

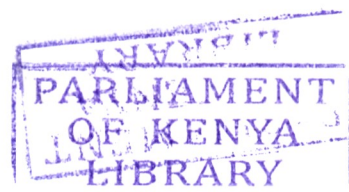
REPUBLIC OF KENYA



KENYA NATIONAL ASSEMBLY

TENTH PARLIAMENT – FOURTH SESSION - 2012

REPORT OF THE  
DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND  
NATIONAL SECURITY ON THE VETTING OF NOMINEES TO THE  
NATIONAL POLICE SERVICE COMMISSION



CLERK'S CHAMBERS,  
PARLIAMENT BUILDINGS,  
NAIROBI

SEPTEMBER, 2012

*KAPED LAID*  
by the Chair of the  
Departmental Committee  
on Administration and  
National Security on  
the Nominees to the  
Police Service Commission  
on 20/9/2012  
*[Signature]*

## PREFACE

Mr. Speaker, Sir,

The Parliamentary Departmental Committee on Administration and National Security was constituted pursuant to the provisions of Standing Order No. 198 of the National Assembly and has executed its mandate in accordance with the provisions of the said Standing Order 198(3), which mandates the Committee to, inter alia;

- (a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments; and,*
- (b) investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House...*

Mr. Speaker,

According to Schedule II of the Standing Orders, the Committee examines the following subjects:

- i) Public Administration
- ii) National security
- iii) Internal Security
- iv) Immigration
- v) Prisons Service
- vi) National Youth Service, and;
- vii) Natural disasters

The Committee oversees the following Ministries and Departments:

- (i) Office of the President (Cabinet Office and State House)
- (ii) Office of the Prime Minister
- (iii) Office of the Vice President and Ministry of Home Affairs
- (iv) Ministry of Provincial Administration and Internal Security
- (v) Ministry of State for Public Service
- (vi) Public Service Commission
- (vii) Ministry of State for Immigration and Registration of Persons

The following are the Members of the Committee:

The Hon. Fred Kapondi, MP (Chairman)

The Hon. Peter Kiilu, MP (Vice-Chairman)  
The Hon. Maison Leshoomo, MP  
The Hon. Cyprian Omollo, MP  
The Hon. Danson Mungatana, MP  
The Hon. Raphael Letimalo, MP  
The Hon. Pollyins Ochieng', MP  
The Hon. Mohamed Hussein Ali, MP  
The Hon. Joseph Kiuna, MP  
The Hon. Nkoidila ole Lankas, MP

**Mr. Speaker, Sir,**

Article 243(1) of the Constitution establishes the National Police Service. Further, Article 246(1) of the Constitution stipulates that "there is established the National Police Service Commission". The composition of the National Police Service Commission is further provided for under section 4(1) of the National Police Service Act, 2011, which states that the Commission shall consist of nine members appointed in accordance with the Constitution and the provisions of the aforesaid Act.

Pursuant to Section 6(5) of the Act, the President is required to select the Chairperson and members of the Commission from the list of qualified persons forwarded to him by the Selection Panel and subsequently forward the names of the persons so selected as Chairperson and members to the National Assembly for approval.

**Mr. Speaker,**

The Permanent Secretary, Secretary to the Cabinet and Acting Head of the Public Service, vide a letter **Ref. No. OP/CAB.3/77A**, informed the National Assembly that H.E. the President, in consultation with the Rt. Hon. Prime Minister, had made the following nominations for the positions stated hereunder:-

- |                                  |               |
|----------------------------------|---------------|
| 1. Johnston Kavuludi             | - Chairperson |
| 2. Ronald L. Musengi             | - Member      |
| 3. Esther Chui-Colombini         | - Member      |
| 4. Murshid A. Mohamed            | - Member      |
| 5. Dr. Major Muiu Shadrack Mutia | - Member      |
| 6. Mary Auma Owuor               | - Member      |



It should be noted that under Article 246(2) of the Constitution, three other members of the Commission shall be the Inspector-General of Police and two Deputy Inspector-Generals; who are yet to be appointed to these positions.

**Mr. Speaker, Sir,**

Under Section 6(6) of the National Police Service Commission Act, 2011, the National Assembly is required, within 21 days of the day it next sits after receipt of the names of the nominees, to vet and consider all the applicants and may approve or reject any or all of them and request for the names of new nominees.

On 11<sup>th</sup> September, 2012, in a *Communication from the Chair*, you directed that names of the six nominees to the National Police Service Commission and their accompanying curriculum vitae (CVs) be referred to the Departmental Committee on Administration and National Security for consideration prior to approval by the House; and that the Committee tables its recommendations on or before Tuesday 25<sup>th</sup> September, 2012.

**Mr. Speaker,**

The House will recall that the Committee had vetted the said persons between April 17<sup>th</sup> and May 7<sup>th</sup> 2012. The Committee report was tabled and subsequently debated in the House. However, on Thursday 17<sup>th</sup> May, 2012, the House rejected the Committee report and the names therein, and requested H.E. the President, and the Rt. Hon. Prime Minister, to submit fresh names to the House for consideration.

Further to this, in your letter Ref. No. DLS/SNA/HE/2012 dated 8<sup>th</sup> August 2012, you advised H.E. the President to submit new names to National Assembly for consideration.

The Committee noted that the new list of nominees to the National Police Service Commission submitted to the House on 11<sup>th</sup> September, 2012 contained names of persons who had been previously vetted by the Committee. The new list had addressed the issues which had been raised by the Committee in the report tabled in the House on 15<sup>th</sup> May, 2012.

For instance, the list had a nominee who is a lawyer, in accordance with Article 246(2)(a)(i) which stipulates that at least one of the members of the Commission should be a person who is qualified for appointment as a High Court Judge. The qualifications of a High Court Judge are set out in Article 166(2) of the Constitution.



**Mr. Speaker, Sir,**

Pursuant to Article 118 of the Constitution and Standing Order 180 which allows public participation in the process of public appointments, the Committee placed notices in the mainstream media on Friday 14<sup>th</sup> September, 2012. The Committee had asked members of the public to submit memoranda on any representations they might have on the suitability or otherwise of the nominees and submit them to the Clerk of the National Assembly by Tuesday 18<sup>th</sup> September, 2012.

The Committee received one memorandum from a Mr. Edward Lisamula Milimu, who raised concerns over the nominations to the National Police Service Commission. The Committee considered the assertions by Mr. Milimu and noted that the allegations against Mr. Johnston Kavuludi were not based on any facts or evidence and therefore could not be substantiated.

The Committee proceeded with the vetting of the six nominees to the Commission on Wednesday 19<sup>th</sup> September 2012. Thereafter, the Committee deliberated on the nominations and made its recommendations. The Committee also noted that there had been adequate consultation between H.E. the President and the Rt. Hon. Prime Minister over the nominees submitted to the House on 11<sup>th</sup> September, 2012.

The Committee therefore recommends that Parliament **approves** the appointments of the six persons to the National Police Service Commission, pursuant to section 6 (6) of the National Police Service Commission Act.

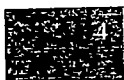
**Mr. Speaker,**

The Committee wishes to thank the Offices of the Speaker and Clerk of the National Assembly for the logistical support accorded to it during the consideration of the fresh list of nominees to the National Police Service Commission.

**Mr. Speaker, Sir,**

On behalf of the Committee, and pursuant to Standing Order 181(3), it is my pleasant duty to table the Report of the Departmental Committee on Administration and National Security on the vetting of nominees to the National Police Service Commission, for debate and adoption by the House.

Signed...**Hon. Fred Kapondi, MP**..... Date.....19<sup>th</sup> September, 2012.....  
**Chairman, Departmental Committee on Administration and National Security**



## 1.0 BACKGROUND

1.1 Article 243 (1) of the Constitution stipulates that there shall be established the National Police Service. The objects and functions of the National Police Service are set out in Article 244 of the Constitution, as follows:-

- a. strive for the highest standards of professionalism and discipline among its members;
- b. prevent corruption and promote and practice transparency and accountability;
- c. comply with constitutional standards of human rights and fundamental freedoms;
- d. train staff to the highest possible standards of competence and integrity and to respect human rights and fundamental freedoms and dignity; and
- e. foster and promote relationships with the broader society.

1.2 Article 246(1) of the Constitution provides that “there is established the National Police Service Commission”.

1.3 To enable the National Police Service meet the objectives set out in article 244 above, Parliament enacted the National Police Service Act, No. 30 of 2011. The purpose of the Act is, among other things; “to make further provisions for the functions and powers of the National Police Service Commission; the qualifications and procedures for appointment, and connected purposes”.

### *Membership of the Commission*

1.4 Section 4 of the Act provides that:-

- (1) The Commission shall consist of nine members appointed in accordance with the Constitution and the provisions of this Act.
- (2) The chairperson and members of the Commission, other than ex-officio members, shall serve on a full-time basis.

### *Qualifications for appointment of Chairperson and members*

1.5 Article 246(2) of the Constitution provides that:-

- (2) The Commission shall consist of—
  - (a) the following persons, each appointed by the President—
    - (i) a person who is qualified to be appointed as a **High Court Judge**;



(ii) two retired senior Police officers; and,  
(iii) three persons of integrity who have served the public with distinction;

(b) the Inspector-General of the National Police Service; and,  
(c) both Deputy Inspectors-General of the National Police Service.

1.6 Section 5(1) of the National Police Service Commission Act, 2011 details the requirements for appointment of the Chairperson and members of the National Police Service Commission.

A person shall be qualified for appointment as chairperson or a member if such person—

(a) is a citizen of Kenya;  
(b) holds a degree from a university recognized in Kenya;  
(c) meets the requirements of Chapter Six of the Constitution, and,  
(d) is not, and has not previously been a member of the National Police Service.

(2) For the purposes of Article 246 (2) (a) (ii) of the Constitution, the President shall appoint two retired senior police officers, one each from the Kenya Police Service and the Administration Police Service, and who shall be of opposite gender.

(3) A person shall not be qualified for appointment under subsection (2) unless the person held the rank of Senior Superintendent of Police or above.

(4) A person shall be qualified for appointment as a member under Article 246 (2) (a) (iii) of the Constitution if the person possesses the following additional qualifications—

(a) holds a degree from a university recognized in Kenya;  
(b) has at least ten years experience in any of the following disciplines-  
(i) finance and administration;  
(ii) economics;  
(iii) human resources development and management;  
(iv) public administration;  
(v) labour laws;  
(vi) economics;  
(vii) law;  
(viii) human rights;  
(ix) ethics and governance;

- (x) mediation and consensus building; and
- (xi) change management;
- (c) meets the requirements of Chapter Six of the Constitution;
- (d) is not and has not previously been a member of the National Police Service; and;
- (e) has had a distinguished career in their respective fields.

(5) A person shall not be qualified for appointment as a chairperson or member if the person—

- (a) is or has been at any time within the previous five years a member of Parliament or a county assembly;
- (b) other than the Inspector-General or Deputy Inspectors-General, is a serving State officer;
- (c) is a member of a governing body of a political party;
- (d) is an un-discharged bankrupt;
- (e) has been convicted of a felony; or
- (f) has been removed from office for contravening the provisions of the Constitution or any other law.

(6) Subsection (5) (a) shall cease to apply to a person after one general election for Parliament has been held since the person ceased to hold such office.

### ***Functions of the Commission***

1.7 Section 10(1) of the National Police Service Commission Act, 2011, further to Article 246(3) of the Constitution, provides that the functions of the Commission shall be to:-

- (a) keep under review all matters relating to standards or qualifications required of members of the Service;
- (b) with the advice of the Salaries and Remuneration Commission, determine the appropriate remuneration and benefits for the Service and staff of the Commission;
- (c) approve applications for engagement by police officers in trade and other businesses, in accordance with the law relating to matters of leadership and integrity under article 80 of the Constitution;
- (d) co-operate with other State agencies, departments or commissions on any matter that the Commission considers necessary;
- (e) provide for the terms and conditions of service and the procedure for recruitment and disciplinary measures for civilian members of the Service;



- (f) develop fair and clear disciplinary procedures in accordance with article 47 of the Constitution;
- (g) investigate and summon witnesses to assist for the purposes of its investigations;
- (h) exercise disciplinary control over persons - holding or acting in office in the Service;
- (i) promote the values and principles referred to in articles 10 and 232 of the Constitution throughout the Service;
- (j) ensure that the Service is efficient and effective;
- (k) hear and determine appeals from members of the Service;
- (l) develop policies and provide oversight over training in the Service;
- (m) approve training curricula and oversee their implementation;
- (n) investigate, monitor and evaluate the organization, administration and personnel practices of the Service;
- (o) receive and refer civilian complaints to the Independent Policing Oversight Authority, the Kenya National Commission on Human Rights, the Director of Public Prosecutions or the Ethics and Anti-Corruption Commission, as the case may be, where necessary;
- (p) review and make recommendations to the national Government in respect of conditions of service, code of conduct and qualifications of officers in the Service;
- (q) evaluate and report to the President and the National Assembly on the extent to which the values and principles referred to in articles 10 and 232 are complied with in the Service;
- (r) monitor and evaluate the performance of the Service;
- (s) receive complaints and recommendations from police associations registered in accordance with the applicable law;
- (t) perform such other functions as are provided for by the Constitution, this Act or any written law.

(2) Subject to the provisions of the Constitution or any written law, the Commission may delegate to the concerned Inspector-General the recruitment, appointment and promotion of Police officers under the rank of sergeant;

Provided that the Inspector-General shall, during such recruitment, appointment or promotion, take into account gender, county and ethnic balancing.

(3) Notwithstanding subsection (2), the Commission shall not delegate any of the following functions-

- (a) the making of any regulations, rules, code of conduct or subsidiary legislation under this Act or any other written law;

(b) the making and submitting of any report to the President and the National Assembly; and,

(c) the performance of any function the delegation of which would amount to unjustified delegation of the Commission's discretion.

(4) The Commission shall monitor the operations of the Service to ensure efficiency and effectiveness of the Service and the quality and standards of services rendered.

(5) A delegation under this Act shall—

(a) be in writing;

(c) be subject to any conditions the Commission may impose; and,

(d) not divest the Commission of the responsibility concerning the exercise of its powers or the performance of the duty delegated.

## **2.0 PROCEDURE FOR APPOINTMENT OF THE CHAIRPERSON AND MEMBERS OF THE NATIONAL POLICE SERVICE COMMISSION (NPSC)**

**2.1** Pursuant to section 6(3) of the NPSC Act, the Selection Panel advertised for the positions of the Chairperson and members of the National Police Service Commission in the print media on 25<sup>th</sup> October, 2011.

**2.2** A total of twenty one (21) applications were received for the position of Chairperson. The position of retired senior Police officers attracted a total of fifteen (15) applicants. The position of other members received a total of two hundred and seven (207) applications.

**2.3** The Selection Panel conducted, in public, interviews of shortlisted candidates on 1<sup>st</sup> to 2<sup>nd</sup>; and 6<sup>th</sup> to 16<sup>th</sup> December, 2011, respectively, at the Kenyatta International Conference Centre.

**2.4** For the position of Chairperson, the following persons were shortlisted:

1. Mr. Johnston M. Kavuludi
2. Mr. Murshid A. Mohamed
3. Ms. Amina R. Masoud.

**2.5** For the position of members, eight persons were shortlisted. These were;

1. Mr. Lawrence Nyalle
2. Ms. Esther Chui-Colombini
3. Mr. Ronald L. Musengi
4. Mr. James A. Atema
5. Mr. Benard M. Mbai

6. Maj. (Rtd.) Billow Khalid
7. Dr. Maj.(Rtd.) Muiu S. Mutia
8. Ms. Mary A. Owuor.

2.6 On 22<sup>nd</sup> February, 2012, the Selection Panel then forwarded the names of the shortlisted applicants to H.E. the President and the Rt. Hon. Prime Minister for consultation and nomination.

2.7 In accordance with section 6(5) of the NPSC Act, the President is required to select the Chairperson and members of the NPSC from the list of qualified persons forwarded to him by the Selection Panel under sub-section 4(g) of the Act and subsequently forward the names of the persons so selected as Chairperson and members to the National Assembly for approval.

2.8 Under section 6(6), the National Assembly is required, within twenty one days of the day it next sits after receipt of the names of the applicants under sub-section 5, vet and consider all the applicants and may approve or reject any or all of them.

2.9 Parliament debated and rejected the list of the nominees on 17<sup>th</sup> May, 2012 and called upon H.E. the President, and the Rt. Hon. Prime Minister, to submit fresh names to the House for consideration.

Further to this, in a letter Ref. No. DLS/SNA/HE/2012 dated 8<sup>th</sup> August 2012, the Speaker of the National Assembly advised H.E. the President to submit new names to National Assembly for consideration.

2.10 On 11<sup>th</sup> September, 2012, the Permanent Secretary, Secretary to the Cabinet and Acting Head of the Public Service, vide a letter **Ref. No. OP/CAB.3/77A**, informed the National Assembly that H.E. the President, in consultation with the Rt. Hon. Prime Minister, had made the following nominations for the positions stated hereunder:-

- |  |               |
|--|---------------|
| 1. Johnston Kavuludi                   | - Chairperson |
| 2. Ronald L. Musengi                   | - Member      |
| 3. Esther Chui-Colombini               | - Member      |
| 4. Murshid A. Mohamed                  | - Member      |
| 5. Dr. Maj. (Rtd.) Muiu Shadrack Mutia | - Member      |
| 6. Mary Auma Owuor                     | - Member      |

2.11 On the same day, in a *Communication from the Chair*, the Speaker directed that names of the six nominees to the Commission and their

accompanying curriculum vitae (CVs) be referred to the Departmental Committee on Administration and National Security for consideration prior to approval by the House; and that the Committee tables its recommendations on or before Tuesday 25<sup>th</sup> September, 2012.

2.12 The Committee embarked on the vetting exercise and held a sittings on Tuesday 18<sup>th</sup> September, 2012 to consider memoranda and the names referred to it by the House. The Members noted that the fresh list submitted to the House, contained names of nominees who had been previously vetted by the Committee. The new list had addressed the issues which had been raised by the Committee in the report tabled in the House on 15<sup>th</sup> May, 2012.

2.13 For instance, the list had a nominee who is a lawyer, in accordance with Article 246(2)(a)(i) which stipulates that at least one of the members of the Commission should be a person who is qualified for appointment as a High Court Judge. The qualifications of a High Court Judge are set out in Article 166(2) of the Constitution.

2.14 On 19<sup>th</sup> September 2012, the Committee vetted the six nominees to the National Police Service Commission. As pointed out earlier, all the nominees had appeared earlier before the Committee. The Committee sought to find out whether there were any issues that could affect the appointment of the nominees during the intervening period from the time they were last vetted.

### 3.0 CONSIDERATION AND VETTING OF NOMINEES TO THE NATIONAL POLICE SERVICE COMMISSION

During the vetting exercise, the six nominees informed the Committee as follows:-

#### 3.1 MR. JOHNSTON MAFENYI KAVULUDI

He is a Kenyan citizen born on 10<sup>th</sup> December 1952. He holds a Bachelor of Education degree in Literature and English, Geography, Education and Administration.

He is a lead Partner in Furukombe Initiative working as a lead consultant in charge of Human Resource Management and Corporate Services tasked with training for excellence, management enhancement skills, leadership and team building dynamics and organizational development.

He was a principal educationist and training consultant at Furukombe initiative tasked with designing, training programmes for corporate



clients and learning institutions. He was a Commissioner for Labour, Ministry of Labour and Human Resource Development where he served as head of Department of Labour and advised the Government on labour and employment matters. He was also a Director, Manpower Development and Employment, Ministry of Labour and Human Resource Development.

### **3.2 MR. RONALD LEPOSO MUSENGI**

He is a Kenyan citizen, born in 1959. He holds a Masters degree in International Business from the Institute of Technology in Australia. He also possesses a Post Graduate Diploma in Project Planning and Management from the University of Nairobi, plus a Bachelor of Arts degree from Brock University of Ontario Canada.

He was an employee of Kenya Commercial Bank where he worked as a Corporate Relationship Manager. He was in charge of credit appraisals - analysis of finance matters in financial institutions, establishment and maintenance of correspondent relationships.

He was also an employee of Nikko Bank of London, where he was dealing with accounting, settlements, facility control and administration, credit and corporate Institutions.

He is a fellow member of the American Academy of Financial Management. He is also an associate member the Ontario Association of Certified Engineering, Technicians and Technologists of Ontario, Canada.

### **3.3 MS. ESTHER CHUI - COLOMBINI**

She is a Kenyan Citizen born in 1968 and holds a Master of Science Degree in Law from Thomas Jefferson School of Law, California. She also holds a Bachelor of Arts Degree in Sociology and Theology, Major.

She is currently a real estate professional - in charge of reviewing contracts for accuracy and completion, creating client files, working hand in hand with lenders and title companies, tracking and analyzing weekly traffic and sales reports. She is an active member of the Redwood Empire Association of Paralegals (REAP). She is also a Kenya Presidential Award recipient - Moran of the Order of the Burning Spear (MBS) in 2008. She was also an America Red Cross nominee for Real Heroes (Good Samaritan) award in 2009.

### **3.4 MR. MURSHID ABDALLAH MOHAMED**

He is a Kenyan citizen born on 20<sup>th</sup> November, 1964. He is an advocate of the High Court of Kenya, and holds a Bachelor's degree in Law from M.S.

University of Baroda in India, and a Master's degree in Law from the same university.

He practices under a partnership and a sole proprietorship. His briefs include criminal, family, shipping, commercial and general civil matters; while his duties include legal and policy research.

He was Commissioner in the Interim Independent Electoral Boundaries Review Commission (IIEBRC). He worked in the Communication and Advocacy Committee which was tasked with developing messages and pamphlets and developing and implementing the Commission's communication strategy including matters pertaining to legal and constitutional issues. The IIEBRC was tasked, inter alia, with creation of new constituencies, ward and administrative boundaries.

He was a Commissioner with the Poverty Eradication Commission. The Commission was tasked with the formulation of policies and poverty eradication programmes with particular attention to the attainment of Vision 2030.

He also took part in the poverty eradication plan including advising the Ministry on the implementation of the component of social integration under national Poverty Eradication Plan.

Further, he was involved in managing and coordinating the rights based approach to Poverty Eradication Commission.

He was a Manager in the protection, indemnity and claims section of Safmarine Kenya Limited. He was in charge of shipping, insurance and cargo claims management including handling all cargo claims, imports and exports.

### **3.5 DR. MAJ. (RTD.) MUIU SHADRACK MUTIA**

He is a Kenyan citizen. He was born on 7<sup>th</sup> April 1941. He holds an Honors Phd. degree in Theology from the University of International Faith Seminary in Washington DC, USA, and a Bachelors degree of Science in Business Administration from United States International University (USIU).

He is a retired professional soldier and a career policeman who served both in the Military and the Administration Police. He was former Commandant of the Administration Police between 1978-1984 where he

trained Administration Police Service to help end emergency in North Eastern Province by use of persuasion and diplomacy.

He was a member of Police Oversight Board where he wrote a paper on how to reform the Police. The document played an integral part during Justice Ransley's Commission on Police Reforms.

He possesses several professional qualifications among them intelligence courses from UK, communication and senior management courses from Kenya Institute of Administration (KIA).

### 3.6 MS. MARY AUMA OWUOR

She is a Kenyan Citizen born in 1946. She holds a Master of Science degree in Risk, Crisis and Disaster Management from Leicester University.

She is a retired Senior Assistant Commissioner of Police who had served the Police force for 32 years. During her service, she worked mostly in the Criminal Investigation Department (CID) as an investigator and later as a trainer for almost 22 years at the CID Training School. Currently she is Managing Director of Metro Consultant and Guardian, a firm that provides private security guards. She worked as Network Security Manager at Safaricom Limited, in charge of analysis of fraud and investigations.

She is a former Provincial Criminal Investigations Officer in Nyanza Province.

## 4.0 FINDINGS, OBSERVATIONS AND CONCLUSION OF THE COMMITTEE

- 4.1 After deliberations on the list of nominees submitted to Parliament on 11<sup>th</sup> September, 2012, the Committee made the following observations;
1. The list fulfilled the requirements of the provisions of Articles 246(2)(a)(i) and 166(2) of the Constitution, since one of the nominees to the National Police Service Commission [Mr. Murshid A. Mohamed] is a lawyer who is qualified for appointment as a High Court Judge.
  2. There was proper consultation between H.E. the President and the Rt. Hon. Prime Minister in nominating the said persons to the National Police Service Commission in line with the Constitution.



## **5.0 RECOMMENDATIONS OF THE COMMITTEE**

**5.1** Having conducted the vetting exercise of the six nominees; and after deliberating on the nominations to the National Police Service Commission, the Committee made the following recommendations:-

- 1. THAT; the House approves the nomination of Mr. Johnston Kavuludi as the Chairperson of the National Police Service Commission.**
- 2. THAT; the House approves the following nominees as Members of the National Police Service Commission;**
  - 1. Ronald L. Musengi**
  - 2. Esther Chui-Colombini**
  - 3. Murshid A. Mohamed**
  - 4. Dr. Major (Rtd.) Muiu Shadrack Mutia**
  - 5. Mary Auma Owuor**



**MINUTES OF THE 56<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY, HELD ON TUESDAY, 18<sup>TH</sup> SEPTEMBER, 2012, IN THE COMMITTEE ROOM, 11<sup>TH</sup> FLOOR, PROTECTION HOUSE, PARLIAMENT BUILDINGS, AT 11.00 AM**

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**PRESENT**

The Hon. Fred Kapondi, MP (Chairman)  
The Hon. Peter Kiilu, MP (Vice Chairman)  
The Hon. Cyprian Omollo, MP  
The Hon. Danson Mungatana, MP  
The Hon. Maison Leshoomo, MP

**ABSENT WITH APOLOGY**

The Hon. Mohamed Hussein Ali, MP  
The Hon. Joseph Kiuna, MP  
The Hon. Raphael Letimalo, MP  
The Hon. Pollyins Ochieng, MP

**ABSENT**

The Hon. Nkoidila Ole Lankas, MP

**IN ATTENDANCE - NATIONAL ASSEMBLY**

Mr. Daniel Mutunga - Second Clerk Assistant  
Mr. Abdullahi Aden - Third clerk Assistant

**MIN. NO.196/2012 - PRELIMINARIES**

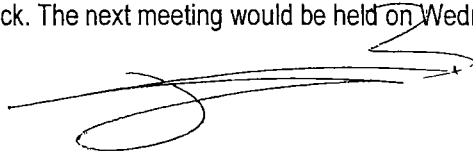
The Chairman called the meeting to order at 11.00 am. Prayers were said. He welcomed the Committee Members to the meeting and informed them that the agenda of the day was to consider public memoranda on the nominations to the National Police Service Commission.

**MIN. NO.197/2012 – CONSIDERATION OF MEMORANDA ON THE NATIONAL POLICE SERVICE COMMISSION**

The Chairman informed the Committee Members that the deadline for receiving public memoranda on the nominees to the National Police Service Commission would expire on Tuesday 18<sup>th</sup> September 2012 at 5.00 pm. The Committee had so far not received any memoranda. Henceforth the Committee agreed to vet the nominees to the National Police Service Commission on Wednesday 19<sup>th</sup> September 2012 and subsequently table its report the same day.

**MIN. NO.198/2012 - A.O.B/ADJOURNMENT**

There being no other business for discussion, the Chairman adjourned the meeting at thirty minutes past eleven o'clock. The next meeting would be held on Wednesday 19<sup>th</sup> September, 2012 at 10.00 am.



Signed: Chairman.....Hon. Fred Kapondi, MP.....Date.....19/9/2012

**MINUTES OF THE 57<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY, HELD ON WEDNESDAY, 19<sup>TH</sup> SEPTEMBER, 2012, IN THE COMMITTEE ROOM, 5<sup>TH</sup> FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS, AT 10.00 AM**

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**PRESENT**

The Hon. Fred Kapondi, MP (Chairman)  
The Hon. Peter Kiilu, MP (Vice Chairman)  
The Hon. Cyprian Omollo, MP  
The Hon. Pollyins Ochieng, MP  
The Hon. Raphael Letimalo, MP  
The Hon. Joseph Kiuna, MP  
The Hon. Danson Mungatana, MP

**ABSENT WITH APOLOGY**

The Hon. Mohamed Hussein Ali, MP  
The Hon. Maison Leshoomo, MP

**ABSENT**

The Hon. Nkoidila Ole Lankas, MP

**IN ATTENDANCE - NATIONAL ASSEMBLY**

Mr. Daniel Mutunga - Second Clerk Assistant  
Mr. Abdullahi Aden - Third clerk Assistant  
Mr. Peter Adika - Research Officer  
Mr. Mohamed Boru - Parliamentary Intern

**MIN. NO. 199/2012 - PRELIMINARIES**

The Chairman called the meeting to order at 10.00 am. Prayers were said. He welcomed the Committee Members to the meeting. He informed the Members that the sole purpose of the meeting was to conduct the vetting exercise on the nominees to the National Police Service Commission.

**MIN. NO. 200/2012 – VETTING AND CONSIDERATION OF NOMINEES TO THE NATIONAL POLICE SERVICE COMMISSION**

The six nominees appeared before the Committee and informed the Members as follows:

**MR. JOHNSTON MAFENYI KAVULUDI – CHAIRPERSON DESIGNATE**

He said that he was honoured to be nominated as the Chairperson of the National Police Service Commission. He would be dedicated in ensuring that the much awaited Police reforms were put in place.

The Chairman informed him that he had a challenging task ahead, and that he needed a strong team that would ensure that security in the country was enhanced. It was upon him, therefore to restore the confidence of Kenyans in the Police force as expectations were high towards reforming the Police.

**MR. MURSHID ABDALLA MOHAMED**

He informed the Committee that although he had applied for the position of Chairperson of the Police Commission, he was comfortable serving as a member of the Commission. He would strive to improve the image of the Police and devote his time serving the nation.

He further said that his interest to serve in the Commission had not waned since his nomination. The Chairman informed him that the Committee had faith in that he would join the other Commissioners in ensuring quality service was delivered to the people of Kenya.

**MS. ESTHER CHUI-COLOMBINI**

She informed the Committee that she had desired to work towards reforming Kenya's security sector, and that the nomination had provided her with the opportunity to achieve this dream. Her experience in the diaspora had opened up her thinking and approach to security issues, and she hoped to see some of the positive aspects introduced in Kenya's security agencies.

The Chairman informed her that the security situation in Kenya was challenging and needed a dedicated team to improve and restore the confidence of the citizens.

**MR. RONALD LEPOSO MUSENGI**

He said that he looked forward to working in the security sector since his retirement from KCB. He believed that the Police force could be reformed to the extent that it would offer quality service to the citizens. He would strive to ensure that dignity and integrity in the Police force was restored.

The Chairman informed the nominee that Kenyans were eagerly waiting to see the Commission put in place and looked upon the members to improve the dented image of the Police.

**DR. (MAJ. RTD.) MUIU SHADRACK MUTIA**

He informed the Committee Members that he was honoured to be nominated as a Commissioner in the Police Service Commission. Having worked as a career Policeman and a professional soldier, he believed he had a wealth of experience to help mould a new force that would be dedicated to serve the Kenya citizens.

The Chairman informed the nominee that the Committee had no doubt that he would deliver. He further reiterated that the challenging security situation in the country required full dedication from the Commissioners, and that the country depended on the Police force to enhance security.

**MS. MARY AUMA OWOUR**

She said that she had worked in the security sector all her life, and the nomination provided new horizons for her to serve the nation. She further informed the Committee that her 32 year experience in the Police force had taught and inculcated in her certain values that she wished would be of utmost use in improving the security systems in the country.

The Chairman reminded her that there were enormous responsibilities that came with this appointment, and hoped she would live up to the expectations of the Kenyan people.

**MIN. NO. 201/2012 – CONSIDERATION OF THE COMMITTEE REPORT ON NPSC NOMINEES**

The Committee Members deliberated on the nominations to the National Police Service Commission and made the following recommendations.

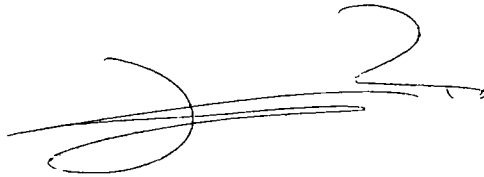
1. THAT; the House approves the nomination of Mr. Jonhston Kavuludi as the Chairperson of the National Police Service Commission.
  
2. THAT; the House approves the following nominees as members of the National Police Service Commission;
  - (i) Ronald L. Musengi
  - (ii) Esther Chui-Colombini
  - (iii) Murshid A. Mohamed
  - (iv) Dr. Major (Rtd.) Muiu Shadrack Mtia
  - (v) Mary Auma Owuor

**MIN. NO 202/2012 – ADOPTION OF THE REPORT**

The Committee Members agreed with draft recommendations, and unanimously adopted the report on the nominations to the National Police Service Commission.

**MIN. NO. 203/2012 - A.O.B/ADJOURNMENT**

There being no other business for discussion, the Chairman adjourned the meeting at fifteen minutes past eleven o'clock.



Signed: Chairman.....Hon. Fred Kapondi, MP.....Date.....19/9/2012....

