control/audit trail measures in the system to prevent a recurrence of such events.



ERIC THEURI
PRESIDENT- LAW SOCIETY OF KENYA

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