

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 10th July, 2007

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

QUESTIONS BY PRIVATE NOTICE

Mr. Speaker: Eng. Muriuki's Question by Private Notice!

By the way, what is happening to the Benches to my right? Anyway, go ahead, Eng. Muriuki!

Eng. Muriuki: Mr. Speaker, Sir, I was going to suggest that you send the Serjeant-At-Arms to fetch them.

Mr. Speaker: To do what?

Eng. Muriuki: To fetch the Benches!

(Laughter)

EVICION OF OLD WOMAN FROM PLOT No.2114/OLJOROROK SALIENT

Eng. Muriuki: Mr. Speaker, Sir, I beg to ask the Minister for Lands the following Question by Private Notice.

(a) Is the Minister aware that an elderly lady who was residing on Plot No.Nyandarua/OlJOROROK Salient/2114 was evicted on Thursday, 14th June, 2007 and is now living as a destitute?

(b) Could the Minister confirm the true ownership of the plot as the life of this elderly lady is in danger?

The Assistant Minister for Lands (Mr. Kamama): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that an elderly lady, who was residing on Plot No.Nyandarua/OlJOROROK Salient/2114, was evicted on Thursday, 14th June, 2007.

(b) I confirm that the Plot No.Nyandarua/OlJOROROK Salient/2114 is registered in the name of Gikanga Rugu, now deceased, who was the husband of the elderly lady.

Thank you, Mr. Speaker, Sir.

Eng. Muriuki: Mr. Speaker, Sir, before asking any supplementary question, let me take this opportunity to thank the Assistant Minister for confirming the ownership of this plot.

Mr. Speaker, Sir, if he now confirms that this plot belongs to the late Gikanga, who was the husband of the lady, who has been thrown out, could he order that this lady be, first of all, shown her land, and that she be reinstated to her land?

Mr. Speaker: Who evicted her in the first place?

Eng. Muriuki: Mr. Speaker, Sir, all I know is that there is a Plot No.Nyandarua/OlJOROROK

Salient/1337 next to Plot No.Nyandarua/OlJOROROK Salient/2114. The owner of the former plot went to the lands office and, somehow, convinced the officers that the latter plot does not exist. On that basis, he obtained some order to throw out the elderly lady.

Mr. Speaker, Sir, it is, therefore, very important that the Assistant Minister orders that Plot No.Nyandarua/OlJOROROK Salient/2114 be demarcated on the ground, so that we, in Ol Kalou, are completely sure of the size of this plot, and that its ownership has been reverted to the rightful owner.

Mr. Kamama: Mr. Speaker, Sir, I wish to confirm to the House that we have taken action on this matter. We realised that this lady was actually dispossessed of her land by some unscrupulous characters. We also learnt that the overlapping of Plot No.Nyandarua/OlJOROROK Salient/2114 by extending the boundary of Plot No.Nyandarua/OlJOROROK Salient/1337 was illegal, as it sought to extinguish the rights of the late Gikanga Rugu without compensation of some kind. So, I took immediate action last week.

Mr. Speaker, Sir, I have instructed our Chief Land Registrar, the District Commissioner, Nyandarua, the District Land Registrar, Nyandarua and the District Land Adjudication Officer, Nyandarua, to actually reinstate the plot of this lady and ensure that the road separating plots No. Nyandarua/OlJOROROK Salient/1337 and Plot No.Nyandarua/OlJOROROK Salient/2114 is open.

Lastly, we have also instructed our officers to advise the owner of Plot No.Nyandarua/OlJOROROK Salient/1337 to settle her clients on her personal land. So, this lady will be reinstated to her plot.

Mr. Speaker: Last question, Eng. Muriuki!

Eng. Muriuki: Mr. Speaker, Sir, would I be in order to request that once this action has been taken---

(Loud consultations)

Mr. Speaker: Order! Order, hon. Members! What is going on? Have we forgotten where we are?

Proceed, Eng. Muriuki!

Eng. Muriuki: Thank you, Mr. Speaker, Sir. Would I be in order to request that once the action which the Assistant Minister has very kindly explained is taken, the House is duly informed, so that we know that the matter is closed?

Mr. Speaker: What are you requesting?

Eng. Muriuki: Mr. Speaker, Sir, I am requesting that once the action that the Assistant Minister has explained is taken, he reports to the House, so that the House can be aware that the matter is settled.

Mr. Speaker: Eng. Muriuki, you know, if we were to do that, we would never finish Questions. What is your response, Mr. Kamama?

Mr. Kamama: Mr. Speaker, Sir, I have confirmed to the House that action has been taken. We will handle the other details with the hon. Member.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Very well. Next Question, Mr. Maore!

*(Members of the Press withdrew
from the Press Gallery)*

DISAPPEARANCE OF RHINO
HORN TROPHIES FROM

MERU NATIONAL PARK

Mr. Maore: Mr. Speaker, Sir, I beg to ask the Minister for Tourism and Wildlife the following Question by Private Notice.

(a) Under what circumstances did seven rhino horn trophies disappear from the Meru National Park on 17th February, 2007, seven days after the inventory was taken?

(b) What action has been taken to recover the trophies given that the security department facilitated the smuggling and cover-up?

Mr. Speaker: Mr. Maore, again the Minister wants the Question to be deferred to Thursday.

Mr. Maore: Mr. Speaker, Sir, I would like to request that when the Question comes to the House, you will have perused the Minister's answer and you will find out whether the issue is *sub judice* or not.

Capt. Nakitare: On a point of order, Mr. Speaker, Sir. You will notice there has been an exodus of the members of the Press. They have walked out! May we know what is happening?

Mr. Speaker: I am not in charge of the Press!

(Laughter)

Order, hon. Members! Could we have some order?

Mr. Maore, this rhino horn business--- You know how big the rhino is and how ferocious it can be. Do you not? So, shall we have the last attempt on Thursday?

(Question deferred)

ORAL ANSWERS TO QUESTIONS

Question No.277

NON-PAYMENT OF RETIREMENT
BENEFITS TO MRS. MARY MAUTI

Mr. Mwanicha asked the Minister for Local Government:-

(a) whether he is aware that Mrs. Mary Kemoni Mauti (ID No.8162847) NTC/STA/1/128/(11), who was working for Nyamira Town Council, has not been paid her retirement benefits and salary arrears since 30th August, 1998; and,

(b) when the benefits and salary arrears will be paid.

(Loud consultations)

Mr. Speaker: Order, hon. Members! Order! Hon. Members, we must do business! Shall we leave out sideshows?

Proceed, Mr. Assistant Minister!

The Assistant Minister for Local Government (Mr. Muchiri): Mr. Speaker, Sir, I beg to reply.

(a) The Ministry is aware that Mrs. Mary Kemoni Mauti has not been paid her full dues.

(b) I wish to confirm that she will be paid at the end of this month, July, 2007. She is advised to collect her cheque from the Clerk, Nyamira Town Council, Cheque No.00881, amounting to Kshs104,905.

Mr. Mwanicha: Mr. Speaker, Sir, this is an issue of outstanding benefits since 1998. If we leave this matter unresolved in this House, then this lady might take very long to get her cheque.

Could the Assistant Minister table a copy of the cheque, whose number he has quoted, for me to be sure that this lady is actually going to get her money at the end of the month? This matter has been pending since 1998.

Mr. Muchiri: Mr. Speaker, Sir, Mrs. Mary Kemoni left employment voluntarily in 1998. She was initially paid Kshs58,604. She was further paid Kshs19,797. The balance is Kshs104,000. The photocopy of the cheque is here and I wish to table it.

(Mr. Muchiri laid the document on the Table)

Mr. Angwenyi: Mr. Speaker, Sir, this amount has been owing to this lady since 1998. As we all know, if you owe the Government any amount of money in tax arrears, you end up paying with penalties and interest.

Could the Assistant Minister consider paying the appropriate penalties and interest to this lady for this amount of money which has been outstanding for the last ten years?

Mr. Muchiri: Mr. Speaker, Sir, this is a very unfortunate case and the Ministry had to put its feet down to ensure that Mrs. Mary Kemoni Mauti is paid her dues. I think we have done our best.

(Loud consultations)

Mr. Speaker: Order, hon. Members! Ordinarily, I would understand when hon. Members have been on a long recess and they have just come back to Parliament, for them to find out how their colleagues have been. But you have been away from one another for a weekend. What is all this?

Mr. Mwanicha: Mr. Speaker, Sir, the Assistant Minister has admitted that this is a very unfortunate case. However, in local authorities and, indeed, in many Government sectors, this is not an isolated case. There are many cases like this one. A Bill was passed in this House to ensure that at retirement, retirees are paid all their benefits.

Could the Assistant Minister tell the House what he has done to ensure that such cases will not recur in future?

Mr. Muchiri: Mr. Speaker, Sir, I believe the hon. Member could not hear me well because there was a lot of loud consultations. Nyamira Town Council has put into its budget Kshs1.5 million to cater for cases like this one of Mrs. Mary Kemoni. We are also telling our councils to ensure that staff emoluments, particularly retirement benefits, are paid in time. This instruction is already in force.

Question No.079

PAYMENT FOR PRIMARY EDUCATION
BY DISABLED CHILDREN IN
SPECIAL SCHOOLS

Prof. Olweny asked the Minister for Education:-

(a) whether he is aware that children with disabilities in special schools are paying for their primary school education; and,

(b) whether he could indicate which special schools are run by the Government in each province.

The Minister for Education (Prof. Saitoti): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that children with disabilities in special boarding schools are paying for their primary education. However, just as the case with regular boarding primary schools, they pay

for their school uniform, school meals, transport, boarding facilities and health care. This is so because free primary education does not cater for these services, but only caters for books, tuition, staff wages, repairs and maintenance, quality assurance, electricity, water and postage.

(b) There are 108 special public primary schools as shown in the attached list. I will give the number of schools in each province. There are 13 special primary schools in Eastern Province, 18 in Central Province, 18 in Western Province, 24 in Nyanza Province, 17 in the Rift Valley Province, 15 in Coast Province, six in Nairobi Province and four in North Eastern.

For the ease of reference, I would like to table the list here.

(Prof. Saitoti laid the document on the Table)

Prof. Olweny: Mr. Speaker, Sir, the Minister has said that he is not aware of a number of things. He has said that the Government is meeting the cost of books and quality assurance. But here, we are dealing with special children in our society. They are very expensive to teach.

Since the Minister has said that he is not aware, let me inform him that on average, parents of children with special needs pay Kshs17,000 for tuition alone. A special primary school requires Kshs32,000 per year for tuition and boarding only. To what extent is the Government assisting these schools to meet the educational needs of children with special needs?

Prof. Saitoti: Mr. Speaker, Sir, I do not have the information that parents of children with special needs are being charged Kshs17,000 for tuition. Tuition, books, teaching and learning materials are given free of charge by the Government. I will be quite happy to get information regarding those schools where these fees are being charged and I will take the appropriate action.

Having said that, it is important to understand the assistance the Government is giving to special primary schools. First of all, the Government provides special schools in the country with grants-in-aid, to cater for their recurrent operations. About Kshs380 million was disbursed to all the special primary schools in the Financial Year 2006/2007.

Over and above the amount of money that is given as capitation grants for tuition, the Ministry also intervenes with special grants. For example, the Kshs380 million was disbursed to special primary schools to ensure that the recurrent charges are reduced. The Government also provides special schools with funds to construct classes and dormitories. This is done to enhance their access. In 2006/2007 Financial Year, a total of Kshs200 million was allocated to special primary schools for this purpose.

To demonstrate the extent to which the Government is committed to ensuring that children with disabilities have access to education, it allocates Kshs2,000 to each child annually on top of the usual Free Primary Education Programme allocation of Kshs1,020 for the purchase of specialised teaching and learning materials.

Mr. Karaba: Mr. Speaker, Sir, my concern is about orphans, particularly those at the Thika School for the Blind. Could the Government consider extending bursaries to orphans with special needs in boarding schools, who cannot afford to pay the fees?

Prof. Saitoti: Mr. Speaker, Sir, definitely, there is no argument about that at all. The Ministry is fairly committed to the fact that orphaned students with special needs, clearly get grants.

Mr. Kosgey: Mr. Speaker, Sir, the Minister has just confirmed that primary school pupils countrywide pay for their uniforms, transport and health care. In most cases, the pupils pay a certain fee to employ teachers. There are Parents Teachers Associations (PTAs) which pay teachers.

Could the Minister state the figure which is currently charged to each pupil in form of levies; whether it is for uniform, transport, health care or to raise money to pay the watchmen? This is very important because this goes against the policy of free primary education.

Mr. Speaker: Order! There is a difference between Question Time and a Motion. Let him answer your question.

Prof. Saitoti: Mr. Speaker, Sir, the free primary education definition is that the Government pays for all the books that are provided and other learning materials to the student. The Government also provides teaching materials that are used by the teachers to teach. At the same time the Government also pays for the maintenance and repairs of the schools through this account. It also pays for transport when students are travelling for sports and other extra-curricular activities. In the marginal areas, the Government also provides lunches through the National School-Feeding Programme.

However, in the case of uniforms, I want to emphasise that it is not mandatory that a student must have uniform to attend free primary education. This is fundamental. We have given out instructions that students cannot be turned away from school because of lack of uniform.

Prof. Olweny: Mr. Speaker, Sir, the Minister has told us that there are 108 special public primary schools in the country. These are not enough because we have 1 million such people who need special needs education. What efforts will the Government make to increase the number of such schools across the country?

Prof. Saitoti: Mr. Speaker, Sir, I want to admit one thing; not all children with special disabilities are enrolled in schools. One of the reasons for this has been the attitude of a number of parents who hide their children with disabilities to prevent them from being noticed. We have already carried out a thorough assessment of the children and a major survey all over the country to determine the number of children with special needs. We are moving very quickly to make sure that the children who have been hard to reach all go to school.

Dr. Rutto: Mr. Speaker, Sir, let me inform the Minister that he is out of touch with this matter. Near his home in Nyota, Kuresoi, in a school called Karirikania School for the Disabled, children are paying fees. The Minister has a farm in Nyota. Given that these children are often neglected by parents because of the stigma associated with disability, could the Minister consider paying school fees for these children and anything else that is supposed to be paid?

Prof. Saitoti: Mr. Speaker, Sir, I am sure that you will sympathise with me because of the manner in which the hon. Member has put his question. I am not in any way out of touch with the situation on the ground. I am very much in touch with it. As a matter of fact, we look at all the schools wherever we are and we do inject the money. He has also said that some of these children are being neglected by their parents.

Mr. Speaker, Sir, we have got a team that is going all over the country to find out where the children with special disabilities are. We are committed to ensuring that we reach all children wherever they are, even in the slums and marginal areas. That is our policy as a Government and we are allocating a substantial amount of money. I am sure the hon. Member will appreciate this fact when we come to debate the Ministerial Vote. He will see the total amount of money that has been put in place for purposes of making sure that no child is excluded from getting his right to education.

Question No.356

STATUS OF ASSETS BELONGING TO
UPLANDS BACON FACTORY

Mr. Muriithi asked the Minister for Livestock and Fisheries Development:-

- (a) what the status of assets belonging to Uplands Bacon Factory is; and,
- (b) when the factory will be revived.

The Minister for Livestock and Fisheries Development (Mr. Munyao): Mr. Speaker, Sir, I beg to reply.

- (a) Currently, all assets that belong to Uplands Bacon Factory were transferred to Farmers

Choice which purchased the company in July, 2000 at a price of Kshs65 million.

(b) Uplands Bacon Factory is privately-owned by the Farmers Choice. Therefore, they are the only ones who can make a decision on when to revive it.

Mr. Muriithi: Mr. Speaker, Sir, I do not think we are reading from the same page, considering the answer I have. However, could the Minister inform us who the original owners of Uplands Bacon Factory are?

Mr. Munyao: Mr. Speaker, Sir, the factory was owned by the Uplands Bacon Factory.

(Laughter)

Mr. Speaker: Mr. Minister, what did you say?

Mr. Munyao: Mr. Speaker, Sir, I said it was owned by Uplands---

Mr. Speaker: Have you heard what he has said?

Hon. Members: No!

Mr. Speaker: Mr. Muriithi, have you heard his answer?

Mr. Muriithi: He has not answered my question! Does he know the difference between the shareholders and the owners of Uplands Bacon Factory? Who owns Uplands Bacon Factory? Were there any original shareholders who owned the assets?

Mr. Munyao: Mr. Speaker, Sir, the shareholders are the owners. Who else owns a firm? It is the shareholders! All companies are owned by shareholders.

Mr. Bett: Mr. Speaker, Sir, I do not think the Minister has answered the Question.

(Loud consultations)

Mr. Speaker: Order, hon. Members! Please, we cannot communicate! It is not possible! We must communicate! So, could you please listen?

Mr. Bett: Mr. Speaker, Sir, I do not think the Minister has answered the Question. Even if the shareholders are the owners, who are these owners and who are the shareholders? Could he be specific? If he does not know, he should just say so. Who took the Kshs65 million?

Mr. Munyao: Mr. Speaker, Sir, perhaps, I am talking to people who might not be understanding what the word "owners" means according to the Company Law. The Lonhro Agro Business who were the shareholders and the Uplands farmers were the shareholders. Therefore, they owned it.

Mr. Sambu: Mr. Speaker, Sir, now that we know that one of the owners is Lonhro, we want to know what Lonhro is. Is it still in existence because we assume that Lonhro has been wound up? Who are the owners of Lonhro? We have been told that Lonhro was wound up, so who owns the Uplands Bacon Factory? Who are these shareholders now that Lonhro was wound up?

Mr. Munyao: Mr. Speaker, Sir, for some of these questions, their reply is available somewhere. The list should be with the Registrar-General. Must I come to the House to provide that list? The hon. Member should go to the Registrar-General and he will see the list.

Mr. Kosgey: On a point of order, Mr. Speaker, Sir. In view of the fact that the Minister does not have an answer, would I be in order to request that this Question be deferred to give him time to go and research and bring an answer to this House?

Mr. Speaker: Absolutely not! The Minister has correctly stated the rule; that, what is available in public documents is your business to go and find out.

Mr. Sambu: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! You will go to the Registrar of Companies as he has told you. Look at the register of members and you will get them there.

Mr. Sambu: Mr. Speaker, Sir, my point of order is this. I have an interest in Lonhro assets because they had grabbed the Nandi land. I have gone to the Registrar of Companies to do a search

and found that the file on Lonhro is not available. So, is the Minister in order?

Mr. Speaker: He is perfectly in order! You know he is a Minister. He is not the Registrar of Companies! You should know the difference!

Mr. Munyao: Mr. Speaker, Sir, if I may clarify to the hon. Member who said I had no answer and, therefore, the Question should be deferred, that the Standing Order which requires a Minister to go back because he does not have a satisfactory answer, should also require the hon. Member to go back and research his Question because he did not know what to ask!

(Laughter)

Mr. Speaker: Order, all of you! I must make progress.

Mr. Kosgey: On a point of order, Mr. Speaker, Sir. We know that in an effort to revive Uplands Bacon Factory, the Government has put public money into this body. Would it not be in order that the public is informed of who the owners are because the Government has put money in that factory? We would like to know that information through this House rather than requiring every *mwananchi* to go to the Registrar of Companies.

Mr. Speaker: Order, Mr. Kosgey! Do as you are advised by the Minister!

Mr. Muriithi: Mr. Speaker, Sir, could the Minister, though unable to answer the Question fully, inform us whether the Government intends to start another factory to assist Kenyans because Farmers Choice are running a monopoly organisation and they are not fair to Kenyan farmers who are keeping pigs?

Mr. Munyao: Mr. Speaker, Sir, I would like to thank the hon. Member who is already satisfied that I am most capable of answering his Question. I would like to clarify to the hon. Member that the Government assists people to come up. We do not get them to start companies. They are free to start companies any time.

Mr. Muriithi: On a point of order, Mr. Speaker, Sir. The hon. Minister is totally misleading this House. Why did he revive the Kenya Meat Commission?

Mr. Speaker: Order, hon. Members! Mr. Minister, you will respond to that! But, linguistically, there is a difference between "starting" and "reviving". What do you want him to do? Start or revive the factory?

Hon. Members: Both! Revive!

Mr. Speaker: Mr. Munyao, what is your response to that?

Mr. Munyao: Mr. Speaker, Sir, I would like to thank the hon. Member who, indirectly, is congratulating me for reviving the Kenya Meat Commission (KMC). I am ready to revive any other factory. I will support hon. Members from that area to start another factory. It will come up!

Mr. Speaker: Next Question, Mr. Mbau!

Question No.280

OWNERSHIP STATUS OF MURATA/MUGAMA
FARMERS CO-OPERATIVE SOCIETIES

Mr. Mbau asked the Minister for Co-operative Development and Marketing:-

(a) who owns Murata Farmers SACCO Society and Mugama Farmers Co-operative Society and how the two societies are related; and,

(b) whether he is aware that Murata Farmers Co-operative Society is demanding outstanding loan arrears from coffee farmers in Murang'a South District

and threatening to attach their properties although the farmers acquired the loans from Mugama Farmers Co-operative Society where they are members, and not Murata Farmers SACCO Society.

Mr. Speaker: Is the Minister for Co-operative Development and Marketing here? Where is he?

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Mr. Speaker, Sir, I have taken some time to respond to this Question because I thought the Questioner was not in. But I beg to reply.

(a) Murata Farmers SACCO Society is owned by shareholders drawn from the greater Murang'a---

(Loud consultations)

Mr. Speaker: Order, hon. Members! Order! I have had occasion to say from the Chair that hon. Members actually torment the Chair, if I have to shout order all the time! We cannot do that all the time. Please, listen! Just listen for the balance of 20 minutes!

Proceed, Mr. Mwenje!

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Mr. Speaker, Sir, I beg to reply.

(a) Murata Farmers SACCO is owned by shareholders drawn from the greater Murang'a and Thika districts and registered marketing co-operatives among others. Mugama Farmers Co-operative Union is also a shareholder. The Mugama Farmers Co-operative Union is owned by coffee farmers through the 36 affiliated primary co-operative societies, with a membership of over 110,000 individual coffee and dairy farmers. Mugama District Union (MDU) is a shareholder of Murata Farmers SACCO.

The relationship between the two is that Murata Farmers SACCO was born out of Murang'a Farmers District Co-operative Union, which is now called Mugama District Co-operative Union.

(b) I am aware that Murata Farmers SACCO is demanding outstanding loan arrears from coffee farmers in Murang'a South District. Some of the loans being demanded by Murata SACCO were advanced to the coffee farmers by the then Murang'a Farmers District Co-operative Union, through its union banking section, which later transformed into a rural SACCO. That is the current position.

Mr. Mbau: Mr. Speaker, Sir, I want to thank the Assistant Minister for that answer. He has agreed that, indeed, Murata Farmers SACCO is demanding money from the so-called debtors; monies that were initially loaned out by the mother organisation - Murang'a Farmers District Union. What is the justification for Murata to come behind the mother organisation and demand money from the farmers? That money was initially loaned to farmers by the mother organisation.

Further, at what time did the two organisations that the Assistant Minister has now delineated, formally agree to share out assets and liabilities, so that we can know who owes the farmers and what the farmers are supposed to do?

Mr. Mwenje: Mr. Speaker, Sir, I am aware of that problem. Indeed, I have dealt with it in my office. I am aware that Murata Farmers has been obtaining some court orders, and which the other group did not participate in at all. That is what the Chairman of Murata Farmers is now using to harass members of Mugama Farmers.

Mr. Speaker, Sir, I take this opportunity to give instructions that where money is demanded by Murata Farmers, those farmers should refuse to pay that money! It is not in order for them to do so. I would like to inform the hon. Member from the area to take note that these are the

instructions: They should not honour that if they are asked by that particular person.

From my office, I am also taking action against that Chairman, who is demanding money illegally from the farmers of Mugama.

Mr. Kamotho: Mr. Speaker, Sir, while I thank the Assistant Minister for what he has said, is he aware that on 24th January, 2003, there was a court order for the two organisations to appoint professional and qualified auditors to mediate and have the assets and liabilities divided between them, so that those wrangles can come to an end? What is he doing to ensure that, that matter is speeded up?

Mr. Mwenje: Mr. Speaker, Sir, I am aware of that. I even called the two groups in my office. We even formed a team to conduct an inquiry and present a report to us. The report was brought and I discussed it with the two groups for a long time - in fact, for six months!

We have ordered another inquiry. Murata Farmers have gone to court in Thika District to stop that inquiry, but because the order does not affect us, that is why I have said that, while the inquiry continues, and as we sort out those matters in court, in the meantime, those demands should not be honoured. Farmers are safe to that level. Nobody will take their property. I will take action against that particular Chairman, called Mr. Ndung'u.

Mr. Speaker: Last question, Mr. Mbau!

Mr. Mbau: Mr. Speaker, Sir, I want to sincerely thank the Assistant Minister. Indeed, that should have been the correct position. So far, the matter has been ambiguous. Now that he has issued express instructions to dishonour any further injunctions from whichever organisation, whether Murata or Mugama, I want to thank him and ask that the same be adhered to. We should ensure that it takes effect.

Mr. Mwenje: Mr. Speaker, Sir, instructions given by the Government are instructions! They are going to be carried out! In fact, I am considering suspending that Chairman. I know the havoc that is being created in Murang'a District. I can assure hon. Members of Parliament from that area that I will seriously take action against those people. There should be no cause for alarm. Let the people continue growing their coffee and doing their normal work as usual.

Question No.287

PURCHASE OF SECOND-HAND
AIRCRAFT FOR SECURITY FORCES

Mr. J. Nyagah asked the Minister of State for Defence:-

(a) whether he could confirm that the Government is planning to purchase second-hand aircraft for use by security forces; and,

(b) whether he could further confirm that the above plan complies with the Public Procurement and Disposal Act.

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, I beg to reply.

(a) It is the desire of every nation to maintain a reasonable capacity of airworthiness in terms of numbers and quality in its Air Force for the defence of the nation. The airworthiness of fighter aircraft is not judged by the apparent age in years, but rather, by the life of the airplane. That is determined by the number of hours it is expected to clock.

With regard to jet fighters, the Government intends to acquire--- They have an airframe time of 20 years. That is sufficient time to gradually phase out F-5 aircraft, as a new and more superior platform is brought in.

Mr. Speaker, Sir, air power is maintained through a generation of platform of aircraft.

Every country depending on the vibrancy of its economy and need can upgrade its capacity from a lower platform to a higher one. Technology is also changing fast. It is a practice world over to dispose of an earlier generation to another country. Kenya, for example, sold its Hunters and Strikemaster jets to Zimbabwe. Our earlier target to purchase similar F-5 jets from Saudi Arabia was thwarted by Brazil when they moved in and offered to buy the same at a higher price. As at now, Brazil has offered to buy our already target planes at a price six times higher than what we have negotiated.

Mr. Speaker, Sir, given the above technical information, to say that Kenya intends to buy second-hand planes, is, therefore, technically not correct.

(b) To ensure that the Ministry complies with the Public Procurement and Disposal Act, the following measures were taken:-

(i) Treasury authority was sought and granted to undertake the procurement through Government-to-Government negotiations.

(ii) A technical pre-negotiation committee, as guided by the Treasury, was established with representatives from Attorney-General's Chambers, Ministry of Foreign Affairs, Ministry of Finance and the Ministry of State for Defence.

(iii) As guided by the Treasury, through the Directorate of Public Procurement, the process ends with the Ministerial Tender Committee.

Mr. Speaker, Sir, it is my wish to say that the process, so far initiated, adheres to and complies with the Public Procurement and Disposal Act.

Mr. J. Nyagah: Mr. Speaker, Sir, I am very satisfied with the introductory part of the answer given by the Assistant Minister. I am familiar with it. However, these are still second-hand aircraft.

Mr. Speaker, Sir, given that there is no oversight role that this Parliament or somebody else plays in this; and, given that Anglo Leasing and other types of deals were done with the Treasury's authority and the Attorney-General's advice, how much are we going to spend in this transaction? It is time Kenyans were told about the purchase of these second-hand aircrafts. There are no secrets in this transaction because this information is available on the internet. There is also a book called *Janes on Defence Matters* in which we find the prices of these aircrafts. Given that this information is in the public domain, could he tell us how much he intends to spend on this very simple transaction of modernising our aircrafts which is critical and necessary?

Mr. Tarus: Mr. Speaker, Sir, I would like to inform the hon. Member that whereas he had asked a very good Question, I would like this honourable House to take cognisance of the importance of not revealing everything that we discuss about our country's defence matters.

(Applause)

Mr. J. Nyagah: On a point of order, Mr. Speaker, Sir. There is a book which the Government and the Assistant Minister knows about. In case, he does not know about it. It is called *Janes on Defence Matters*. This book tells us how many aircraft Kenya, Brazil and every other country has and how much they paid for them. It also tells us how many soldiers these countries have. Given that---

Mr. Speaker: Order, Mr. J. Nyagah! If you already know that, why ask?

(Laughter)

Mr. J. Nyagah: Mr. Speaker, Sir, I am asking it because we, as Parliament, need to have an oversight role on these matters from now onwards.

(Applause)

Mr. Speaker: Order! I am not convinced that it is in the national interest for Kenya to lay bare all its security arrangements and commitment!

(Applause)

I think beyond oversight role, there is the greater national interest of State security. I think that disposes of the issue!

(Several hon. Members stood up in their places)

Hon. Members: On a point of order, Mr. Speaker, Sir!

Mr. Speaker: Not on that issue!

Order, hon. Members! Once the Chair has made a ruling, you sit down because that is the order of the Chair!

Mr. Ojode: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Will you respect my ruling?

Mr. Ojode: I respect the ruling of the Speaker, but---

Mr. Speaker: There is no "but"! You must respect it!

Mr. C. Kilonzo, please, proceed!

Mr. C. Kilonzo: Mr. Speaker, Sir, without revealing a lot of information, we know that the Government has been trying to do its best to ensure that the security of this nation is guaranteed---

Mr. Speaker: I am not following you! Could you---

Mr. C. Kilonzo: Mr. Speaker, Sir, now that procuring aircraft through the second-hand market seems to be very difficult, what arrangements is the Government making to ensure that the security of this nation is guaranteed by the Kenya Air Force?

Mr. Speaker: Mr. Tarus, have you followed his question?

Mr. Tarus: Mr. Speaker, Sir, I am sorry, could he come up again?

Mr. Speaker: Can he repeat, you mean?

Mr. Tarus: Yes, Mr. Speaker, Sir.

(Laughter)

Mr. C. Kilonzo: Mr. Speaker, Sir, without revealing a lot of information---

Mr. Speaker: Could you, please, face the microphone?

Mr. C. Kilonzo: Mr. Speaker, Sir, without having to reveal a lot of information; we know that for the last three years the Government has been trying to source for aircraft through the second-hand market. However, they have not been able to do so. What are they doing now? Why can they not consider buying brand new aircraft since getting them through the second-hand market is proving to be very difficult?

Mr. Tarus: Mr. Speaker, Sir, it is the desire of the Government to purchase new equipment. However, we have to do everything in cognisance of our ability as a country and our economy to support that kind of expense.

Mr. Ojode: Mr. Speaker, Sir, could the Assistant Minister tell us how much money the

Government will save if they went for these reconditioned planes and how much it will spend if they went for the new ones?

Mr. Speaker: You are kind of going round my earlier ruling, is it not?

Mr. Tarus: Yes, they are trying to go the other way!

Mr. Speaker: That is a very clever way because if you give an answer, any person of reasonable intelligence would work out the cost. So, I order you, Mr. Tarus, not to do so!

Capt. Nakitare: Mr. Speaker, Sir, I thank the Assistant Minister for answering this Question. However, we have a Departmental Committee on Defence and Foreign Relations of this House that oversees defence activities on behalf of this House.

(Applause)

What steps is the Government taking to guarantee that these second-hand aircraft will meet their lifespan?

Mr. Tarus: Mr. Speaker, Sir, if the hon. Members was listening, I said that we have not purchased second-hand equipment. We have purchased aircraft whose hours are sufficient enough to be considered as new.

Mr. Speaker: In fact, Question Time is up! That is the end of Question Time!

Hon. Members, the balance of the Questions will be deferred. When we cannot reach some Questions, it will be taken as the norm. They will be distributed in the following day and given priority. Therefore, it would not be necessary for the Chair, everyday, to say Questions deferred to tomorrow or the day after, if it is the time that is up! That will be the procedure. The Clerk of the National Assembly will prioritise them earliest tomorrow and then proceed with the balance!

Question No.375

DISPLACEMENT OF LAND ALLOTTEES IN
OLCHURRAI SETTLEMENT SCHEME

(Question deferred)

Question No.097

SUPPLY OF CLEAN WATER TO
AWENDO TOWNSHIP RESIDENTS

(Question deferred)

Question No.218

RECONSTRUCTION OF LITEIN-
MOGOGOSIEK-BOMET ROAD

(Question deferred)

Next Order!

COMMITTEE OF SUPPLY

*(Order for the Committee Read
being First Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW
LEAVE THE CHAIR

Vote 01- Ministry of State for Provincial
Administration and National Security

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair.

Mr. Speaker, Sir, I am honoured once again to stand in this august House to move the Vote for the Ministry of State for Provincial Administration and Internal Security. For the purpose of this debate, the Vote of the Provincial Administration and Internal Security Ministry covers the following departments: The Provincial Administration, the Kenya Police - which includes the Criminal Investigations Department otherwise known as CID, the General Service Unit also known as the GSU and Administration Police - Government Press and National Campaign Against Drug Abuse Authority (NACADA). It is now an authority. It is no longer an agency.

Mr. Speaker, Sir, before I present the financial details of my Ministry's budget for the Financial Year, 2007/2008, allow me to mention some of the core functions, achievements, challenges, policy priorities and programmes that will be implemented during the 2007/2008 fiscal year. The Ministry of State for Provincial Administration and Internal Security has the following nine core functions as Maj. Madoka will confirm:-

*(Maj. Madoka nodded in the
affirmative)*

- (1) Organisation and co-ordination of Government businesses at the grassroot level.
- (2) Maintenance of public safety, law and order.
- (3) Printing and distribution of government documents.
- (4) Campaign against drugs and substance abuse.
- (5) Maintenance of national and international boundaries.
- (6) Co-ordination of state functions.
- (7) Disaster and emergency response co-ordination.
- (8) National disaster operation centre.
- (9) Maintenance of security airstrips and security roads.

Those security airstrips and roads are unclassified strategic facilities that are spread throughout the country and are used mainly for security operations and emergency evacuations. My Ministry is faced with many challenges in its implementation of its core functions. They include:-

- (1) Inadequate facilities for security operations.
- (2) Inadequate training facilities.

(Loud consultations)

Mr. Speaker: Order, that corner, please! Order, Mr. Minister! Please, take your seat.

Hon. Members, particularly at that corner, I think let hon. Members hear what the Minister has said or is going to say. I think this Minister, more than others, has come under a lot of pressure from within and outside this House, on what he does. It is only fair that you listen, so that if you

must support or criticise him, you have heard what he has said.

Mr. Minister, proceed!

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Speaker, Sir, I thank you very much for your intervention, which was timely and needed. The other challenge is:-

- (3) Inadequate equipment.
- (4) Inadequate training facilities.
- (5) Inadequate houses for police officers.
- (6) Threat of terrorism and other forms of emerging crime.
- (7) Porous borders within Kenya.
- (8) Proliferation of small arms and light weapons.
- (9) Cattle rustling and banditry in pastoralist areas.
- (10) Drug trafficking and substance abuse.
- (11) Conflicts over resources, especially land and water.
- (12) Organised criminal gangs.

In spite of those challenges, the Ministry has continued to discharge its responsibilities to ensure maintenance of security, peace, law and order, which are prerequisite for social-economic and political development of this country.

Mr. Speaker, Sir, allow me now to highlight some of the main activities and achievements realised during the last financial year, and the main programmes that we intend to undertake during this financial year.

The Provincial Administration, with its extensive structures from the provinces to the sub-locations, is the most visible organ through which the Executive arm of the Government reaches to all Kenyans. It co-ordinates all the other Government departments in the districts and also provides the most effective mechanism for resolution of social conflicts as well as dissemination and articulation of Government policies through participatory *barazas* with the local people. It also advises the Government on matters emanating from the grassroots on various issues.

Mr. Speaker, Sir, in order to bring administration closer to the people, the Government has acceded to their wishes by proposing the creation of an additional 46 districts. It has issued a gazette notice to that effect. In that regard, the Ministry has embarked on the process of preparing the necessary infrastructure for eventual legalisation of those new units of administration by this House. However, my request for funding to meet budgetary requirements for the infrastructure during this financial year has not been fully met. I will, therefore, be requesting for additional funds in the course of the year to supplement what has been provided for in the current Printed Estimates.

Mr. Speaker, Sir, following last year's report by the Kenya Anti-Corruption Commission (KACC), which ranked the Office of the President among the Ministries perceived to be the most affected by corruption, my Ministry embarked on a countrywide reform programme, known as the "Rapid Result Initiative (RRI)". The objective of the initiative was to improve efficiency and effectiveness of service delivery to *wananchi* through setting of targets and specific time frames within which the services should be provided. The implementation of that initiative involved the highest political leadership. It was spearheaded by Ministers, Assistant Ministers and Permanent Secretaries in the Office of the President, who participated in a countrywide sensitization programme under the banner of "*Huduma Bora ni Haki Yako*".

As part of that initiative, my Ministry has, successfully, implemented the following programmes and activities.

(I) We have mainstreamed performance contracting at all levels of the Provincial Administration.

(II) We have established customer-care desks and complaints/ suggestions boxes under the "*Toa Habari kwa Serikali*" initiative at all Provincial Administration units and police stations.

(III) We have developed service charters to facilitate standardised, ethical and predictable

service delivery to *wananchi*.

(IV) We have operationalised the Administration Police and the regular police website. Through the police website, *wananchi* can now download P3 Forms, about which they have complained so loudly in the past.

(Applause)

(V) We have implemented new schemes of service for chiefs and assistant chiefs, among many other initiatives, and also a more clearer scheme of service for district officers, district commissioners and provincial commissioners.

Mr. Speaker, Sir, during the 2006/2007 Financial Year, my Ministry, in collaboration with the Government, Justice, Law and Order Sector (GJLOS) development partners, continued with the re-training and equipping of the Provincial Administration and police officers in a bid to make them more responsive and effective in service delivery. In particular, 3,000 chiefs and assistant chiefs underwent change, security and management courses at the Administration Police Training College (APTC) to provide them with skills for managing security matters in their areas, while 1,524 chiefs undertook paralegal training.

In addition, 93 district Commissioners and 424 district officers were trained in leadership and best management practices. We have also started a final scheme providing chiefs with motorcycles to enhance their effectiveness in service delivery. More than 5,000 police officers have also undergone various training programmes that include culture and attitude change, skills upgrading, management and specialised crime investigation.

As hon. Members will testify, service delivery to the public has significantly improved. This position has been recognised by the international community, resulting in our country being awarded the United Nations Public Service Award for Re-inventing the Government. This House ought to congratulate us! This is a very prestigious award, and Kenya was ranked first in this category.

Mr. Speaker, Sir, while crime has generally declined throughout the country, there has emerged a big challenge to peace and tranquillity in certain regions of the country, especially in informal settlements in Nairobi and other urban areas, because of the activities of organised criminal gangs. The activities of those gangs have led to fear, destruction of property and loss of lives of both the civilian population and security agents. However, I want to assure hon. Members that the Government will not relent in its crackdown on those gangs. Adequate machinery has been put in place to handle them. These measures include provision of patrol vehicles to security agents, purchase of modern equipment such as guns detectors and bullet-proof vests, recruitment of more police officers and improvement of housing for the officers to boost their morale. They also include initiation of public awareness campaigns on crime detection and sting operations targeted at specific crime areas. In addition, the Government has involved other partners through community policing and other peace-building initiatives that bring citizens, non-Governmental organisations (NGOs), development partners and the Government together. The establishment of the National Steering Committee on Peace Building and Conflict Management has facilitated co-ordination of shareholders in this regard.

Mr. Speaker, Sir, the Government has also formed a National Focal Point on all small arms and light weapons to monitor and address the problem of proliferation of small arms and light weapons. So far, the unit has managed to destroy 20,126 illicit weapons, collected and or surrendered between the year 2003 and 2007.

Cross-border crime continues to pose a major challenge to our country's security. The volatile situation in Somalia demands continuous presence of our security forces along the long and

porous border. This requires substantial resources which, conversely, has adversely affected security operations in other parts of the country.

Mr. Speaker, Sir, as I mentioned in my speech last year, security is the responsibility of every citizen. Situations of insecurity are bred by different socio-economic dynamics and cannot, therefore, be blamed entirely on the Government. It is, indeed, the duty of every citizen, including hon. Members, to ensure that they do not create, or embrace, conditions that encourage crime. In addition, we must all address the causes of crime, for that is where the solution to insecurity lies. Above all, we must appreciate that, as individuals, we are responsible for our personal security and must, therefore, be ready to co-operate with security agencies to create a safer and secure Kenya.

My Ministry will, during the financial year, continue with the modernisation programmes that were started during the last financial year. In particular, the rehabilitation of the police helicopters at a cost of Kshs1 billion will be finalised this financial year. I hope Mr. J. Nyagah will note the figure. As hon. Members will recall, Kshs400 million was provided during the last financial year, while the balance of Kshs600 million is factored into the current Budget. In addition, Kshs330 million has been provided to the Police Airwing for the purchase of fixed-wing aircraft to bolster, and eventually replace, the ageing fleet.

Mr. Speaker, Sir, my Ministry has procured modern calibration equipment for the Motor Vehicles Inspection Unit, which, as you may recall, was recently brought to my Ministry, to replace those outdated equipment which were acquired in the 1960s. This new equipment will be installed and operationalised in the current financial year.

As I informed hon. Members last year, the police telecommunications network is based on the old analogue technology, and there is urgent need to modernise it. During the last financial year, we started upgrading the Presidential Escort Communications System, which we expect to complete this year with an allocation of Kshs100 million that had been provided.

Turning now to transport, during the Financial Year 2006/2007, my Ministry was allocated Kshs381 million for the purchase of motor vehicles for both the security agencies and the Provincial Administration. With this allocation, the Ministry was able to procure 155 assorted vehicles and 21 motorbikes. This year, an allocation of Kshs767 million has been provided for the purchase of assorted vehicles, which will be distributed to areas which did not benefit from last year's purchase, including the new districts. I wish to reiterate that the amount allocated for the purchase of vehicles for security agencies is not enough. I would like to repeat that. The amount allocated for the purchase of vehicles for security agencies is not enough because the police service alone requires over 3,000 vehicles. If we have to police this country adequately, we require 3,000 vehicles for the police alone.

Turning now to housing, this continues to be a major challenge that impacts negatively on the performance of our security agencies. In the 2006/2007 Financial Year, an allocation of Kshs1,832,000,000 was provided to both the Kenya Police and Administration Police Services for the purchase, construction and refurbishment of houses for the police. With those funds, we were able to do the following: One, we purchased the former Kenya College of Communications Technology at Loresho Campus for the training of senior police officers at a cost of Kshs113 million. Two, we started construction of nine residential housing projects for the police and two for the Administration Police in Nairobi. Three, we leased housing units for 100 officers in Nairobi. Four, we renovated about 60 police stations and police lines and 79 Administration Police lines. Five, we constructed six barracks and lecture rooms at the Administration Police Training College and purchased 14 housing units for the Administration Police.

Mr. Speaker, Sir, during the current financial year, my Ministry has been allocated Kshs1.9 billion for the construction of houses for security agencies while an additional Kshs281 million has been provided for the ongoing renovation of existing houses. In spite of these efforts, majority of

our police officers continue to live in dilapidated housing units. Therefore, there is need to substantially increase the budgetary provision in the coming financial year in order to make any marked impact.

Mr. Speaker, Sir, drug trafficking and substance abuse is a matter of national concern, particularly because it is a major cause of insecurity and also contributes to the rapid spread of the HIV/AIDS.

Other effects which can directly be attributed to the menace include the escalation of violent crime, broken families and increased drug dependency by our youth.

The National Agency for the Campaign Against Drug Abuse (NACADA) has undertaken a comprehensive review of the national drug control strategy in the country to come up with policies and priorities of drug control efforts over the next five years. NACADA has been allocated Kshs60.3 million in the current financial year, which will basically support public awareness and preventive education. The funding of NACADA needs to be revisited. Its capacity and that of other institutions fighting drug abuse need to be enhanced. There is, therefore, an urgent need to create a strong national secretariat to facilitate the establishment of provincial and district level offices, enhance the rehabilitation services and domesticate various international instruments on drugs and substance abuse reduction.

Mr. Speaker, Sir, last year, my Ministry was allocated Kshs225 million for technological upgrade of the Printing Press in order to bring the Government Press at par with modern printers in the market. With the allocated funds, the Government Printer was able to procure full colour pre-press photo composition machines, high resolution printers and other accessories. This year's allocation of Kshs105 million will be used to purchase a stand-by generator, further refurbishment of the security Press building, electrical works and purchase of furniture.

Mr. Speaker, Sir, my Ministry requests this House to approve a gross Budget of Kshs29,858,008,650 of which Kshs26,578,812 is for Recurrent Expenditure while Kshs---

Mr. Speaker: Just summarise it because you have to round it---

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Speaker, Sir, I was coming to the meat of the speech which, of course, is the amount of money that I require---

(Laughter)

Mr. Speaker: Order, Mr. Minister! We have to do with the bones now! So, the time is not there for the meat!

The Minister of State for Administration and National Security (Mr. Michuki): Therefore, Mr. Speaker, Sir, if I may conclude, because it is the same thing, rather than going to the details, I have read the Recurrent Expenditure. The Development Expenditure is Kshs3,279,196,650 and that will be seen in the Printed Estimates as the amount required which, in fact, increased only by 2.58 per cent.

So, Mr. Speaker, Sir, I beg to move.

Mr. Speaker: Thank you! Is there anybody seconding the Minister's Vote?

The Assistant Minister for Justice and Constitutional Affairs (Mr. Mungatana): Mr. Speaker, Sir, may I take this opportunity to congratulate the Minister for moving this Vote. The main issues that he has highlighted are there for us to see. I congratulate the Minister for the various points that he has raised here to show that, indeed, the amount of money that this House voted for this Ministry in the last Budget was well utilised.

Mr. Speaker, Sir, we have been informed in this House that there has been tremendous development of the housing sector for the police. We have been informed that new barracks have

been put up in the Administration Police Training College and that new housing units and large development housing projects for the police have been started. This goes to show that the amount of money that this Ministry was allocated last year was well utilised.

Mr. Speaker, Sir, there is another point that is probably not a very core function, but we are very happy to see the upgrading of the National Agency for the Campaign Against Drug Abuse (NACADA), which is the national drug-fighting agency, from a mere agency to an authority. We are very happy that the Minister proposes that some reasonable amount; Kshs60 million, be apportioned for this authority because we all know that it affects all of us in our various constituencies. This vote should be supported. This is an area where we have lost many of our youth and we continue losing them. We think that the Minister has taken a step in the right direction, especially upgrading the agency to an authority level.

In we have, in this House, expressed a lot of concern for cross-border crime. Indeed, many times, many hon. Members have raised the issue of people from across neighbouring countries coming over to commit crimes within our borders. It is heartening to see that the Minister has prioritised the question of fixing our porous borders. This is a good point that needs to be encouraged.

On the question of police communication, many times, we have seen our security around and all of them are using the very old system where they have to hold huge things right to their ears! It is a good idea that the modernisation of this force has began. It is good to hear that, at least, Kshs100 million has been put aside for the upgrading of the Presidential Escort Communication System.

Mr. Speaker, Sir, in many other countries, when we go out--- Recently, I was there in certain other countries; you see security people, you cannot tell them, but they are in constant communication from the point they pick you to the point they are supposed to take you. It is encouraging to see that the Minister is thinking in this direction, especially in the protection of our Very Important Persons (VIPs).

Mr. Speaker, Sir, on the direction of destroying small arms in this country, this is a crucial issue of security within our country. Most of the crimes that are committed within our borders are committed because of proliferation of these small arms. We are encouraged by the fact that the Minister has chosen to pinpoint the fact that a focal point has been set up within our Republic for the monitoring of the proliferation of small arms into this country. We think that the Minister is taking a step in the right direction, although we need serious funding in this particular aspect.

There is an institution that has been set up, which is very good. We know that it is supposed to be supported by regional bodies within the borders of this country, which is very good. But very little has been coming from those areas, which means that there is need for enhancing the financial allocation for this particular item. All in all, we are still encouraged by the fact that this issue has been prioritised by the Minister.

Mr. Speaker, Sir, it is very good to hear that for the first time in the history of this country, people who are affected by crime are able to go to the computers and download the P3 forms. We would like to see a good measure of computerisation and modernisation of services in this Department of the Government. This is a step in the right direction and we should encourage the Minister. We would want to see, for example, other information being available on the internet which people can use and know the status of our security, even when or how to access this information. We have been told about, for example, the recruitment of officers. The Question has come to this House many times asking; how many people are being taken from whichever area---

This information should be posted right in the computers and the internet so that we can feel that this Department is going in the direction in which we want it to go.

Mr. Speaker, Sir, we are encouraged by the steps the Minister is taking towards making and

modernising the services of security in this country. One of the things that remain a challenge in this nation today, is the state of security. People are worried and it is important for us, as a House, to give him enough funds. The Minister has come here to tell us that he has the challenge of inadequate transport, training facilities and equipment. It is the duty of the House to add value to the efforts that the Minister has made by pushing this budget upwards and probably enhancing the budget in the next allocation.

With those few remarks, I beg to second this Vote and urge the House to give the Government the necessary suggestions and support this Vote.

(Question proposed)

Mr. Speaker: Maj-Gen. Nkaiserry, do you want to do the official response?

Maj-Gen. Nkaiserry: Yes, Mr. Speaker, Sir. Thank you very much for giving me this opportunity to respond to the proposals of the Office of the President, as presented by the Minister.

Mr. Speaker, Sir, we are very much aware that the Office of the President is the nerve centre for national security.

(Loud consultations)

Mr. Speaker: Order! Can you listen to the most serious issues?

Maj-Gen. Nkaiserry: Mr. Speaker, Sir, in my view, proper funding should have been given to this Ministry. Insecurity level in our country today has reached an unacceptable level. The Government must address this issue critically, seriously and immediately. Take for example the situation in Mt. Elgon. Look at the *Mungiki* menace in Central Kenya and Nairobi.

(Loud consultations)

Mr. Speaker: What is it now again? Now listen!

Maj-Gen. Nkaiserry: Mr. Speaker, Sir, that is part of insecurity. Look at the militia harassing people in Kwale District. Look at the perennial cattle rustling in East Baringo, West Pokot, Samburu, Turkana and Marsabit. Look at the cross-border raids from neighbouring countries in Moyale and Mandera. Look at urban crimes. Look at the inhumane eviction of humans from their land. Kenyans want to live in peace and this Government must provide that environment. We must understand that security leads to development and without security, there is no economic development. I am very surprised that for the last four-and-a-half years, this Government has continued to lament over the issue of funding of our security services and yet the Government has the power and authority to marshall all the resources so as to fund the security services so that development can take place.

Mr. Speaker, Sir, when we mention the issue of small arms, this Government should have taken drastic and positive measures to mop up all the arms within this country. The Government has continued not to appropriately fund that institution. I am the Vice-President of the Parliamentarian Forum on Small Arms and Light Weapons. We have made specific recommendations to the countries of this region regarding the issue of small arms.

I do not know how to respond critically to this Vote, because the Office of the President has six Ministries. There is the Ministry of State for Administration and National Security, the Ministry of State for Defence, the Ministry of State for Youth Affairs, the Ministry of State for Immigration and Registration of Persons, the Ministry of State for Public Service and the Ministry of State for Special Programmes. It is amorphous. When the Minister was moving this Vote, I did not even

hear him requesting Parliament to approve the budget for his Ministry. He just said that he wanted Kshs29 billion, but he did not say: "I now request this House to approve---" Since I am the Shadow Minister and, maybe, in six months' time, I will be the occupant of that position, I now have to appropriately request that our security services need to be properly funded.

Mr. Speaker, Sir, I was looking at the Printed Estimates and when you look at the departments under the Ministry of State for Administration and National Security, they were given a very raw deal. But it is the Government which is supposed to budget for the security needs of this country. I am surprised that the Minister would come to this House and start lamenting that he requires 3,000 vehicles when he could have budgeted for them.

With regard to the issue of threat to national security interests, I would rather put the question to the Minister: What is the extent of threat to Kenya national interests and how do you mitigate that threat, both internal and external? I am happy that the Minister of State for Defence is here. How do you safeguard national security interest? What is the cost of providing national security? We have the police to take care of the internal security. How much do we need? Take the example of the police communication, police mobility, the forensic laboratory and the capacity of the National Security Intelligence Service (NSIS) to be able to stop drug trafficking and money laundering. How do you budget for that? We must come up with those factors so that we support the Government or the Ministry, so that citizens can have peace. But when the Ministers come here and say that the police force needs housing--- First of all, that is an issue of welfare and boosting of morale. For them to be able to work and defend us, they must have good welfare and housing. We must give them good housing. In addition, we have to insure the policemen, because the criminals are now more sophisticated. How much has the Ministry set aside to insure the policemen, so that they know that when they put their lives on line, their Government or country is taking care of them? These are the critical issues that should be addressed in the Budget. I think we are not addressing these issues critically, positively and objectively.

Mr. Speaker, Sir, I would like to propose that for the police force, particularly, to be able to deal with crime, which has risen to an unacceptable level, the Ministry should take into consideration the issues of morale, insurance and welfare. Why should policemen - and I would like the Minister to listen to me - carry G3 rifles? They need light weapons with maximum fire power in order to deal with criminals. Why should they carry G3 rifles on the streets of Nairobi, as if they are in the battlefield? The Government should give the policemen weapons that are compatible to the insecurity situation. I have emphasized the issue of the welfare of the police force, especially housing and insurance, which are very important.

Mr. Speaker, Sir, we have a Ministry in the Office of the President which is in charge of special programmes. We have a problem because the Minister has not indicated how much has been allocated to that Ministry. Food security is also a national security issue.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. Are we discussing the Ministry of State for Special Programmes or the Ministry of State for Administration and National Security?

Mr. Speaker: We are talking about that under the Office of President, and he is tying lack of food to insecurity. What do you have to say about that?

Proceed!

Maj-Gen. Nkaiserry: Thank you, Mr. Speaker, Sir. Food security also affects national security. What is the cause of cattle rustling, for example? The Minister should tell us what are the root causes of cattle rustling, so that we can tackle them. Is it caused by food insecurity or lack of money? As we know, areas like West Pokot, Samburu, Marsabit and so on, are prone to drought. Of course, when the livestock in those areas die due to the drought, the communities there will continue raiding the neighbouring communities. That is a security problem. How do we address it? These are the issues which the Minister should tell us how he is going to address in this Budget.

Mr. Speaker, Sir, I am surprised that for the last four-and-a-half years, we have been dealing with the procurement problems in security agencies. For us to pass this Vote, we should be told how this money is going to be spent. Transparency and accountability must come into play.

Mr. Speaker, Sir, the Minister mentioned the creation of new districts. We know that the creation of these new districts was meant to hoodwink the communities, so that they can vote for this Government in the forthcoming General Elections. How much are these new districts going to cost the Government in terms of establishing the district headquarters, building houses for the District Commissioners, District Officers and chiefs? The Office of the President is the backbone of the security of this country. Why should we spend the money that is supposed to be allocated to the police to address insecurity, on the creation of new districts, in order to enable the Government to gain popularity? Should we prioritise popularity or the security of our people? This is a critical issue which we must address.

Mr. Speaker, Sir, what has happened to the District and Provincial security committees and community policing? Why should we still have the insecurity problem in Mt. Elgon, up to date? Why do we have the problem of the *Mungiki*? Why should our people be beheaded, yet we have the National Security Intelligence Service (NSIS), police force, chiefs and assistant chiefs? If the Government is not sleeping on the job, why should we have all these problems? If the district and provincial security committees and community policing are not working, why should we spend so much money on them? The Minister has not even told us how much money he spent on re-training the chiefs. He has not also told us what type of training they underwent, yet, our people continue to be killed by criminals. We cannot accept that?

Mr. Speaker, Sir, as I said earlier, if this Ministry is ready to provide security to our citizens, I believe that the Minister, really, needs to be supported. Therefore, more money needs to be allocated to the Ministry in order to enhance the mobility and communication of the police, especially. So, it is very important that this House does, indeed, pass this Vote.

Mr. Speaker, Sir, as I said earlier, when we look at the Office of the President, we do not know which particular Ministry falls within it. Many Ministries are lumped together in the Office of the President. We have the Ministry of State for Administration and National Security and the Ministry of State for Public Service under it. The Ministry of State for Public Service employs the police and public servants. How much money do you need for supporting all these Ministries? This Office also houses two other Ministries; the Ministry of State for Public Service and the Ministry of State for Special Programmes. These two Ministries take a bigger chunk of money which is meant for national security. The Minister would have come up and said that although he is the substantive Minister, indeed, his other colleagues also require this amount of money, so that we can operate efficiently. However, merging all of them and then he talks about the Ministry of State for Administration and National Security, to me, is not a very good thing.

Mr. Speaker, Sir, our national security organs or services should not be ridiculed because they are paramount for this country. I request my colleague that anything to do with national security and other services be referred to the relevant departmental committees of this House, so that we do not expose our national security capability.

With those few remarks, I support.

Mr. ole Ntimama: Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to make a brief contribution on Vote 01, the Ministry of State for Administration and National Security.

Mr. Speaker, Sir, sometimes I dare to say that when the British left this country, they had established a department of Provincial Administration. Our first Independent Government took over it, enlarged it and really entrenched it in the systems of this country. Sometimes I think our own Government followed actually what the British were doing. This Provincial Administration system

was brought into place to oppress and suppress the citizens of this country. Actually, there has not been very much change from our own Independent Government.

Mr. Speaker, Sir, most of the things that the Provincial Administration of the British colonisers was doing like threatening, intimidating and dictating to the citizenry has actually been going on in our independent Governments. Sometimes, it is not even what happens in Britain itself. The British have got a social system of government under the local authorities where the citizenry are given the power and ability to say how they want to be governed. This is the truth. I think there has been a mixture between the Ministry of State for Defence and the Ministry of Administration and National Security. We do not know who is doing what and who is doing the other. The Ministry of Home Affairs in Britain does the police work and the defence work is done by the military.

So, to me, I would have preferred that the Ministry of State for Administration and National Security really becomes a social system based on the local authorities, so that the people themselves can be consulted on whatever goes on in their own areas. We would like to see a situation where our people make decisions of what happens in their own local areas and not being dictated upon by somebody at the top. This, to me, is dictatorship. This general condition of who is doing what in defence and policing, I think has not also been thoroughly co-ordinated.

My friend and colleague, Maj-Gen. Nkaiserry, who was the Official Responder from this side, talked about the newly created districts. I have not seen any reason at all to fault the Districts and Provincial Boundaries Act. We know it is definitely for personal and vested interests of the ruling elite that these districts have been created. For example, the creation of a new district in Narok District is definitely for purposes of the ruling group to go down and loot the Maasai Mara Game Reserve. It is true that the Kenya Wildlife Service (KWS) and Narok County Council have been protecting the Mara Game Reserve. Now, they want to put the Maasai Mara Game Reserve in one small corner where they can control the people there. We already know they have positioned themselves to go in, grab and loot the Maasai Mara Game Reserve. This is why we are saying "no" to the creation of that district.

You know that I would like the voice of the people to be heard by the Government. We have not even been consulted. We have not seen any Government officer or the Minister coming to make us sit together and asking us the reasons for our objection to the creation of another district. The main purpose of us refusing this other district is because we do not want the Maasai Mara Game Reserve to be put in one corner, where a few people can come from the top, loot and kill the wildlife which is the heritage of the children of this country. We have not been consulted on the boundaries and headquarters. I do not mind if there are any other areas in the district where the people have agreed and said they would like a district for many other reasons. I do not have any objection to that, but we cannot impose this situation on the people. Already, there are conflicts which are being ignored by the Provincial Administration. In Meru, for example, there is also a simmering one and also in North Eastern Province. They would think ours is cool, but it is not that cool. It could heat up anytime. The Maasai Mara Game Reserve is such an important area for this country and the world. We do not want to be ruled by a few people who have got connections at the top and who can sell our rights to other people. It is also important to say that, already, they have done a few things. We want democracy to prevail in some of these things on the ground as against a dictatorial attitude which is being used by the Provincial Administration to get their own way.

Mr. Speaker, Sir, apart from that, I have seen my friend, Mr. John Michuki reading an impressive list of departments definitely that the Provincial Administration is financing and looking after. That is fine. I think they should know that most of the major corruption scandals that have taken place in this country, apart from the Goldenberg which was about exporting gold and

diamond--- It is actually some of the departments in the Provincial Administration that have been involved in the major corruption scandals that we have seen in this country.

Mr. Speaker, Sir, the Anglo Leasing scandal is all based under the Provincial Administration. It involves the forensic science laboratory scandal, the procurement of a Spanish navy ship, the purchase of helicopters, the rifles and so on. The corruption scandals are actually thoroughly based in some of the departments in the Provincial Administration. What do they think the public will say? It is actually something that the Minister and those working in the Provincial Administration should sit and discuss to see where they have gone wrong. This is because apart from the dictatorial attitude that they display, all the major corruption scandals are within the Provincial Administration. Sometimes it is the Permanent Secretaries themselves. They sacked one or two of them a year ago because they were directly involved. But what happened? Even these things happen at the district and provincial level, but we have never seen anybody being prosecuted and jailed for whatever wrong they have done to this country. What do we do?

Mr. Speaker, Sir, I would like the Minister, and I have no reason to believe that he cannot really look into these things properly, to scrap these newly created districts where they are not wanted. This is because conflicts are going to arise and we will blame them for the insecurity that will take place in this country. We will also blame them for the marginalisation that other groups or communities will face.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Mr. Arungah!

Mr. Arungah: Thank you, Mr. Speaker, Sir, for giving me this opportunity to contribute to this debate.

Mr. Speaker, Sir, the Office of the President is charged with very heavy responsibilities. There are two main functions it performs, according to me, that is, Provincial Administration and Internal Security.

I would like to acknowledge that in the area of Provincial Administration, there has been a marked improvement because in one of my travels abroad, I met a very happy Kenyan who told me that they went to a chief's office and they were surprised to see what they called a "customer care" office. So, this is a reflection of some of the good reforms that are going on in the Provincial Administration. The Rapid Results Initiative (RRI) is a very good one. There is even the idea where you can go and express your views by writing your suggestions and putting them in the suggestion box. In their service charters, chiefs and assistant chiefs are compelled to do certain things by a given time. So, these are initiatives that should be commended and, indeed, encouraged.

[Mr. Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Khamasi) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, there are two areas which I think the Minister should look at. At the very lowest cadre of the Provincial Administration, there is a group below the assistant chiefs called the villager elders. These are people who are called upon to go out to attend to the needs of *wananchi*. At my place, we call them *Amaguru*. These people do not get a cent. In the old days, they used to be remunerated by being given chicken or a goat. But these days, for them to receive that, it is deemed to be illegal or an act of corruption. So, we have a group of people who are working and providing a vital service and yet they are not remunerated in any form. I would urge the Minister, as he goes on with these reforms, to see how these people at the village level can be remunerated.

(Applause)

Mr. Angwenyi: Give them a salary!

Mr. Arungah: Mr. Temporary Deputy Speaker, Sir, the concept of community policing is also a good one, but these are young people who put their lives on the line in trying to provide security to the villagers. I would, therefore, urge the Minister to look at ways, at least, of remunerating these people for the services that they render to the people.

With regard to housing, I think that the security forces are completely disadvantaged. I appreciate the fact that the Minister, since the last three years, has been doing something. There have been improvements going on. For instance, he has spent Kshs1.8 billion, and he is going to spend another Kshs2.1 billion towards the improvement of the force's housing. This should be commended although we have a long way to go. This is because to have a situation where a married policeman shares a house with a bachelor is neither fair nor human. These are some of the things that are causing disillusionment in our forces and the Minister needs to take urgent measure to address them, like he has, indeed, told us.

Mr. Temporary Deputy Speaker, Sir, the first responsibility which is crucial for any Government is to provide security to its citizen. I will leave it to the Minister to decide how well he has done. However, I understand that there is a big insecurity problem in the country and something needs to be done very urgently to address this issue of security. I agree with the Minister when he says that security is everybody's responsibility. However, as I speak to you now, there are three sons of a family in Khwisero - the family of Ayuku - who are right now lying in agony in bed. Last night, their home was invaded and they were cut into pieces. It is a miracle that they did not die. They are lying in hospital. The police were told, but they could not respond because the only vehicle that they had been given was commandeered to another police station. When I asked this Question, I think three months ago, I was told that something was being done, but to-date, nothing has happened. If the police had a vehicle, maybe, they would have been there faster and there would have been a difference.

Mr. Temporary Deputy Speaker, Sir, the issue of security is a very crucial one because whereas we want to acknowledge that we are responsible in some ways, when I look at some of the victims, for example, the people I am talking about, I wonder what they could have done to avoid the unfortunate incident that befell them. I look at the various victims of *Mungiki* in this town and I wonder what they would have done differently. So, instead of the Minister saying that it is everyone's responsibility, he should acknowledge that the Government needs to do more to assure its citizens of security because without it, there can be no form of economic development as has been stated previously.

Mr. Temporary Deputy Speaker, Sir, I want to say something about a unit at the Office of the President which they call Disaster and Emergency Response Unit. There are two incidents which I witnessed at a personal level. There was a time when somebody in Khwisero drowned in River Yala. More recently, somebody drowned in a quarry in Nairobi. It took the police or the security forces, on average, three days to actually come and remove the bodies from River Yala and the quarry. We know that divers are based in Mombasa. I do not see why the Minister, for example, cannot arrange to have trained divers stationed in Nairobi so that in cases of emergency like those ones I have mentioned, they can respond faster. We do not have to wait for three days for somebody to come from Mombasa, which is only one hour away. In both cases, the divers had to be flown from Mombasa and it took them about half-an-hour to get here.

Hon. Members: They could use choppers!

Mr. Arungah: Mr. Temporary Deputy Speaker, Sir, there are choppers although most of

them are dysfunctional. But, surely, in cases of emergency, they should be able to deploy one to come to Nairobi if we really cannot station one here specifically for such rescue matters. When you talk about emergency response, time is very crucial. I think the biggest problem may not even be the question of stationing a special unit in Nairobi, but rather that of streamlining the decision-making process. I happen to know that one of the biggest problems is the time it takes for so-and-so to call so-and-so, who may be a *mteja* for two or three days, before they can get the necessary sanction to release a diver, or buy a ticket for somebody to come to Nairobi to rescue whoever it is.

Mr. Temporary Deputy Speaker, Sir, I have talked about the issue of the welfare of our security forces. We have been told of a case where police officers on patrol carry G3 Rifles. Thugs in town, carrying more sophisticated weapons, cannot wait for police officers to unsling their heavy G3 Rifles and take aim at them. We need to equip the police with the necessary machines or pistols or equipment for them to be able to respond quickly.

I also talked about remunerating properly the young people who put their lives on the line in the name of protecting us while we sleep at night. I do not know how the Minister would expect these young people to spend a whole eight hours in the rain if he cannot consider giving them a basic stipend in some form of allowance to, at least, be able to acquire some kind of warm clothing in the form of *kabutis* and gumboots; if this is not possible, he should provide them with basic things like torches and batteries, so that they are able to move at night.

I otherwise support this Vote because it has come out very clearly that even if we gave the Minister the entire sum of money allocated for expenditure in other sectors, it will not be enough. However, I think the initiatives that he has taken are in the right direction. There are so many other sectors which demand the money that is available. I hope that he will use more prudently, the little money that he has been allocated. At the end of the day, he will be assessed by the level of security that we will have in the country.

With those few remarks, I beg to support.

Prof. Maathai: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this Motion.

I think much of the insecurity that we see is actually as a result of certain things that we have allowed to happen in our country. I particularly want to mention something about the slums. We have watched and allowed slums in this country to expand to the point that more people live in slums in Nairobi rather than live in planned estates. I think it is a bit of a deception for ourselves to think that we can have slums like Kibera, Mathare and Mukuru in Nairobi, and many other slums in many other towns, allow our young people to grow in those slums, under those conditions, and expect them to grow into responsible citizens.

Mr. Temporary Deputy Speaker, Sir, secondly, when children grow in those circumstances, they can be easily persuaded to use drugs, misuse substances, misuse alcohol, and can easily be recruited into the organised gangs that the Minister spoke about. So, I, really, think that the Ministry ought to also address the root causes of some of the insecurity situations that we have in this country. It is wrong to address the symptoms instead of addressing the root causes.

I know that we can say that the slums belong to the Ministry of Housing. However, it is very important for us to understand that if we do not address the issue of slums and drug abuse seriously, we will eventually have to deal with what comes out of those slums, which will partly be such organised gangs of youths, who are unemployed, having dropped out of school, and whose parents were drugged, or were misusing alcohol and who, therefore, eventually became disoriented and turned to crime.

Therefore, what should be unacceptable is for us to allow a "Muthaiga", a "Lavington" and a "Karen" to develop at the same time, and within the same environment as Mathare and Kibera. When, as leaders and Government, we start to be ashamed that we live in a country where millions

of our people live under those circumstances, we shall begin to address the causes of the problems in our country.

Mr. Temporary Deputy Speaker, Sir, I also want to address the issue of the environment with respect to security. Perhaps one area which will become a great source of insecurity in our country is the environment. This country is threatened with desertification, especially in the areas where we have our pastoral communities. In those areas, we are constantly losing ground as the land becomes over-grazed and turns into desert.

Also, in the areas around our five mountains, we have over-concentration of populations. People are over-cultivating. There is no adequate attention to the protection of the land, and we are losing thousands upon thousands of tonnes of top soil to the Indian Ocean. These are going to be sources of insecurity. When we talk of the special programmes in the Ministry, some of these programmes are addressing issues of desertification, because our people are dying, or starving, in some parts of the country because of the way the land has degraded.

Mr. Temporary Deputy Speaker, Sir, I would, therefore, like to have the Ministry, again, address the environmental issues. You can say that, that is an issue for the Ministry responsible for the environment but, as I have said quite often in this House, some Ministries should be working very closely together because, in many ways, what is happening in one Ministry impacts negatively on what is happening in another Ministry. For instance, if the Ministry of Environment and Natural Resources does not address the issue of desertification, or that of deforestation, sooner or later, the impact of that omission will be a security issue, as people go round looking for areas where they can find food and pasture.

With regard to water, we all know that there is major subject being discussed at the moment, which is not being given adequate attention in our country or, maybe, in our region. That is the issue of climate change. Climate change is going to be a major security issue, not only in our country but within the whole region. This is because Africa is particularly threatened by global warming, because of the fact that we have deserts in the north and south, and that we are very busy de-forestating in the middle.

Mr. Temporary Deputy Speaker, Sir, our mountains are losing their ice and snow, and our rivers are drying up. There was a long article in the *Daily Nation* the other day about rivers in Mount Kenya drying up. The situation is the same whether we talk about the Mount Aberdares or Mau Forest or Mount Elgon; our rivers are drying up! Without water, or rainfall, we will face major security issues in years to come. That may not be seen as an issue of this Ministry. But it is very important that this Ministry, as it looks into issues of security, should not only focus on *Mungiki* or *Kamjesh*, but understand that *Mungiki* and *Kamjesh* are symptoms of underlying causes that should have been addressed yesterday, but were not addressed.

Mr. Temporary Deputy Speaker, Sir, we have a large population of prisoners. I want to suggest that, instead of shooting suspected criminals and *Mungiki* followers, those people could be arrested and taken to certain areas to plant trees and reclaim desert areas. That would be a better way of using the energy of those young people, instead of shooting them dead.

Mr. Temporary Deputy Speaker, Sir, when the Minister was moving this Motion, he said that certain steps have been taken to protect our police officers. He indicated that the Ministry will buy them bullet proof vests. That is very good. When police officers have bullet proof vests, I hope that they cannot be shot dead by suspected criminals. Therefore, police officers should not shoot suspected criminals. They should arrest them, take them to court and allow the rule of law to take its course. Since we have too many people in jail, let us use them for active engagements. That is done in many countries in the world. Instead of putting many people in crowded cells, get them somewhere they can work and give them a small income. At least, they can be used to do some positive work instead of being kept in jails or shot dead.

I am happy that the Minister is paying attention to National Agency for the Campaign Against Drug Abuse (NACADA). I hope that enough work will be done with NACADA to protect our people from drugs, especially the young. We know that it is not the young people who take drugs. It is not the poor people who bring drugs into this country. Drugs are brought in by people who ought to be identified by Criminal Investigations Department (CID). What is the CID doing if it cannot tell us who are the people who are bringing drugs into our country? Those people should be arrested. I have never heard any of those drug dealers being shot dead, let alone being arrested! We need to know who they are so that we can address the root cause of drugs in this country.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

Mr. Khaniri: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I want to state that I have a lot of respect for the Minister of State for Administration and National Security, Mr. Michuki. Looking at his track record and particularly so, when he was in the Ministry of Transport, he became a household name in streamlining the *matatu* industry. But I want to say that this time round, he got it all wrong. He has become a very shining example of a Minister sleeping on his job.

Mr. Temporary Deputy Speaker, Sir, it is true that this Government has done a lot. There are many positive things that have happened since this administration came into power.

(Applause)

But I want to tell them emphatically that the reason why they will lose in the coming General Election is because they have failed to provide security to Kenyans. The most important responsibility of any Government is to protect the lives and property of its citizens. If you cannot provide security to your citizens, then you have no reason to call yourself a government! It is time to pack up and go home!

Mr. Temporary Deputy Speaker, Sir, Kenyans are living in perpetual fear. When we go to bed, we are not sure that we will wake up alive. The Minister has said that the budget we are voting for his Ministry is not enough. There can never be enough budget! He should make do with what we give him. We are voting him Kshs30 billion. This is one of the well-funded Ministries in this Republic. Therefore, he should not give that as an excuse.

Mr. Temporary Deputy Speaker, Sir, we are happy to hear that the Minister is undertaking some reforms. We hope that those reforms will improve the security situation in this country. But I would like him to know that we are happy because he will add the number of police officers in this country. But with the number of law enforcement officers that we have at the moment, he is able to curb all the menace that we are seeing around! It looks like the officers are deployed specifically to guard Very Important People (VIPs), when Kenyans out there have no one to cater for them. It amazes me to see a Minister drive to Parliament, where his or her security is not threatened at all--- It has become a trend for all of them to have two bodyguards in their vehicles, and another vehicle riding behind them called a chase car with four bodyguards. That is a waste of resources and manpower. I want to urge the Ministry, as much as he says he will add the number of police officers, to make proper use of what we already have.

Mr. Temporary Deputy Speaker, Sir, there is nowhere that is safe in this country. In North Eastern Province and parts of Eastern Province, there is banditry. In Molo and Mt. Elgon districts, there are land clashes. In the towns, people are being mugged every day. In Central Province, the *Mungiki* is there! People are living in perpetual fear. I would rather go to bed hungry than have my security threatened. Therefore, we want to tell the Minister on his face that he must make sure that Kenyans are secure wherever they are.

Mr. Temporary Deputy Speaker, Sir, if we want to solve the issue of insecurity, we must,

first of all, tackle the root cause of insecurity. The root cause of insecurity is unemployment and poverty. This Government promised Kenyan youths jobs. It is the youths who are mostly involved in the menace that we are talking about. The Government has now specialised in recycling retirees. It is giving them jobs at the expense of the youth, who have gone to school and are out there without jobs. It is important that this Government gets its priorities right. Otherwise, we will be stuck with the issue of insecurity forever. We will come here, year in, year out, and talk about the issue of insecurity, and nothing will be done. Kenyans will still be killed.

Mr. Temporary Deputy Speaker, Sir, the Ministry of State for Administration and National Security is overloaded. In my opinion, this Ministry should be left with its core functions of providing security and Provincial Administration. The other functions that have been loaded on this Ministry should be taken to the relevant Ministries. That way, the Ministry will concentrate on providing security to all Kenyans. That is why the Ministry has failed in providing security. It is overloaded. Let it concentrate on its core function of providing security.

Mr. Temporary Deputy Speaker, Sir, my colleagues who have spoken before me have talked about arming and equipping of our police force. It is ridiculous to expect a police officer armed with a G3 rifle to go out there and tackle gangsters who are carrying AK-47 rifles. I am happy that the Minister said he has put in place a programme to ensure that our officers are well-armed and remunerated. We should not only arm them, but also ensure that we pay them well, so that they get the incentive to protect our lives.

Mr. Temporary Deputy Speaker, Sir, sometimes back, I said there are two divisions in my constituency. It is a very large constituency with a rugged terrain. There are two District Officers (DOs) in the constituency. The constituency has four police stations. However, there is no single Government vehicle for these law enforcement officers. All the DOs operate on foot or *boda bodas*. The police stations have no vehicles. Only Seremi Police Station has a very old Land Rover that half of the time is broken down and not running.

Mr. Temporary Deputy Speaker, Sir, the Minister was once a DO in my constituency, before some of us were born, and he knows the area very well. I want to appeal to him to have mercy on the people of Hamisi Constituency and provide them with, at least, one Land Rover for the two DOs this financial year to start with.

I beg to support.

Mr. Ahenda: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute on this debate.

Mr. Temporary Deputy Speaker, Sir, security is the absence of insecurity, while insecurity is the absence of security. If you want one, you must remove the other. Therefore, if the Minister focuses on removing one of them, the rest will take care of themselves. It is paramount that if we have to develop, we must have security. No development can thrive in an insecure area. Above all, this Government must provide security in this country.

Mr. Temporary Deputy Speaker, Sir, employing more police officers, giving them bullet proof vests, G3 or even AK-47 rifles, will not remove insecurity in this country. They should not only work hard, but also work smart! Some years back, there was talk about re-training the entire police force. This is yet to be seen. A few years back there was talk that the Kenya police force was going to incorporate community-policing to make them user-friendly. We would like the police to approach the public as part and parcel of the community. We do not want to see our people running away from the police officers. That alone brings insecurity. Let the people know their rights. Let the people know that they are part and parcel of the security arrangement. Let them be a community that understands the work of the police officers.

Mr. Temporary Deputy Speaker, Sir, police officers have been working in a manner to suggest that they do not need the community. That is why a lot of information that would have come from within is not given because they treat

common people as criminals. In the Penal Code, all suspects are assumed innocent until proven guilty. However, that is not so within the Kenyan police force.

Mr. Temporary Deputy Speaker, Sir, let us not experiment with our security. Let us do something beneficial to our people. Let us start from the known to the unknown as somebody once said. We should start by what we already know will work and not what we think will work. That will improve our security.

Mr. Temporary Deputy Speaker, Sir, I agree with the hon. Member who contributed earlier, that there are no enough vehicles for the police department. The situation at Kasipul-Kabondo Constituency is even worse. It comprises of almost three constituencies in one. It only has a single police station and all the DOs do not have vehicles. I even had to carry out a harambee to buy a Land Rover which is now broken down. I would appeal to the Minister to talk to his counterpart; Mr. Kimunya, who had confiscated many vehicles from the Government and see how those vehicles can be given to the Police Department. Those vehicles are rotting in the yards! These vehicles were supposed to be sold. However, one year down the line, they are just lying idle. If they could be donated to the Police Department, we could improve the security situation in this country.

Mr. Temporary Deputy Speaker, Sir, I must thank the Minister, at least, they have tried to improve the security situation, particularly in the North Eastern area. A few years back, we used to hear about raids three weeks after people have been killed and the raiders gone. At least, this period has been reduced to one week. Could the Minister reduce it even to one day, so that when a raid takes place today, we know about it tomorrow? Honestly, we know raids will occur again. Can they not do something to prevent them? Can they not even station a chopper up there, so that they do not have to come all the way from Nairobi two or three days after raids? We will never find the cattle and goats driven across the borders. This thing happens year in, year out. We must find a permanent solution for it! We should not wait until it happens and ten, 20 or 30 people have been butchered. All the same, the number of days that the news reach us has been reduced. I believe they can still do much better.

Mr. Temporary Deputy Speaker, Sir, are the Provincial Administration officers a sign of security or insecurity? Could something be done about them, so that they become part and parcel of the common people? They were used by the colonialists for oppression and they remain a symbol of oppression to date. Could they be transformed? The chiefs and assistant chiefs can fully be transformed, even if it means electing them rather than imposing them on communities. I feel that in the days when chiefs and assistant chiefs were elected, they were more user-friendly to the community and provided better security.

Mr. Temporary Deputy Speaker, Sir, I urge our police officers to stop extra-judicial killings. Time is up. We should behave as a civilised nation. I need not repeat what has been said on these extra-judicial killings because it has been articulated well.

Mr. Temporary Deputy Speaker, Sir, Administration Police (AP) officers have become part of the Regular Police. What is happening? Quite often, I see them at road blocks. Regular Police officers sit back and the APs are the ones inspecting vehicles. They do not know. I am glad the Minister has said that the motor vehicle inspection unit has been moved back to his Ministry.

Mr. Temporary Deputy Speaker, Sir, I must say that he must also have experienced as a person that a policeman manning a road-block does not even know how to drive. He or she has no idea of how a vehicle looks like. That is the guy who is deployed to man a road-block to check your vehicle. Could policemen manning road-blocks have some ideas about vehicle engines rather than just having trained policemen manning them. Some traffic policemen sometimes ask questions that show, for heavens sake, that they do not know how to drive a vehicle. I have seen many road accidents happening at police road-blocks. That happens because the police manning the road-blocks have no idea of how a vehicle works. That is why some of those accidents take

place at the main police road-blocks. Could the policemen be trained on how to drive vehicles before they are sent to man road-blocks? Could the Administration Police (APs) assisting traffic police officers have their roles clearly spelt out at those road-blocks? Could the APs be given full training as police officers, so that they can know what to do? Some of those APs, because they know they are under policemen, do some things that are atrocious to the common people.

With those few remarks, I beg to support.

Mr. G.G. Kariuki: Mr. Temporary Deputy Speaker, Sir, I want to thank you very much for giving me this opportunity to say something about this Motion.

When you listen to the hon. Members and the Minister who moved the Motion, you wonder what has gone wrong. If you look at the country the way it is and you look at the Government--- The Government which is so popular! The Government has overwhelming support from the people of this country. The President has a very strong following in this country, more than any other. But you ask yourself several questions: What has happened that crime is rising? What has happened to our police and Kenyans? You wonder whether we are on different wavelengths. The idea here is to have the police equipped with all the equipment that is required. Two, the public knows very well that this country belongs to them. Yet, it is like we are not going to control the insecurity situation in this country. The way things are going, I do not see any light at the end of the tunnel. That is because you have seen the problem of young people fighting with the police. They have come out to fight with the police. What will be the next situation? Those young people are politicised. They have become political insurgents. I want to admit and submit here that it is going to be a big problem in our hands. I think what is happening today--- We cannot guarantee security in this country by just fighting to kill.

Mr. Temporary Deputy Speaker, Sir, years back, there was a need to arrest criminals, so that they can give all the information. But, nowadays, I think even if a criminal comes up and surrenders, he is answered by bullets. I think there is something definitely or drastically wrong. We need to look at our situation. Let us not just compete to kill each other. Let us find a solution of some kind. Is it a societal problem? What is it that we cannot--- I do not want to advocate like others who said that we should sit down and talk with criminals. I believe that when somebody takes arms against a legitimate system of Government, that person is an enemy. But I think you need to ask yourself: The guy is not mad and he has taken a gun against the system! I think there is a need for us to look at that matter critically, than we are looking at it now. I do not believe--- And thank God because it has not yet turned political. It is very likely that, that is where we are going, if something cannot be done between now and a few months to come.

Mr. Temporary Deputy Speaker, Sir, you can see that the Government has tried to stop cattle rustling. The Government worked very hard in that direction. But this urban warfare is going to be a big problem in our hands. I think there is a need for us to look at it philosophically and find out what could be the problem. I think it is not just that the people want to kill each other. There must be something wrong somewhere. When you read newspapers every morning or look at the news every evening, there is nothing else! Murder has become an entertainment in our newspapers, radios and televisions. I think time has come when we must now, as a Government and the people of Kenya--- It is not just the Ministry of State for Provincial Administration and Internal Security. This problem is now beyond one Ministry. It is a problem of the nation. The entire Government and the people of Kenya need to think about how to deal with that situation.

Mr. Minister, you are asking for Kshs30 billion. But even if you asked for Kshs60 billion and the people are not ready to deal with this situation once and for all, it will not help anyone. When you look at the war between the young people and the police, where did it come from and how did it start? How did we allow it to start until it became a serious matter? If those people used to live on hand-outs from the buses and matatus, why did we allow it in the first place? Why do

you stop them now? I think this matter is becoming more serious. I think the issue of security in this country needs to be really looked at again. The Minister who is in-charge, and whom I have a lot of respect for--- I think we should change our attitude against the current problem and find out how we can get out of it.

Mr. Temporary Deputy Speaker, Sir, I want to thank the Government for creating new districts. There are some hon. Members who think very strongly that the Government made a mistake! I think we even need more districts today. If I can give a genuine example--- The new district that we got in Laikipia West has reduced crime in that area. The kind of crime that we used to experience--- But now that the administration is closer to the people, a lot of things have changed. It is not like it used to be. Hon. Members should not get disappointed just because their people do not agree on the boundaries. They should look at it in a bigger scope than what they see. Those who are not willing to have new districts, why should they be forced? If people do not want a district, just withdraw it! What is the problem? If they do not want it--- You are bringing it to the people and if they say they do not want it--- Do you really want it? What do you want it for? If Mr. ole Ntimama does not want a district in Narok North; why are you pushing him to have it? Take it to Laikipia West. Add another district in the North because that will really help us. I think we need to be careful when we just stand here and talk as if the Government has committed a crime.

This is a political Government and if creating a district or assisting the people to have a new district is going to improve their welfare and their security, let them have it without fear. Let us be honest with ourselves and agree that there is need for those districts.

Mr. Temporary Deputy Speaker, Sir, in an area where you do not have a motor vehicle to be used by security personnel, and you do not have communication equipment, then there is something which has gone wrong. One does not necessarily need a vehicle to have communication equipment. We are now forced by circumstances to use the Constituencies Development Fund (CDF) to buy that equipment, because people are suffering. So, the priority that is given to the regular police and the Administration Police needs to be understood clearly. Why is it given? Even for the transfer of the administration officers like the district commissioner and others, you need to have a reason as to why you are moving a certain person from one point to the other. Is it just for political expediency, or is he going to improve that particular area more than the person who has been there? We need to look at those matters critically, and not just enjoy seeing people being moved from one place to another.

All in all, I think this Government can be said to have done quite a lot. If you look at the improvement and reforms in all Ministries, I think they need to be commended. We need to support this Government, because if---

The Temporary Deputy Speaker (Mr. Khamasi): Time up!

Mr. G.G. Kariuki: Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

Mr. Angwenyi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this very important Motion. Right from the outset, I would like to commend the Ministry of Administration and National Security. There is a marked improvement in the operations of this Ministry. Those who are not lauding it are those who do not remember what we used to have. For example, at one time, I used to be an Assistant Minister in the Office of the President. When I was sacked, I could not hold meetings in my own constituency for six months. I had to go back and beg to be allowed to hold meetings. Today, you can insult the Government, get sacked and continue having the freedom to operate in your constituency. So, let us commend them on that score.

The Provincial Administration officers, especially chiefs, assistant chiefs, District Officers (DOs) and District Commissioners (DCs) listen to people these days, much more than before. So,

let us also commend them on that.

I know, and I am concerned, about the level of insecurity in the country. However, let us not attribute that level to the Ministry. Let us find out: Why do we have so much insecurity, especially being perpetrated by the young people? The root cause of that problem, as previous speakers have said, and I also support them, is unemployment. What does that young person, who has gone through university, completed schooling and does not have a job, or *shamba*, to earn his livelihood, do? He is married and has a child or two. He goes to his house, the wife and the kids are crying, because they do not have food for that night. What does he do? Instead of attributing the problem to the failure of the Ministry, let us find out how we can solve the problem of unemployment and poverty.

Mr. Temporary Deputy Speaker, Sir, I hope that, when tomorrow, or the day after, I raise my Motion in this Parliament to require the Government to provide employment to 250,000 or 500,000 people, the Minister for Administration and National Security will come here and support it. I will be solving a problem that he cannot solve using the current methods. For example, we raised the case of *Mungiki*. We let it take root for 22 years. That was the only way they knew of deriving their livelihood. How do you stop the wrong methods of deriving a livelihood and tell them to go home, and expect them to go and sit there and die due to lack of food for themselves and their families? I am not urging the Minister to talk with them. But first and foremost, I am a Christian. In Christianity we are taught a fundamental principle to forgive; to forgive even those who have wronged us.

Those young people who are in *Mungiki* and other thuggish communities who have not yet committed actual crime--- I hope the Minister will consider to forgive them. He should find ways in the Government to engage that idle energy. The other day I did a survey in my constituency. I have 116 graduates from Kenyan universities, and more than 200 university graduates from abroad who have no jobs. In Kisii, where I come from, the biggest land a family has is one acre and half. They cannot derive a livelihood from that piece of land. So, I would urge the Minister to look at those young people who have been recruited into thuggery, see them as his children and grandchildren, and find a way of discussing with them how they can be helped by the country, so that they can become proper citizens of this country.

I have heard people say that there is extra-judicial killings. Those who are talking about those killings have not lost their loved ones who were policemen on duty, and have been killed by thugs. Do you expect them to let those thugs to kill them? The few they arrest are taken to court and are released the next morning. They go on a spree to look for those policemen who arrested them in the first place, so that they can kill them. Is that what we want to have in this country? Those policemen have got to defend themselves and provide security. What I would expect is that the Ministry, or the entire Government, talks with Judicial officers, so that they do not let free apprehended criminals, who were trying to kill or have killed some people. This will ensure that our policemen are confident that, if they arrest somebody who was trying to kill them, that person will not be released the next morning to go and hunt them down.

There is the issue of the welfare of members of the Police Force and other security agencies. I would urge the Minister to look for funding. In fact, we should provide more funding for this Ministry, more than we are providing for education, because you cannot go to school unless you are secure. You cannot drive on a good road unless you are secure. So, first and foremost, we should provide adequate resources to ensure security in this country, then we can do the rest of the things for development.

I would also urge the administration in the Police Department to be accommodative of the police force. I come from a research background, and did a small survey about three months ago. Many policemen are dissatisfied with the way they are handled by their seniors. When a police

officer seeks leave to attend to an urgent matter affecting his family, he or she does not get it easily. When a police officer has a disciplinary case pending before the Public Service Commission (PSC), and it is decided in favour of the police officer, the Police Force refuses to reinstate the officer. What message are we sending to the rest of the police officers? Are we saying that they can be wrongly dismissed or disciplined, and that if the PSC decides in favour of the officer, the Commissioner of Police can refuse to accept the decision that has been passed by the Public Service Commission? That is insubordination. In fact, it is a case of indiscipline, however senior the one committing it may be.

Mr. Temporary Deputy Speaker, Sir, I would like to move on to the Department of Administration Police. That cadre is doing a good job in terms of our security in our villages. This is because they work with the chiefs and the assistant chiefs, which makes them know the people better and so they can attend to incidences of crime easily. However, the regular police force, sometimes, carry out raids without involving the Provincial Administration. It is as if they are from a different administration. I have two cases where police officers from one police post raided a home and rounded up people who had lost their father, because they were taking a drink. Doing something like that to people who have lost their relative, is against the African tradition. So, if the Minister will recruit more police officers, I would urge him to recruit officers for the Administrative Police instead of the regular police. The Administrative Police officers work better with the communities where they are posted.

Finally, let me turn to the issue of districts. Those who do not support the creation of new districts such as Narok North or the Narok South--- I urge the Minister to change the proposal of splitting Narok District and give the allocation to Kitutu Masaba and Borabu in Kisii. We want to have new districts. Even Mosop should become a district. I know that Mr. Speaker too wants Dol Dol to become a district. Those new districts are justified. In fact, if we had more resources, we would create more districts, starting with where I come from.

I sincerely urge the Minister to allocate vehicles to the District Officers (DOs) in Marani and Mosochi divisions in my constituency. I know that if we equip our security forces properly, we will have better security in this country.

With those few remarks, I beg to support.

Mr. Muturi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to say a few words about the Vote of this Ministry. Taking up from the point that has just been raised by some of my colleagues regarding the creation of new districts, it appears to me like we may have to do away with constituencies as the units for representation in politics in this House and call the areas we represent "districts." We should make a decision, one way or another, so that if we want, as we say, to bring administration or services closer to the people, they are even closest at the constituency level. Therefore, we can even have all constituencies as districts. That makes a lot of political and economic sense as understood by the opposite side.

(Laughter)

Mr. Temporary Deputy Speaker, Sir, as the Minister was moving the Vote of his Ministry, he indicated that following the publication of the corruption index, the Ministry was shown to be leading in terms of perception. As a consequence, they began something they are calling the "Rapid Results Initiative (RRI)." It is very easy for someone to stand on the Floor of this House and talk about the grandiose idea of the RRI. Where are the rapid results? Who is seeing them? We cannot just keep talking about funny stories from the villages about the rapid results initiative. It is extremely important that the Office of the President finds ways of eliminating this perception. It is the face of the country! If, indeed, Kenyans perceive it to be the most corrupt, then what are they

telling us? These guys have no business here. They should just pack and go home. They may have run out of ideas and we are willing to give them or inject fresh blood and ideas. They need to consult. You cannot just stand up and tell us that you have initiated something called "The Rapid Results Initiative," this or the other. All that exists in their minds. There is nothing on the ground. There is nothing! Who is doing what, to achieve what results rapidly? These are just political slogans that have been concocted.

The Minister talked about coming up with a scheme of service for chiefs and their assistants, among other things. I was surprised to hear the Minister say that, among other things, they have tried to come up with are suggestions to provide chiefs with motorbikes for transport. Just to show how innovative this Ministry is, the so-called pilot scheme involves the provision of six motorbikes to a province as expansive as Eastern Province. Can you imagine six motorbikes, yet they say they are piloting? I do not know! Six motorbikes in a whole province? That is how innovative this Ministry is! If, as a result of providing six motorbikes to a province, you are expecting to get rapid results, then no wonder that nothing is coming out of the initiative. It is no wonder that there is runaway crime in the country. Those gentlemen and ladies in the locations and sub-locations are the very embodiment of the Government. They are the people who should fit into the system of where criminals are hiding and where people involved in the consumption of funny substances such as bhang are. It is those fellows at that low level who should provide the necessary information.

If they are not considered in terms of proper transportation or pool transport--- Something very funny is happening in the Government. The Minister said that the Government will provide saloon cars to districts where people have never seen tarmac. Of course, they should expect, it is not rocket science, that within three to four months, those cars will be off the road. Therefore, the administrators, at whatever level, will begin living from hand to mouth. Therefore, it is critical that when they talk about buying 155 vehicles in the last financial year and that they are hoping that with the increase in that provision, they could buy a few more. If we look at what they are talking about, we will see that they are talking about buying six motorbikes for a province as big as Eastern Province.

Mr. Temporary Deputy Speaker, Sir, we talk about escalating crime in the country, but I keep wondering--- The right hand must know what the left hand is doing. It cannot be said to be unrelated; the idea of detection of crime and the actual commission of it, so that you can send ordinary policemen and officers of the Criminal Investigation Department (CID) to go and investigate a crime that has already taken place. But where is the National Security Intelligence Service (NSIS), to whom we allocate billions? Why are they not able to feed the other systems with information about possible hot spots? My only explanation is that the office is in bed. They need to be woken up. They are not serious! I think the Minister did so well when he was in charge of transport. I think that is where he--- You know! He went into an office which is a bit chaotic.

Mr. Temporary Deputy Speaker, Sir, the Minister also said that even the Motor Vehicle Inspection Unit falls under his docket. He said that they are buying new equipment for calibration and such-like things. You can see the Minister still remembers the good work he did as the Minister for Transport. But could he be asked to also try to train our policemen in matters to do with time? Now, they are no longer detecting crime. One hon. Member said that they are used to protecting VIPs and things like those. But they are also being used to do very useless jobs of standing by the roundabouts in the City of Nairobi and raising their hands for ten minutes. They do not know what is happening on the other side. They are part of the congestion that you find in the City. I think it is a question of being re-oriented!

(Applause)

When he was the Minister in charge of roads, in my view, he was very able, particularly in the area of transport. Now you see, when he went to the Office of the President, he made the policemen to be running the transport aspect by becoming the red light or traffic lights!

Mr. Temporary Deputy Speaker, Sir, I have one more small issue that has been raised on the Floor of this House, and which needs to be addressed. It is the issue of university graduates who apply for jobs as policemen and administration policemen. I do recall, and I think it was last week or the week before, that an answer was given that, if somebody applies to become a constable, he or she should take what they are given. We must be humane! They are Kenyans! We know that there are no jobs! Jobs are not readily available. So, you see, a university graduate who applies to be a constable--- Let us be humane and give him the job that befits his level of education! It is important that we must not say: "Why did you apply to be a constable, when you knew that you were a university graduate?" If he applied and he qualified, the other things are physical. There is no question of how much education is involved. It is just running, breathing and doing any other---

With those few remarks, I beg to support.

The Assistant Minister for East African Community (Dr. Khalwale): Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to commend the Minister of State for Administration and National Security for the efforts he demonstrated during the chaos that we had recently, in the name of *Mungiki*.

Mr. Temporary Deputy Speaker, Sir, having observed how our Ministers work in this country, I have no doubt that Mr. Michuki is probably the only one who has enough nerve to face that kind of challenge. Therefore, while contributing to this Vote, I wish to support the amount of money that we have given his Ministry. If the Budget could have allowed, I would have requested that we give this Ministry more money because of the importance of security.

Mr. Temporary Deputy Speaker, Sir, an item in the Printed Estimates has attracted my eye. That is something called "Kshs23.5 million" that has been set aside for national celebrations. Through my experience over the last few years in this country, I have realized that, that money is well spent at the provincial and district levels. But when it comes to the divisional level, some of the District Officers (DOs), because they are not given part of that money, they end up having "kangaroo courts", whereby they punish the ordinary class of people by collecting money to meet the expenses of national day celebrations. I want to urge the Permanent Secretary in this Ministry to write a circular to all DOs, especially those in Kakamega, that they should not have those "Kangaroo courts" in the pretext of supporting national day celebrations. The money is right here and I have voted for it.

Mr. Temporary Deputy Speaker, Sir, I have a second item that I want to mention. That is the role of the Provincial Administration in the general elections. We have given them money. This is the year of the general elections. We are hoping that part of that money is not going to be routed into mobilising the Provincial Administration, so that some of the parties that will not be politically correct at the time of the general elections are harassed by the Provincial Administration. I say that with a very sad experience that I had in my constituency during the just concluded by-election, when the DO and two of my chiefs literally became youth-wingers and tried to help one of the political parties to win that by-election.

Mr. Temporary Deputy Speaker, Sir, probably, if the Minister could use his intelligence, he would find that the DO of Ikolomani is sometimes referred to as the "divisional chairman of NARC-Kenya". Those are some of the things that spoil the image of the Government.

Mr. Temporary Deputy Speaker, Sir, again, when you look at these Printed Estimates, there is a huge amount of money that has been given to NSIS. It is so huge that it even supersedes some of the money that we have given to some Ministries. I want to urge the Minister and the Permanent

Secretary to ensure that, that money is put to good use in terms of gathering intelligence. I cannot believe that a gang of over 30 people can arrange for a whole one week - sometimes two or three weeks - to actually raid a village in Murang'a and that escapes the NSIS. It simply means that somebody is sleeping on his job. With proper gathering of intelligence, the NSIS can preempt those kind of calamities.

Mr. Temporary Deputy Speaker, Sir, I also expect the NSIS to have the capacity, based on all this money, to gather intelligence on banking fraud. Banking fraud is a major discouragement to the growth of the economy of this country. Earlier on in this House, I spoke about Equity Bank and the possibility of that bank going under with the hard-earned savings of poor members of the public running into millions.

Mr. Temporary Deputy Speaker, Sir, Dr. Mwiria actually challenged me that I was talking from a position of ignorance. I want to assure my colleague that, when some of us speak in this House, we speak because we know what we are talking about. Probably, the NSIS should tell Kenyans why one of the top officers at Equity Bank was a finance manager with Trade Bank. That same officer was the one who was actually advising Mr. Kassim before he disappeared with billions of shillings belonging to members of the public at Trade Bank.

Mr. Temporary Deputy Speaker, Sir, when this officer at Equity Bank moved from Trade Bank, he went there and became a shareholder of shares worth over Kshs200 million. Considering that this man is only 42 years old and considering that the Central Bank of Kenya (CBK) puts a limit of 5 per cent shareholding by an employee of a bank, and this man has up to 30 per cent of the holding, is that not enough for the National Security Intelligence Service (NSIS) to ask the CBK or the Ministry of Finance to find out what is going on at that bank? The same man was adversely mentioned in the Goldenberg scandal but that does not seem to disturb anybody.

As if that is not enough, the same man holds shares at Equity Bank which run into billions of shillings. He has done it in a very clever way, whereby he has used nominees who are employees as secretaries. His secretary has shares worth Kshs1.6 billion at Equity Bank. If that is not a fraud in the offing, when will NSIS take action?

Mr. Sambu: On a point of order, Mr. Temporary Deputy Speaker, Sir. You have heard the allegations that my friend, Dr. Khalwale, has made. They are very serious. Could he table or give evidence to prove that these things are real, because if we just let them go on record without proof, that will be very unsatisfactory of this House. Could he prove by tabling documents or withdrawing what he has said?

The Temporary Deputy Speaker (Mr. Khamasi): I do agree with you. Dr. Khalwale, you are making very serious statements and you must stand by them. That is only by substantiating or proving what you have said.

The Assistant Minister for East African Community (Dr. Khalwale): Mr. Temporary Deputy Speaker, Sir, when Trade Bank, Rural-Urban Credit Bank and Trust Bank went under with savings of poor Kenyans, if an hon. Member could have stood on the Floor of this House and asked the Intelligence system at that time to pre-empt it, those Kenyans would today be millionaires. But the money is gone for good. However, for the interest of the House, there is a good samaritan who sent me a document by registered mail. He is a financial consultant in this country by the name of Mr. S.K. Patel and he has sent me all the evidence that can support my case.

The Temporary Deputy Speaker (Mr. Khamasi): I think, Dr. Khalwale, we need to have it tabled.

*(Dr. Khalwale laid the document
on the Table)*

Go on, Dr. Khalwale as I look at this.

The Assistant Minister for East African Community (Dr. Khalwale): Mr. Temporary Deputy Speaker, Sir, that is all I can say about that issue of Equity Bank.

I was happy to hear that the Government intends to recruit up to 25,000 police officers in this country in the next few years. I want to urge that when a police officer is recruited in Ikolomani - just one - it completely changes the earnings and economic status of the family that he comes from. It is, therefore, very important that we stop pretending that when we allow little boys and girls to go running at recruitment centres, that equity can be achieved.

Time has come for us to take full advantage of the Constituency Development Committee, so that we can identify for them the men and women who meet the minimum requirements of a police officer; the height, education level, he or she has two eyes and in a survey, he does not have to be handsome. Each Constituency Development Committee can actually identify an equal number of boys and girls from their constituency so that each constituency gets equity. Otherwise, we should stop pretending that we want to stop corruption. I have a confession to make. I struggled like all the hon. Members in this House and managed to get an orphan girl who had attained mean grade "C" to join the Administration Police. But after three weeks, the poor girl was chased away alongside the ones who had gone there corruptly. If by me fighting for an orphaned girl who got a mean grade "C" to be recruited in the Administration Police is corruption, then what is my role as an elected Member of Parliament if I cannot afford to do that?

The Temporary Deputy Speaker (Khamasi): Dr. Khalwale, I was just looking at this document. Indeed, on the face of it, there are very serious allegations contained there. But S.K. Patel who is the author has not even provided his address. It is S.K. Patel, and it is addressed to the Minister for Finance, Mr. Kimunya but it does not give his address and is copied to several people. According to our rules, this cannot be admissible here.

Mr. Raila: On a point of order, Mr. Temporary Deputy Speaker, Sir. There was a ruling by the late Hon. Humphrey Slade about substantiation, which I raised before and the Speaker said he will give a ruling. According to that, newspapers are admissible. So many other things are admissible as substantiation. That gentleman exists and his name is there and he has signed it. It is pertinent for this House, if need be, to trace Mr. S.K. Patel. Why do we want to dismiss credible evidence in order to protect some people who have done shoddy deals in this country?

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Raila. You know you are insinuating very bad motive on the part of the Chair, that we are trying to protect somebody. That is not the issue. The document is here, we are looking at it and it must have an address of origin. But it does not!

The Assistant Minister for Foreign Affairs (Mr. Wetangula): On a point of order, Mr. Temporary Deputy Speaker, Sir. Indeed, the allegations raised by Dr. Khalwale are very serious and can have far reaching implications on many people and the economy of this country. If the document in your possession is addressed to the Minister for Finance who is a Member of this House, I would humbly submit that you put it in abeyance, and we ask the Minister for Finance, when he comes to the House, whether he actually received the letter and whether the person who wrote the letter exists. If he disowns it, then you can proceed to make a ruling. If it is addressed to the Minister for Finance, he is the custodian of all financial issues in this country, it is good that we go into the depth of the issue.

I want to plead that you put it in abeyance and we consult with our colleague, who is a Member of this House, to get to the root cause of it. If it turns out to be true, then the Minister for Finance and the Minister of State for Administration and National Security and his agencies have a duty to carry out investigations and prosecutions, if possible.

Mr. Bahari: Mr. Temporary Deputy Speaker, Sir, I agree with hon. Wetangula, that this is

a very serious and fundamental matter to the lives of Kenyans.

This is a very serious allegation, which this House, being a representative of the people, cannot afford to take very lightly. In addition to the Minister, I suggest that this matter, also, gets the attention of the Committee on Finance, Planning and Trade, so that it can unearth the truth, because the whole issue of banking is about confidence. This serious allegation that has been made can bring down this bank, unless this matter is sorted out once and for all.

Thank you.

The Assistant Minister for Water and Irrigation (Mr. Wanjala): Thank you, Mr. Temporary Deputy Speaker, Sir. I also want to concur with hon. Wetangula.

The serious allegation that we are talking about, has not just been raised by an ordinary Member of Parliament, but a Minister of this Government, who has access to Government documents. That is why I want to concur with hon. Wetangula; that we have to go deeper into the matter.

Thank you.

Mr. Muturi: Mr. Temporary Deputy Speaker, Sir, I just want to confirm that a similar letter, I believe, in the same tenor as that one, has been written to me in my capacity as Chairman of the Public Investment Committee (PIC), signed by the same S.K. Patel. It is addressed to the Minister for Finance.

Therefore, I also agree with my colleagues that the matter is so weighty that it needs further investigation.

The Temporary Deputy Speaker (Mr. Khamasi): Very well! The Chair has heard the voice of the House. I will defer the ruling on this matter until such a time that further consultations will be made.

(Applause)

I will give this chance to hon. Salat!

Mr. Salat: Thank you, Mr. Temporary Deputy Speaker, Sir. I would also like to make my contribution on this Vote. This being Vote No.1, it shows the importance of this Ministry. That is why it is being discussed as the first Vote. This particular Vote has a direct impact on any other votes that will follow. That being the case, we need to, at least, give the Minister the true position of the insecurity situation that prevails in the country at the moment.

Mr. Temporary Deputy Speaker, Sir, first and foremost, I want to thank the Minister for not compromising the security situation in the country. This is because he took a stand against the menace that has been brought about by the *Mungiki* sect, which instils fear among Kenyans. I want to thank him for taking a stand and saying that he is not going to compromise with that particular group.

It is the Minister's responsibility to ensure that Kenyans go about their daily duties without fear. But I want to say one thing---

QUORUM

Mr. Bahari: On a point of order, Mr. Temporary Deputy Speaker, Sir. As you know, this Ministry is very crucial. However, it appears that there is no quorum in the House.

The Temporary Deputy Speaker (Mr. Khamasi): Indeed, we do not have a quorum in the House. Ring the Division Bell.

(The Division Bell was rung)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Khamasi): Order! Hon. Members, due to lack of quorum, the House now stands adjourned until tomorrow, Wednesday, 11th July, 2007, at 9.00 a.m.

The House rose at 6.20 p.m.