

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 9th November, 2022

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

[The Deputy Speaker (Sen. Kathuri) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM NIGERIAN NATIONAL ASSEMBLY SERVICE COMMISSION

The Deputy Speaker (Sen. Kathuri): Hon. Senators, we have a visiting delegation from the Nigeria this afternoon. I would like to acknowledge the presence, in the Speaker's Gallery, of a visiting delegation from the Nigerian National Assembly Service Commission (NNASC), who are here on a benchmarking visit. The delegation comprises of directors and it is led by the Secretary of the Commission.

I request each member of the delegation to stand when called out, so that they may be acknowledged as per the Senate tradition.

They are-

- | | | |
|-----------------------------------|---|---|
| 1. Ikharo Lucky Uankhehi | - | Secretary to the Commission |
| 2. Lipede Omobolanle Olufunke | - | Director, Planning, Research and Information Technology |
| 3. Ahmed Fatima Bala Binta | - | Director, Administration and Employee Relations |
| 4. Ahmed Malami | - | Director, Procurement and General Services |
| 5. Mambula Janet Jesse | - | Director, Public Affairs |
| 6. Ekeji James Ihenacho Okereafor | - | Director, Zonal Offices and Legislative Aides |
| 7. Odo Innocent Onyema | - | Director, Finance and Accounts |
| 8. Ribadu Ismaila | - | Director, Promotion and Discipline |
| 9. Sopitan Olusola Olawale | - | Director, Establishment, Records and Training |
| 10. Bintube Yagana Waziri | - | Director, Appeals and Legal Services |

11. Omori James James - Deputy Director, Information and Technology

(Applause)

On behalf of the Senate and my own behalf, I extend a warm welcome and wish you a fruitful visit.

MESSAGE FROM THE NATIONAL ASSEMBLY

APPROVAL OF MPs FOR APPOINTMENT TO THE PARLIAMENTARY SERVICE COMMISSION

The Deputy Speaker (Sen. Kathuri): Hon. Senators, I have a Message from the National Assembly, No.003, which is, Approval of Members of Parliament for appointment to the Parliamentary Service Commission (PSC).

(Sen. Munyi Mundigi walked into the Chamber)

(Loud consultations)

The Deputy Speaker (Sen. Kathuri): Sen. Munyi Mundigi, take a seat or freeze.

(Several Hon. Senators stood at the Bar)

The Deputy Speaker (Sen. Kathuri): Kindly, find your way in as I read this Message.

(Sen. Korir stood at the Bar)

Sen. Korir, I wish you could be faster than that.

Sen. Korir: Mr. Deputy Speaker, Sir, you are on your feet.

The Deputy Speaker (Sen. Kathuri): Yes, I will give you latitude to get to your seat.

(Sen. Korir walked into the Chamber and took her seat)

Hon. Senators I will repeat.

MESSAGE FROM THE NATIONAL ASSEMBLY

APPROVAL OF MPs FOR APPOINTMENT TO THE PARLIAMENTARY SERVICE COMMISSION

The Deputy Speaker (Sen. Kathuri): Hon. Senators, I wish to report to the Senate that pursuant to Standing Order No.46 (3) and (4), I have received the following Message

from the Speaker of the National Assembly regarding the approval by the National Assembly of Members of Parliament for appointment to the Parliamentary Service Commission.

Pursuant to the said Standing Order, I now report the Message-

“PURSUANT to the provisions of Standing Order No.41 (1) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

IN ACCORDANCE with the provisions of Article 127(2) of the Constitution, by a resolution passed on Tuesday, 8th November, 2022, the National Assembly approved the appointment of the following Members to the Parliamentary Service Commission -

(a) *under sub-section (c)(i)* –

- (i) The Hon. Faith Gitau, M.P.
- (ii) The Hon. Mohamed Ali, M.P.
- (iii) The Hon. Sen. Nderitu Kinyua, M.P.
- (iv) The Hon. Sen. Joyce Korir, M.P.

(b) *under sub-section (c)(ii)* –

- (i) The Hon. Mishi Juma Khamisi Mboko, M.P.
- (ii) The Hon. King’ola Patrick Makau, M.P.
- (iii) The Hon. Sen. Fatuma Adan Dullo, CBS, M.P.

NOW THEREFORE, in accordance with the said provisions of the Standing Orders, I hereby convey the aforementioned resolution of the National Assembly and invite the Senate to also consider and approve the appointment of the seven Members of Parliament to the Parliamentary Service Commission.

Hon. Senators, as you may have observed, a Notice of Motion on this matter has been listed in today’s Order Paper. In this regard, the Senate Majority Leader will at the appropriate time, be called to give a Notice of Motion for approval of the Members to serve in the Parliamentary Service Commissions and further move a Motion on the same with the leave of the House.

I thank you.

Hon. Senators, we have a Supplementary Order Paper, which is in the system.

Let us go to the next Order.

PAPERS LAID

Sen. (Dr.) Khalwale: Mr. Deputy Speaker, Sir, I beg to lay the following Papers on the Table of the Senate, today, 9th November, 2022:

THE NATIONAL TREASURY REPORT ON PUBLIC DEBT MANAGEMENT FOR FY 2020/2021

Report by the National Treasury on Public Debt Management for FY 2020/2021.

REPORT OF THE COMMITTEE ON ASSUMPTION OF THE OFFICE OF THE PRESIDENT

Report of the Committee on Assumption of the Office of the President submitted pursuant to Section 19 of the Assumption of the Office of the President Act, 2012.

AUDITOR-GENERAL'S REPORTS ON FINANCIAL
STATEMENTS OF VARIOUS ENTITIES

Report of the Auditor-General on the Special Audit on utilization of commercial loans in Kenya.

Annual report by the National Land Commission for FY 2021/2022.

Report of the Auditor-General on the Financial Statement of Kericho County Bursary Fund the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Kericho County Emergency Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Kericho County Agricultural Development Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Siaya County Assembly Car Loan & Mortgage Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Siaya County Education Bursary Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Vihiga County Sports Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Malindi County Water & Sewerage Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of West Pokot County Car & Mortgage Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Kapenguria Water & Sewerage Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Marsabit County Assembly Car & Mortgage Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Kirinyaga County Executive Car Loan & Mortgage Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Kirinyaga County Emergency Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Trans Nzoia County Youth & Women Development Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Samburu County COVID-19 Emergency Response Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Samburu County Community Conservancies Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Garissa Water & Sewerage Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of County Assembly of Nyeri Car Loan & Mortgage (Members) Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Nyeri County Assembly of Nyeri Car Loan & Mortgage (Staff) Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Nyeri County Elimu Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Othaya Mukurwe-ini Water Services Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Tetu Aberdare Water & Sanitation Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Nairobi City County Assembly Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Baringo County Executive Car Loan Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Baringo County Youth & Women Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Baringo County Cooperative Development Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Baringo County Micro & Small Enterprise Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Eldama Ravine Water & Sewerage Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Nakuru County Executive Car Loan & Mortgage Loan Staff Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of County Assembly of Nakuru Car Loan, Grant & Mortgage Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Nawasscoal Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Naivasha Water & Sanitation Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Machakos County Assembly Car Loan & Housing Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Machakos County Assembly Staff Car Loan & Housing Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Murang'a County Assembly Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Murang'a Water & Sanitation Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Fort Beverage Industries Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Makueni County Fruit Development & Marketing Authority for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Mbooni Water & Sewerage Company Ltd for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statement of Embu County Youth Trust for the year ended 30th June, 2021.

(Sen. (Dr.) Khalwale laid the documents on the Table)

The Deputy Speaker (Sen. Kathuri): I was waiting for the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations.

REPORT ON THE APPROVAL OF APPOINTMENT OF ENG. JAPHETH KOOME
NCHEBERE AS THE INSPECTOR-GENERAL OF NPS

Sen. Cheptumo: Mr. Deputy Speaker, Sir, I beg to lay the following Paper on the Table of the Senate, today, 9th November, 2022-

Report of the Joint Committee on the Approval Hearing for Eng. Japhet Koome Nchebere, the nominee for appointment to the position of Inspector General of the National Police Service.

(Sen. Cheptumo laid the documents on the Table)

The Deputy Speaker (Sen. Kathuri): There was another Paper by the Senate Majority Leader, but you will do that later.

Let us go to the next Order.

NOTICE OF MOTION

APPROVAL OF ENG. JAPHETH KOOME NCHEBERE
AS INSPECTOR GENERAL OF THE NPS

The Deputy Speaker (Sen. Kathuri): Proceed, Chairperson of the Committee on National Security, Defence and Foreign Relations.

Sen. Cheptumo: Mr. Deputy Speaker, Sir, I wish to give Notice of the following Motion:

THAT, the Senate adopts the Report of the Joint Committee of the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Affairs on the approval hearing for the nominee to the position of Inspector General of the National Police Service, laid on the Table of the Senate on Wednesday, 9th November, 2022, and pursuant to Article 245(2)(a) of the Constitution, Section 12 of the National Police Service Act, Section 8 of the Public Appointments (Parliamentary Approval) Act, and Standing Order 77 of the Senate, the Senate approves the nomination of Eng. Japhet Koome Nchebere, for appointment to the position of Inspector General of the National Police Service.

The Deputy Speaker (Sen. Kathuri): Thank you, Chairperson, Standing Committee on National Security, Defence and Foreign Relations.

There was also a Notice of Motion by the Senate Majority Leader. I will give him an opportunity to give the Notice of Motion when he is around.

Let us go to the next Order.

STATEMENTS

The Deputy Speaker (Sen. Kathuri): We will have Statements pursuant to Standing Order No. 53 (1). Senator for Machakos County, Sen. Kavindu Muthama, seek your Statement.

LIQUIDATION OF DRUMVALE FARMERS'
CO-OPERATIVE SOCIETY LIMITED

Sen. Kavindu Muthama: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to read my Statement.

I rise pursuant to Standing Order No. 53(1), to seek a Statement from the Standing Committee on Tourism, Trade and Industrialization, regarding the Revocation Notice of Drumvale Farmers' Co-Operative Society Limited vide Gazette Notice No.8427.

In the Statement, the Committee should -

(1) Apprise the Senate on the status of the Revocation Notice of Drumvale Farmers Co-Operative Society Limited as per the Gazette Notice No. 8427 of 6th July, 2022, to full registration.

(2) State the status of convening members of the said society as directed to the Director of Co-operatives - Nairobi City County, by the Commissioner---

(Sen. Mumma walked into the Chamber without bowing to the Chair)

The Deputy Speaker (Sen. Kathuri): Sorry, Sen. Kavindu Muthama.

Sen. Mumma, you have a huge responsibility in this House. You were lucky the other time, but not this time round. Just walk to the Bar.

(Laughter)

(Sen. Mumma walked to the Bar, bowed to the Chair and took her seat)

Yes, that is good.

Sen. Kavindu Muthama, proceed.

Sen. Kavindu Muthama: Thank you, Mr. Deputy Speaker, Sir. We should remember the rules of this House. I will repeat No. 2.

(2) State the status of convening members of the said society as directed to the Director of Co-operatives - Nairobi City County, by the Commissioner for Co-operative Department, in his letter dated 9th September, 2022.

(3) Apprise the Senate on any malpractices noted in the liquidation process, proposing disciplinary action on the culpable officer.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Thank you, Senator. This Statement is referred to the Standing Committee on Tourism, Trade and Industrialisation.

(The Statement was committed to the Standing Committee on Tourism, Trade and Industrialisation)

Let us move to the next Statement by Sen. Munyi Mundigi.

(Sen. Munyi Mundigi's microphone went off)

The Deputy Speaker (Sen. Kathuri): Move to the Dispatch Box.

DELAYED PAYMENT TO TRANSPORT PROVIDERS
IN EMBU COUNTY BY IEBC

Sen. Munyi Mundigi: Mr. Deputy Speaker, Sir, I rise, pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Justice, Legal Affairs and Human Rights, regarding the delayed payment to transport providers during and after the August, 2022, General Elections by the Independent Electoral and Boundaries Commission (IEBC) in Embu County.

In the Statement, the Committee should -

(1) Establish the cause of delay in payment to owners of vehicles that provided transport services to ferry election officials and materials in Embu County during the recently concluded August, 2022 election.

(2) Outline measures the IEBC will put in place to address their contractors' grievances in their short and long-term plans in order to avert such delays in future, and;

(3) State whether there are plans in place to compensate the vehicle owners' and their crew, particularly the *matatus* used, on losses suffered as a result of delayed payment since most of the vehicles are usually purchased through hire purchase agreements.

Asante, Bw. Naibu Spika.

The Deputy Speaker (Sen. Kathuri): Thank you. The Statement is referred to the Standing Committee on Justice, Legal Affairs and Human Rights.

(The Statement was committed to the Standing Committee on Justice, Legal Affairs and Human Rights)

We have the third Statement, pursuant to Standing Order No. (56) (1) Sen. Murgor, proceed.

(The Clerk-at-the-Table consulted the Chair)

RESCHEDULING OF MEETING OF THE COMMITTEE
ON LABOUR AND SOCIAL WELFARE

Sen. Murgor: Mr. Deputy Speaker, Sir, the Committee had invited all Senators to the meeting of the Committee with the Ministry of Labour and Social Protection and the National Treasury, and it was scheduled for tomorrow, Thursday, 10th November, 2022, at 10.00. a.m.

However, we have just received communication from the National Treasury, which is the lead Ministry in this matter, requesting for a re-schedule of the meeting. We will notify the House of the new dates once we confirm.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Okay. That is well noted Chair.

Next Order.

MOTION

APPROVAL OF ENG. JAPHETH KOOME NCHEBERE
AS INSPECTOR GENERAL OF THE NPS

The Deputy Speaker (Sen. Kathuri): I saw the Chair of the Committee on National Security, Defence and Foreign Affairs two minutes ago. He crossed to this side. Where is the Vice-Chair? Any member of the Committee around to approach the Chair and move the Motion.

(Sen. (Prof.) Tom Ojienda, SC, approached the Chair)

Sen. (Prof.) Tom Ojienda, I saw you taking part in the vetting exercise. I am sure that you are well versed with the matter.

Sen. (Prof.) Tom Ojienda, SC: Thank you Mr. Deputy Speaker, Sir. I beg to move the following Motion.

THAT, the Senate adopts the Report of the Joint Committees of the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Affairs on the approval hearing for the nominee to the position of Inspector General of the National Police Service, laid on the Table of the Senate today, on Wednesday, 9th November, 2022, and pursuant to Article 245(2)(a) of the Constitution, Section 12 of the National Police Service Act, Section 8 of the Public Appointments (Parliamentary Approval) Act, and Standing Order 77 of the Senate, the Senate hereby approves the nomination of Eng. Japhet Koome Nchebere, for appointment to the position of Inspector General of the National Police Service.

Mr. Deputy Speaker, Sir, I move.

The Deputy Speaker (Sen. Kathuri): Who is seconding the Motion? Sen. Seki are you a Member of the Committee?

Sen. (Prof.) Tom Ojienda, SC: Mr. Deputy Speaker, Sir, I call upon Sen. Seki to second the Motion.

Sen. Seki: Mr. Deputy Speaker, Sir, I second the Motion.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): I can see that a number of Members have interest in this matter.

Sen. Osotsi, kindly proceed.

Sen. Osotsi: Mr. Deputy Speaker, Sir, I had intended to speak to the next agenda item.

The Deputy Speaker (Sen. Kathuri): Sen. Omogeni, the Floor is yours.

Sen. Omogeni: Thank you Mr. Deputy Speaker, Sir. I support the Motion that recommends the approval of this Senate of Eng. Koome as our next Inspector General (IG) of the National Police Service.

Those who went to the University of Nairobi (UoN) in the early 1990s know that Eng. Koome was among the very first professionals to join the Police force directly from the University. He joined Central Police Station in the 1990s. He was extremely friendly and professional to the students of UoN.

We have come a long way in getting professionals to the Police force. It is gratifying to note that the person this House is discussing for approval to be the next IG is a trained engineer from the UoN. I fully support his nomination as our next IG. I hope that as soon as he takes over the reins of power, he will address the many insecurity issues we are facing as a country.

The other day, a university student was stabbed by thieves on a motorcycle in one of the upmarket estates in Nairobi. I hope that once he assumes office, he will prioritise the issues of insecurity. When tourists want to visit a country, they google to see how secure the country they are about to visit is. Once we ensure that we have security, we will attract more visitors and our tourism industry will thrive.

I pray that the incoming IG will reduce the number of traffic police officers on our roads. I drive to Nyamira from Nairobi often and there was a time I counted up to 11 traffic roadblocks. Even the *boda bodas* have to pay Kshs1,000 once stopped by the police, yet they are people struggling to eke out a living. If you take Kshs1,000 from *boda boda* riders, they have lost the day's entire income.

I hope that he will instill discipline and professionalism on the police force. *Tunataka utumishi sio unyanyasaji kwa wote*. If you go to Tanzania and travel from Tarime to Mwanza, you will not get traffic policemen on the road, yet it is about 330 kilometres from the border. I wish him well and a successful tenure as our next IG. I hope he will bring changes, so that we can see a more professional Police force.

Mr. Deputy Speaker, Sir, I support.

Sen. Mandago: Thank you Mr. Deputy Speaker, Sir. I rise in support of the Motion on the appointment of Eng. Koome as the next IG of the police.

Eng. Koome is taking over when there are a myriad of security issues in the country. We hope that he will reduce the incidences of insecurity. Today, a number of places in this City are no longer safe for citizens to transact their businesses. There has been a lot of mugging in the Central Business District (CBD) of Nairobi; along the National Archives and the Globe Cinema area. In the recent past, there is a lot of insecurity around Strathmore University. I hope that the new IG will prioritize security in the mentioned areas.

In the National Police Service, there is the issue of recruitment of new officers. That exercise has been marred with corruption in this country. We have parents who have to sell two or three acres of land for their children to join the police force. I hope that the new IG will ensure the exercise is free, fair and equitably distributed across the country,

so that citizens who want to serve in the security sector can be given the opportunity to do so without giving bribes.

On cattle rustling, we from the North Rift, have had a lot of challenges particularly in the Kerio Valley. The insecurity situation in that region has caused students not to access school and left many parents homeless. We hope that matter will be thoroughly addressed, so that Kerio Valley can turn from a valley of death to a valley of wealth generation.

If the national Government will begin the construction of the two dams that were politically stopped, it is a region that has a potential of supplying fresh produce sufficient to feed this country and have enough for the export market.

We hope the security in Kerio Valley will be restored. Families that have been displaced will go back to their lands and children who are not going to school will be able to go. This will not only restore the dignity of the people of Kerio Valley, but also give them a chance to contribute to the development of this nation, just like the other Kenyans.

Finally, we expect the Inspector General (IG) of Police to ensure that his officers are motivated. The police force for a long time has been demoralised. This is because we have graduate police officers who are denied their allowances and positions because of being graduates.

Moreover, in every discipline and profession, people aspire to progress. One of the ways of progressing is improving on one's academic qualification. I believe the new IG will also put into consideration matters human resource management of the police force. This is to ensure that our disciplined forces become motivated to serve this nation.

I thank you.

The Deputy Speaker (Sen. Kathuri): Thank you. Let us now listen to Sen. Faki.

Sen. Faki: *Bw.* Naibu Spika, asante kwa kunipa fursa hii kuunga mkono Hoja ya kumteua Eng. Koome kama Inspekta Mkuu wa Polisi.

Naunga mkono hoja hii kwa sababu kulingana na Ripoti ambayo imeletwa hapa Bungeni na Kamati Maalum, Eng. Koome ana tajiriba ya kuchaguliwa kama mkuu wa kikosi cha polisi nchini Kenya. Ujuzi wake na miaka yake mingi aliyofanyaka kazi ya polisi inampa uzoefu wa kufanya kazi hii bila matatizo yoyote.

Kikosi cha Polisi kina changamoto nyingi. Kwa mfano, kule kwetu Mombasa kuna changamoto ya matumizi ya dawa za kulevywa kwa vijana. Mihadharati hii inauzwa na watu wakubwa ambao wana uwezo wa kuhonga polisi kiasi ambacho dawa zinauzwa kiholela.

Mikakati mingi ambayo sisi kama viongozi tumeweka kupambana na dawa hizi imeambulia patupu. Hii ni kwa sababu polisi wakiwakamata watu hawa mara nyingi huwaachilia kwa sababu ambazo si za kimsingi.

Tunatarajia kwamba afisa huyu mpya atakayeteuliwa ataweza kupambana na hili janga la dawa za kulevywa Mombasa na Pwani nzima kwa jumla.

Vile vile, kulikuwa na vilio vya mauwaji ya kiholela na kutoweshwa kwa vijana hususan wale wanawosemakana wana itikadi kali. Hili ni jambo ambalo tumezungumzia mara nyingi. Ninafikiri kulingana na maelezo aliyotoa katika mahojiano yake juzi na jana, ana uwezo wa kulitataua tatizo hili ambalo ni kubwa.

Vile vile, kuna tatizo la ufisadi katika ngazi za polisi. Ufisadi huu umekithiri sana katika vituo vya polisi ambapo badala ya kuhudumia wananchi vimefanywa ni vituo vya kukusanya hongo kutoka kwa wananchi ambao hawana hatia.

Bw. Naibu Spika, ukishikwa na polisi kwa mfano Mombasa, hakuna njia ambayo unaweza kutoka bila kuwacha mapeni, kiwango cha chini kabisa kikiwa Kshs2,000. Swala la ufisadi lazima apambane nalo kwa sababu kikosi cha polisi kimezongwa na shutuma za ufisadi.

Mwisho ni swala la usalama. Mitaa mingi katika Mombasa kwa mfano sehemu za Likoni na Kisauni, usalama umeharibika. Ikifika saa moja jioni kila mtu anakimbilia nyumbani kwake. Hii imetokana na upungufu wa maafisa wanofanya doria za jioni. Vile vile, kuna kutowajibika kwa vikosi vya polisi kwa maswala kama haya.

Tunataraji kwamba atakapoteuliwa ataweza kupambana na hizi changamoto na nyingi nyingine ambazo zinawakumba wananchi wa Kenya. Jana kulikuwa na ripoti hapa Nairobi kwamba kunasehemu ambazo ikifika jioni saa moja huwezi kupita kama mwananchi ikiwa huna silaha.

Tunataraji afisa huyo mkuu wa polisi ataweza kutatuwa changamoto hizi iliwakenya waweze kuishi kwa amani na usalama. Vile vile, ili wawekezaji waweze kuja hapa kufanya biashara na wananchi wetu waweze kupata ajira na biashara kwa wale ambao wanafanya.

The Deputy Speaker (Sen. Kathuri): *Asante.*

Kindly proceed, Sen. Gataya.

Sen. Gataya: Mr. Deputy Speaker, Sir, I have known Eng. Koome for the last 31 years. For the first time in Kenyan history, the Police Service is going to get an experienced officer who has risen through the ranks.

Eng. Koome joined the police force among the first graduates. He has traversed the country in various stations. He has undertaken his responsibility as a police officer excellently, away from other police commissioners that we have seen, who have had some breaks from the police force.

We are expecting - and it is our hope - that we are going to get some very good services from him. This is so considering that for the first time, he is taking over the police service when there is some element of autonomy.

If you can remember, the other day, His Excellency the President gave the police service an autonomy, where they are supposed to run their own affairs with their own money and an accounting officer. Thus, he has delinked it from the Office of the President where they used to get some serious bottlenecks.

Eng. Koome is an outstanding and very experienced police officer. He is bringing to the force a long experience of over 32 years. Just recently, we have seen police officers being used as political tools by some elements of the Government.

Currently, Eng. Koome is the Commandant of Kiganjo Police College. For those years that we have known him, we have never linked him with any political leanings. I think Kenyans are going to get the very best IG for the first time in the Kenyan history.

Mr. Deputy Speaker, Sir, I totally support the candidature of Eng. Koome as IG. We expect some serious changes in terms of service delivery to Kenyans.

The Deputy Speaker (Sen. Kathuri): Thank you. Kindly proceed, Sen. Onyonka.

Sen. Onyonka: Thank you, Mr. Deputy Speaker, Sir. After such lovely words that my brother, the Senator of Meru has said, I also wanted to mention to him---

The Deputy Speaker (Sen. Kathuri): What did you say Sen. Onyonka? Why are you taking the Senator of Tharaka-Nithi County to Meru?

Sen. Onyonka: Mr. Deputy Speaker, Sir, I am sorry for that. My brother, I am sorry.

What I wanted to say is that as we were growing up, I happened to have been very lucky that I met Eng. Koome when he was the Officer Commanding Police Division (OCPD) in Kisii. At that time, I was a student and the history he left behind in Kisii is quite substantive. He is a highly respected man.

However, the work ahead of him is substantive because the police service every year ends up maybe being the last department of Government that is highly corrupt. There have been issues raised about the welfare of the police officers.

I hope that when Eng. Koome takes over, he is going to start looking at the welfare of the police officers very seriously.

Mr. Deputy Speaker Sir, some of the houses where the police officers stay is unbelievable. You find two families sharing one cubicle. The conditions are inhumane and should not be allowed.

I know in the National Government Constituency Development Fund (NG-CDF), where I have been as a Member of Parliament (MP), we have done quite a bit. We tried building houses for police officers and managing some of what they needed.

As my colleagues have said, the issue right now in Nairobi City County is insecurity. Everyone is talking about the excessive amount of violence that has come up. There is thuggery and snatching of bags and mobile phones. These are things that were not happening until very recently. I do not know why.

I hope the Government will be seized of this issue and that it will ensure it comes up with policies that will make the National Police Service (NPS) work effectively. I hope it will also make sure that the welfare of police officers is managed better.

You have seen statistics of police officers who have been committing suicide. I hope that the NPS will set up a health facility that deals with mental health because police officers are children of our country. You can see the conditions that have made them get into what they are. I hope that the Government will also improve the welfare of police officers.

As I have heard my colleagues mention, we should not politicize and, in that case, toxify the NPS politically. From the way my colleagues have said, if it was being done by the previous regimes, I hope this regime will not repeat that exercise and therefore, make Kenya a better country.

Mr. Deputy Speaker, Sir, I endorse and agree that we should confirm Eng. Koome. We wish him well. I hope that when he has very serious issues, he will engage with the Committees of the National Assembly and the Senate, so that we can work together as a team to make sure that he succeeds for the period that he is going to be Inspector General (IG) of police.

The Deputy Speaker (Sen. Kathuri): Very well. Sen. Wambua, proceed.

Sen. Wambua: Thank you, Mr. Deputy Speaker, Sir. I may not have had the opportunity to know Eng. Koome for 31 years as my neighbour. However, following the vetting process, Eng. Koome came out as a professional officer who understands the calling of his office. I understand that he has been in service for about 31 or 32 years, after he joined straight from the university.

Mr. Deputy Speaker, I will say just two things about the Police IG. It is an acceptable good labour practice internationally that once you give a person a job, then

you are supposed to facilitate them properly to do that job. If you do so, then you can demand results for the work done.

It is very easy to blame police officers for the things that they do and those they do not do. However, looking at the working conditions of our police officers, sometimes we expect too much from them. The accommodation of our police officers is really worrying.

It is important that new IG looks into the welfare of his officers, beginning with proper housing. Where most of them live now, they are basically dehumanised. You dehumanise a human being and give him a gun to go and take care of other citizens. That may be asking a bit too much from the police officers.

Secondly, is the issue of transportation. Recently, I accompanied the Committee on National Security, Defence and Foreign Relations to Mutha over an insecurity issue. We engaged the officers on the ground and they told us they are allocated 450 litres of fuel per month per vehicle. The fuel does not even come in time and other times, it does not even arrive, yet they are supposed to traverse the whole county a whole month. That is expecting too much from these officers.

There is also the issue of insurance. It is fair that our officers know that when they get injured or fall sick in the line of duty, they and their families are properly insured. From there, we can begin to make demands from our officers.

I hope now that the officers have one of their own; a professional police officer as their boss, he is going to look into their issues. That way, we can demand services from them knowing they are properly facilitated to undertake their jobs.

The Deputy Speaker (Sen. Kathuri): Sen. Kinyua, you may proceed.

Sen. Kinyua: Asante, Bw. Naibu wa Spika kwa kunipa fursa hii. Kwanza kabisa ninaunga mkono ripoti ya kuidhinishwa kwa atakayekuwa Mkuu wa Polisi, Bw. Koome. Ninaunga mkono kwa sababu yeye ni mtu aliyeye na uzoefu wa kazi hiyo.

Nimemsikiza rafiki yangu, Sen. Wambua, akizungumza juu ya Bw. Koome. Ninakumbuka pia aliyekuwa Mkuu wa Polisi, Bw. Mutyambai, alipokuwa akiteuliwa, nilimsikia Sen. Wambua akituambia vile ako na uzoefu. Ni vizuri na alifanya kazi nzuri. Bw. Koome amekuwa na uzoefu zaidi na nina uhakika atafanya kazi nzuri na ndiposa ninaunga mkono.

Bw. Naibu wa Spika, Bw. Koome anapaswa ashughulikie shida zilizoko katika sehemu zetu za Kenya. Ukitembea sehemu zetu za Kaunti ya Laikipia, unapata wafugaji haramu. Wamekuwa wakivamia mashamba na kulisha mimea kiholela. Si vizuri. Hivyo basi, Bw. Koome yuko na kazi ambayo anapaswa kutekeleza kwa haraka, baada ya kuithinishwa kuchukua hatamu za uongozi.

Ningependa kushukuru Serikali ya Kenya Kwanza kwa sababu wamesema dhahiri shahiri kwamba Tume ya Huduma kwa Polisi itakuwa inapata pesa zake moja kwa moja. Kwa hivyo, Bw. Koome hatakuwa na sababu ya kutowajibika kwa sababu hatahitaji kwenda Harambee House kutauta hela hizo. Hivyo basi, sisi tunasisitiza kwamba akipitishwa, alivalie njuga swala hili la usalama.

Wasifu wake unaonyesha ya kuwa amepanda ngazi katika Idara ya Polisi. Ameonyesha umahiri wake pia. Hivyo basi, mimi sina shaka ninapomngoja huko kwetu katika Kaunti ya Laikipia. Ukitembea sehemu kama Wangwachi na Ol moran, unapata vile wakazi wanakumbwa na ukosefu wa usalama.

Na vile vile, kwa sababu atapewa hela moja kwa moja katika Idara ya Polisi, aangalie maafisa wanaoishi katika hali ya uchochole.

Nimetembelea vituo vingi vya polisi na hivi karibuni nilikuwa mahali ambapo panaitwa Wangwachi. Ukiingia hizo nyumba za maafisa wa polisi, hata hazifai kuitwa nyumba. Maafisa wetu wanaishi katika hema. Hema yenyewe iko na maafisa wanne wanaoishi ndani, na ni wanaume. Nikawauliza iwapo wameoa na wakasema kuwa wameoa.

Bw. Naibu wa Spika, sipaswi kukuambia vile nilivyoulizwa swali lililofuatia, kwa sababu ni aibu katika karne hii. Halafu baada ya haya yote, sisi tunawashtumu maafisa hao, ati wamezembea katika kazi yao. Yule afisa anaishi katika hali ya uchochole, umempatia bunduki na kumuambia afuate wakora. Atatafuata wakora ama ataenda kushughulikia tumbo yake?

Kwa hivyo, Bw. Koome akichukua hatamu za uongozi, pamoja na kufuatilia maswala ya usalama wa Kitaifa, aangalie pia maisha ya uchochole ya askari.

The Deputy Speaker (Sen. Kathuri): Asante sana.

Sen. Murgor, proceed.

Sen. Murgor: Thank you very much, Mr. Deputy Speaker, Sir, for giving me the opportunity to air my views about the incoming Inspector General of Police (IG). In him, I saw a person from a humble background like any other child in Kenya. He joined the force at the rank of a corporal. In him, I could see rays of hope for police officers at lower ranks to go through the ranks up to the position of IG.

Secondly, I saw a person that comes into the force with a wealth of experience, having worked in various places in Kenya and in different capacities. The fact that he has been in charge of several units in the force will help him to man the force well.

My only concern is the fact that the police force is riddled with a lot of challenges, corruption being at the top and followed by the practice of being relaxed at the job. That has been brought about because of the lifestyle and the shortcomings in the force.

The Pokot Community that I represent is condemned because of cattle rustling. If cattle rustling took place on the moon, it would be said that the Pokots are responsible because that is the perception.

I hope that the experience that the IG is coming in with will stamp out the practice, so that my community will not be condemned. Needless to say, there are many other insecurity issues in our towns.

With those few remarks, I support him to be the IG.

Sen. Githuku: Asante sana, Bw. Naibu Spika, kwa kunipa nafasi hii kuunga mkono Hoja ya kumpitisha Eng. Koome kuwa inspekta mkuu wa polisi katika Jamhuri yetu ya Kenya.

Nilibahatika kuwa mmoja wa wanakamati ambao walikuwa wanamhoji Eng. Koome. Tuliona ana tajiriba kubwa kutokana na utendakazi wake humu nchini. Bila shaka ni mtu aliye na uzoefu wa kufanya kazi. Atakapopewa nafasi ya kutumikia wananchi wa Jamhuri ya Kenya, naamini ya kwamba atafanya kazi nzuri na kutuhakikishia usalama wetu.

Natoka katika Kaunti ya Lamu ambapo kwa muda mrefu tumekuwa na shida ya usalama. Nina uhakika kwamba Eng. Koome anajua jinsi atasaidia watu wangu wa Kaunti ya Lamu na kuona kwamba hali ya usalama inaimarika.

Bw. Naibu Spika, watu hutoka Kenya na kwenda nchi za Waarabu kutafuta kazi ili wajipatie riziki. Tumekuwa tukisikia visa tofauti tofauti katika nchi za Waarabu. Baadhi ya watu wetu wanarudishwa wakiwa wamefariki kwa sababu ya maisha magumu katika nchi hizo.

Nina uhakika kwamba Eng. Koome atahakikisha kuwa watu wetu wanaokwenda nchi za ugenini kutafuta kazi watakuwa sawa. Watu wetu wanapokwenda huko ugenini, pasipoti zao huchukuliwa na waajiri wao.

Kuna tatizo la ulevi wa kupita kiasi hapa nchini ambao umewaharibu vijana wetu. Hilo ni jambo ambalo Eng. Koome anafaa kuzingatia sana ili kuhakikisha kwamba ulevi wa kupindukia umepunguzwa kwa sababu unazorotesha uchumi wa Jamhuri ya Kenya.

Nina hakika kuwa kutakuwa na mabadiliko makubwa ya usalama hapa nchini, Seneti ikiidhinisha Eng. Koome kuwa inspekta mkuu wa polisi. Nina imani ataleta mabadiliko katika kitengo cha polisi na bila shaka usalama katika Jamhuri yetu ya Kenya utaimarika.

Bw. Naibu Spika, naomba kuunga mkono Hoja hii.

(Interruption of debate on the Motion)

COMMUNICATION FROM THE CHAIR

VISITING DELEGATE FROM UASIN GISHU
COUNTY ASSEMBLY

The Deputy Speaker (Sen. Kathuri): Hon. Senators, I have a communication to make.

I would like to acknowledge, in the Speaker's Gallery, the presence of Mr. Harun Sitienei, Director of Information and Research Services from the County Assembly of Uasin Gishu County, who is at the Senate for a study visit.

On behalf of the Senate and on my own behalf, I welcome him to the Senate and wish him well for the remainder of the visit.

Mr. Sitienei, please rise up again for acknowledgment by the Senators.

(Mr. Sitienei stood up)

(Applause)

Sen. Mandago, do you have a word for the visiting delegate from Uasin Gishu County?

Sen. Mandago: Mr. Deputy Speaker, Sir, first, I thank the Senate for giving the opportunity to our Director, Mr. Harun Sitienei, who is here on a learning and research study at the Senate. I know this gentleman. He was the Deputy Clerk of the County Assembly of Uasin Gishu and did a tremendous job.

Continuous training and research will enhance legislations at the county assembly and improve the function of oversight. Once more, I thank the Senate for the opportunity they have afforded him to come and study.

The Deputy Speaker (Sen. Kathuri): Let us proceed with the debate on the Motion.

(Resumption of debate on the Motion)

Sen. Wamatinga: Mr. Deputy Speaker, Sir, I rise to support the Motion of engaging Eng. Koome as the IG of Police.

The past five years have been tough for this country. We all know that the police force was used by the ruling party to oppress those perceived to be against the system. With Eng. Koome's experience and exposure, it is my wish that this will come to pass. I hope he will not go back to where Mr. Kinoti was and start oppressing the perceived opponents of the system.

Eng. Koome, having the experience, exposure and being an engineer like me, he has what it takes to be a good IG. I believe he will not take the same path.

Mr. Deputy Speaker, Sir, it is very important to note that Mr. Koome will get into office at a time when we are experiencing a very high number of suicides among the disciplined forces. I recommend that he engages positively with the officers so that they get a way of ventilating their anger because the incidences of officers turning their guns against themselves and colleagues are quite alarming.

Mr. Deputy Speaker, Sir, having a professional IG with the independence of controlling his own budget will go a long way in enabling him streamline the services and improve the image of the police force which has been heavily dented.

Mr. Deputy Speaker, Sir, I support.

The Deputy Speaker (Sen. Kathuri): Can we hear from Sen Mbugua.

Sen. Mbugua: Thank you, Mr. Deputy Speaker, Sir. I rise in support of the Motion that is seeking the approval of Eng. Japhet Koome for the appointment of the position of IG. I was privileged to be part of the team which vetted this gentleman.

From his academic qualifications and experience, he will be one of the best IG's we will ever have in Kenya. The man is experienced and bold enough to face all security challenges facing this country.

During the vetting, he demonstrated his ability to transform the National Police Service (NPS). We will be looking forward to him enhancing police stations in order for them to be accessible to the senior citizens of this country and persons living with disability.

I beg to support.

The Deputy Speaker (Sen. Kathuri): Can we hear from Sen. Crystal Asige.

Sen. Crystal Asige: Thank you, Mr. Deputy Speaker, Sir. I rise to support this Motion of the appointment of the new IG, Eng. Japhet Koome. In doing so, I would like to urge the new IG to address the following issues.

Firstly, I want him to address the alarming rates of extra-judicial killings, missing persons in the country and heightened levels of Female Genital Mutilation (FGM), including illegal gender-based violence. There is also violence against persons with disabilities as has been mentioned by my brother, Sen. Mbugua. Additionally, the rate of human trafficking, specifically child trafficking, is going up in the country.

I congratulate the IG.

The Deputy Speaker (Sen. Kathuri): Can we hear from Sen. Lemaltian.

Sen. Lemaltian: Thank you, Mr. Deputy Speaker, Sir. I rise to support this Motion because the IG nominee, Eng. Koome, promised to deal with the banditry menace during the vetting process. He clearly understands that banditry is an organized crime which needs urgent and thorough intervention.

Today, from 8.00 a.m. to a few minutes ago, there was conflict and war in Samburu. We lost one life and 47 cows were stolen. I sought a Statement on the Insecurity Menace in Samburu and I hope that a career policeman like Eng. Koome will handle this matter with the urgency it deserves.

I know that with the support of the new Government, they will not use old means to solve the same old problems. We expect a thorough intervention. I am also hopeful that he will utilize the intelligence system in the entire army to solve this matter using different means.

The Deputy Speaker (Sen. Kathuri): Thank you. Sen. Joe Nyutu.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir, for this opportunity. I rise to support this Motion. I have not met Eng. Koome, but he must be a committed police officer based on the accounts that have been given here by people who sat in that vetting Committee.

As he settles in office, he should ensure that he does not use old ways. I would like to see him arrest the harassment of citizens by traffic police officers. Allow me to mention one particular police station that has very rogue traffic officers. That is Kasarani Police Station.

I have never understood how one can send about 20 traffic police officers to man a road. What is happening in that station is not enforcement of law and order on our roads, but harassment. That is one police station, he needs to look into as he settles down. The harassment that is happening there is not acceptable at all.

He should also look into the many cases of insecurity in most parts of this country. He now has a direct fund that he controls. We expect him to sort out all the problems that the police have been having. It is unacceptable that we have high number of traffic officers when we do not have officers to address the security issues in the other parts of the country.

I support.

The Deputy Speaker (Sen. Kathuri): Thank you. Let us hear from Sen. Boy.

Sen. Boy: Asante sana, Bw. Naibu Spika, kwa kunipa fursa hii ili niweze kuchangia Hoja hii ambayo imeletwa hapa ili tuijadili. Eng. Koome ni afisa ambaye amebobea katika mambo ya ulinzi hapa nchini. Siku za nyuma, alichangia sana kuweka nidhamu upande wa trafiki hapa Nairobi.

Kuna jambo moja muhimu ningependa kulizungumzia na ninajua Maseneta wenzangu wataniunga mkono. Kuna polisi ambao wako na tabia ya kufanya *eviction* hapa nchini siku ya Ijumaa au Jumamosi. Wengi hufanya kazi hiyo usiku. Tunaomba Eng. Koome ahakikishe kwamba jambo kama hili halitatokea tena katika hii nchi yetu.

Bw. Naibu Spika, siku za nyuma kama mwaka mmoja na nusu uliopita, kule Kaunti ya Kwale, sehemu inaitwa Diani, ardhi mmoja ilivamiwa na wananchi waliondolewa pale usiku wa manane wakati wa janga la korona. Hao watu hawakuwa na namna yoyote na hawangeweza kutembea usiku au kujisaidia kwa sababu kulikuwa na amri ya kutokutoka nje.

Bw. Naibu Spika na waheshimiwa wenzangu, kweli kutakuwa na haki kama mtu yuko kwa ardhi na anatolewa usiku wa manane hapa nchini? Hili liwe jambo la kwanza ambalo Eng. Koome atalishughulikia akichaguliwa kuwa IG. Ahakikishe ya kwamba hakuna mtu anayetolewa katika ardhi yake usiku. Hili jambo ilitokea katika Kaunti yangu ya Kwale. Nyumba karibu 800 au 900 zilivunjwa wakati wa janga la korona, askari wakiangalia.

Namtakia kila heri. Akipata hii kazi, ahakikishe jambo la watu kuvunjiwa nyumba na kutolewa katika ardhi zao usiku likome.

Naunga mkono hoja hii.

The Deputy Speaker (Sen. Kathuri): Sen. Thang'wa, please proceed.

Sen. Thang'wa: Thank you Mr. Deputy Speaker, Sir. I rise to support the Motion. I might not know Eng. Koome, but I trust the appointing authority.

Mr. Deputy Speaker, Sir, in support of the Motion, I know what the appointing authority went through previously before getting the seat of the Presidency. What the President and Deputy President went through in the hands of police is unimaginable. I believe they would not wish anyone to go through what they underwent. In the selection, by appointing Mr. Koome, they had put all considerations. I believe that he is the man for the job.

Mr. Deputy Speaker, Sir, as he takes this office, I urge him to work knowing that we have only one Kenya and everybody deserves to be served by the police. As their motto says '*Utumishi kwa Wote*'

I urge him to utilise technology in curbing crime and in the police work. In the world over, there are so many countries where the police officers use body cameras when they are executing their mandate. I believe we are at that age in this country. I urge that as they buy walkie talkies, it comes with a body camera. That way, we can give the police a chance to be vindicated for some of the issues that they go through and also for *mwananchi* to know that there is a third eye that is watching what the police is doing.

Mr. Deputy Speaker, Sir, if we have body cameras on the police, it would enhance the level of public confidence in our police service. I can give an example of this House. All that we say in Plenary and Committees is recorded in the HANSARD. The police service should have something similar to that instead of people just recording statements that are written by police. I do not believe any person writes a statement. People are only asked questions and the police write the statements. We should have the recordings of such when they are investigating matters or when dealing with people.

Allow me to go back to what I said earlier on what the President went through before the elections. The Deputy President was embarrassed in front of his wife and children when the police broke into his house to arrest him. I urge Eng. Koome to ensure that this never happens to anyone; be it the President, the Deputy President, Senators, Members of the National Assembly, hustlers out there or to anyone else in this country.

Mr. Deputy Speaker, Sir, as the police officers execute their mandate to protect the citizens of this country, they should always respect human dignity. I believe that Eng. Koome is going to transform the NPS. The police officers should stop harassing citizens, especially in the villages. You may think the days when the police officers were seen as enemy are gone, but they are not. Sometimes you see a police officers' land cruiser passing in a village and young men and women run helter-skelter because they do not know what will happen next when it lands in their village.

The Deputy President is on record stating that we want a culture whereby when you see a police land cruiser on the road going home when you have taken one or two drinks, instead of taking you to the police station, they take you home to your wife and children. That is the Kenya we want. That is the police force that we want.

I support.

The Deputy Speaker (Sen. Kathuri): Sen. Montet Betty, please proceed.

Sen. Montet Betty: Mr. Deputy Speaker, Sir, I rise to support the Motion. My advice to Eng. Koome is to take charge of the responsibilities that are about to be bestowed on him. The responsibilities are so huge, large and important for this nation. The security of our nation and people cannot be taken for granted. I urge him to take these responsibilities seriously.

He is a career police officer so we expect so much from him. We expect that he will improve the service and take care of Kenyans. There have been very many cases of mugging in Nairobi City and other parts of the country. It is so unfortunate that in the last two months, we have lost quite a number of Kenyans. My condolences to those who have lost their loved ones. We hope that the IG will address this issue with speed and bring to book the people who are doing it. The thugs on the motorbikes need to be stopped.

We wish the in-coming IG well. Kenyans are looking upon him for their security and for the security of this nation.

I support the Motion.

The Deputy Speaker (Sen. Kathuri): Sen. Mumma, please proceed.

Sen. Mumma: Mr. Deputy Speaker, Sir, I rise to support the appointment of Inspector Koome as the IG. He is not somebody I know. However, we trust that his appointment and his vetting is bringing in a professional who will bring change to the NPS.

Mr. Deputy Speaker, Sir, it was very deliberate that Kenyans decided to change the name of the NPS from the Kenya Police Force. That was agreed upon by Kenyans during the discussions of the constitutional review process. That change was deliberate because of the reputation that the police service has had in this country.

Whereas the police have made notable steps forward, we are still in a bad place in terms of the kind of services that we have received from them. I believe it is not so much the police officers as individuals, but the kind of leadership that we have had. I urge him to be that leader that will help Kenyans to achieve the kind of police service that they wanted from a force to a service.

I would like the police service to move from a force that has criminalised poverty where people are picked willy-nilly in the informal settlements like Mathare, Kibera and many other places in this country. There are people who are arrested simply because they are poor. They do not have anybody to speak for them. I hope the IG will be the IG for the all people of Kenya and that he will serve them equally. I trust that he will respect his constitutional responsibility and respect human rights. I hope he will give his officers the highest training in order for them to respect human life and human dignity.

I hope that the IG will serve all Kenyans regardless of the position they hold, the political side they belong to or who they are. It is my hope that the IG will serve Kenyans in a way that we will all embrace our police officers as part of our nation and part of service providers.

Mr. Deputy Speaker, Sir, I hope he will be the kind of IG who will also respect the human rights of the police officers themselves. I believe our police force has reached that level where they want to earn their living from the day today interaction with their fellow human beings. We need to treat them with dignity that they deserve.

Mr. Deputy Speaker, Sir, I hope reforms around the police will include provision of dignified life and manner so that children of police can have access to equal opportunities as those of Senators. That they can go to school like other children and become anybody in this country.

I wish the IG well. I ask all Kenyans to give him with the requisite support, so that he can transform the NPS to what we want it to be.

I support.

The Deputy Speaker (Sen. Kathuri): Next in line is Sen. Seki.

Sen. Seki: Thank you, Mr. Deputy Speaker, Sir. I rise to support the Motion on Appointment of the IG. To be clear, I was in the Committee that vetted him. Experiences from his Curriculum Vitae (CV) ---

*(The Clerk-at-the-Table consulted with the
Deputy Speaker, Sen. Kathuri)*

The Deputy Speaker (Sen. Kathuri): I am sorry, Sen. Seki. You seconded the Motion. You had a lot of time to contribute. I believe it was 20 minutes or so. You lost your opportunity at that time. Your contribution has already been recorded.

Proceed, Sen. Oketch Gicheru.

Sen. Oketch Gicheru: Thank you, Mr. Deputy Speaker, Sir. It is an honour to contribute to this particular Motion. I register my support for approval of the appointment of Eng. Koome to this position.

Where we are heading as a country, it is very critical to empower the NPS because we need to make our country safe for businesses. I know that the Government of the day is very keen on the notion around empowering businesses.

In our country today, the biggest hurdle to doing business has been insecurity. For instance, in Migori County, the people are industrious and very hard working. However, the kind of terror that we witness because of lack of police support to its citizens is very intense.

Mr. Deputy Speaker, Sir, since January, particular quarters of Migori such as Awendo Sub-County, have lost almost 12 people. They were killed at night because of insecurity. I will talk more about it.

I urge the incoming IG to look at ways of empowering communities where people are taking advantage of devolution. This is House is supposed to protect devolution in this country. People should take advantage of devolution and make our counties 24-hour economies. This cannot happen if we have got constant terror.

In some instances, this terror is caused by people who work closely with the police. I have talked about killings in Awendo Constituency. When the matter of killings is reported to the police, no action is taken. If the suspects are taken to police custody, there is collusion and the suspects end up being released.

I urge the IG to invest in making sure that our country can be a destination for business. Most importantly, our counties need to be generators of business. Lastly, it is critical for us to protect small businesses people who are harassed by police.

If you remember my previous Statement, I have been very passionate about the *boda boda* community. In Migori County, for example, they are always harassed by policemen for no apparent reason or small tokens. I think it is the same in other counties of this country. Therefore, it becomes very hard for them to do business. We need to protect them.

I support the incoming IG and I believe he will do his work as expected of him. I plead that even as he assumes office, let him develop a dogma around making every county in this country, a destination for business. Security should be provided to people who may not be able to defend themselves.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Thank you, Sen. Oketch Gicheru. Proceed, Sen. Shakila Abdalla.

Sen. Shakila Abdalla: Bw. Naibu Spika, asante kwa kunipa fursa hii, kuunga mkona Hoja ya kumuidhinisha IG Koome kama Inspekta Mkuu wa Police. Sina ufahamu wa kutosha kumhusu bwana huyu. Hata hivyo, niko na imani kulingana na mtaala wake na ukaguzi uliofanyika, ataweza kuifanya hii kazi na kubeba hili jukumu kikamilifu.

Katika kitengo cha polisi, kuna changamoto nyingi sana zikiwemo hongo na ufisadi. Ni tumaini yangu kwamba bwana huyu ataweza kupambana na ufisadi na hongo ambao ni donda sugu katika nchi yetu ya Kenya. Imekuwa ni aibu. Wakati wageni wanapofika uwanja wa ndege wa kimataifa wa Jomo Kenyatta au popote barabarani, wanaitishwa hongo kiholela na polisi.

Bw. Naibu Spika, kuna misako isiyoleweka ya kiholela inayoendelea hapa nchini. Utakuta polisi wanapokuwa hawana hela mifukoni au wakati mwezi upo 'kona,' wanaanza misako ya kiholela, wakisumbua wananchi, na kuokota pesa kwa njia isiyo halali. Kwa hivyo, hilo ni jambo ambalo tunaomba liangaziwe na Inspekta Mkuu wa Polisi.

Kunao polisi wanaodhalilisha wananchi bila sababu. Wanawabeba wananchi na kuwafungia bila sababu za kueleweka. Wanachukua fursa hiyo kwa sababu wananchi wengi hawaelewi sheria na haki zao kiukamiilifu. Kwa hivyo, hayo ni mambo yanayoendelea sana hapa nchini.

Pia polisi wanatumika vibaya. Nikitaka mtu yeyote ashikwe sasa hivi, ninaweza kuwapa pesa polisi na watafanya hivyo na pengine mtu huyu hana hatia na wamfungie ndani bila kufuata sheria. Kwa hivyo, kuna mambo mengi ambayo siyo ya kisheria yanayofanywa kimabavu na kiholela na polisi ambayo inafaa iangaliwe.

Niko na imani kwamba inspekta anayekuja ataweza kukabaliana na hiyo changamoto ili sekta ya polisi iweze kunyooka. Ataifanya iwe ni sekta ambayo inaeleweka na kutoa huduma na utumishi kwa wote.

The Deputy Speaker (Sen. Kathuri): Thank you. Proceed, Sen. Okenyuri.

The Nominated Senator (Sen. Okenyuri Esther Anyieni): Thank you, Mr. Deputy Speaker, Sir. First, I take this opportunity to congratulate you since I was only sworn in yesterday.

As I stand for the first time in this House, I would like to introduce myself. I was born in a small village in Kenyenia, Bomachoge Borabu. Later, I attended Kenya High School. I served as a student leader in Maasai Mara University.

I then joined the Office of the Deputy President as an Assistant Director, Research in the Strategy and Delivery Unit. Now, I am a Nominated Senator, through the United Democratic Alliance Party (UDA), serving the people of Kisii, Kenya, women at large and young people.

Mr. Deputy Speaker, Sir, I represent and mirror many young Kenyans and women in this country who look up to us for hope and direction. Therefore, allow me to start by appreciating those who made it possible for me to be here.

First, I thank His Excellency the President of the Republic of Kenya Dr. William Samoei Ruto, who is also my Party Leader, for seeing it fit to nominate a girl like me from a location whose coordinates would rarely locate. I am a true example of the bottom-up philosophy.

I also thank the people of Kisii County for the support they gave the President. Particularly, the women through the Women for Ruto Movement that I founded.

I cannot forget the emotional and overwhelming support I received from the young people on social media platforms – *Facebook*, *WhatsApp* and *Twitter*. This shows that social media is a strong tool when used effectively. Young people can use these platforms to propel themselves into leadership without expecting tokens.

Finally, I thank the people of my home village in Kenyenia, as well as my family, for allowing me to charter my political career in this turbulent political space. I promise to make a difference in this space.

I encourage young people watching me today that patience, consistency, resiliency, loyalty and hard work do pay.

Let me now focus on the Motion of the day because this is why I am here. I support the nomination of Eng. Japheth Koome to be the next IG of Police. I do not have much information about him. However, from the vetting process, I believe he is the right man for the job.

In Kisii County where I come from, the community policing personnel have turned to harassing ordinary people. We have been looking at them as people who should work with the police and *mwananchi* to restore peace. The hon. Senators here heard of a case where a high school principal was attacked by people, but nothing was said about it. When you dig deep into the incident, the community policing personnel were somehow involved.

I challenge the incoming IG to look into the issue, so that the people we engage at the community level, are of sound mind and ready to work with ordinary citizens. I also challenge him to have institutions that will offer counselling services to our police. This will help us avoid the killings we are seeing within the NPS; their families and colleagues.

With those few remarks, I support the nomination of Eng. Koome.

(Applause)

The Deputy Speaker (Sen. Kathuri): Thank you, Sen. Okenyuri Anyieni. You were well spoken. That was your maiden speech. You have challenged veterans such as Sen. Wambua and Sen. Kinyua.

(Laughter)

Congratulations on your nomination.

Sen. Ogola, proceed.

Sen. Ogola: Thank you, Mr. Deputy Speaker, Sir. As I begin my contribution on this Motion, I would like to add my voice to the Kenyans who have congratulated Sen. Okenyuri Anyieni. We wish her well.

I support the Motion of the nomination of the IG, Eng. Koome. My main reason is that he has been vetted by a capable Committee of the Senate. This is a Committee that we have high regard for. Since they have done due diligence and approved his nomination, I would like to support the Committee's recommendation.

As I support his nomination, he should take the reforms to the next level. My main prayer is that the IG looks at the welfare of the police officers. Welfare is wide. If you visit some of the stations that we have around the country, you will cry for our sons and daughters that join the NPS.

As other Senators have indicated, we would like a NPS that is housed adequately and lives in dignity. These are our sons and daughters that have families.

It is absurd that you go to a house belonging to an officer and find two families in it. One police officer goes for duty elsewhere for a number of days and leaves their spouse in the same room sharing a sitting room, kitchen and probably, other rooms that we may not say. This is unacceptable. Probably, this is the reason for negative energy amongst the police officers.

As a mother, I am keen on the welfare of officers. We want to see them staying in decent houses and offices. You will be surprised by the offices in police stations in this country. In this century, police stations are still made of *mabati*. How then do our people view the custodians of our security, when they see they meet them in their offices for services? The new IG must look into this.

My police station back in my sub-county is called Ndhiwa Police Station. It is a division of the late Assistant Minister for Internal Security, Hon. Joshua Orwa Ojode, who was called *sirkal*. He initiated the building of the new offices, but they have remained as they were since his death. As the IG takes office, I pray that he looks into that. Not only because Ndhiwa belongs to Kenya, but because this was the division of the late Assistant Minister for Internal Security.

Mr. Deputy Speaker, Sir, I am mentioning this Station as a case study for all other stations across the country. The housing in that station is pathetic. You would not want your security officers to stay in such houses.

The IG should look at the advancement of police officers in terms of welfare and study. One Senator talked about the pending implementation of the remuneration of the police officers who had advanced their level of education to degree level. We tell our children to go to school. When police officers advance their education after being enlisted in the forces, there cannot be any other reason not to increase their remuneration, depending on the papers they have acquired.

Mr. Deputy Speaker, Sir, I would also like to talk about the issue of mental health affecting police officers. I would like the IG to pay particular attention to programmes that will ensure that the police can access mental healthcare services periodically.

I have a lot of faith in the new IG who has been vetted and we are looking forward to enhance performance.

I support.

Sen. Ali Roba: Mr. Deputy Speaker, Sir, I rise to support the nomination of Eng. Koome as the IG of the Republic of Kenya as per the report of the vetting Committee as shared. I have little knowledge of him. However, we have faith and trust in the Joint Committees that vetted him.

As he prepares to take on huge responsibility with a lot of expectations under the dispensation of the current Government, where extrajudicial killings is a major issue of concern that needs to be dealt with, I would like to express the following expectations I have on the new IG.

First, he should stop extrajudicial killings and investigate the past incidences as reported. As a leader from a region that has suffered profusely, we have issues of terror attacks by the Al-Shabaab in Northern Kenya as well as parts of Nairobi, Lamu, Mombasa and other areas. I urge the new IG to continue with the fight against terror with the zeal it requires, understanding well that terrorism is extremely dynamic and changes tactics every day.

I also want to bring to his attention that currently Somalia is doing a lot in terms of dealing with terror. As such, we have concerns that the Al-Shabaab are being chased from the interior of Somalia and they come along our border, which is a threat to us.

As the new IG prepares to take office, I request him to deal with issues of forceful arrest and disappearance of persons in this country. I have such a case of a resident of my county who was picked from Eastleigh and has not been seen for a period of two years now. The eye-witnesses confirmed that he was picked in a police vehicle and we do not know his whereabouts. I believe many such cases exists going by various reports we have had.

The new IG should also ensure there is improvement of police cells to meet the 21st Century standards. In as much as suspects and criminals are held there, they are human beings and humane conditions are critical. That is an area he should ensure there is improvement.

I thank you and support.

Sen. Mwaruma: Asante, Bw. Naibu Spika, kwa kunipa fursa hii ili ya kuunga mkono uteuzi wa Mkuu wa Polisi, Mhandisi Japheth Koome. Tunajua alifanya kazi nzuri sana wakati alikuwa Mkuu wa Polisi Nairobi. Ndio maana tunauunga mkono uteuzi wake kuwa IG.

Jina lake ni la kutajika katika kila nyumba kwa sababu ya kazi nzuri aliyofanya na uzoefu alionao wa utendakazi wake katika idara ya usalama. Natumai kuteuliwa kwake kutasaidia kupambana na saratani ya ufisadi. Vita dhidi ya ufisadi nchini Kenya vinafaa kuungwa mkono na watu wote. Idara ya polisi, hasa ya ujasusi, inachangia pakubwa katika kumaliza ufisadi.

Kwa wale ambao tumeishi nchini Kenya kwa miaka mingi, tunajua kuwa ukianzisha biashara yoyote, polisi ndio hupata faidi kubwa. Kama ni biashara ya daladala, utakuta polisi wako. Nashukuru kwa kuwa alisema kuwa akiwa IG, sare za

askari hazitakuwa na mifuko. Hiyo itasaidia kuondoa uchukuaji ama upokeaji wa hongo kwa polisi barabarani.

Utoaji hongo ni jambo linalochangia kupunguza faida ya biashara ya matatu. Wale walio na biashara ya vilabu pia huangaishwa sana na maaskari. Janga lolote likitokea, wao pia hujaribu kuona jinsi ya kunufaika.

Nakumbuka sheria za kuzingatiwa wakati wa korona zilipowekwa, kule kwetu kuna maaskari waliokuwa wanafukuza watu kwa sababu ya kutovaa barakoa. Nashukuru Mungu kwa kuwa kuna gari aina ya *Land Rover* lililopata ajali na maaskari waliumia.

(*Laughter*)

Ni vyema kufurahi mambo mengine yakitendeka kwa sababu ajali kama hizo ni za kujitafutia. Je, mtu anafaa kuvaa barakoa akiwa shambani? Kwa sababu ya mazingira ya kufanya kazi na mtazamo wao kuwa lazima wapate kitu kidogo, siku hiyo walipata hasara.

Mhandisi Koome anafaa kuangazia mazingira ya kazi ya maafisa wa polisi kwa sababu kazi wanayofanya ya kutulinda siyo rahisi. Kulingana na sheria, hawaruhusiwi kujiunga na vyama vya wafanyakazi au *trade unions*. Itabidi aangalie masuala ya utendakazi wa maafisa wa polisi kwa sababu wanatusaidia katika usalama na kukabiliana na vitendo vinavyochangia kuwe na utovu wa usalama.

Nafikiri kuwa kuna motisha kidogo wa kufanya kazi kule kwetu na ndio maana kuna wizi mwingi. Ukienda kuripoti kisa cha wizi, hakuna wanachofanya kwa haraka. Sababu wanazotoa ni kuwa hawana petroli au gari ni moja na limetoka. Mambo kama hayo ya kukosa vifaa vya kufanyia kazi vinaleta utepetevu wa utenda kazi wa hawa maafisa wetu.

Ningependa kuachia hapo na kuunga mkono ripoti hii ambayo inapendekeza kuteuliwa kwa Mhandisi Japheth Koome kuwa Inspekta Generali wa Polisi.

The Deputy Speaker (Sen. Kathuri): I will give opportunity to two more Senators and then we will conclude.

Sen. Tabitha Mutinda, please, proceed.

Sen. Tabitha Mutinda: Thank you, Mr. Deputy Speaker, Sir. I rise to support the nomination of the Inspector General (IG) Eng. Koome. As a Nairobiian, I am very happy. He was the County Police Commander in Nairobi City County, so he is well-versed with security matters in Nairobi.

We have had insecurity issues in this city; we have young men and boys who have formed militia groups and gangs like gaza which has been there for quite some time. It is my hope and prayer that with his experience and exposure in Nairobi, he will work on ensuring that Nairobians and the country at large is safe by working on diminishing those groups completely.

The members of these gangs are our young boys and girls. It is quite sad. I believe and trust that his experience in Nairobi will have an impact in finishing these groups.

It is also my hope that the IG will consider bringing back the uniform that used to be there for the police. Our policemen and policewomen used to stand out when they were in their white and navy-blue uniform. The colours were bright as compared to the current one.

I also want support what Sen. Ogola talked about; mental issues. Cases of domestic violence have been quite high among police officers. It is my hope that the new IG will ensure that proper motivation and counselling is accorded to our police officers because they play a very critical role in this country.

As Senators, if we were in an environment that is not conducive here in the Senate, it would definitely be a challenge for us to deliver on our mandate. I hope the IG, Eng. Koome, will work on giving our police officers a good working environment in order for them to deliver on their mandate. Can you picture yourself living in those shanties? Those shanties are quite discouraging especially for those officers that live with their young families.

On matters deployment, we hope that the IG will look at how long the police officers are deployed in remote area.

Lastly, I want to emphasize on the need of putting up new police stations. I know that we have some public land utility in Nairobi. I have participated in putting up police stations in Nairobi, and I know Kenyans always support the process by offering space for construction of police stations. I encourage the IG to allow more police stations to be put up and ensure that the required facilities are in place.

I support the nomination of IG Eng. Koome.

The Deputy Speaker (Sen. Kathuri): Sen. Kavindu Muthama, you have the Floor.

Sen. Kavindu Muthama: Ahsante, Bw. Naibu wa Spika, kwa kunipa nafasi hii ili niweze kuchangia na *kucongratulate* IG kwa uteuzi wake. Nataka kumpongeza na maafisa wote wa polisi kwa ajili ya kazi nzito ambayo wanafanyia taifa hili.

Polisi wanafanya kazi nzito sana. Wakati ambapo mvua inanyesha, wao huwa inje wakichunga wananchi. Wao huwa nje usiku pia wakichunga wananchi.

Mara nyingi, huwa tunaona tu yale mambo madogo ambayo wanatenda lakini hatuoni mambo makubwa ambayo wanatendea taifa kwa sababu polisi wamejitolea kufanya kazi. Mara nyingi wanahatarisha maisha yao. Wanaposikia kuwa hatari imetokea mahali fulani, huwa wanakimbia pale kuangalia kile ambacho kimetokea.

Tumepoteza askari wengi kupitia mambo kama hayo. Wengi wao huwa wanauawa wakienda sehemu za Turkana na kule ambapo kunakuwa na *cattle "hustlings"*

(Loud consultations)

Sen. Faki: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, what is out of order? Yes, Sen. Faki.

Sen. Faki: Asante Bw. Naibu wa Spika. Sen. Kavindu Muthama ameongea vizuri sana kwa Kiswahili sanifu lakini amekosea pale aliposema *cattle hustling*. Ninaona *mahustlers* wenyewe wamenyamaza kule.

(Laughter)

Wezi wa mifugo ni *cattle rustlers* na sio *hustlers*. *Hustlers* ni ndugu zetu wenye wako kule. Asante.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Kavindu Muthama

Sen. Kavindu Muthama: Ahsante, Bw. Naibu wa Spika. Ninamshukuru mwenzangu lakini hata yeye amekosea akimaliza.

Polisi wanafanya kazi mzito sana. Kwa hivyo, ninamwomba huyu IG mpya ambaye ameteuliwa na Raisi wetu, (Dr.) Wiliam Samoei Ruto, ili aweze kuwa na uvumilivu kwa sababu hii kazi sio rahisi. Huwa wananyoshewa kidole cha lawama mara nyingi ilhali hao pia ni binadamu kama sisi.

Ningeomba pia aangalie maslahi ya polisi wenzake haswa jinsi wanavyoishi kule mashinani. Nyumba ambazo afisa wa polisi wanaishi ni duni kabisa na hata watu wanaosemekana kuwa wanafanya kazi hawastahili kuishi humo. Ninaomba pia Serikali yetu iweze kuangalia maslahi ya polisi. Itakuwa vyema kama Serikali itawajengea nyumba nzuri na kuwapa mahali pazuri pa kutendea kazi ili hao pia waweze kufanya kazi yao wakifurahi kama watu wengine ambao wameajiriwa.

Mimi *ninamcongratulate* IG. Tunamwomba ili aweze kufanya kazi kwa bidii na kutimiza wajibu wake kwa taifa letu la Kenya. Asante.

The Deputy Speaker (Sen. Kathuri): Sen. Methu, please proceed.

Sen. Methu: Mr. Deputy Speaker, Sir, I also rise to support the report of the Committee on National Security, Defence and Foreign Relations on the appointment of Eng. Japheth Koome as our new IG.

I join my colleagues who have said that he comes on board with a wealth of experience. There is no reason why he will not perform his duties and roles as the IG. My colleagues have spoken on many issues touching on the police service. First, I am encouraged that His Excellency the Deputy President, Hon. Gachagua, has continuously mentioned that we need to re-look into the welfare and remuneration of the police officers. I am certain that within two years, the remuneration of the police will be looked into.

[The Deputy Speaker (Sen. Kathuri) left the Chair]

[The Speaker (Hon. Kingi) in the Chair]

Finally, as I support the appointment of Eng. Koome, as we get to the new dispensation, I would wish that we avoid using the police for political expediency. In the Second Senate, Senators were arrested when there were very important Bills before the House. The Committee on National Security, Defence and Foreign Affairs summoned the IG and the Cabinet Secretary (CS) in charge but the summons were not honoured.

I hope that the IG and the President will disband the section of the Directorate of Criminal Investigations that has been killing our people. I ask the IG to keep politics off his work, duties and roles. Let us settle political scores by ourselves. It is unfortunate that a Senator would be arrested because he has chosen to support a certain political divide. The Deputy President, who was a Member of Parliament (MP) for Mathira Constituency, was arrested in a very dehumanizing way. As the new IG takes office and the Government sets motion, he should observe his lane and we, the politicians, will observe ours.

Mr. Speaker, Sir, I support.

The Speaker (Hon. Kingi): Proceed, Sen. Cheruiyot.

Sen, Madzayo, kindly key in your request if you would like to contribute to this matter.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir. I rise to join the rest of my colleagues in supporting this important Motion.

The history as to how the Senate got the mandate of jointly vetting the IG with the National Assembly (NA) is quite impressive. It took a court action. Previously, in the appointment of the first IG, as is the practice in the bicameral Parliament, the Senate was largely ignored. Thanks to the vigilante members of society who pointed out to the country that the correct wording in the Constitution in Article 243 is that the IG shall be approved by Parliament, and Parliament means both Houses.

I congratulate the Committee led by Sen. Cheptumo together with colleagues from our sister House, who did a wonderful job. I did not get a chance to watch or listen to Eng. Japheth Koome being interviewed because I was away. However, from the comments from Kenyans on twitter and Facebook, Eng. Koome appeared to have inspired the confidence of Kenyans, that we finally have an IG who will bring an efficient and professional police service. That is something Kenyans have wanted so badly.

Previously, we have done this exercise before as a House. Four years ago, we interviewed the outgoing IG. I wish him a quick recovery because I have heard he is recovering after a bout of illness. I wish him well. Unfortunately, if you go through my phone, I rarely send bad messages to people. I consider myself a gentleman, which is not a good assessment of oneself. However, the former IG let us down on many occasions particularly this House.

On many occasions, this House found itself on the crosshairs of his servicemen and women. We tried reaching and reminding him that this is the House that vetted him and granted him the powers. I told him, 'You cannot be arresting Senators to stop them from transacting business because the Government is thinking in a particular way.' In further degradation of the blood lines that existed in the previous administration between the police and political youth wingers where MPs and ordinary citizens perceived to be supporting a given political divide, were unnecessarily harassed by the police officers.

I kept reminding him, texting him messages of my disappointment in him. I told him I withdrew my vote of approval only that it was no longer possible to undo the vote of approval. My hope is that we shall never get here with Eng. Japheth Koome. We do not want favours from him. I speak for the Majority side that we do not need him to help us do our political work. We want a professional police service that will ensure the right of all citizens, whether they support or oppose the Government, are observed.

Let us have a dignified police service that a child can grow up wanting to be a police officer because of how they carry out their duties. That is the simple desire of all Kenyans. Eng. Koome is not the first IG to go on record with regards to how he intends to slay the ghost of corruption in the National Police Service (NPS). I like the confidence with which he addressed the Committee. He gave an assurance that he shall be coming back to the House with further policy proposals on how we can stop corruption from being rampant in the NPS.

We look forward to holding him into account. We shall give him about six months after which we shall summon him to explain if things do not change. We want a better Kenya where police officers will be service men and women. That is why I believe we changed the name from a force to a service. That is what Kenyans want; somebody you can talk to. We are tired of all these conversations about how you cannot distinguish

between them and the thugs on the streets because of how they carry out their duties. I hope Eng. Koome will give us a better police service.

We spoke about the welfare of police officers. Those of us who are Christians, know that the Bible says, 'You cannot muzzle an ox while it is trading.' To put in a more local dialect, many people believe that a goat can only eat as far as its ropes can allow it to go. What do I mean by that? If we have police officers living in shanties, poorly paid, with torn uniforms, that cannot afford good healthcare, then chances are that they will create avenues of corruption to try live a decent life.

Everybody wants to live a good life. There is nobody who wants to see their children not able to attend good schools. There is nobody who does not want to get better healthcare when they are unwell. That is why they have captured the welfare issues that the police face. He was very particular with this and it really impressed me. This is an emerging issue which if not addressed as a country, then we will find ourselves in a very difficult situation.

On mental health, this issue is real. We need to address it among our servicemen and get good proposals and find what is making colleagues turn against each other. Even in here, we may not like each other and we may be on different sides of the political divide, but I do not think we can get to a point of hatred that you turn against your colleague. However, that is happening a lot in the police service. I like the fact that the new IG addressed himself to this particular issue and gave proposals.

The previous administration had come up with a taskforce to inform policy proposals on how to ensure we do not find our police officers turning against each other and addressing their mental health issues including their well-being.

It is not right in this day and age that we have police men and women living in those *mabati* shanties, even if they are out of station in far flung parts of the country. The decent thing to do is to properly house them.

These are people who risk their lives to ensure we are all safe. I hope that the President's plan of housing would include the police. No police officer deserves to live in a tiny shanty, especially when they are living with their families. It is dehumanizing and part of the things that demoralize them in their work.

Mr. Speaker, Sir, I love the fact that he came out unequivocally on the issue of extra judicial killings. We have had that debate and those reports brought here. I love the commitment of President William Ruto about extra judicial killings that this cannot be allowed to continue.

It does not matter whether a person is a suspect for terrorism or whatever form of crime. We have a proper judicial system. We have said we are equipping and resourcing our judicial administration processes so that they are able to expedite cases and those that are found to be guilty are taken to jail. However, we cannot continue to live in a country where extra judicial killing is official Government policy. That is unfortunate. It is a dark part of our country but we do not want to go back there.

It is unfortunate, if you read the testimonies and the stories we are hearing about the squad that has been disbanded, and stories as horrible as the fact that some of these officers had containers inside police station where they used to shoot their victims. That was because it had been considered to be official Government policy.

I stand with those who are saying that the only way to bring closure to the families that have lost their sons through extra judicial killings is to arrest those that were

found to be responsible. They should be taken to a competent court of law where they would be charged with the right evidence. This is so that, for once and for all, it shall never be that when citizens give you the trust to be a police officer, you use that trust, betray them and begin to kill people's children. That cannot be allowed.

I laud the further proposal that has been made in furtherance of Article 249 of our Constitution to allow the police have their financial independence. As they say, 'he who pays the piper calls the tune.' So long as the IG continues to return to the Office of the President and request for money for basic things such as food, uniforms and salary increments, then, it would be difficult for them to exercise independent authority. Those are the exact wordings in our Constitution on the police service.

We appreciate the fact that the new administration has made a commitment that the NPS will have an accounting officer of their own. This will enable them to run their own budget and ensure we have a professional outfit that respects the rights of Kenya, brings law and order enforcement to the level that Kenyans desired when they passed this Constitution.

Therefore, I congratulate the Committee. Godspeed to Eng. Japheth Koome. I wish him well in his duty and hope that he gives us the police service that we desire.

I thank you.

The Speaker (Hon. Kingi): Proceed, Sen. Madzayo.

Sen. Madzayo: Asante, *Bw. Spika*, kwa kunipa nafasi hii pia nami nitoe kongole yangu kwa ndugu yetu, *Eng. Koome*.

Natoa kongole kwa Eng. Koome ambaye ni Inspekta Jenerali wa Polisi mteuliwa. Katika rekodi zake ni kwamba yeye ni kati ya wale watu waliweza kwenda chuo kikuu na kupita na shahada ya uhandisi. Hatimaye, aliweza kukubaliwa kuingia jeshi kwa sababu ilikuwa ndio mfumo wa kwanza.

Hii inamaanisha kwamba nia yake yote katika usomaji hata akifanya Engineering, alikuwa anaweza kuwacha mambo ya engineering ama akajiendeleza kidogo akiwa huko. Kuna mambo mengi pia yanafanyika ndani ya polisi kama mambo ya ujenzi kidogo lakini hususan hiyo si kazi ya polisi. Yeye alipokuwa katika hiyo shughuli ya kusoma ilikuwa nia yake kuwa polisi. Amekuwa polisi kwa muda huo wote hadi sasa ambapo ameteuliwa Inspekta Jenerali wa Polisi katika Kenya. Hilo ni jambo la kumpatia kongole sana.

Tumeona ya kwamba mtu akiwa mkuu wa polisi ni lazima angalie wale walio chini yake. Hii ni kwa sababu, litendekalo kule chini mwisho wake ni lazima litaishia kwenye meza yake. Tumeonelea kwamba watoto wetu, hususan watoto wengi sana wa Kiislamu wamepoteza maisha yao katika sehemu za Pwani na kwingineko katika nchi ya Kenya.

Watoto wetu waliweza kuwekwa katika vitengo vya wale wahalifu ambao wanafanya matendo machafu na wakashikwa bila kuwa na ushahidi wowote. Hii ndio sababu wakishikwa, ikiwa polisi hawana ushahidi wowote, walikuwa wanawekwa katika hayo maboksi ambayo walikuwa wakisema yako ndani ya vituo vya polisi, halafu mtu anapoteza maisha yake pale.

Mara nyingi tukiwa hapa, tumekuwa tukiuliza maswali ya wale watoto wetu wanaopotea katika mikono ya polisi. Wakati mwingine tunaona magari yanapita, video inachukuliwa na mtu anatolewa katika gari hii na anasukumwa katika lingine.

Wale wanaofanya videndo hivyo wote wanajulikana ni mapolisi lakini hakuna hata polisi mmoja atakayeulizwa ama kupelekwa mahakamani na kuambiwa kwamba, “wewe ndio ulikuwa pale na ulipatikana katika hii video, huyu mtu alikwenda wapi?” Hakuna mtu anayeulizwa na jamii inaachwa ikilia na kupata taabu kwa sababu mzee wao alihukuliwa na kuchukuliwa na polisi na kupoteza maisha yake.

Vilevile polisi wana tabia mbaya sana kufikia hivi sasa. Wao wanashika watu ovyo ovyo hata kule pande zangu kule Mtwapa na mjini Kilifi. Inajulikana kwamba sisi watu wa Mtwapa tuko na “24 hours’ economy” ambayo hiyo ni sawa kabisa. Tunatengeneza hii nchi tukiinua uchumi.

Sen. Faki: Huo ni ukweli mtupu!

Sen. Madzayo: Unamsikia pia Seneta wa Mombasa anaweza kukubaliana kwa sababu yeye ni shabiki mmoja wapo.

(Kicheko)

Watu kushikwa kiholela usiku katika maeneo yao ya burudani ni jambo ambalo tunalionga sana. Mtu kitoa kitambulisho vilevile anaambiwa lazima atoe “kitu kidogo”. Hiyo mambo ya kitu kidogo tunataka ikome sasa. Yeye mwenye anaitwa Eng. Koome na hiyo sisi tanataka ikome.

Tuna imani ya kwamba pahali alipo nina hakika anaweza kuangalia na akajua kwamba Seneti inamwambia akomeshe hiyo taabia mbaya ya hao watu wake walio huko chini. Wale polisi wadogo wadogo wakome kuchukua hongo ama kusumbua watu katika maeneo yao ya burudani.

Jambo la kulisikitisha sana ni kuwa kuna ulevi mwingi sana ambao unafanywa katika vitengo vya chini vya askari hata vitengo vya juu. Wakati mwingine polisi wa chini *sergeant* anaweza kuchukua bunduki akapiga bosi wake kwa sababu bosi amemwambia aende katika eneo fulani akaangalie mambo ya usalama. Yeye anakasirika, anachukua hiyo bunduki aliyonayo na kumpiga risasi huyo mkubwa wake.

Kesi kama hizi zimeripotwa na si kidogo. Ni nyingi. Yote haya ni kwa sababu ile nidhamu inakuwa ni kidogo. Nina imani ya kwamba Bw. Koome akiingia, hawa polisi wetu watafungua mambo haya ya ulevi wa kiholela.

Ulevi wa kiholela pia uletwa na kwamba wao wenyewe kwa wenyewe wanaweza kupigana risasi. Tumeona hizo habari za kwamba polisi anapiga mwingine risasi, mkewe au mpenzi wake. Vilevile waache haya mambo ya kufanya mapenzi wao kwa wao maanake inaleta taabu zaidi.

Hii ni kwa sababu yeye ana bunduki na anaangalia anaona mwenzake amempokonya mpenzi na hiyo inakuwa chanzo cha uhasama kati yao---

(Mazungumzo)

Bw. Spika, nataka unitete kwa sababu naona Sen. Cheruiyot na huyo dadangu hapa wanaleta---

The Speaker (Hon. Kingi): Order, Hon. Senators! The Senator for Kilifi County must be heard in silence.

The Senate Minority Leader (Sen. Madzayo): Asante, Bw. Spika. La mwisho ni kwamba tuko na imani kubwa kwa Bw. Koome. Tunatarajia atanyorosha mambo ili kila

mtu awe kwa laini yake sawasawa. Vile vile, tunatarajia atatue swala la watu kukamatwa Alhamisi au Ijumaa, halafu inakuwa kwamba hawezi kuachiliwa kwa dhamana.

Tunatumai ataweka mikakati ya kuhakikisha kwamba wanaoshikwa hawashikwi kwa misingi ya kisiasa. Asikubali kutumika kisiasa katika utendakazi wake kama Inspekta Jeneral wa Polisi.

The Speaker (Hon. Kingi): Hon. Senators, at this juncture, I request the Mover of this Motion to reply.

Sen. (Prof.) Tom Ojienda, SC: Thank you, Mr. Speaker, Sir. I moved the Motion because the Chairperson of the Standing Committee on National Security, Defense, and Foreign Relations was not in the House. He requested me to do so on his behalf. Now that he is in the House, I call upon him to respond.

(Loud consultations)

The Senate Majority Leader (Sen. Cheruiyot): Wacha apewe.

Sen. Cheptumo: Mr. Speaker Sir, let me---

The Speaker (Hon. Kingi): Sen. Cheptumo, just a minute, please. Just hold on. Order, Sen. Madzayo!

Sen. (Prof.) Tom Ojienda, SC: Mr. Speaker Sir, may I then respond, in view of that fact that we do not want to be seen as violating the Senate Standing Orders.

When the time for moving the Motion came, the Chairperson of the Committee, Sen. Cheptumo, was out. As a Member of the Committee, he had requested me to move the Motion. I gladly did so because I was part of the vetting Committee of the Police IG, Eng. Koome.

Mr. Speaker, Sir, Eng. Koome is eminently qualified. He is a graduate of the University of Nairobi. He demonstrated both competence and compliance with the Constitution and the Police Service Act. Indeed, he met all the requirements and threshold of vetting by the Committee.

This was a Joint Committee of the Senate and the National Assembly. The entire Committee expressed concurrence and agreed with the requirements for appointment. At the end of the exercise, the Report that we tabled today and on account of which I moved the Motion for adoption and concurrence by this House, speaks to a progressive police force and a progressive IG that will be appointed to serve the interests of all Kenyans and not just a section.

It is a report that speaks to the issues that Members have spoken about this afternoon. The question of the welfare and mental health of police officers--- The report also speaks about the experience of the IG. The Report is supported by all Senators and I wish to respond affirmatively, that this is a Motion worth supporting. I thank hon. Senators for supporting it.

I beg to reply.

The Speaker (Hon. Kingi): Hon. Senators, this Motion does not concern counties. Therefore, I proceed to put the question.

(Question put and agreed to)

The Speaker (Hon. Kingi): Next Order! Senate Majority Leader, proceed.

NOTICE OF MOTIONAPPOINTMENT OF MPs TO PARLIAMENTARY
SERVICE COMMISSION

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker Sir, I beg to give Notice of the following Motion:

THAT, Pursuant to the provisions of Article 127(2) of the Constitution, the Senate approves the appointment of the following Members of Parliament to the Parliamentary Service Commission-

- (a) under sub-section (c)(i) -
 - (i) Hon. Faith Wairimu Gitau, MP.
 - (ii) Hon. Mohamed Ali Mohamed, MP.
 - (iii) Sen. John Kinyua Nderitu, MP.
 - (iv) Sen. Joyce Korir, MP.
- (b) under sub-section (c)(ii)-
 - (i) Hon. Mishi Juma Khamisi Mboko, MP.
 - (ii) The Hon. King'ola Patrick Makau, MP.
 - (iii) The Hon. Sen. Fatuma Adan Dullo, CBS, MP

Thank you.

The Speaker (Hon. Kingi): Next Order!

MOTIONAPPOINTMENT OF MPs TO THE PARLIAMENTARY
SERVICE COMMISSION

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker Sir, I beg to move:

THAT, Pursuant to the provisions of Article 127(2) of the Constitution, the Senate approves the appointment of the following Members of Parliament to the Parliamentary Service Commission-

- (a) under sub-section (c)(i) -
 - (i) Hon. Faith Wairimu Gitau, MP.
 - (ii) Hon. Mohamed Ali Mohamed, MP.
 - (iii) Sen. John Kinyua Nderitu, MP.
 - (iv) Sen. Joyce Korir, MP.
- (b) under sub-section (c)(ii)-
 - (i) Hon. Mishi Juma Khamisi Mboko, MP.
 - (ii) The Hon. King'ola Patrick Makau, MP.
 - (iii) The Hon. Sen. Fatuma Adan Dullo, CBS, MP

Mr. Speaker, Sir, this is an important Motion. The PSC is our employer.

The Parliamentary Service Commission pays our salaries and ensures that we fulfill our constitutional mandate. It also ensures that we serve the people of Kenya and as Members of both Houses of Parliament, live up to the dictates of the Constitution. They ensure that we are properly facilitated as Members of Parliament, (MP), our offices

are properly staffed and members of staff are trained to ensure that we give the best services to the institution and to the people of Kenya.

It has been the greatest honour of my life to serve as a Commissioner of the PSC representing the Senate. While there, I have served as the Chairperson of the Staff Welfare Committee, where I have interacted with the over 1,500 members of staff that work within the precincts of the Parliament of Kenya.

As a Commissioner of the PSC, I will go home with my head held high because of the many things that the 4th Commission was able to achieve for the Parliament of Kenya and Kenya as a country.

There are many issues such as matters of welfare that we can speak about. We were able to ensure that our offices are properly facilitated, MPs can hire competent staff and Senators can pay all their staff their dues every quarter. Actually, we doubled that amount. If you compare what Senators were getting in 2017 and currently getting to pay their staff, you will see the difference.

I was asked by a Senator who approached me today and said that the money is not sufficient what they would you have said in 2017. What Senators are currently allocated for salaries and operations of their offices is double the amount that we had in 2017. What we are enjoying is the contribution and the work of the 4th Commission.

There are many things that we can talk about, but I understand that this is a dicey conversation. It is not one that sometimes you may want to go deep into details about, given the times and seasons we are living in. We are now ravaged by drought.

Sometimes we have cheeky media personalities who wait for such occasions. When you list the benefits of MPs, then everything else loses meaning. All the work that we have ever done in this House is no longer considered. You will hear people saying that they did not know the amount that so and so was earning.

We are not embarrassed. We are certain that whatever we did was within the dictates of the Constitution. Whatever we allocated to MPs, be it house allowance, subsistence allowance or any other, it rightfully belongs to them because the work of an MP is not easy. The unfortunate thing is that until you serve as an MP, you may not understand the work that MPs do.

I was hoping that when moving this Motion, my good friend, Sen. Okiya Omtatah, would be in the House. I would like to have a conversation with him three months after he has served as an MP. This is nothing personal because he said he was working for Kenyans. I also told him I was serving MPs.

An MP is basically a social welfare machine to the citizens. It is the only job in the world where for every phone call that you pick, for example, if you pick 100 phone calls, by midmorning, you would have known whatever it entails.

There is a funny story from where I come from about one of the longest serving MPs. After he had retired after 30 years of being in Parliament, he proposed to two of his sons to join politics in order to protect all the wealth that he had amassed over the years. Of course, the sons were what the people of this city call “cool kids”. They were wondering why he wanted them to join such a profession where you are bothered every now and then. After some coercion, the younger one accepted to join politics.

He told his father that before he joins politics, there was only one problem that he did not know how to go about. The father asked about the problem and he said that he does not know how to speak the local language and wondered how he would attend to the

constituents. The father told him not to worry about that. He advised him to just keep quiet when they speak to him and eventually ask them “how much” when they finish.

By the time he left Parliament, that Member had served for 10 good years. That means that the father knew that in every conversation, it boils down to one thing. That is the challenge in the life of an MP. That is what the PSC is supposed to do.

I would like to prepare the seven colleagues nominated as Commissioners of the PSC. There will be difficult times where you will have to make unpopular decisions. It is not easy to face Kenyans and tell them that MPs deserve a better pay. It is not even easy to tell them that it is unfair that a Senator representing several constituencies earns the same salary as a Member of the National Assembly who represents a single constituency. That is the conversation that we shall continue to have with the Salaries and Remuneration Commission (SRC) until the Senate gets to its rightful place.

I know that on many occasions, colleagues have spoken about what they feel about these particular issues. I wish you well, colleagues, as you prepare to start serving us in the Parliamentary Service Commission. Please, defend the integrity of this House.

I want to challenge you colleagues. Unfortunately, we have a constitutional flaw which we may have to address in the future. The Chairperson of the Parliamentary Service Commission is also the Speaker of the National Assembly. By the definition of the work that they do, we see each other as rivals. There is the sibling rivalry between the two Houses that cannot go away.

If you need to decide on whether a matter can go one way or the other, as the chairperson, of course, the natural thing is that you will side with where your bread is buttered. The unfortunate thing is that the Speaker of the Senate does not sit in the PSC. Therefore, there is nobody of equal standing as the Speaker of the National Assembly who can face and tell them if something is wrong. The work is left to the three colleagues that we send to the PSC.

Earlier on when we had a discussion, I heard colleagues wishing that we would get to a point where there is proper representation. This will be the Third Commission since the promulgation of the new Constitution. I do not understand why the Senate has lesser representation than Members of the National Assembly.

Unfortunately, this is not something that we, from the majority side, can cure. This is because from our side, we have two representatives from the National Assembly and two in the Senate. Unfortunately, the Minority side has always stuck to the practice of having two representatives from the National Assembly and one from the Senate.

It is time we challenged our party leadership and demanded that if two representatives come from one House during a particular term of Parliament, in the next dispensation, it is prudent that the other House produces also two representatives.

The PSC is an important organ in our Constitution. There are many decisions that are made, including the most important one which is budgetary allocation.

When we had a Kamukunji today, I alluded to some of the things that we hope that we shall achieve when we sign the consent between us and the National Assembly. I hope we will get to point of agreeing, where we shall be properly remunerated, not in terms of allowances, but because of the offices that we hold to enable Senators to oversight billions of shillings that are sent to the county governments.

It is a tragedy that the past three Commissions have not achieved this, not because of lack of capacity on their side or lack of willingness, but because our colleagues in the

National Assembly, especially those who sit in the Budget and Appropriations Committee of the National Assembly.

Sen. Onyonka used to be a Member. On many occasions, I appeared before you pleading this case. You know how passionate we have been about this course. I hope you will use your former contacts in that particular committee to have them understand that when Senators ask for oversight funds, it is not money to go to our pockets. It is money to ensure that citizens enjoy the fruits of devolution as per the dictates of our Constitution. That is all that we are looking for. We are looking for money to check what county governments are doing.

As I speak, all the 47 county governments are in breach of the Public Finance Management (PFM) Act because of a single item. No single county has staff below the mandatory 35 per cent. All of them have passed the ceiling because most of them are above 40 per cent.

A governor hires staff before leaving the office and when a new one comes in, he hires more. I have seen stories of governors having 10 advisors. There are those who have advisors for economy, hairdressing and all those are just bizarre. As a House, we must find ways of checking these mechanisms. The tragedy is that the structure of the office of a Senator makes them want to have a feel of how the county operates. However, it is not possible for a Senator to use the constituency office allocation to hire professionals to work for him.

Mr. Speaker, Sir, one of the provisions that we hope to put in place with the Senate Oversight Fund is additional funds that will enable us put in place an office that can even be located here, in the Senate. We have no problem with that as long as we get an auditor, an engineer or someone who can look at the books or budget and help us identify the misallocation of resources in a particular county. That is the kind of representation that Senators are looking for. Our colleagues at the National Assembly should look into this.

Lastly, I cannot leave this Floor without celebrating the work that we have done together with the staffers of Parliament. I had the great privilege and honour of leading them in the Staff Welfare Committee. We did many things for them. We doubled their house allowance, something that we feel strongly about. The house allowance every staff member earns today is double what they previously earned before the fourth Commission came into office.

Mr. Speaker, Sir, we had challenges with issues of promotions. Many members of staff used to stay for five, six or seven years without being promoted. As we speak today, I am proud and I know for a fact that we put in place mechanisms in the Staff Welfare Committee that ensured almost every staff member, who for one reason or another had stagnated, was promoted except for those who lacked basic requirements.

Many of them appeared before us and we had the opportunity to interview them. They are great people. I have heard my colleague Senators who worked elsewhere before joining Parliament say that they appreciate the competency and efficiency of the parliamentary staff. The kind of work they do is not ordinarily found in public service.

Therefore, I celebrate the staffers of Parliament and I hope that our colleagues will continue to nurture and work with them. I request my colleague Senators to listen to the advice they offer when they get an opportunity to listen to them. They should also make use of the various budgetary offices in Parliament.

Mr. Speaker, Sir, the Parliamentary Budget Office (PBO) is a very important office in the work of a legislator. A legislator cannot survive or do their work competently without having good contacts in that office. We have hired enough fiscal analysts in the past few years. They should attach some of them to their office by befriending them and going to them for advice when they want to debate on the Floor. They can actually inform their decision making.

The Centre for Parliamentary Studies and Training (CPST) is another brilliant facility of the Institution. It is for that reason that we got granted by the entire East African Community the honour of hosting the East African Parliamentary Institute (EAPI), a great facility that we have begun building in Karen. It will host a training school for all the seven Parliaments of the East African Community (EAC) members.

Mr. Speaker, Sir, the anchor trainer will be the CPST. There are many courses offered in that centre but I do not see Members of Parliament (MP) going there for training. They offer training on diplomacy, a skill that we need when we travel. Parliamentary diplomacy is the way to go nowadays.

If Sen. Osotsi goes to Gabon or Congo, he should not only enjoy music but he should have proper skills to engage properly as an MP.

(Laughter)

Sen. Osotsi is my friend. I am being kind when I say that there are many opportunities at the CPST. They have a course on financial management. That course will give you skills to ensure that in the unfortunate events you do not get re-elected in 2027, you will not come back begging along the corridors. That is the most unfortunate thing that I see happen to MPs. That training is available at CPST.

Mr. Speaker, Sir, if you speak to MPs, you will realise that some of them imagine that there is nothing that they do not know. They only get to realize that things can be difficult when they do not get re-elected back to Parliament. They do not get themselves into such a situation due to lack of training. There are many things that MPs can learn from that institution. Let us make use of that particular resource.

Chairs of Committees should liaise with good trainers. I have seen MPs being trained by people who can barely speak English just because they are in Dubai yet they have left very competent people at CPST. They can organize with CPST to train them in Dubai because I know that there is another problem they want to solve. There is no problem with that because such an arrangement is allowed by our own statutes.

Mr. Speaker, Sir, I do not want to speak for long because this is an important Motion and we want to conclude on it before the rise of the House. I wish my colleagues, who have been nominated, well. Let them go and defend the place of Senate in the Parliamentary Service Commission (PSC). I also wish them success as they serve us in PSC.

With those many remarks, I beg to move and call on Sen. Kinyua to second.

Sen. Kinyua: Ahsante, Bw. Spika. Nasimama kuunga mkono Mswada huu ambao umeletwa na Kiongozi wa Wengi. Ni wazi dhahiri shahiri kwamba mimi ni mmoja wa wale wameteuliwa katika Tume ile.

Kwanza kabisa, nataka kupongeza wale wengine walioteuliwa; Mhe. Mohamed Ali, Mhe. Faith Gitau, Mhe. Patrick Makau, Mhe. Joyce Korir na wale wengine wote.

Hawa ni watu ambao wamemakinika kwa kazi yao. Mimi na wale wengine watakoingia kwa Tume hii tutaenda kuwakilisha Wabunge wala sio sisi binafsi.

Bw. Spika, imekua ya kwamba mtu akichaguliwa katika Tume ile, yeye huenda kwa mapendekezo yake mwenyewe na kujipendelea. Tutafanya kazi na Wabunge wale wengine kwa sababu kunasemekana ya kwamba ukitaka kwenda mbali, utembe na wengine. Ukitaka kwenda haraka, enda peke yako lakini hata hivo, utasulubiwa peke yako.

Nataka kuhakikishia Bunge hili ya kwamba inajulikana wazi Tume la *Salaries Remuneration Commission (SRC)* limeshambulia *PSC* midhiri ya nyuki. Tume hili linafaa lijitolee ili tuweze kupambana na *SRC* kwa sababu Wabunge wana haki kulipwa mishahara. Tumekuja leo katika Jumba hili na tunapaswa kupewa *sitting allowance*. Lakini, tukisema hivyo, Wakenya wanasema tunajipenda na hakuna kitu kama hicho.

Bibilia husema umpende mwenzako unavyojipenda mwenyewe. Tukiwa hapa, tunawashughulikia Wakenya na kufanya kazi ambazo wametutuma kufanya. Ukitembea pale mashinani kama vile Mbunge wa walio wengi alivyosema akitumia lugha ya Kiingereza, unaulizwa *how much?*

Kila wakati tunapoongea na Sen. Wambua na Sen. Faki, wao huniambia vile wanaambiwa wafanye haraka, wapange watu kabla hawajakua wengi. Wewe kama mwanasiasa unataka watu wengi kwa sababu hao ndio watakupigia kura lakini hapo unaambiwa uangalie wale ambao wako hapo.

Bw. Spika, ni vizuri hawa ndugu zetu wa *SRC* wajue ya kwamba hata sisi tuna haki kisheria na tutafuata sheria mpaka tuangaliwe na wao pia wafanye kazi yao. Ukiangalia, hao wenyewe wamejiongeza mishahara maradufu. Sisemi sisi tunaenda kujiongeza mishahara lakini mtu alipwe kulingana na kazi aliofanya.

Mbunge anafanya kazi usiku na mchana. Simu yake inapigwa asubuhi na usiku pia. Naonea huruma Maseneta wachanga walio hapa. Mhe. Madzayo, sijui kama watapata fursa ya kupata watoto kwa sababu simu zinapigwa usiku. Sijui kazi zingine na majukumu mengine yatafanywa vipi. Inakua ni vigumu kidogo.

(Laughter)

(An. Hon. Senator spoke off record)

Bw. Spika, sisi tuliochaguliwa katika Tume hili tunajua kuna janga. Kitabu cha Kusadikika husema ya kwamba mashujaa huchipuka wakati wa majanga.

Sasa, kuna janga na nataka kuwahakikishia ya kwamba wale waliochaguliwa katika tume hili wataibuka wakiwa mashujaa.

Asante Bw. Spika na naunga mkono.

(Question proposed)

The Speaker (Hon. Kingi): Sen. Madzayo, please proceed.

The Senate Minority Leader (Sen. Madzayo): Mr. Speaker, Sir, with your kind permission, please allow me to move that the Motion be amended at paragraph b(iii) by deleting the name of Sen. Dullo, CBS, MP and substituting thereof the name of Sen. Omogeni, Senior Counsel, MP.

(Applause)

Mr. Speaker, Sir, I realized this amendment is coming because I wrote a letter to your counterpart, the Speaker of the National Assembly after due consultation with Members of the Minority. It was agreed that we nominate Sen. Omogeni as a Commissioner. Incidentally, this letter was dated on the 7th and the Speaker of the National Assembly responded on the 8th informing me that it was not tenable and that the name of Sen. Omogeni could not be included in the order of the day to meet the threshold so that it could be part of the names that was going to be in that Motion.

As it has been stated here, the Parliamentary Service Commission (PSC) is a very important Commission. In all the letters that emanate from the minority side, I am the authority.

(Applause)

Unfortunately, this was not to be so. Another letter was written which led to that appointment. In any case, I wrote a letter explaining the circumstances that the final decision rests with the minority. It is in that regard that that letter was written. I am glad that the resolve of the Minority was to nominate a competent Senior Counsel in the House.

(Applause)

I believe his results will be witnessed as proclaimed by the Majority Leader that it needs strong personalities to move mountains. We have confidence in the rest of the team from the Majority side who were named here as –

1. Faith Wairimu Gitau
2. Mohammed Ali
3. John Kinyua Nderitu
4. Joyce Korir
5. Mishi Mboko
6. Kingola Patrick Makau

(Applause)

We have confidence in them. Basically, it is this confidence that has led the Members to say that we be granted this opportunity so that this amendment can be placed before you.

Mr. Speaker, Sir, as we are aware, it is the Commission that owns Parliament. We as Members, rely on the gains made by the people who represent us in the Commission.

We need strong personalities. I need not to say and I do not want to repeat this, but I believe it has been demonstrated in this whole House either from the Minority or Majority side, the confidence to the Senior Counsel Sen. Omogeni.

(Applause)

It is in that regard I move this amendment and I hope it succeeds. I call my brother, the Senator for Kitui County and Deputy Minority Leader to come forth and second.

The Speaker (Hon. Kingi): Sen. Wambua, please proceed.

Sen. Wambua: Mr. Speaker, Sir, from the onset, I second.

I will say only one thing. The authority on any matter concerning the Minority side of the Senate is vested in the office of the Minority Leader.

(Applause)

When the Minority Leader speaks, he speaks for us. I am happy that the substitution of the name of our friend Sen. Dullo, CBS, MP with the name of Senior Council Sen. Omogeni has attracted a very non-partisan approach. Both sides of the House feel that Sen. Omogeni would be in a better position to represent the interests of the Senate in the PSC.

(Applause)

Mr. Speaker, Sir, I am not worthy to invite you to do this. However, I have read the mood of the House.

(Applause)

From the look of things, these Members want you to just put the question, they vote so that they go home and wait for Sen. Omogeni to begin doing the job of representing us in the PSC alongside Sen. Kinyua and our sister Sen. Korir.

I second.

(Applause)

(Question of the amendment proposed)

(Loud consultations)

The Speaker (Hon. Kingi): Hon. Senators, the Chair is in charge.

(Laughter)

The Speaker (Hon. Kingi): Do we have any comments? Now that we do not have any comments, I will put the question.

(Question of the amendment put and agreed to)

(Applause)

(Question of the Motion as amended proposed)

The Speaker (Hon. Kingi): Proceed, Sen. Chimera.

Sen. Chimera: Bw. Spika, asante kwa kunipa fursa hii. Nasimama kuunga mkono Hoja hii. Kwanza, nashukuru kwamba waliochaguliwa kuhudumu katika Tume hii ni watu ambao tunawajua na tumefanya nao kazi.

Uteuzi wa Mhe. Mishi Mboko, Mhe. Mohammed Ali - "Simba wa Nyali" - na Mhe. Joyce Korir, ni ishara kwamba, kwa mara ya kwanza, sisi viongozi wa Pwani tumedhihirisha kwamba tunaweza kuketi katika uongozi wa juu wa Bunge la Kitaifa.

Sen. Joyce Korir ni Seneta Mteule kama mimi. Kwa hivyo, najihisi, mimi kama Seneta Mteule, niko sawia na Seneta waliopigiwa kura debeni.

Ninawashukuru wenzangu kwa kumleta Sen. Omogeni katika Tume hii. Ni wakili aliyebobea na Seneta mchapakazi. Ilikuwa ni jambo mbaya, kumwona Sen. Omogeni akizama kupitia siasa potovu ya utapeli, chuki na wivu.

Bw. Spika, Bibilia inasema, umtete yule asiyeweza kujitetea. Nashukuru Seneta wenzangu kwa kuamka na kusimama kidete na Sen. Omogeni kwa sababu Tume hii inahitaji mtu mkakamavu na aliye na tajriba.

Sitaki kuzungumza mengi. Niko na furaha, Sen. Omogeni ameweza kupata fursa hii ya kuhuduma. Sen. Omogeni, *aluta continua*. Wasikuvue nguo tena katika hali hii. Huku kwetu Upane wa Walio Wengi Katika Seneti, tuko jikoni, tunajipikia wenyewe, tunajiandalia, tunajipakulia na tunakula minofu. Karibu sana, Sen. Omogeni.

Naunga mkono.

The Speaker (Hon. Kingi): Proceed, Sen. Boy.

Sen. Boy: Bw. Spika, asante kwa kunipa fursa hii, ili niweze kutoa shukrani zangu kwa Maseneta waliochaguliwa kuhudumu katika PSC.

Bw. Spika, siku ya leo, tumeweza kutatua utata ambao ulikuwa unatukera sana, upande wetu. Hatukujua tufanye nini, lakini hivi leo tumemaliza shida iliyokuwa hapa.

Sisi Maseneta tuna shida mingi sana. Ni lazima tupate mtu anayeweza kupigania haki zetu kule mbele. Kama ilivyozungumzwa na Sen. Cheruiyot, Maseneta wako na majukumu makubwa sana katika hali yetu ya kifedha na matatizo mengi. Ni lazima tupate Makamishna ambao watatutetea, ili tupate haki zetu.

Maseneta wenzangu, Sen. Omogeni amebobea kisheria. Yeye in *Senior Counsel*. Niko na imani, akiingia kule, tutaongezewa masrufu yetu ya *mileage*, nyumba na kila kitu.

Sen. Omogeni, ukifika kule, kaa ukijua tunangoja kuona mambo yakiwa mazuri. Sen. Cheruiyot alipokuwa pale, alipigania sana pesa za nyumba za wafanyikazi wa PSC. Niko na hakika pia wewe utakapoingia huko, utahakikisha mambo yetu imekuwa mazuri kabisa.

The Speaker (Hon. Kingi): Proceed, Sen. Orwoba.

Sen. Orwoba: Thank you, Mr. Speaker, Sir. I am very delighted. I have been in this House for a very short period of time but have quickly found out that having a Commissioner in PSC, who can fight for our rights is very important.

Just today, we were learning that even the Committee on Delegated Legislation is finding it difficult to bring Salaries and Remuneration Commission (SRC) to book and also difficult to find out how the Parliamentary Service Commissioners were unable to stop the illegalities that SRC has been doing.

I am delighted because I have engaged with Sen. Omogeni. We come from the same place. I know that his personality and character is not going to be compromised.

As nominated Senators, it came to our attention some weeks ago that our mileage was being taken away. We had to rally up all the women in the House to go and do something. Therefore, we need someone who understands the plight of women, nominated Senators and all the Senators of this House such that when we are in this House, our welfare is taken care of.

As Members from the Gusii region, we have seen how you have been fighting for the welfare of this House. You have demonstrated that you are not going to be compromised. I can stand here with the political obscurity and support this Motion as it because Sen. Omogeni is going to represent us.

When there, please do not forget us, the nominated Senators. A fight is brewing; some things are being cooked there. The Parliamentary Service Commissioners have not seen it but we want to open your eyes as nominated Senators. You need to look out for us and ensure that our welfare is equal to that of elected Senators. We are not here as flower girls but to do the same work of oversight.

As the Gusii community, we are very happy. Tonight, we shall celebrate because you truly deserve it. I support.

The Speaker (Hon. Kingi): Proceed, Sen. Sifuna.

Sen. Sifuna: Thank you, Mr. Speaker, Sir. I rise to support this Motion in its current form, as amended by the Members of this House.

I congratulate the spirit of bipartisanship that has been exhibited by Members of this House this afternoon. I am a firm believer that we can find objectivity when we mean to. We can agree that in spite of political divisions, for Sen. Kinyua, the sun rises from the East and sets in the West. That is the same for Sen. Sifuna from the Orange Democratic Movement (ODM) Party. There are things we can see clearly, that this is the right thing to do and I want to hail that.

I also appreciate you, Mr. Speaker, Sir, for having indulged us, as Members, and being willing to listen to the concerns that we have raised, regarding the manner in which our nominee, especially from the Minority side, had been proposed.

(Applause)

I congratulate those who have been nominated to serve in the Parliamentary Service Commission (PSC); Sen. Joyce Korir, Sen. Omogeni and my brother Sen. Kinyua, who I serve with in the Standing Committee on Energy. I know that you have what it takes.

This entire life is about pairing our skills to the opportunities that are available. Where I come from, you cannot tie a heifer that is supposed to produce milk, on a plough to plough the fields. You cannot milk a bull because it has no milk. You are supposed to match your skill and abilities and the gifts God has given you, to the role.

When I look at the people who have been proposed--- I will speak for Sen. Omogeni, Senior Counsel, for whom I have great respect. In the period that we have been here, he has demonstrated an in-depth understanding of the workings of Parliament; problems bedeviling MPs; and, issues between this House and the “Lower house” and how to resolve them. He has also demonstrated in-depth understanding of the constitutional questions and some of the answers that have been proposed. I have no

doubt in my mind that we have made the right decision as a House, in terms of our representation to the PSC.

Lastly, I am happy and will go to sleep a happy Secretary General (SG) and a Member of the Minority side. It is because the demons that I spoke of yesterday, have finally been exorcised.

(Laughter)

We want people to understand that every single position, including the positions we hold as elected Members, we hold them in trust for the people who elected us.

We want the Senators nominated to PSC, to remember that those positions are held in trust for MPs who have nominated you to those positions. They cannot be opportunities for you to advance your own selfish interests. It cannot be about satiating your greed. Sen. Omogeni, I know you have none. However, I assure you that on the day you demonstrate even a whiff of having abandoned the ideals for which we are praising you today, I will be here on the same Floor, to remind you that we possess the power to exorcise those demons.

Thank you for the opportunity to speak on this Motion. We have also demonstrated the supremacy of this House; that the National Assembly cannot pick for us a representative to the PSC.

(Applause)

This is what we are looking for. Thank you for reinforcing the fact that we are an independent House which can make its own decisions and cannot be taken for granted.

The Speaker (Hon. Kingi): Sen. Methu, proceed.

Sen. Methu: Thank you, Mr. Speaker, Sir. I can see the excitement of my colleagues, whom we have been comrades in arms in this matter.

First and foremost, I rise to support the Motion as amended and as brought by the Senate Majority Leader. On the nomination of the seven Members that will serve in PSC, I will not underscore the importance of PSC. Sen. Cheruiyot has spoken in depth, having served as a Commissioner.

I congratulate Hon. Faith Gitau, Hon. Mohamed Ali, Sen. Kinyua, Sen. Joyce Korir, Hon. Mishi Mboko, Hon. Patrick Makau and our very own, Sen. Omogeni. As I congratulate them, on behalf of the people of Nyandarua County, I laud the ruling Party for nominating our County Woman Representative, Hon. Faith Wairimu Gitau, to serve in PSC.

This is a first for the people of Nyandarua County and it has not happened since we got Independence in 1963. We are happy that the President and the United Democratic Alliance (UDA) Party, has found it fit to have one of us to serve in PSC. Having interacted with her and even voted for her, I am certain that she is dedicated. She also comes with a lot of experience, having served in the last Parliament. Indeed, I know all the nominees will serve the Senate, the National Assembly and members of staff.

I will not stress on the work that is ahead. However, as I stated earlier, the celebrations should be short-lived. As the Senator for Nairobi City County has stated, we are celebrating you today. However, if for a minute you forget why we are celebrating

you, we shall be here, with the same spirit, same vigour and effort to deal with you. When we are determined, you know the extent we can go.

You have seen the bipartisan approach that we have employed on this matter. We shall do that not remembering that you are our colleague or friend. We have sent you there and we are hopeful that you shall do the needful.

I had the opportunity to look at the HANSARD of 22nd May, 2020. It was an unfortunate day, a first again, when the then Deputy Speaker of the Senate, Sen. (Prof.) Kithure Kindiki, was being hounded out of Office. In his submission, he said that the injustice that was happening that day, could happen to another person tomorrow.

I am proud this afternoon that many colleagues and I from this side of the coalition, have always supported the course of Sen. Omogeni. I believe that it will be him today and then it will another person tomorrow.

I reminded him that unfortunately, on 22nd May, 2020 he voted with a lot of impunity to hound the good man, Sen. (Prof) Kindiki, out of Office. When I saw injustice happening to him, I thought to myself that he was only getting a fraction of what he made another person feel. This is a lesson to all of us.

Anyway, I have supported him and I will go down in history as the first prophet in this House. On 4th October, 2022, I prophesied that Sen. Omogeni will serve in PSC.

(Applause)

We had not even formed Committees. However, I looked into his eyes and his shiny bald head and I saw a senior and competent person, who can make a good Commissioner.

Mr. Speaker, Sir, if you read the mood of the House, you realise that we are satisfied with what is happening. As I wind up, the nominees have a lot of responsibility on their shoulders, especially Sen. Omogeni. It is because we have snatched him from the jaws of a crocodile. He should always remember this day, that we worked to have him serve in PSC. We have no vendetta against anybody. We only felt that he is best placed.

For all he has been saying here, let him now go and present them to PSC. Otherwise, if you come to the Floor to tell us what you are supposed to say before PSC, we shall not entertain you. You will all leave that to me and Sen. Sifuna. We shall be seeing it as the audience.

(Laughter)

You have been vested with the authority; go and do what we shall be saying with Sen. Sifuna on the Floor of the House.

The Speaker (Hon. Kingi): Proceed, Sen. Crystal Asige.

Sen. Crystal Asige: Thank you, Mr. Speaker, Sir, for the opportunity to contribute to the Motion in its amended form. The reason I support this Motion with a lot of confidence is because this House has demonstrated to me, somebody who is new, that it is absolutely possible for people to band together and do what is right and honourable. That is the spirit because we serve Kenyans at large. For me, that instills a lot of confidence and great gratitude to the people in this House who have unanimously come to this decision.

I am also pleased to congratulate everyone on this list but especially Sen. Omogeni. Sen. Omogeni was the first person to advocate for me. I knew him through a good friend. That is Dr. Dan Kiagi, an ophthalmologist who has been helping me with my eye condition since I was a young girl in high school.

For whatever other reasons that are best known to him, he stood on the Floor of this House and defended me. He spoke on my behalf and advocated for what I had wished to receive when joining this House. For that, I am truly grateful and thankful to him for seeing me, a young woman with a disability, and for hearing me because seldom do we get seen or heard especially on such platforms. I publicly thank him for that.

Secondly, I am visually impaired and I have not gotten the pleasure of seeing anyone's face in this House. However, I am sure and confident that all the ladies are extremely beautiful and the men are particularly dapper.

(Laughter)

Beyond that, I have the privilege that is given by God to see beyond the physical; to see someone's energy and spirit. From the day I first heard Sen. Omogeni speak before joining this House, I have been able to see crystal clear his candor, capability, conscientiousness and the most important of all, which I am truly grateful for, is his compassion for his fellow colleagues. That is why I believe that when he represents the Senate in the PSC, he will continue having compassion for his colleagues and the welfare of all Senators in this House.

Further, I pray to the Senator that he continues to demonstrate all his qualities as he prepares to begin serving in another capacity. He should remember the welfare of Persons with Disabilities (PWDs) in Parliament. I will not shy away from pulling him aside to talk to him whenever there is an opportunity for him to speak for our rights and interests in Parliament. I hope that he will continue doing so for the rest of his time.

I thank you.

Sen. Korir: Mr. Speaker, Sir, allow me to thank my colleagues for the overwhelming support that they have shown to the Members who have been nominated to serve in the PSC. I am the happiest person and I must thank the Kenya Kwanza Government for giving us this opportunity and agreeing to have Sen. Omogeni included on the list.

There are a number of challenges that face Members both in the National Assembly, the Senate and even in the county governments. There are some issues that are cross-cutting, especially when it comes to the SRC. This morning we dealt with a Statement that was brought by Sen. Faki. Funny enough, it was about a case that was filed by Sen. Omtatah in 2013. Now he is the wearer of the shoe.

I am happy to be nominated as a Commissioner to the PSC. I might not be the best but we will work under consultation and our actions as a Commission will speak for us. I will not say much but I assure Members that we will work in consultation.

Mr. Speaker, Sir, looking at the mood of the House, I request that you put the question.

(Question put and agreed to)

(The Clerk-at-the-Table consulted with the Speaker)

The Speaker (Hon. Kingi): Hon. Senators, after consultation, we will defer Order No.10 to tomorrow.

MOTION

PROMOTION OF MENTAL HEALTH FACILITIES FOR MOTHERS

THAT, AWARE THAT according to the World Health Organization, globally 10% of pregnant women and 13% of women who have just given birth experience a mental condition, referred to as perinatal depression, which is higher in developing countries with 15.6% during pregnancy, and 19.8% after child birth;

FURTHER AWARE that women who go through still birth and those that lose their children during delivery are taken to the general maternity ward where other mothers with healthy babies are recovering, causing them mental anguish and adversely impacting their mental health;

NOTING THAT integrating mental health care into primary healthcare settings requires training in psychiatric care and providing consulting support to primary care providers, considering that there are not enough mental health care providers to meet the current and growing need for mental health services;

APPRECIATING THAT the Health Act under section 6 (1) (b) provides that every person has a right to reproductive health care which includes the right of access to appropriate health care services that will enable mothers go safely through pregnancy, childbirth, and the postpartum period which should include the integration of mental health in perinatal care as recommended by the National Mental Health Taskforce in its “Mental Health and Wellbeing towards Happiness and National Prosperity” report;

NOW THEREFORE, the Senate urges the Ministry of Health in collaboration with the Council of Governors to:

(i) ensure that all county health facilities with maternity wings, allocate a separate ward for recovery for the mothers who have gone through still birth or those that have lost their babies during delivery;

(ii) facilitate continuous mental health training and the provision of counselling support in the perinatal wards for all primary care providers in all counties;

(iii) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who lose their children through a miscarriage, during delivery, or through still birth; and,

(iv) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who are suffering from perinatal and postpartum depression.

(Motion deferred)

ADJOURNMENT

The Speaker (Hon. Kingi): Hon. Senators, there being no other business, the Senate stands adjourned until tomorrow, Thursday, 10th November, 2022, at 2.30 p.m.

The Senate rose at 6.10 p.m.