

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 3rd April 2019

The House met at 9.30 a.m.

*[The Deputy Speaker
(Hon. Moses Cheboi) in the Chair]*

PRAYERS

QUORUM

Hon. Deputy Speaker: Order, Hon. Members! We do not have the required quorum. I, therefore, order that the bell be rung for 10 minutes.

(Quorum Bell was rung)

Order Members! Now, we have the required quorum and, therefore, business will start. The Member for Kajiado West, Hon Sunkuyia, take your seat.

PAPERS LAID

Hon. Deputy Speaker: In that particular order, we have the Leader of the Majority Party and the Chairperson, Departmental Committee on Finance and National Planning. Prepare yourselves.

Hon. Aden Duale (Garissa Township, JP): Hon. Deputy Speaker, I beg to lay the following papers on the Table of the House:

Annual Reports and Financial Statements of the following institutions for the Financial Year 2017/2018:

- (a) Ministry of Energy.
- (b) Pwani University.
- (c) Geothermal Development Authority, and
- (d) Competition Authority of Kenya.

Report of the Auditor-General on the Financial Statements of Alupe University College for the year ending 30th June, 2018 and the certificate therein.

Reports of the Auditor-General on the Financial Statements in respect of the following constituencies for the year ended 30th June, 2017 and the certificates therein:

- (a) Khwisero.
- (b) Bomachoge, and
- (c) South Mugirango.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Let us have the Chairperson, Departmental Committee on Finance and National Planning. Is he absent? Okay. Let us have you lay the Paper.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Deputy Speaker, I beg to lay the following paper on the Table of the House:

Report of the Departmental Committee on Finance and National Planning on its consideration of Senate amendments to the Public Private Partnerships (Amendment) Bill, 2017.

Hon. Deputy Speaker: Next Order!

STATEMENTS

Hon. Deputy Speaker: Hon. Members, we do not seem to have any statement, at least to the best of my knowledge. So we will move to Questions. To start us off is the Member for Kisumu West, Hon. Olago Aluoch.

ORDINARY QUESTIONS

Question No.199/2019

ALLOCATION OF AP LAND TO PRIVATE DEVELOPERS

Hon. Olago Aluoch (Kisumu West, FORD-K): Hon. Deputy Speaker, I rise to ask Question No.199 of 2019 directed to the Cabinet Secretary (CS) for Lands and Physical Planning:

(i) When was the parcel of land L.R. No.332/182 in Maseno Township of Kisumu County allocated to the Administration Police?

(ii) Under what circumstances was part of this parcel reallocated to private developers and new parcels of land created, and could the CS provide identities of the persons or institutions that benefited from the reallocation?

(iii) What steps has the Ministry taken to ensure that the parcel of land reverts to the National Police Service, and further, what action has the Ministry taken to secure all parcels of land allocated to the National Police Service in the country?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: That one will be replied to before the Departmental Committee on Lands.

Next is Hon. Beatrice Adagala, the Member for Vihiga.

Question No.122/2019

HIGH ELECTRICITY CHARGES AND POWER OUTAGES IN VIHIGA

Hon. (Ms.) Beatrice Adagala (Vihiga, ANC): Hon. Deputy Speaker, I wish to ask Question No.122/2019 that is directed to the Cabinet Secretary for Energy:

(i) Could the Cabinet Secretary explain why Kenya Power and Lighting Company electricity charges for domestic use are overly expensive, with a user token purchase of Kshs3,000 attracting tax of Kshs886.31 which translates to 44.3.% taxation?

(ii) Is the Cabinet Secretary aware of the frequent power outages in Vihiga County which have immensely affected business as well as damaged household electrical equipment?

(iii) What measures is the Ministry putting in place to address the frequent power outages in the county, and further, could the Ministry consider compensating those who have lost their household electrical equipment due to power outages occasioned by the Company?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: That will be replied to before the Departmental Committee on Energy.

Next is the Member for Kathiani, Hon. Robert Mbui.

Question No.145/2019

ADMINISTRATION AND FUNDING OF INTERNAL
EXAMINATIONS IN PUBLIC SCHOOLS

Hon. Robert Mbui (Kathiani, WDM-K): Hon. Speaker, I beg to ask Question No.145 of 2019 which is directed to the Cabinet Secretary for Education. Could the Cabinet Secretary explain the programme regarding the administration and funding of internal examinations in public schools and provide the total capitation per student for internal examinations in both public primary and secondary schools?

Thank you, Hon. Speaker.

Hon. Deputy Speaker: That Question will be replied to before the Departmental Committee on Education and Research.

Next is the Member for Luanda, Hon. Christopher Omulele.

Question No.169/2019

PROVISION OF LIST OF REGISTERED
GOVERNMENT-FUNDED TVET INSTITUTES

Hon. Christopher Omulele (Luanda, ODM): Hon. Deputy Speaker, I rise to ask Question No.169 of 2019 which is directed to the Cabinet Secretary for Education:

(i) Could the Cabinet Secretary provide a list of all duly registered Government-funded Technical and Vocational Education Training (TVET) institutions in the country, indicating their location in terms of counties and constituencies; and,

(ii) When will funds allocated to TVET institutions in Luanda Constituency during the Financial Year 2018/2019 be disbursed?

Hon. Deputy Speaker: That one will be replied to before the Departmental Committee on Education and Research. That marks the end of Question Time.

Next order!

PROCEDURAL MOTION

EXEMPTION OF BUSINESS FROM PROVISIONS OF STANDING ORDER 40(3)

Hon. Deputy Speaker: Leader of the Majority Party, you have a Procedural Motion and it is fairly straightforward. So, we can dispense with it quickly.

Hon. Aden Duale (Garissa Township, JP): thank you, Hon. Deputy Speaker. I beg to move the following Procedural Motion:

THAT, this House orders that the business appearing as Order Nos.15 and 16 in the Order Paper be exempted from the provisions of Standing Order 40(3) being a Wednesday Morning, a day allocated for Business not sponsored by the Majority or Minority Party or business sponsored by a Committee.

Hon. Deputy Speaker, as is the practice, Wednesday mornings are meant for debate of Private Members Bills and Motions. However, there is need for this House to consider the Report on the Vetting of the Nominee for Approval of the Inspector-General of the National Police Service and the Report of the Departmental Committee on Communication, Information and Innovation into the legislative and regulatory gaps affecting the telecommunications sub-sector.

As Hon. Members are aware, this House is scheduled to proceed on a short recess tomorrow after the Address by His Excellency, the President. In this regard, it is important that we conclude this business today. So, we are only asking for exemption of Order Nos.15 and 16 and then we go back to the Private Members business.

However, we have statutory timelines on the one of the Inspector-General. In the afternoon we have a number of Private Members Bills that will be read for the first time and then referred to relevant committees to conduct public participation. I, therefore, indulge the House that today is the only day we have to conclude important business that is before us before we go on a recess which will take us until 23rd April, 2019.

So, I beg to move the short Procedural Motion. Last night the Hon. Leader of the Minority Party and the whips were not in the House Business Committee (HBC). They had other commitments. Therefore, I will ask Hon. Makali Mulu who sat with us in the Committee to second the Procedural Motion.

Hon. Deputy Speaker: Hon. Makali Mulu you can do it quickly because it is a fairly straightforward thing and we would like to dispense with it.

Hon. Makali Mulu (Kitui Central, WDM-K): Thank you, Hon. Deputy Speaker. I second this Procedural Motion. The facts are very clear as presented by the Hon. Leader of the Majority Party.

So, I second.

Hon. Deputy Speaker: Order Hon. Members. Freeze like in the fridge.

(Question proposed)

(Question put and agreed to)

Hon. Members, when you are frozen you do not even vote.

Next Order!

MOTION

POLICY FOR RECRUITMENT AND REMUNERATION OF VILLAGE ELDERS

THAT, aware that Village Elders play an integral role in the functioning of the National Government at the village level by assisting Chiefs and Assistant Chiefs in facilitating National Government services including promotion of education, handling security issues, solving disputes, promoting development initiatives, and social services in their villages through the “*Nyumba Kumi*” initiative; concerned that these officers discharge these important duties without any facilitation by the Government; acknowledging the need to appreciate and motivate these village elders for the services rendered; cognisant of the resolution of the House of 28th July, 2016, urging the National Government to consider giving a monthly or annual Honorarium to Village Elders as a means of appreciating their services and encouraging their dedication to the Community; this House further urges the National Government to formulate and implement a policy on the criteria for recruitment and remuneration of Village Elders.

(Hon. George Gitonga on 27.3.2019)

(Debate concluded on 27.3.2019 - Morning Sitting)

Hon. Deputy Speaker: Order Hon. Kenta. What remained on this particular Motion was for the Question to be put, and I confirm that we have the required numbers. I, therefore, put the Question.

(Question put and agreed to)

Next Order!

BILLS

First Readings

THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES
(CONTROL) (AMENDMENT) BILL

THE NATIONAL DISASTER MANAGEMENT AUTHORITY BILL

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL

THE EMPLOYMENT (AMENDMENT) BILL

THE CONSTITUTION OF KENYA (AMENDMENT) BILL

(Orders for First Readings read - Read the First Time and ordered to be referred to the relevant Departmental Committees)

SPECIAL MOTION**APPROVAL OF THE NOMINEE FOR APPOINTMENT AS THE
INSPECTOR-GENERAL OF THE NATIONAL POLICE SERVICE**

Hon. Deputy Speaker: The Special Motion is going to be moved by the Chairperson, Departmental Committee on Administration and National Security.

So, proceed. You have the Floor.

Hon. Paul Koinange (Kiambaa, JP): Thank you, Hon. Deputy Speaker, I beg to move the following Special Motion:

THAT, taking into consideration the findings of the Departmental Committee on Administration and National Security of the National Assembly and the Standing Committee on National Security, Defence and Foreign Relations of the Senate in their Report on the Vetting of the Nominee for Approval as the Inspector-General of the National Police Service, laid on the Table of the House on Tuesday, 2nd April, 2019, and pursuant to the provisions of Article 245(2)(a) of the Constitution, Section 12(1) of the National Police Service Act, 2011 and Section 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House approves the appointment of Mr. Hilary Nzioki Mutyambai as the Inspector-General of the National Police Service.

Hon. Deputy Speaker, Article 245(2) (a) of the Constitution establishes the office of the Inspector-General (IG) which is an office in the National Police Service (NPS). The IG is appointed by President with the approval of Parliament. The IG exercises independent command over the NPS and performs any functions prescribed by the national legislation.

Pursuant to Standing Order No. 42(1) of the National Assembly and Standing Order No. 42(1) of the Senate, on 19th March, 2019 and 20th March, 2019, the Speaker of the National Assembly and the Speaker of the Senate respectively conveyed a message to the respective Houses from His Excellency President Hon. Uhuru Kenyatta, C.G.H. and Commander-in-Chief of the Kenya Defence Forces.

The message stated that in exercise of the powers conferred by Article 245(2)(a) of the Constitution and in compliance with the procedure set out under Section 12(2) of the NPS Act, 2011, the President had nominated Hilary Nzioki Mutyambai for appointment as the IG of the NPS.

After receiving the message from His Excellency the President on the nomination of Mr. Hilary Nzioki Mutyambai, for the position of IG, the NPS, the Speaker of the National Assembly and the Speaker of the Senate on Tuesday, 19th March, 2019 and Wednesday, 20th March, 2019 respectively, issued a communication and directed that the vetting of the nominee for appointment to the position of IG, the NPS be conducted jointly by both Houses as required by the Constitution and Statute.

The name of the nominee and his Curriculum Vitae (CV) were referred by the National Assembly to the Departmental Committee on Administration and National Security and by the Senate to the Standing Committee on National Security, Defence and Foreign Relations.

Section 6(9) of the Public Appointments (Parliamentary Approval) Act No.33 of 2011 provides that any person may prior to the approval hearing, by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.

To this end, on Thursday, 21st March, 2019 the Office of the Clerk of the National Assembly and the Clerk of the Senate jointly published an advertisement in the print media with a wide circulation inviting members of the public to present written statements referred to in Section 6(9) of the Public Appointments (Parliamentary Approval) Act No.33 of 2011. The written statements were to be submitted on or before Wednesday, 27th March, 2019 at 5.00 p.m.

Hon. Deputy Speaker, pursuant to Article 118(1)(a)(b) and (2) of the Constitution and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, and the provisions of the relevant Standing Orders of the two Houses another advertisement was issued on Thursday, 21st March, 2019. It notified members of the public that the Departmental Committee on Administration and National Security of the National Assembly and the Standing Committee on National Security, Defence and Foreign Relations of the Senate would conduct a joint approval hearing on Thursday, 28th March, 2019. On Thursday, 21st March, 2019, the Clerk of the National Assembly and the Clerk of the Senate jointly---

Hon. Aden Duale (Garissa Township, JP): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Yes, the Leader of the Majority Party.

Hon. Aden Duale (Garissa Township, JP): On a point of order, Hon. Deputy Speaker. I do not want to disrupt my very able Chair of the Departmental Committee on Administration and National Security, but I think for convenience of the House, we have the Report and minutes. Therefore, it is good for him to summarise because procedurally we know if he reads the whole Report word for word then we will have a problem of quorum. We need to finish debate on this Motion. So, he should summarise it.

Hon. Deputy Speaker: I agree with the Leader of the Majority Party. In any case the Members should be informed that we only have three hours to transact this business. Kindly summarise, I know the Chair is very meticulous and wants to give all the details. Since the Members have gone through this Report, if he can summarise it, it will be very good for the House.

Hon. Paul Koinange (Kiambaa, JP): Thank you, Hon. Deputy Speaker. I was doing this because the other day, we were doing vetting of the NPS Chair, and some issues were raised later on. This is why I am trying to be a bit thorough, but I am well guided as I move on. The Committee having considered the nominee's filed questions pursuant to Section 6 of the Public Appointments (Parliamentary Act), CV and oral submissions during the approval hearing made the following observations on his appointment as the IG of the NPS.

(i) That, in accordance with Article 78(1) and (2) of the Constitution, the nominee is a Kenyan citizen and does not hold dual citizenship.

(ii) That, the academic credentials, professional training and experience of the nominee is in accordance with the provisions of Section (6)(7) of the Public Appointments (Parliamentary Approval) Act No.33 of 2011.

(iii) That, the nominee is currently serving as a Deputy Director Counter Terrorism at the National Intelligence Service (NIS) tasked with advising the Director-General on matters of counter terrorism and emerging threats both national and globally.

(iv) That, the nominee demonstrated vast experience in policing, security, intelligence and investigation with 27 years of investigative and law enforcement experience.

(v) That, the nominee satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity.

- (vi) That, the nominee has not been charged in a court of law or mentioned adversely in a Parliamentary Committee Report or Commission of Inquiry.
- (vii) That, as stipulated under Article 75(1) of the Constitution, the nominee has no potential conflict of interest.
- (viii) That, the nominee satisfied the requirements of Article 77(1) of the Constitution in that, he does not intend to participate in any other gainful employment.
- (ix) That, the nominee does not hold office in any registered political party hence satisfies the provisions of Article 77(2) of the Constitution.

The nominee has never been dismissed from office for contravention of the provisions of Article 75(1) of the Constitution on conflict of interest, Article 76 on financial probity, Article 77 on restriction of state officers, and Article 78 on dual citizenship.

The Committee did not receive any written statements on oath or affidavit with regard to the suitability or otherwise of the nominee.

The nominee was cleared by the CRB, HELB, the DCI, KRA and EACC, therefore, making him fit to hold public office as per the requirement of Chapter Six of the Constitution. The nominee has the necessary experience and qualifications to hold the office of the IG of the National Police Service as per the requirements of the National Police Service Act No.11 of 2011.

Based on the above observations, the Committee made the following recommendations:

That having considered the suitability, capacity and integrity of the nominee and pursuant to Article 245(2) of the Constitution and Section 8(2) of the Public Appointments (Parliamentary Approval) Act No.33 of 2011, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Hilary Nzioki Mutyambai to the position of Inspector-General of the National Police Service. I now call upon Hon. Kaunya to second the Special Motion.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Let us have Hon. Kaunya to second.

Hon. Oku Kaunya (Teso North, ANC): Thank you, Hon. Deputy Speaker. I rise to second. The Committee conducted a very thorough vetting exercise on this candidate. The candidate, as indicated, met all the requirements of the law, the Constitution, the National Police Service Act and Public Appointments (Parliamentary Approval) Act.

This candidate comes in at a time when the NPS is undergoing reforms which were launched by His Excellency the President last year. It was the concern of the Committee during the interview that there are specific areas Kenyans are looking forward to in terms of changes in the NPS.

The IG is expected to address the issue of corruption within the police service. Issues pertaining to delivery of service and building trust in the public were raised. The candidate was able to give satisfactory answers. He mentioned to us strategies that he was going to apply. He said that if appointed, he would apply and develop policies that will help address the corruption within the police service.

The candidate has a bachelor's degree and a master's degree in terms of academics and he has experience of over 27 years. The requirement of the National Police Service Act is that to be appointed as IG, a candidate must have served for at least 15 years in a senior position. At the

time of this nomination, the candidate was a director within the NIS and he had attained the position of Assistant Director. In that case, he qualifies.

First, he served in the Kenya Police, and in 1999 he moved to the NIS. According to the period he has served, he is qualified. In terms of integrity and other clearances, the candidate, as indicated by the Chairperson, met all the requirements. He got all the clearances.

Kenyans expect the incoming IG, if this House approves his nomination, to change the image of the police in terms of service at the police station level. We expect this candidate to perform and be up to the task. We also expect him to deliver.

I second this Motion and urge the House to approve the nominee. Thank you, Hon. Deputy Speaker.

(Question proposed)

Hon. (Dr.) Robert Pukose (Endebess, JP): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order, Hon. Pukose? What is out of order?

Hon. (Dr.) Robert Pukose (Endebess, JP): Thank you, Hon. Deputy Speaker. Considering the interest Members have in this matter of the IG, I request that we reduce the time given to Members to contribute to five minutes. This is because we have very many Members who would like to contribute.

Hon. Deputy Speaker: That is perfectly in line. You have put it well. Obviously, even when you do that, I will reserve some reasonable time for the Leader of the Majority Party and his counterpart on the other side. Allow us to dispose of this. What is it, the Leader of the Majority Party?

Hon. Aden Duale (Garissa Township, JP): Hon. Deputy Speaker, we are dealing with a very critical nominee and we have all the time. Why should we subject Members to five minutes? Parliament has been accused of being a rubber stamp when it comes to vetting of nominees. I do not think we are in a hurry. If my very good friend, Hon. Pukose wants to speak for five or three minutes, he is at liberty to do so. However, he cannot curtail other Members, including me, who want to speak for 10 or 15 minutes. The choice is his. Hon. Pukose can even speak for one minute.

Hon. Deputy Speaker: The Leader of the Majority Party, in this one, my hands are completely tied. Once a Member requests as per the Standing Orders--- By the way, Hon. Members, five minutes is reasonable time. You are talking about a balance of two hours because the Mover and the Seconder have taken some time. We will dispose of this matter. If Members agree, I will obviously consider the Leader of the Majority Party and his counterpart in the minority for the time. I put the Question.

(Question, that debating time be reduced, put and agreed to)

We will start with the Leader of the Majority Party.

Hon. Aden Duale (Garissa Township, JP): Hon. Deputy Speaker, I rise to support the Report of the Departmental Committee on Administration and National Security and the Standing Committee on National Security, Defence and Foreign Relations of the Senate on the vetting of the nominee for the IG of the NPS. This is in compliance with Article 243(1) of the Constitution that establishes the NPS, Article 245(1) of the Constitution that establishes the

office of the Inspector-General of the NPS and Sections 10(1) and (4) of the NPS Act that set out the functions and powers of the Inspector-General.

The NPS is a very important organ of any state. It is the bedrock of ensuring that the internal security of our nation is guaranteed. Someone once said that if you think people are inherently good, you should get rid of the police for only 24 hours and see what happens. Just remove the police from the streets for 24 hours and you will see the chaos that will happen in a country.

The Seconder talked about the academic qualifications of Mr. Nzioki. This is the third IG we are vetting. One of the worst performing Inspector-Generals in the history of Kenya had a PhD. A man called Kimaiyo. He had a PhD and two master's degrees. There is a notion that when you have papers you can be the best soldier.

The Member for Kathiani is sitting here. His grandfather was one of the best generals. He had no formal education. My father-in-law was one of the best generals - General Mahamoud. He had no formal education. So, when vetting somebody who is a security expert, please, do not tell us the story of "Mr. Sieke".

Secondly, having a competent and effective IG cannot be overstated as it is directly linked to having an effective police service. We now have a more reformed police service. We have clearly demarcated the functions of the Administration Police Service and those of the Kenya Police Service.

(Hon. Maoka Maore and Hon. Moses Kirima consulted loudly)

The Members from Meru are making a lot of noise behind me. Protect me.

Hon. Deputy Speaker: Hon. Members do not make noise. They can only consult. Noise is always reserved for classrooms.

Hon. Aden Duale (Garissa Township, JP): The Senior Counsel and Hon. Maoka can consult in low voices.

Mr. Nzioki was first recruited as a police constable. That story is not juicy. Before he got this job, he was the Deputy Director in charge of Counter-Terrorism. We represent people and protect the Constitution.

In the 10th and 11th parliaments, we passed legislation dealing with matters of terrorism and anti-money laundering. We dealt with the most controversial security laws that Hon. Wanga is remembered for. She has now left.

The Hon. Speaker and Hon. Millie Odhiambo are remembered for the same security laws. When I write a book about my life, I will remember the security laws and what happened here. We gave the police and the Judiciary permission to detain any person up to 60 days.

There are many cases of Kenyans disappearing. There are serious extra-judicial killings. That should be the first task for this IG. Currently, there are decomposing bodies of Kenyans in the City Mortuary.

The Director of Public Prosecutions (DPP) and the Director of Criminal Investigations (DCI) have even asked for DNA samples to be taken to South Africa. Why do we kill people? In the 10th Parliament, I was very unpopular with the late Minister Michuki - may his soul rest in peace - because he gave orders to kill Mungiki youth. Any youth who looked like a Mungiki in Mt. Kenya region was killed during the 10th Parliament. We again have a situation where Kenyans are disappearing at the Coast, in Nairobi and in North Eastern.

We have laws. If you arrest somebody, take him to court. If he is a high profile person, keep him in the most dangerous part of Kamiti Maximum Security Prison and do not release him. You should not pick people up, kill them and then dump their decomposing bodies in Tsavo. The new IG should forget about his work as a counter-terrorism expert. He should make sure Kenyans are safe. He has what it takes to be the IG of police. We want him to make sure that he is up to the task and upholds the rule of law.

Hon. Junet and his team have a history, and have passed through many offices. They used to sing and cause disruptions. They went to the “resistance”. They used to come with *firimbi*. But God works in miraculous ways. Every day I pray to God. God has saved us. Today, the people who help me in defending the President are these people. We are all Kenyans.

Yesterday, Hon. Mbadi was talking about telecommunications and Safaricom. I asked him if he had reactivated his Safaricom number before talking about it. We are in agreement at the political level for the sake of our country.

We want the men and women we give jobs to, to protect Kenyans. They must protect women. Women are killed every day in this country. I do not know what is happening in Western Province. There are people with *pangas* killing watchmen. There is another problem in Kericho. People are being killed. We must also deal with that. This IG must deal with that because he has expertise in intelligence. He must also deal with drug dealers. He must deal with what is happening in Kisauni. You saw the young lady who was going to work and somebody slashed her with a *panga*. Kisauni must be dealt with. It is a shame for leaders to support what is happening in Kisauni. We must deal with people who are killing watchmen in Vihiga and Kakamega.

Do we deal with external threats or local threats? The IG must take the lead. I must thank the former IG, Boinnet. He was a very short man. Governor Lonyangapuo is a very interesting man. He has described short and fat people as *mulmulwas*. You cannot tell his back from his stomach. Governor Lonyangapuo is a professor but he is also a comedian. When he goes to a rally, he makes people laugh. IG Boinnet...

Hon. Deputy Speaker: What did you say was that name?

Hon. Aden Duale (Garissa Township, JP): *Mulmulwas*.

Hon. Deputy Speaker: Do not pronounce things that you do not know because you might say them wrongly and make it very difficult for people to understand.

Hon. Aden Duale (Garissa Township, JP): It is *mulmulwas*. This means that it is a person who is short and fat. *Mtu mfupi na amenona*. As Hon. Wanga has put it, he is also round. You cannot tell the back and the stomach.

(Laughter)

I looked at my sons to see whether there is anyone who fits in that description. My point is that the former IG of NPS brought sanity. We need to thank Mr. Boinnet. Nairobi used to be chaotic and a city of carjacking. Under the reign of Mr. Boinnet, he killed the culture of carjacking and burglary of houses.

You saw what the President said yesterday. We need a biometric data of the Police Force. There are over 5,000 of them who are ghost workers. We want to ask the President to do the same in the military. Those 5,000 guys who are earning a salary must be arrested. Some of them are stationed in Garissa County where my constituency is. They should be surcharged and

arrested. You cannot be earning a salary every year to the tune of Kshs1.8 billion when the biometric data is not there.

We want the biometric data of the Kenya Prison Service, Kenya Defence Forces (KDF), teachers and all civil servants. I am sure we will recover close to Kshs100 billion from those workers. That is why there was this man who was Superintendent of Police; the famous Waiganjo. When he was arrested, he left his troops which have 5,000 police officers.

Hon. Deputy Speaker: You have two minutes now the Leader of the Majority Party.

Hon. Aden Duale (Garissa Township, JP): No, I have 10 minutes!

Hon. Deputy Speaker: You have surpassed 10 minutes.

Hon. Aden Duale (Garissa Township, JP): Hon. Deputy Speaker, you are harassing me!

Hon. Deputy Speaker: No, I am telling you that you have two minutes to contribute.

Proceed.

Hon. Aden Duale (Garissa Township, JP): Hon. Deputy Speaker, I played a role for you to become the Deputy Speaker.

Hon. Deputy Speaker: That is not very important now.

Hon. Aden Duale (Garissa Township, JP): I campaigned for you within the Jubilee Party.

(Laughter)

You are my best friend.

Hon. Deputy Speaker: You have spoken for 15 minutes now.

Hon. Aden Duale (Garissa Township, JP): Hon. Deputy Speaker, I am about to conclude. The IG has a daunting duty. Kenyans are looking at him with expectation for an effective Police Service.

In the security laws, the framers of the Constitution decided to give the NPS powers which belong to the President. I want to go in history as the first Leader of the Majority Party who supported and made sure that the President has the powers to sack, redeploy, transfer the two Deputy IGs and the Director of Criminal Investigations (DCI). You cannot be the Commander-In-Chief of the KDF and the security forces and then a commission composed of some civilians is the one which recruits. When I moved that amendment with Hon. Chepkong'a, many people thought I was crazy.

Hon. Peter Kaluma (Homa Bay Town, ODM): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is it, Hon. Kaluma?

Hon. Aden Duale (Garissa Township, JP): I thought we agreed on many other issues with Hon. Kaluma.

Hon. Peter Kaluma (Homa Bay Town, ODM): Hon. Deputy Speaker, with the greatest respect to the Leader of the Majority Party, the President of the Republic of Kenya is the Commander-In-Chief of the Defence Forces but not the NPS, which is under the National Police Service Commission. It is a service. It is no longer a force. I do not think that should come from the Leader of the Majority Party. We should not leave it on record. It should be corrected and expunged.

Hon. Deputy Speaker: Okay. It is a fair comment.

Hon. Aden Duale (Garissa Township, JP): Hon. Deputy Speaker, it is not a fair comment. Hon. Kaluma has always been in the Opposition. So, he does not know the running of

the Government. Apart from being the Commander-In-Chief of the Defence Forces, the President is the Chair of the National Security Advisory Council, which is the highest body where even the IG sits. We should give tutorials to those who are in the Opposition on how Government works. They are in the Government now but they are confused. They do not want to learn.

(Laughter)

I hope that once the new IG is in office, he shall look into the welfare of the Police Service like promotions and provision of decent and adequate housing. He must deal with those who want to destroy the public confidence of the police. Once up and running, we expect him to exercise disciplinary action and control, so that we can eliminate corruption among the police. If he does these two things, Wanjiku will be a happy person and the country will be a better place.

I thank him and hope that as the third IG of the NPS under the Constitution 2010, he will follow the footsteps of IG Boinnet. I am ready to give free tutorials to Hon. Kaluma.

I beg to support the Motion.

Hon. Deputy Speaker: I will give this opportunity to Hon. Junet. He is not the Leader of the Minority Party. So, he will have five minutes. Every other Member will contribute for five minutes.

Hon. Junet Nuh (Suna East, ODM): Thank you, Hon. Deputy Speaker, for giving me an opportunity to contribute to this Motion.

At the outset, I would like to support this Motion. It is not in doubt that the nominee is qualified for the job that he is nominated for. His record speaks for itself. He holds a Master's degree from Australia, and he has 27 years' experience in security matters.

We do not need to dwell on that aspect, unless we are reading a eulogy which indicates when you were born. We will discuss it in the funeral. We need to discuss the job of the man now. There is a reason why Kenyans changed the command of the police from the Police Commissioner to the IG of the NPS in the Constitution 2010. It was not accidental. They wanted to empower and make that office stronger, so that it can have proper constitutional jurisdiction and originality from the Constitution. This would enable the IG to perform his functions without fear or favour. It is a process of learning.

We had the first IG who had issues here and there. He had a PhD but under 'sieke'. He could not perform. He left the office and a new one came in the middle of the term. There are serious issues that are facing this country.

Hon. Deputy Speaker: I must follow you, Hon. Junet. I do not understand when you use some terms that are not in English.

Hon. Junet Nuh (Suna East, ODM): I have said that the IG was under *sieke*. That is English from Elgeyo Marakwet County. It is accepted in the country that it is under *sieke*.

Hon. William Kisang (Marakwet West, JP): Hon. Deputy Speaker, on a point of order.

Hon. Deputy Speaker: Hon. Kisang, what is it?

Hon. William Kisang (Marakwet West, JP): Hon. Deputy Speaker, is Hon. Junet in order to say that '*sieke*' is English from Elgeyo Marakwet County? Most of us went to school and we understand English very well. The Member is out of order!

(Laughter)

Hon. Deputy Speaker: I understand that Hon. Kisang is an alumnus of St. Patrick Iten High School. He knows it is “siege”.

Hon. Junet Nuh (Suna East, ODM): Half of the English came through the ship. So, African society pronounces the word in its own way at home. So, *sieke* means “siege”. Let us not dwell on that one. The issues that are facing the new IG are enormous. This is one man who has to account for the safety and security of every Kenyan. He has a responsibility to make sure that they are safe and secure every day of the month.

When we changed from the former police commissioner title to the IG, we expected many reforms in the Police Service. We expected a Police Service that is responsive to the needs of the people and which is part of the society. We expected Kenyans to feel very safe and secure when they are with policemen and policewomen. The Government even went further and told the police officers to go and live among the people. They do not live in their camps. It is going to be the responsibility of the new Inspector-General of Police to make sure reforms are achieved in the shortest time.

In the interest of time, it is very important to account for every Kenyan. As the Leader of the Majority Party has alluded to, extrajudicial killings must end. We must be a society that operates within the law and the Constitution. If someone has committed an offence, however big it is, he has to face the law in a court. You should not have him killed and dumped somewhere.

The new IG must be accountable to Kenyans. I am looking forward to a day when a new IG will stand up and say that the job is too difficult for him and he resigns, if the kitchen is too hot for him.

Lastly, the President has got this appointment right in terms of regional balance. We were almost wondering why the position of the IG of Police was becoming a preserve and an enclave of one region of the country. It had become like a position of a paramount chief where when one leaves office, another one comes in from the same region. In terms of regional balance, this appointment was right.

(Applause)

As a leader in the Opposition, I congratulate the President for appointing someone from a different place. Otherwise, we would have said that the IG must come from the hills of Elgeyo Marakwet only because they know how to run. We are very happy and supportive on this appointment. Let us hope that the man who has been given the job will perform. Let us hope he will do his job in accordance with the law, without fear or favour and without throwing tear gas at us when we are demonstrating. We do not know when we are going to demonstrate next. We can go back to the streets any time. He should handle us with care going forward, in the spirit of the handshake. We might go back to the streets.

Thank you.

Hon. Deputy Speaker: Before I give a chance to the next Member to speak, let me introduce students from Mpeketoni Boys High School, Lamu West Constituency, Lamu County and Mbondoni Secondary School, Mwingi West Constituency, Kitui County, seated at the Public Gallery. The constituency is, of course, represented by Hon. CNN. There are pupils from Bishop Lawi Imathiu Primary School, North Imenti Constituency represented by Hon. Rahim Dawood. Luckily, Rahim Dawood is top on the list and, therefore, he will speak as his students are in the Gallery.

Proceed, Hon. Dawood.

Hon. Rahim Dawood (North Imenti, JP): Thank you, Hon. Deputy Speaker. I would like to welcome the students from the school in my constituency.

I join the Chairman and Members of the Departmental Committee on Administration and National Security in endorsing Mr. Mutyambai as the next IG. Born on 24th September 1964, he is just four days older than me. We were born at the same time. So, we are age-mates.

Mr. Mutyambai has very good credentials. He has been all over the country and the world. He studied in the United States of America, Australia and United Kingdom. Coming from the counter-terrorism unit of the National Intelligence Service (NIS), he is what Kenya needs at the moment. The country needs somebody who has fought terrorism and has done background checks on people so that we do not have a DusitD2 attack or another terrorist attack in Kenya.

I am glad that when he was answering questions before the Committee, his response on the Directorate of Criminal Investigation (DCI) and the Ethics and Anti-Corruption Commission (EACC), was that the DCI is under a different section of the law and that the DCI is allowed by law to investigate corruption and other issues even though the EACC is supposed to do the same, but on different tracks. So, when some of our colleagues want to bring a Bill to change the law so that the DCI does not investigate corruption, we will be going in the wrong direction. The Constitution is very clear regarding that. Mr Kinoti, the DCI, comes from Meru and he is doing a very great job. We want the DCI, together with the Directorate of Public Prosecutions (DPP) not to wander around saying that they have noticed a lot of corruption cases. We need people to be taken to court, so that we can see big heads rolling. We can then know we are serious in the fight against corruption.

Regarding gender-based violence, which the Leader of the Majority Party has talked about, Mr. Mutyambai should follow it up, as he said. We need each police station in the country to have a dedicated gender-based violence desk where ladies and children who have been defiled or violence meted on them can report and not be subjected to ridicule in front of people. They need to have a separate desk in a separate room, if it is possible, for reporting so that they can report their issues. They should not report these issues in public where they are ridiculed.

I agree with the choice of the nominee for the position of the IG of Police. There is need for him to look at police officers who lose their lives in the line of duty. In the last Parliament, I asked a Question concerning one gentleman from my constituency who lost his son and it had taken more than eight years for his family to be compensated. It is good to follow up on compensation for people who have been felled in the line of duty.

I want the next IG to look at roadblocks. Along the Meru to Nairobi Road or to Nanyuki there are many roadblocks. The IG should reduce them. There is a roadblock after every one to two kilometres. What do they do? We are worried that if this is going to be the trend, we will not be giving the right service to the people. Let roadblocks be mounted by one wing of the police service. At the moment, a roadblock is mounted by traffic police officers and in another two or three kilometres, you get another one by the regular police.

Hon. Deputy Speaker: Hon. Kamene.

Hon. (Ms) Joyce Kamene (Machakos CWR, WDM-K): Thank you, Hon. Deputy Speaker for giving me this time.

I would like to start by thanking the former IG, Mr. Boinnet, for the good work he did. I would like to support the nomination of Hilary Nzioki Mutyambai and request him to deal with corruption in the police force. We count on him to see heads rolling as far as corruption is concerned in the police force.

There is also the issue of investigations. Many cases are reported to the police force about young girls who are raped, but investigations are always done shoddily. People bribe and cases go under with inadequate investigations being done. We look up to him as the women of this country to stand with us and make the police service effective. I am sure this is one of the best rewards the President has given to the community. The nominee comes from Mwala, where I also come from. We want him to do us proud. It is not an easy job. A lot of commitment is needed and he has to make sure that he delivers.

Thank you and I support the Motion.

Hon. Member: On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: The next speaker is Hon. Maore.

Hon. Maoka Maore (Igembe North, JP): Hon. Deputy Speaker, I wish to put in my word for Hilary Mutyambai as the next Inspector-General of Police. He is coming at a very delicate time because we are transitioning from a police force into a police service for the third time now having had Kimaiyo and Boinnet as the previous holders of that office. Now that we are on the third holder of the office during the transition time, we need somebody who is going to be very forceful in enforcing the new reforms. We need to take cue from the French professor who was giving evidence during the International Criminal Court (ICC) cases. He talked about the history of our police. He described it in a sentence. He said that it has been maintaining law and order since the colonial times and we need to struggle and strive to make it enforce the rule of law. That is why we need to put the police in charge of enforcing the rule of law. For you to enforce the rule of law, you must be beyond reproach. The most embarrassing thing in our society is moral corruption and it is epitomised by the presence of our uniformed officers extorting Kshs50, Kshs100 or Kshs200 in traffic cases.

Every Kenyan should feel safe when walking or stranded. When you see a police officer, you should not see an extortionist or a potential rapist. For that reason, we need discipline in the police service. I know it has been very slippery over the years because of this habit of picking one of them. When we brought in the Commissioner of Police, General Ali, from the army, people thought he was going to instil some discipline but it was very difficult to do so. It is because the Kenya Police Service has existed like a *mafia* franchise where they observe the code of silence; they protect each other in crime. There was a police officer in my place who used to collect money in the name of cash bail. For the last four years he has been doing that. The day the guy was transferred, he disappeared with almost Kshs9 million from the local people. The cash bails have never been refunded to the owners even after they have been to court and back. We do not want criminals in uniform.

Mr. Mutyambai, as you come in, you need to know you are entering into a slaughter house. Please, do not be slaughtered. We want you to slaughter the rogues, criminals and thieves in uniform in the name of police officers. We are not asking him to conduct business as usual or maintain things the way they are. We want to remind him that he is coming as Inspector-General and there is a chain of reforms starting from the Office of Solicitor General, Office of the Auditor-General, Director of Public Prosecutions (DPP) and the Directorate of Criminal Investigation (DCI). So, he is coming in as part of the reform team. He should know he has our support. We want to support the police, the DCI and the EACC. We need to clean up this country and we will start now.

Thank you.

Hon. Deputy Speaker: Hon. Member for Kangema.

Hon. Clement Kigano (Kangema, JP): Thank you, Hon. Deputy Speaker. I was a bit worried because I dispatched your message as agreed.

I rise to support this appointment with the belief that the message we always get that, “the thugs ran away, my boys exchanged fire, six were killed” will disappear. Given the recent unexplained disappearances of our youth, bodies have been found in game parks and other places. Such needs to be things of the past. The impunity on corruption, especially on weighbridges, drunkenness, and misuse of firearms and so on should be things of the past.

[The Deputy Speaker (Hon. Moses Cheboi) left the Chair]

[The Temporary Deputy Speaker (Hon. Patrick Mariru) took the Chair]

We also expect the new IG to support Kinoti and Haji in their fight against corruption and give an enabling environment. I hope that the new IG will cultivate public relations exercise with members of the public. Today, the police service is viewed as an enemy by members of the public because of harassment, high handedness and oppression.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Shall we now have Hon. Muli Fabian, Member for Kangundo.

Hon. Fabian Muli (Kangundo, Muungano): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to join my colleagues in deliberating on this Motion. I stand to support this Motion. I appreciate the President for appointing a nominee for the position of IG of police. I would like to appreciate the work of the two Committees, that is, the Departmental Committee on Administration and National Security and the Standing Committee on National Security, Defence and Foreign Relations for approving Mr. Hilary Nzioki Mutyambai. Mr. Mutyambai has earned this through career advancement. This is an appointee many people do not know. He has a master’s degree and experience of 27 years. Mr. Mutyambai comes from the region where we get the best technical officers of this country. It is true that many properly trained technical officers perform a lot and speak less. That is why many people do not know Hilary Mutyambai.

I would like to appreciate the work done by police officers. Police officers in this country face a lot of hard time in terms of keeping law and order. It is true that there are police officers who do not attend to duty as required by the law. Sometimes you wonder whether the police have their own law or whether, indeed, they work within the country’s laws like other civilians. It is now the duty of the nominee to make sure that all policies, Bills and laws used by police officers in this country are as per the Constitution of 2010. There are some policies and Bills still used to date by the police department, which are not in consonance with the Constitution of 2010. This has brought about issues to do with discipline within the police force.

It is true that our civilians need proper law to perform their daily duties. Without proper definition of duty within the Kenya National Police Service, we are not able to understand some departments like the Administration Police. Are they doing service or are they forces? So, we need the nominee Hilary Mutyambai to define duties of some departments in the police service, especially the Administration Police.

So, I stand to support and appreciate all the work done to come up with this nominee. We expect the best for Kenyan citizens in terms of law and order from the police department.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): The next on top is Hon. Pukose Robert, Member for Endebess.

Hon. (Dr.) Robert Pukose (Endebess, JP): Thank you, Hon. Temporary Deputy Speaker. I stand to support the appointment of Hilary Nzioki Mutyambai as the Inspector General of Police.

Allow me to thank the former Inspector-General, Mr. Boinnet, for good work done. There was loss of faith in the police service when he came in, but he has managed to restore confidence. Mr. Boinnet is one officer who you would call and he picks your call. He would call you later if he missed your call. I hope Mr. Mutyambai will emulate his predecessor and do the same. When people call the Inspector General of Police, especially leaders, they have pressing issues.

We know we have had issues with the police since our Independence from where we inherited a rotten police service. The National Integrated Identity Management System (NIIMS) programme that was rolled out by His Excellency President Uhuru and supported by the leaders of Opposition, who have now joined the Government, has unearthed a lot of issues especially in the police force. When the President talks of the Government losing Kshs1.8 billion per year, I think it is a very serious scandal. It will need proper investigation to establish who these ghost officers who have been receiving this money are; who is behind this scam that has been going on for some time; for how long it has been going on; and, which other departments have been affected.

We have seen the incoming Inspector General of Police has very good academic credentials, but these credentials will only translate into action when he takes his job seriously and is able to address and bring reforms within the police force. When you drive on the highway, you see police officers taking bribes. They have now even devised a funny way of taking bribes by using a stick which they carry. I am told it has some magnet at the end. Money is dropped on the ground and they use that stick to collect it. You know, there are new things always happening within the police force. It is rotten!

In other stations, police have become law enforcers; they are the judges. They make determination of cases within the police station when people are arrested. A determination is made and the fine one is supposed to pay established. It takes me back to my constituency of Endebess, I am told in some stations like Kimondo, a corporal arrests people and he is able to determine what is to be paid and whether he will lock you in or release you. This happens in the police station because of a certain Officer Commanding Station (OCS). Whenever a person would be arrested and appeared before this OCS, he would pay Kshs5,000. Now that he was moved to another station, people refer to “*tano tena*” to mean that one would be required to pay another Kshs5,000. These are serious issues within the police force that need a head who is serious. Being from the National Intelligence Service, I know he is aware of what has been happening in the police force. With all the information he is able to access, we hope he will address these issues.

We have seen the reforms with....

The Temporary Deputy Speaker (Hon. Patrick Mariru): Your time is up. Clerks-at-the-Table, please make sure Members are warned accordingly.

Before I give a chance to the next person, allow me to recognise, in the Public Gallery, St. Peter’s Minor Seminary Mukumu from Shinyalu Constituency, Kakamega County. They are welcome. To my left and top on the list is Hon. Maanzo Kitonga, Member for Makueni.

Hon. Daniel Maanzo (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me a chance to contribute on this very important Motion on appointment of the Inspector-General of Police.

We have heard the good qualifications and experience of the said officer. I also want to appreciate the good work done by the former Inspector General, Mr. Boinnet, who served Kenyans very well and in a distinguished manner. You could feel the improved security in the country.

The background of Mr. Mutyambai is such that he has dealt with terrorism in the country. This is a matter which is giving the world a very difficult moment. Terrorism keeps transforming itself into more complex forms every day. We need an officer like Mr. Mutyambai to deal with the terrorism menace. We appreciate the work the police did when the DusitD2 Hotel was hit recently. The current Director of Criminal Investigation, Mr. Kinoti, was among the first officers to respond very fast. That saved very many lives.

We really want to look into a future where there will be no more terrorism in this country. You can see churches are being guarded here in Nairobi on Sundays. What about churches in other places? What about the big churches and the cathedrals in Makueni, Machakos and other parts of the country which are not guarded over the weekends? We want a free country; free from terrorism. The use of technology to counter terrorism is vital. As you have seen in Somalia, drones are able to destroy training camps of terrorists. I believe Mr. Mutyambai is up to the task and will do a good job. He will carry on with the good work of Mr. Boinnet.

There are a number of challenges with the police force, one of them being housing. You know police officers are not housed in a very good manner, but we have now passed regulations that will allow establishment of a fund for housing all over the country. We have a lot of free land within police lines in many parts of the country. We can first invest in good housing, so that our police officers are well housed. There has been a proposal that they be paid some allowance, so that they can live in a place of their choice. However, it will be good to house them properly. There is also the security of police officers. Before they protect us, they must protect themselves. In a lot of situations, police officers have found themselves on the firing line. Arms are not carried for the sake of it. At times, if a police officer does not maim, disable or kill a criminal, he may lose his own life. What has happened, from the data we have, is that there are many police officers who have lost their lives in the line of duty. It has been difficult for their families to get compensation, and they have ended up suffering. This is one of the things that Mr. Mutyambai should look into. I am sure they have a special fund for this. Whatever funds are available for these families should be expedited and given to them. These officers died in the line of duty for Kenyans. We saw the young police officer from Taita Taveta County during the DusitD 2 Hotel attack who lost his life. In fact, from his actions – even though he lost his life – he saved about 200 people who were about to be attacked. That is the kind of sacrifice police officers make.

So, I support his appointment and ask Members to be here in numbers to vote for him. I look forward to his service.

Thank you.

(Hon. Mohammed raised his hand)

The Temporary Deputy Speaker (Hon. Patrick Mariru): I can see Hon. Mohammed raising his hand. You can only catch the Speaker's eye through the console screen. I can tell a number of Members will get an opportunity to contribute.

Before Hon. Paulata speaks, allow me to recognise the presence of, in the Speaker's Gallery, Nkando Boys High school, Imenti Central Constituency, Meru County.

Hon. (Ms.) Sara Korere (Laikipia North, JP): Thank you, Hon. Temporary Deputy Speaker. I also rise to support the appointment of the incoming Inspector General of Police and hopefully this House will agree with the Committee's Report. I have a difficult time pronouncing his second name "Mutiyambai". I want to join the rest in congratulating the Committee that did the vetting.

I recognise and appreciate the good work that was done by the outgoing IG Boinnet. Indeed – as some Members mentioned – I add my voice that, Boinnet was one of the accessible senior civil servants. He was a man who could call you when he found your missed call. He was hands on, on anything that you brought to his attention. So, Boinnet set the standards so high. I hope the fellow who is coming after him will follow suit.

Having said that, we know there are a few challenges. There are some issues in respect of which we are holding our breaths, and we expect the incoming IG to address them. The first one is cattle rustling. As you know, many of us like lying to Kenyans that cattle rustling is a traditional and cultural thing. There is nothing cultural about cattle rustling. It is a trade that is controlled by barons and cartels whose proceeds find way into big offices in the political arena. We have had cattle rustlers who campaigned with the proceeds of cattle rustling and found their way into county assemblies and, sadly, the National Assembly. So, that is one area the incoming IG, using his own intelligence, has to put his feet down. He should crack the whip on cartels of cattle rustling.

The second issue is disappearance of human beings. This is, indeed, painful. It is something that has happened in many of our constituencies. If somebody captures people, irrespective of the crime committed, he should present them to courts and let the whole world know what they did. Killing young men and women in the name of fighting crime is bad.

I want to note that, indeed, Kenya is a county of the majority and minority. We have seen public appointments done. Chapter 57 of the Constitution speaks of affirmative action in order to bring minorities and marginalised people on board. Article 260 of the Constitution tells you who the minority and marginalised are. I am talking like this because the first time I came to Parliament, I was nominated as a minority and marginalised person and to date, the good Government of Kenya has refused to honour the Constitution of Kenya by having minorities and marginalised groups appointed in big public offices. Thanks to the famous "handshake", we are seeing people from other places, who are still the majority, getting appointments to Government positions but minorities like the Ndorobo and the Njemps have been forgotten. They have PhDs but nobody is giving a damn about them. It is sad that their appointments must translate into votes.

There is a place called Soit-Oudo in my constituency. Any police officer...

Hon. Kamket Kassait (Tiaty, KANU): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): What is out of order, Hon. Kamket?

Hon. Kamket Kassait (Tiaty, KANU): Hon. Temporary Deputy Speaker, I have listened to my neighbour, *Mhe*. Sara, complaining that the Government has not recognised minorities yet we know that her husband was the Speaker of this Parliament for 20 years, and he is a minority.

The Temporary Deputy Speaker (Hon. Patrick Mariru): What is out of order from what Hon. Sara Korere has said?

Hon. Kamket Kassait (Tiaty, KANU): Hon. Temporary Deputy Speaker, is she not misleading the House by saying that the Government does not recognise minorities yet we know her husband was a Speaker for 20 years in this Parliament?

The Temporary Deputy Speaker (Hon. Patrick Mariru): Order, Hon. Kamket! Where does the issue of husband come from?

(Laughter)

Indeed, it is you who is out of order.

Hon. Sara, proceed.

Hon. (Ms.) Sara Korere (Laikipia North, JP): Hon. Temporary Deputy Speaker, I will not bother with the Hon. Member. He could be one of the Members who have found their way here through the proceeds of cattle rustling.

I was saying that any police officer who is of the rank of inspector and above must have trained in Soit-Oudo in my constituency. This is where the good people of Mukogodo have donated their land. I hope the incoming IG will consider them as a special people even during recruitment of police officers.

With those remarks, I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Very well. Hon. Mbui Robert. I have called out Hon. Mbui but I can see he is still engrossed in the earlier sentiments of the Temporary Deputy Speaker. The Floor is yours, Hon Mbui.

Hon. Robert Mbui (Kathiani, WDM-K): Thank you, Hon. Temporary Deputy Speaker. As we discuss the nominee for the position of IG of Police, it is imperative that we realise the importance of the police. Consider what is going through the hearts and minds of the people of South Africa where, continuously, for the last few days, people have been slaughtered like chicken on the streets. So, the police are an important service that requires sobriety in its leadership. That is why I support the nomination of Hilary Nzioki Mutyambai as the new IG. I am not supporting him just because he comes from my community. From the report given by this Committee, we realise that he has the necessary academic credentials. He has worked as Deputy Director in charge of counter-terrorism in the National Intelligence Service. We know that *Al Shabaab* and other terror groups are constantly attempting to attack this country. Many times, we get to know that these attacks are foiled before they happen. That means they are doing an excellent job. He has been there as Deputy Director. He also has 27 years of experience in the service.

The Committee also tells us that he satisfies Chapter Six of the Constitution on the issue of leadership and integrity. This is important because a lot of times we have realised that whenever there is discussion on State organs, when it comes to discussions on corruption, the Kenya Police Service is always at the top. That is one position they have held for the longest time. So, when we have someone who satisfies the credentials of Chapter Six on leadership and integrity, it tells me that maybe, he can transfer that to the force and that would help us.

The Constitution of Kenya provides that in appointing people to offices, we have to consider the face of Kenya. In my opinion, by picking this nominee as the one to run our police force, we have obviously got it right because his last two predecessors came from the same village. That sent a wrong signal to the National Police Service and Kenyans at large. So, I am happy that this is a person that is going to give the face of the nation to the leadership of the country.

As he takes up office, I want to tell him that there are serious challenges that the police service has. One, which I have mentioned, is the issue of corruption, which he has to deal with. Apparently, it is like the police can almost offer no services without some kind of kickbacks. So, it is important that when this nominee takes up office, he cleans up. Clearly, this is one of the things that we are constantly talking about. You open your newspaper or switch on your radio or television and it is about corruption. The people we expect to investigate and even assist in prosecution are the same people that he is going to oversee. So, it is important that he deals with issues of corruption in the National Police Service.

The other issue is security. As a country, we need security. A few years ago, I buried seven girls from one market. Recently, I was with the police in one of the markets in my constituency where people have been attacked and injured by robbers. We do not seem to have enough police patrols within our constituencies yet whenever there is a political rally, all the police officers from the whole constituency and the whole county will turn up there. So, it is important that they understand their job, which is to ensure that they provide security to the people. I am asking him that as he takes up office, Kathiani is in the neighbourhood. He should remember to assist us and bring in more police officers to assist.

Finally, the new Inspector-General has to be careful of politicians. They will politicise everything including the work of his office. We have had politicians here... There is a new Bill, which I do not know whether it is called “the Ruto Bill” or something, that wants to clip the powers of the DCI. I am saying that because, of course, there is someone who sponsors every Bill. It is unfortunate that we want to trim the investigative powers of the organs that are meant to deal with corruption. We will support the DCI and the IG. We will support our organs, so that corruption can be brought to its knees in this republic.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Next is Hon. Kanini Kega.

Hon. Kanini Kega (Kieni, JP): Thank you so much, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this very important Motion. From the outset, I support the Report and I want to thank the Committee on Administration and National Security, led by my good friend, Hon. Koinange. Of course, they did it together with the Senate. That is one of the other questions that we will be asking next time: Why did we have a joint committee between the National Assembly and the Senate? Maybe it is because of the law.

We gave them the opportunity to interrogate this candidate and they did it on our behalf and gave him a clean bill of health. However, it is also good to make a few comments with regard to this issue. The incoming IG, Hilary Nzioki Mutyambai, has a full in-tray. A lot has been done, a lot has been said, but there is a lot that needs to be done. The outgoing IG, my good friend, Boinnet, did a lot in terms of the hardware and some part of the software. The police uniform was changed. That is part of the hardware. We have bought so many guns. In fact, these days you do not see the ordinary G3 rifles. Now they have AK47 and other more sophisticated guns. But we need to ask ourselves whether we are just investing in the hardware and forgetting about the software. We have gone to other countries, especially the developed countries and it is very rare to find a police officer on the streets carrying a gun. It is very difficult. We have also gone to other African countries where you find literally everybody is carrying a gun. We want to copy the developed countries, which invest more on software as opposed to hardware. We want a situation where you walk on the streets knowing very well that you are safe, but you cannot see a police officer because there is a big brother watching from wherever.

The former IG, Boinnet, focused mostly on the hardware, namely, merging the two police forces, which was a very good thing, but we also forgot that the Administration Police officers, who are paramilitary trained, are also different from the regular Kenya police officers, who are trained differently. I hope the new IG will focus on working on the few hitches that are there that are not pronounced to make sure that the two arms work in harmony.

If you are walking at night and come across a police officer, what comes to your mind? Kenyans walking out there in the village, when they encounter a police officer, what comes to their mind? We want to change that narrative because we have had situations where you are walking at night and encounter a police officer and instead of talking to him or her, you run away. We want to change that narrative and that perception. A police officer is a good person. But as we change ourselves, the police also need to do their part and make sure they also make friends with the community.

We want to reduce the kind of interaction that exists between police officers when they are enforcing the law with the public. Look at the case of traffic officers. They are on the road with cameras that they say measure the speed of your vehicle and they tell you that you are driving at 101 kilometres per hour and you need to be charged. We need to change that so that we can install speed cameras which are not manned by individuals, but are automatic. So, I want to support and say that Nzioki Mutyambai has all what it takes, but we want to tell him that he has a full in-tray. He has a lot of work, but we are there. In Parliament, we are going to appropriate the money that is required, but he needs to do a lot of work.

With those very many remarks, I want to wish him all the best. This Parliament has this very rare opportunity because we are not going to interrogate any other IG this Session. The other one will be done by the other Parliament. So, I want to wish him all the best and we will be there as Members of Parliament to support him.

Hon. Temporary Deputy Speaker, thank you very much.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Nyasuna.

Hon. (Ms.) Gladys Wanga (Homa Bay CWR, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Motion on the nomination of Hilary Nzioki Mutyambai as the IG of Police. The 15th of January 2019 was a very dark day for this country when terrorists attacked the DusitD2 Hotel. That is the day Kenyans were awash on social media appreciating the work that our police officers do because lives of very many Kenyans were in the hands of these individuals who protect us on a day-to-day basis, but whom very many times we take for granted. So, I want to start by saying that the day police officers get out of the scene is the day we will see that they do a very good job.

From the Committee Report that we have read and the comments that we have heard from the Chair of the Committee and the seconder of this Motion, Mr. Hilary fits the bill for IG. We want to thank IG Boinnet for the work he did. You know IG Boinnet is a true exemplification of ‘do not judge a book by its cover’ because he has a very small frame. In fact, sometimes when he wore the police *kofia*, you would think the police *kofia* was actually wearing him because it would go all the way almost covering his entire head.

Hon. Temporary Deputy Speaker, he turned out to do a very good job in terms of advancing reforms within the police. He has been very accessible. One could reach him and discuss with him whatever issues one was facing within one’s constituency and get them resolved. So, as Mr. Mutyambai comes in, he has a challenge. He needs to surpass the point which the former Inspector General, Mr. Boinnet, had got to.

In the new Constitution, we changed from “police force” to “police service.” So, we do not want the police to terrorise citizens; rather they should support them. They should be people you can run to for help. There is this whole issue of roadblocks and Probox and Sienta vehicles; and motorbikes owned by young people who are only trying to make a living. They cannot make a living because they are harassed. For example, between Kendu Bay in Homa Bay County, or Kosele and Oyugis, there are so many roadblocks. One wonders why. They stop motorbikes, chase Probox and Sienta vehicles into all manner of corners. We need to agree on this issue. Our children bought these vehicles to do business. It is not them who brought those vehicles into this country. Let them do business but within the law – they need to have a licence, insurance cover and adhere to the stipulated capacity of passengers per vehicle. Let all those things be outlined. It should not be criminal to operate some of these vehicles.

Hon. Temporary Deputy Speaker, I would like to speak on the issue of Gender-Based Violence (GBV). About two months ago, a girl of 13 years in Homa Bay was attacked as she was going to bathroom. She was raped by several men. A bottle was put in her private part and eyes gorged out. We had to rush her to Nairobi Women’s Hospital for treatment. Of course, that girl’s life has been destroyed because she was totally and hugely traumatised. These are incidents that happen in our country every day. Just yesterday we heard of case in Kisumu County where a four-year-old girl was raped. I am talking about the Homa Bay case because, to date, nobody has been apprehended. So, I ask our incoming IG to deal decisively with the issue of GBV. We should make it painful for whoever tries to violate our children, whether they are boys or girls. Gender-based violence issues must be dealt with.

Finally, the DCI and DPP are doing a great job. I hope that Mr. Mutyambai will support the fight against corruption. We will support our officers in this fight against corruption. We will protect them from possible politicisation of the same. He has sterling officers to support him.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Very well. Let us have Hon. Iringo Kubai.

Hon. Kubai Iringo (Igembe Central, JP): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this Special Motion. I support the appointment of Mr. Hilary Nzioki Mutyambai. I join my colleagues in welcoming him to the service. Let him pick from where his predecessor, IG Boinnet left. He should perform better.

The police service in Kenya has been bedevilled with a lot of criticism. It has always been criticised in the right way without any bias. Upon getting to office, I would request Mr. Hilary to overhaul the training curricula in Kiganjo. It appears the training is geared towards creating enmity between police officers and members of the society they intend to serve. These police officers come from our homes and villages. They are our sons and daughters and I do not see why when they are in that uniform, they behave like beasts, especially when they are handling cases. They do not behave like they are citizens of this country. Therefore, I would like to see a situation where discipline is instilled, especially within the junior ranks of the police service, more so the traffic police officers. When you see them on the roads purporting to be checking motorists, know that they are not doing that; theirs is just a cash business. Those roadblocks are kiosks where they collect money. Once the loot is enough, they carry it away to go and share. At times you find as many as four roadblocks on a given road in one day after which nobody is charged with any offence. Hilary should look into such cases.

We have the problem of cattle rustling. Pastoralists steal cows that belong to my people in Meru. People from Isiolo County have turned the Ameru people into their Automated Teller Machines (ATMs). They have zoned Meru as a place where they go to get cows. These people

steal our cows and graze the same cows in our *shambas* and yet we cannot take them back because they have sophisticated weapons. The Chair of this Committee, which vetted Mr. Hilary, came all the way to my place to see what I am saying. Unfortunately, to date, our 1,000 cows are in the hands of Turkanas. In fact, they graze the animals on our land. They killed a son of one of the owners of those fields. I challenge Hilary to come to Meru and ensure that those cows are returned to their owners. I would also like to ask Hon. Koinange, who knows this story to, please, use Mr. Mutyambai to assist him recover the cattle as soon as he sits in that office.

Hon. Hilary Kosgei (Kipkelion West, JP): On a point of order.

The Temporary Deputy Speaker (Hon. Patrick Mariru): What is out of order, Hon. Hilary?

Hon. Hilary Kosgei (Kipkelion West, JP): Is it fair for the Hon. Member to refer to a whole community as cattle rustlers? He is talking as if he has evidence to the effect that cattle rustlers are Turkanas. Cattle rustlers do not have a tribe. Is it fair for him to refer to the entire Turkana Community as being cattle rustlers?

Hon. Kubai Iringo (Igembe Central, JP): Hon. Temporary Deputy Speaker, I have a lot of respect for every tribe in Kenya. I have very good friends from Turkana, including Hon. Nanok who is seated with me here. He is a Turkana and a good friend of mine. However, it is unfortunate that these cows are with the Turkanas and we know that.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Order, Hon. Iringo. I agree with the Hon. Member for Kiplkelion. You may not want to associate an entire community with the criminal element you are talking about. There must be specific ones. That may not be a good route to follow but that is fine. You do not need to respond to that.

Hon. Kubai Iringo (Igembe Central, JP): Hon. Temporary Deputy Speaker, moving on, we would like to see the new IG look into the welfare of police officers. My constituency is new and we do not have a single house or office for police officers.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Very well, shall we have Hon. Kisang, Kipkemboi

Hon. William Kisang (Marakwet West, JP): Thank you, Hon. Temporary Deputy Speaker for the opportunity to contribute to this Motion. I join my colleagues in congratulating Mr. Hilary Nzioki Mutyambai for his nomination. His papers show his rise from the rank of a police constable in 1991 until the time he left the National Police Service to join the National Intelligence Service at the rank of Superintendent of Police. From there, he rose to the rank of Deputy Director in charge of anti-counter terrorism. The outgoing IG, Joseph Boinnet, came from the NIS too. We believe Mr. Mutyambai is going to do a good job if the values instilled from the NIS are anything to go by.

He has a Master's degree in National Security Policy from Australia. He is suited for this job. However, let him know that he has a lot of work awaiting him. In the last Parliament, we tried to pass an amendment to the security laws to have the IG of Police become an accounting officer. We know this office faces challenges and I want to urge Hon. Koinange to propose amendments so that the new IG is given an opportunity to become an accounting officer. This office faces challenges while seeking resources from the Principal Secretary, Ministry of Interior and Coordination of National Government. I do not see why he should not be given an opportunity to become an accounting officer of the resources assigned.

I want to give tribute to the outgoing IG, Joseph Boinnet, because for the four years he has served, we have seen tremendous reforms. Insecurity levels have gone down and he started installation of Closed-Circuit Television (CCTV) cameras in Nairobi and Mombasa. I want to

urge the incoming IG to continue installing security CCTVs across all towns so that it is easy to trace and track criminals who are roaming the country.

I come from Marakwet West, but I was born and bred in Kerio Valley. For the last few months we have had a lot of issues, two of our children who were in class three and five respectively, were killed last Sunday by cattle rustlers. Many teachers have left the region and especially those who do not come from the locality because of insecurity. I want to ask the incoming IG to take time and deal with cattle rustling once and for all. In the Report, I have seen he said he will involve communities, churches and local leaders.

We neighbour Tiaty Constituency and there is a big challenge there because residents do not have villages. We request the IG of Police to set aside resources for putting up villages for these people. I have discussed with the MP for Tiaty that it will be important for his community to have villages because they live in the bush and do not have homes. We should help them to put up villages and drill boreholes for irrigating crops so that they can leave this backward behaviour.

I also want the IG to pay the National Police Reservists (NPRs) their allowances. They have been working for the last three years and have not received any allowances. We want additional NPRs to protect us. This is because it looks like the police are unable to deal with cattle rustlers from Tiaty Constituency who just roam around everywhere - they go to Samburu, Marakwet and Turkana. I urge Hon. Kamket to help his people, using the National Government Constituencies Development Fund (NG-CDF) and Equalisation Fund, to set up villages instead of having them roaming around.

Thank you, I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): To my left, let us have Hon. Adagala Kahai.

Hon. (Ms.) Beatrice Adagala (Vihiga CWR, ANC): Thank you, Hon. Temporary Deputy Speaker. I want to thank the Joint Committee of the Senate and the National Assembly under the able leadership of the Chair, Hon. Koinange for vetting and approving the appointment of Hilary Nzioki Mutyambai to the position of IG of Police

They have done a good job. I have seen the man has a vast experience. So far, he has been in the National Intelligence Service where he worked very well. His CV is rich and he has passed through several colleges as pertains to matters security. Therefore, I support the Committees' Report. They have done a good job and I urge the incoming IG to take over from where IG Boinnet left. He did a good job and Kenyans are expecting a lot from him, especially now when corruption is rampant in this country in the NPS and other departments in this country.

As this House approves him to take the position of IG, he should ensure that the NPS is corruption free zone. So, as we fight the corruption menace in the country, it should start right immediately after he takes over. We would like to see him bringing sanity in Kenya. In my county, a few weeks ago we lost several people through crime. They were guards guarding shops in Kilingili area where they were massacred. We buried them and even in my own village, we have had several cases of people being killed. The issue of insecurity is rampant and it has to be taken with the seriousness it deserves.

If we approve the IG we expect him to work like it is done in the Netherlands. I am surprised that 19 prisons have closed in the Netherlands because they lack prisoners. I would love to see Kenya get there. We will support other investigative bodies like it was said by an Hon. Member. We have seen that there is a person who wants to ensure that one of the

investigative bodies is done away with and this should not happen. Therefore, I urge MPs to support the Director of Public Prosecutions, Directorate of Criminal Investigation and the incoming IG. If this is done, it will ensure that crime in Kenya will come to a halt. I want to urge the incoming IG to ensure that all this is done and Kenya is safe again.

I also wish to add something on the issue of policemen. As some Hon. Members have said, we have had cases like in my county where you find policemen harassing women and young girls. As he comes into office, he should ensure that the women of this country are not harassed by policemen. For genuine complaints, like when a girl goes to a police station and complains that she has been raped, she should not be told that she did it willingly. I urge the new IG as he takes office to look into this matter and ensure there is security for women, children and Kenyans at large.

I therefore, take this opportunity to support the Committees' Report and say that the IG should be approved...

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Mwirigi Paul.

Hon. John Paul Mwirigi (Igembe South, Independent): Thank you, Hon. Temporary Deputy Speaker. I rise to support the appointment of the IG, Hilary Nzioki. At this time we are supposed to appreciate these high offices as far as security is concerned.

In the Republic of Kenya, you will notice that if police officers just relax for a few hours, many bad things will happen.

I would like to encourage the appointee, Mr. Hilary, as he assumes this position. It is important for him to understand that he will face many challenges, some of which he is already aware of since he has served in the National Intelligence Service. He understands a lot as far as corruption is concerned. In this security docket which we are talking about today, you will see some police officers in uniform acting as if they are not part of the security system. When they are ensuring that rules are adhered to, you will see some of them terrorising motor vehicle operators. I urge the IG, as he assumes this position, to check those corrupt officers and deal with them according to the rules.

At the same time, I would like him to check on the extrajudicial killings since in this country there are many young people who have been killed and the following day some bodies have been discovered somewhere, yet the people who committed the killings are not brought to book. It is the duty of the IG to find the people who are involved in the killings of young people in this country. At the same time, some lawyers and judges are killed because maybe they have differed with a certain party or person and there is no serious action taken against the killers. It is high time the IG took action.

*[The Temporary Deputy Speaker
(Hon. Patrick Mariru) left the Chair]*

*[The Temporary Deputy Speaker
(Hon. Christopher Omulele) took the Chair]*

The Report of the Committee has highlighted that he complies with Chapter Six of the Constitution, meaning that he will not be corrupted by those who normally like to do illegal things. He will be there to stand with the common people who want services from him.

Lastly, I would like to urge the IG to recover the illegal guns which are terrorising our people so that we can live in peace.

With that, I beg to support.

Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Dennitah Ghati.

Hon. (Ms.) Dennitah Ghati (Nominated, ODM): Thank you very much, Hon. Temporary Deputy Speaker, for giving me the opportunity to support the approval of Mr. Hilary Mutyambai as the IG of Police. I thank the Departmental Committee on Administration and National Security for presenting to us a relatively young man to this critical position. Mr. Mutyambai takes over from Mr. Boinnet. It is high time we also appreciated the former IG, Mr. Boinnet, who really served this country well. Mr. Boinnet served this country with a lot of humility and dedication to his work.

Mr. Mutyambai comes in as a master's degree graduate. I am happy that really we are looking at education as a serious component when it comes to employment. Mr. Mutyambai has also worked in the police service before. Therefore, he is bringing a lot of experience in this line of duty. The new IG comes in at a time in this country when we are talking about increased violence against women. In this country, there has been an increase in gender-based violence all of a sudden. This is especially violence against women. Even in the recent past, we have seen a number of police officers who are actually perpetuating violence against women. We have seen police officers who are shooting women, their girlfriends and the other gender. In terms of looking at what you talked about, it is high time ... I am happy that Mr. Mutyambai talked about gender-based violence. I take this seriously when he talks about policies and guidelines that he will put in place to ensure that the issue of gender-based violence and especially violence against women reduces in this country.

Hon. Temporary Deputy Speaker, as you are aware, women will not report cases of sexual assault or cases of rape to the police simply because of the way the police system is structured. It does not really have those structures. The police system does not treat women well when they go to report cases of gender-based violence. The police will start telling you to explain how rape happened. How does a woman explain to a policeman how rape happened? These are some of the things that we really have to ensure so that women feel comfortable when they go to police stations to report cases of rape and violence against them. They need to get the necessary support.

We need to ensure that Mr. Mutyambai changes the perception or how the community views the police. How the community views the police is not good. He is coming in at a time when the police force has been putting in place structures to ensure that the police integrate and live within the community setting. The police are not going to live in the camps. They are going to integrate and live with the members of the community. How then are the police going to integrate and live within the community when people have no trust in the police force? We have to change that perception and ensure that this work really happens.

I am extremely happy that Mr. Mutyambai has talked about the issue of police welfare. We have many policemen who are living in shanties. If you look at the housing situation of our police – and that is why they are taking bribes – you will see that we need to address the issue of housing, remuneration and compensation of police officers who actually suffer disability or leave their families when they die in the line of duty.

I will talk about cattle rustling. I come from Migori County and my county neighbours Narok. Migori has the Kuria Community, where I come from and Narok has the Maasai. Where I come from there is a lot of cattle rustling between the Maasai people of Narok and Trans Mara and the Kuria. You know the Maasai people think that all the cattle belong to them. You know

very well, Hon. Temporary Deputy Speaker. So, there is a lot of tension on the border. I am sure Mr. Mutyambai is going to address the...

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Dennitah, the Speaker does not know anything. It is the membership who can inform the Speaker. However, that is a very good contribution. Next is Hon. Kamket, Member for Tiaty.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Temporary Deputy Speaker, I rise to support this Motion. Mr. Hilary Mutyambai is going to fill the very big shoes of his predecessor, Mr. Boinnet. As has been said earlier, Mr. Boinnet was one of the most accessible public servants. If this gentleman is approved by this Assembly, he has a very big job ahead of him. I would like to take this earliest opportunity to invite Mr. Mutyambai to my constituency of Tiaty, as soon as possible after his swearing-in. There are plenty of problems there, especially in the areas bordering Elgeyo Marakwet and Turkana. I would like to take this opportunity to ask Mr. Mutyambai to join me in the effort we had begun with his predecessor to fight the vice of cattle rustling in Tiaty and the neighbouring constituencies.

Mr. Boinnet and Mr. Kimaiyo realised that cattle rustling would only be eradicated using local solutions. I am very happy that with the introduction of the National Police Reserve (NPR), we were able to deal with this matter more decisively. There is a problem. What happened amongst the neighbouring communities was influenced by politics. The people of Tiaty Constituency were given about 40 guns to fight cattle rustlers. Our neighbours were armed to fight us. Currently, there are more than 700 National Police Reservists serving in Elgeyo Marakwet County. Instead of fighting cattle rustling, they have turned into cattle rustlers. The NPR officers or people who were given guns in Elgeyo Marakwet have become cattle rustlers. The people of Marakwet had never crossed River Keiyo since 1974. Now, they cross and kill easily. I will ask Mr. Mutyambai to reconsider the issue of NPR, especially in Elgeyo Marakwet. We need a total overhaul and re-vetting of the people who were issued with guns.

During the reign of Mr. Boinnet, who I described earlier as a very good officer, there were some things that happened in my constituency that I would like addressed moving forward. One of them is the killing of livestock by police officers. I have never understood why a trained policeman would train his gun on a cow and give us nonsense stories that cattle rustlers were hiding inside the herd of cows. My people are very poor. For those people bordering Laikipia and Baringo South, their livestock were shot at point-blank range by police officers. I have complained and sought compensation. We lost almost 7,000 cows that were shot by police officers in the name of looking for cattle rustlers. Those are some of the injustices I expect Mr. Mutyambai to look into as we fight the issue of insecurity amongst our people.

Finally, there is the issue of extrajudicial killings. We lost more than 15 young men that were picked up by police...

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Kamket, you only had five minutes. I am sure you have more interesting things to say, but there is a lot of interest in this Motion.

I will give an opportunity to Hon. Mboni Mwalika, Member for Kitui Rural.

Hon. David Mboni (Kitui Rural, CCU): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to add my voice to the appointment of Mr. Hilary Mutyambai.

At the outset, I support the appointment of Mr. Hilary Mutyambai. From the report we have got, he is well-educated and experienced in matters security. That is what we need in this country. As we move forward, I would like to inform Mr. Mutyambai that there are reforms which have been taking place and proposals on various sectors of the police which he needs to

look into. One of them is the integration of the Kenya Police and the Administration Police. There are 26,000 Administration Police officers. These two arms of security are at different levels of training. We need to look at how the 26,000 Administration Police officers will be trained, especially on issues of law so that they can be at the same level with the Kenya Police.

There has been implementation of a housing programme for the police. Police have been given house allowances because there are inadequate housing facilities at the police headquarters. This implementation has been very chaotic. The allowances they have been given are too low. Imagine somebody with a family being given Kshs8,000 to get a house in Nairobi. That amount of money cannot get somebody a decent house in Nairobi. We need to relook into and review the house allowances for the police. We also need to look, review and come up with a proposal to put up good houses for police and rent them to the police force so that they can live a decent life. If these people will not be housed very well, we will not talk about fighting corruption in the police force. I cannot imagine somebody being given Kshs8,000 to get a house with a family. We all know that the salaries for the police force are quite low.

The chiefs' camps have been gazetted as police posts. We want to see police being posted to the police camps so that they can fight insecurity at the grassroots. We want to see the posts being equipped and the police in the chiefs' camps being given transport so that they can do the necessary work. We have just passed the Motion on payment of allowances for elders. Elders play a very key role in terms of security. The new Inspector General should support the payment of allowances to the village elders.

He also needs to put in place proper measures to fight corruption in the police force. We all know that roadblocks are centres of corruption. If you are going to Kitui, when you reach the border of Machakos and Kitui, there are two roadblocks within a distance of 200 metres. I do not even understand why we should have all those. We also expect him to fight corruption in the general public and make sure that it is reduced.

With those few remarks, I support the Motion.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Let us have Hon. Dahir, Member for Dadaab.

Hon. Mohamed Duale (Dadaab, KANU): Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to contribute to this Report.

From the outset, although with some reservations, I support the Report as prepared by the Committees of both Houses. The work of the Kenya Police is a public duty. We look forward to the reforms of the National Police Service where police officers will become friendly to the citizenry. We have been experiencing extrajudicial killings and disappearances in many parts of this country. I hope that the House will approve the nominee for the position of Inspector-General of Police. We want serious investigations into extrajudicial killings. For example, we have had disappearances of citizens for a long time in the constituency which I represent. More than 20 people have disappeared into thin air over a period of three years. One of the things which surprise the leadership in Garissa County, and particularly Dadaab sub-county, is that even when we ask the operations of this mysterious force... I call it mysterious because it is neither accountable to the police security arms in the region nor to the administrators. Nobody can confirm whether this force was sent by its relevant sections. It has been operating in Garissa County, Wajir County and Mandera County.

They have brand new vehicles with number plates which are not officially available in the National Transport and Safety Authority (NTSA) website. Even if you get the number, you find that the vehicle you get when you search is totally different. These vehicles are new. They

have officers who have masks. They come to the sub-county headquarters and attack people in their houses at night. They pick people and they are never seen again.

These people are given safe havens at the military camps. We asked the military officials whether they are aware of them and they told us that they are not. We want the incoming IG to stop those kinds of extrajudicial killings and disappearances. We believe that if we want to fight terrorism, we must use the law. We must not use illegality to respond to illegality. Our problem is that we do not find any difference between this mysterious force, which we believe is from an arm of Government and the *Al Shabaab* because they operate in a similar way. They do not take people to police station or court. Once you are picked, you disappear forever. It has created more animosity and bitterness among the population to the extent that people do not talk to police officers on terrorism. The incoming IG should address these issues seriously, so that extrajudicial killings and disappearances become things of the past.

Meanwhile, we still want to ask the incoming IG, once approved, to investigate those extrajudicial disappearances in the Coast region, North Eastern region and Nairobi County. There were six bodies which were discovered in Tsavo National Park last week. We need police officers to tell us who put those bodies there.

With those many remarks, I support the Motion.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Odhiambo, Member for Gem.

Hon. Elisha Odhiambo (Gem, ODM): Hon. Temporary Deputy Speaker, thank you very much for this opportunity to contribute. I rise to support the approval of the nominee for appointment as the IG of the National Police Service. At the outset, let me congratulate the Departmental Committee on Administration and National Security for the comprehensive Report that they have presented to us.

Mr. Hilary Nzioki who is taking over from the IG Boinnet has great lessons to learn from him. He was very forthright. When I called him in most instances when I had issues in the constituency, he was readily available for assistance and complied in eradicating insecurity in Gem Constituency. I have looked at the profile of Mr. Hilary Mutyambai. I can say without an iota of doubt that he has the competencies that will help him settle down in his job. What I would like to see and evaluate, as time goes forward, is a correlation of his profile based on...I want to tell him that it is prudent that he takes time to take an audit of the needs of the police service in the Republic of Kenya. We have many competent police officers. We also have so many police officers who have been treated very badly that they have lost hope in the police service. There are many police officers who have the highest levels of academic qualifications. Some of them are even higher than what some of our colleagues have here in the House. As he looks at the National Police Service, he must take cognisance of a scheme of service that will enhance motivation, so that the levels of productivity can be enhanced.

He needs to ensure that there is complete eradication of *Waragi*.

(Hon. Silvanus Onyiego consulted loudly)

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Onyiego Osoro, you are out of order.

Proceed Hon. Odhiambo.

Hon. Elisha Odhiambo (Gem, ODM): Thank you. There are many businessmen in this country who import *Waragi* from Uganda. This is killing young brilliant Kenyans. I want to ask him to focus on Gem Constituency so that *Waragi* is destroyed completely.

He should also ensure that he beefs up the police service. There are many areas which have many officers and others do not have. For example, there are many police officers who were transferred in my constituency, but they were not replaced. So, the few who are there are overstretched. He is coming when his table is full. He has a lot to learn from the previous regime. He also needs to focus on investigation. He should revamp the forensic laboratory, so that we have officers who have competence in investigating violence against women, theft of cattle and house raids.

I wish him well. I want him to continue to encourage police officers to go to school, so that we have men and women who have good academic papers and qualifications. He should also ensure that he promotes them so that they know that you go to school and then earn a promotion.

Thank you very much, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Tong'i.

Hon. Richard Tong'i (Nyaribari Chache, JP): Thank you, Hon. Temporary Deputy Speaker, for the opportunity to support the nomination of Mr. Hilary Nzioki Mutyambai as the next IG of the National Police Service. I want to take this opportunity to congratulate Hon. Boinnet who did a wonderful job in serving Kenyans by ensuring that there is security. Before he came in, it was chaotic. We were being attacked everywhere, but he has stabilised the country now. We hope that the incoming IG...

Hon. Vincent Tuwei (Mosop, JP): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Tong'i, hold on for one second. Hon. Tuwei Kipkurui, Member for Mosop, what is out of order?

Hon. Vincent Tuwei (Mosop, JP): Having read the mood of the House and the direction which we all have, through Standing Order No. 95, can I call upon the Mover to reply?

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Tong'i, hold your horses.

(Question, that the Mover be now called upon to reply, put and negatived)

Hon. Tong'i, proceed.

Hon. Richard Tong'i (Nyaribari Chache, JP): Thank you, Hon. Temporary Deputy Speaker for the leadership you have given. It is very unfair not to be allowed to debate this critical appointment. The Leader of the Majority Party has said that we are normally accused of rubber stamping and approving appointments of people without necessarily following due process. We now have an opportunity to demonstrate that the person the Government has chosen to be our IG of police is, indeed, qualified for the job.

The incoming IG of police is a very lucky man in the sense that he is coming into office at a time when we are experiencing a lot of good will at the global level. It is not long ago that Mr. Mokaya Tabichi was given an award as the best teacher in the world. That is an inspiration because the best contribution one can make to mankind sometimes is not be rewarded with money, but to inspire them to achieve their full potential. So, Mr. Mokaya Tabichi, the best teacher in the world has already inspired Mr. Hilary Mutyambai.

We also have Ms. Obiri who won the world cross country championship over the weekend. Indeed, that is another inspiration. We have Fridah Mokaya, the first black woman to get a PhD in nuclear physics. That happened the other day. This is the best time for Mr. Mutyambai to get into office because he has examples led by the Kisii nation; the best chaps. They are the best in the world. It is the best mood one can ever want as one gets into office.

I take this opportunity to encourage Mr. Mutyambai that when he gets into office, he should look at the many cases of extrajudicial killings. We have the case of Ragira aka OCS, who was killed about three weeks ago. We buried him on Saturday. This is a young former student of the University of Nairobi who was busy doing his work of protecting the less fortunate in the society. He was killed and yet nobody has been arrested in connection with his death. We hope that when the new IG of police, Mr. Mutyambai, takes office, he will pick up the case so that we get justice done or served to the family of Mr. Ragira. The family has suspicions.

Mr. Mutyambai will not be able to do the job alone. Unless he gets a way of encouraging, inspiring or motivating people working under him, he will not succeed. Lately, the traffic police officers have not been displaying their force numbers. If you have a complaint, where on earth will you register it? We need them to display their force numbers on their uniform so that we can pick it whenever we have a complaint or compliment. We should be in a position to quote an officer's number even as we compliment him or her. We should be able to do the same even as we point out anomalies, for example, when an officer spoils the name of the National Police Service.

Improvement of housing is key in motivating staff. We are sure that when the incoming IG takes office, he will pick up from where the previous IG, Mr. Boinnet left to inspire or motivate police officers.

On promotions, we have been told that to get a promotion in the National Police Service one needs to know people. That should never be the case. We need to promote people based on merit and what they are able to do. So, the story of promoting someone or a friend on the basis of how you know him is not a good thing. Before, we used to have a Kisii as a force commander. He was the only one we ever had. He lost his job and we thought we would be given a replacement from the region. We hope the President, in his wisdom, will get us a replacement of Mr. Osuga, the only high-ranking officer we had in the National Police Service from the Kisi nation.

We need to get a way of counseling officers working in the National Police Service (NPS). They work under a very difficult environment. Sometimes they go through trauma. We need to develop a system where they are counseled. That way, they will always be ready to serve Kenyans. Sometimes, we give them too much trouble without appreciating the fact that they are human beings who also have issues at a personal level. We need to develop a system and I am---

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Aseka, the Member for Khwisero, you have the Floor. Hon. Members, so far we have 26 requests. So, kindly, bear with me. I wish I had two or three microphones that I could give out simultaneously. We can only speak one at a time. Those who will get an opportunity will speak. Hon. Aseka, proceed.

Hon. Christopher Wangaya (Khwisero, ANC): Thank you, Hon. Temporary Deputy Speaker. I also join my colleagues in supporting the nomination of Mr. Mutyambai as the IG of the NPS. I also want to thank the Committee for a job well done and presenting a candidate to the House. I think he will deliver as per the wishes of the people of Kenya.

The role of police is to protect the lives and property of people. That is the duty of the police. As Mr. Mutyambai takes up the position of IG of police, my plea to him is to first ensure that the police reforms that are proposed in the new Constitution are adhered to. The reforms will go a long way in ensuring that there is confidence and trust between people and the police service.

I also urge him, as he takes up the responsibility, to look at the welfare of the police in terms of police infrastructure. He needs to ensure that there are enough vehicles assigned to each police station and police post. He also needs to ensure the police are well remunerated. Their allowances should be paid. Police officers need to be supported. He also needs to look at the medical cover of all police officers in the country. In order for that to happen, Hilary must work more than his predecessor.

The IG of police should work hard to rein in rogue police officers. Two months ago, Khwisero Constituency lost five lives when people were brutally murdered. Investigations indicate that some police officers were involved in the murders. It is not fair for a police officer, who is charged with the duty of protecting lives and property of people, to be named as a compatriot in engaging in heinous acts.

As the IG takes over, I take this opportunity to welcome him to Khwisero Constituency where people are crying. Many people have been widowed and many children orphaned. The community is crying because of the role of the police who I commit to the House that if at all this issue is not addressed... We may cry and say it, but we will keep on losing lives.

We also need the President to consider the youth in the celebrated appointments. Our youth have a role to play and should be nurtured and given an opportunity to feature in such appointments so that they can also take part in their role as leaders of the nation.

Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Let us now hear the Member for Mwala.

Hon. Vincent Musau (Mwala, MCCP): Thank you, Hon. Deputy Speaker. Let me start by declaring my interest in that the said Hilary Mutyambai is my loyal voter. He comes from my constituency. I know him as a brilliant and smart guy, yet very humble man. He is man of integrity. He is a clear case or testimony that a person can rise by merit. He is a person who has risen through the ranks to where he currently is without godfathers. I know the village where he comes from and so, possibly, he has no godfathers.

I congratulate him.

In supporting this Motion, I want to warn Mr. Mutyambai that he is going to face myriad of challenges and he has to fit in the shoes or exceed the expectations of Kenyans. The least he can do is do what Mr. Boinnet did.

One of the issues I would like to raise that seem not to have been raised is the issue of petty crimes. Recently, if my memory serves me well, the DPP had raised an issue to the former IG, Mr. Boinnet, about so many arrests for petty crimes that are naturally now filling our court rooms. He needs to strike a balance without compromising on security so that we do not have every other day our traffic officers arresting people. They are mostly mentioned arresting thousands of people daily and just filling our court rooms on some of the cases that do not necessarily warrant arrest.

On the issue of corruption, it is only yesterday that His Excellency the President mentioned that through this imitative of Huduma Namba, it has been unearthed that we are paying over 2,600 ghost policemen. Corruption is real. We have been spending Kshs1.8 billion

annually paying people who do not exist. This does not just affect the Police Service. I am imagining that if this is what we have been misdirecting in the Police Service, a similar number is going to other public service departments. It is a wakeup call because the police have been mentioned. When it comes to corruption, he has to do his work. It is also his duty to negotiate and fight for the wellbeing of policemen. I want to believe that one of the reasons why policemen take as low as Kshs50 is because Kshs50 means something to them. It can only mean something to them if they are poorly paid.

We also have to realise that as a country, if we have to have a good force that is free of corruption, we must be ready to pay them well. Where Mr. Hilary Mutyambai sits, he needs to come out and defend his force in as far as good pay is concerned.

It has been said and I will say it again that extrajudicial killings is real. There are rogue policemen who have become man eaters. They go against the very role that they have been entrusted to, and they become the source of insecurity. I have witnessed such cases. I want to tell Mr. Mutyambai this is an area where every Kenyan is interested. He needs to be ready for this.

That said, I once again want to say that the appetite by the President to choose men from intelligence seems to pay and has paid with Mr. Boinnet. I am confident that it will also pay with the choice of Mr. Mutyambai.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Osoro, you have the Floor.

Hon. Silvanus Onyiego (South Mugirango, KNC): Thank you, Hon. Temporary Deputy Speaker. My colleague here is making me laugh.

I equally want to support the appointment of Mr. Mutyambai as the new IG and commend the work the good Committee has done in terms of getting to us a good report about him.

I met Mr. Mutyambai first when I was in the Committee of Defence and Foreign Relations, and had a few interactions with him. I want to believe that he is a man who is able and up to the task. There are very many underlying issues that he will meet in the new capacity as the IG. To be a young person in this country is becoming an issue.

At times when I pass through the City and where my private office is located, I see young men handcuffed every Friday and Saturday in the evening around 6.00 p.m. and the following day they are asked to pay Kshs1,000 or Kshs2,000 to be released. Others get some charges conferred upon them. Very simple charges are preferred against you that you were drunk and disorderly. You are forcefully placed in some vehicles and put in cells. At times you are released without trial after spending a weekend in the cells. That has been the norm in the Police Service for some time.

It is about time we got a person who will change this narrative of police force to police service. That a police officer believes that he is above the law and that is the language of treating the suspects. This thing of being told “*utasemea mbele*”--- Those are the things that we are still facing after Independence. Young people who are arrested are not given an opportunity.

Article 49 is not well actualised because you are not told the reason for your arrest. You are told you will say once you get to the station. Those are the challenges that we still have in Nairobi and other urban centres; harassment by police officers and at times the feeling that you cannot engage a police officer when you are arrested.

Something else that is very important that I wish to state within the City of Nairobi is the police officers allowing themselves to be used by the county government officers to undermine the young men who are hustling in the City. I have seen young men riding motorbikes being

harassed. In as much as there are by-laws that bar motorbike riders from entering the CBD, I have seen young men being harassed by police officers who are used by the county government.

Recently, I saw a young man with a passenger on his motorbike. I saw one police officer pull the motorbike and hurt the passenger. When people came, I could see the police office throw some teargas canisters at the people who had converged to ask what was happening.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Osoro, do you mean that when the by-laws of the City are offended by motorcycle riders, they should not be arrested?

Hon. Silvanus Onyiego (South Mugirango, KNC): Not necessarily. I am talking about human rights. Article 49 is very clear on the rights of arrested persons. You do not violate one's right in the name of effecting a certain by-law. The supreme law of the land remains the Constitution of Kenya and police officers know well that when they are getting people arrested, they should be careful on how they handle them. That is all I am saying in as much as the by-laws exist.

Finally, is the issue of police welfare. Their welfare still remains not handled and it is about time we handled it. I can see my time is up. I support unequivocally.

Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well. I am sure you will receive a little guidance from Hon. Gitonga Murugara who is a senior advocate.

Hon. George Gitonga (Tharaka, DP): Thank you, Hon. Temporary Deputy Speaker. It is "unequivocally". I have sat here the entire morning so that I could make a contribution to this very important Special Motion on approval of the nominee to become our new IG. It may not be *post-facto* to congratulate Mr. Mutyambai. I believe, and reading the mood of the House, he is going to be approved.

However, let me begin by giving my accolades to the outgoing IG, Bwana Joseph Boinnet, for the excellent job done. I think with any reservation he has delivered what this House approved him to deliver. Wherever he goes, and whatever service he will give to the country, we wish him the best. As Mr. Mutyambai comes in, we urge him to take this job with the nobility and importance it deserves. He is now ascending to the apex of the NPS. Therefore, much will be given to him and much will be expected of him.

First and foremost, he has to deal with the reforms which we have always been singing about. Our Police Service is still in want, and he must look into this. He must also bring the necessary changes that we have also been calling for. These include the welfare of the police officers and promotions which are still haphazard and are not well coordinated. They are regularised with a little bit of nepotism and favouritism. He must deal with all these vices. He must deal with corruption in the force. There is no reason whatsoever why when corruption index is done in Kenya the Police Service ranks number one. He should move away from this.

On housing, police officers will now not be housed by the Government, but will have to do so privately. I am aware that with the NG-CDF, we are not allowed to construct police lines anymore. This is an issue that needs to be examined. They also do not have sufficient motor vehicles to take care of them. We are told they are getting a new set of uniforms. This, again, has to be looked at so that every police officer is well uniformed.

Most important and what I wish to contribute to is insecurity which is ravaging the country. I must single out my Constituency of Tharaka, where we still have cattle rustling and bandits terrorising residents. This is especially in Tharaka North. We have called upon the government to ensure that this is curbed. We are doing the best we can to ensure that we do have

police posts and lines along the area, but still rustlers from Isiolo - and that complaint was raised - Garissa and Balambala find their way into Tharaka to steal livestock and terrorise residents.

I made an application to the outgoing IG for a number of KPR to be trained, equipped and deployed in the constituency. That application is lying on the desk of the IG and Mr. Mutyambai will find it there. It is my plea to him that he deals with this so that next time I go to Tharaka I will be saying my problem that has been long-lasting has been resolved by the incoming IG, Mr. Mutyambai.

I support the Motion and urge the House to approve the appointment. Thank you very much.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Opondo, the Member for Homa Bay Town, you have the Floor.

Hon. Peter Kaluma (Homa Bay Town, ODM): Hon. Temporary Deputy Speaker, I sit in the Departmental Committee on Administration and National Security and we signified our approval to the appointment of this nominee. Allow me to, therefore, register my gratitude and signify my accolades to His Excellency the President for making this nomination. This confirms to us, honourable colleagues, that his Excellency the President is, indeed, keen to integrate all Kenyan communities.

You remember in the last Parliament if this appointment were coming it would have come from sections other than lower eastern. So, let me assure the President of our support on matters inclusivity and the fight against corruption. We want a situation where all Kenyans are integrated in national service. This is good.

I knew the outgoing IG kept a very open policy, particularly to leaders. Even when we were in the hard-core resistance opposition last time, I visited the offices of IG Boinnet on a number of occasions and I was well received. Whatever we discussed was acted upon. I encourage Mr. Mutyambai, if approved by the House and takes that office, to keep an open-door policy particularly for these leaders. This is because they interact keenly with the constituencies down there and with the people of Kenya. He should act on those matters that leaders take to him.

If approved, the IG will have to deal with a number of issues. He will need to work with Parliament very closely. As the Departmental Committee on Administration and National Security, and as assured by the Chair of the Committee, we are ready and willing to sit with the IG as and when he desires, so that we can see how to help his work and that of the NPS in matters legislation and other areas.

We want a NPS which is playing core function in the fight against corruption, which the President is currently championing both internally and externally. We want corruption within the police to be sorted out. We want the IG if approved by this House to be supportive of the work of the DCI which though is semi-autonomous falls within the NPS.

We want a lot of support, and through the Committee, there is nothing that is going to undermine the work of the IG. Laws are being talked about. Those are normal legislative proposals. However, as the Departmental Committee on Administration and National Security, we will not allow those laws pending in this House to pass. This year, we are adding money to the DCI to fight corruption.

According to the reports of the Auditor-General, we lose over a trillion each year. This must be successfully undertaken and the money made available to enable His Excellency the President implement the Big Four Agenda.

Road blocks were addressed in the National Police Service Order which we enacted before we went for elections last time. They need to be addressed when Mr. Mutyambai assumes office. The role of the National Police Service Commission (NPSC) and the mandate of the IG in commanding the police need to be harmonised. I believe this is the IG who will see to it. In the Constitution, the NPSC should be recruiting, transferring and promoting. However, by legislation we have brought a bit of confusion in that realm. We want a situation where these matters are dealt with.

Lastly, the matter of police welfare such as allowances has to be looked into keenly by the IG. However, look at the amounts being proposed by the Salaries and Remuneration Commission (SRC). Can they enable a police officer serving in the cities to rent a house? It is a problem. So, we would like the IG to engage the SRC immediately. If that approach is used, there can be meaningful payment in that regard so that the police officers live decently. We do not want police officers to commit suicide. So, the psycho-social support that Mr. Mutyambai, the nominee spoke about must be taken up.

Hon. Temporary Deputy Speaker, time is short but I wish the nominee well if he succeeds to get thee approval from the House and an appointment letter from His Excellency the President.

The Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Let us have the Member for Kipkelion West.

Hon. Hilary Kosgei (Kipkelion West, JP): Thank you, Hon. Temporary Deputy Speaker. I join my colleagues in supporting the appointment of Mr. Mutyambai as the next IG.

As has been said by Members before me, the new IG has a lot in his in-tray. It will serve him well if he continues with the open-door policy that was introduced effectively by his predecessor, Mr. Boinnet.

Having said that, we have talked too much about cattle rustling and the nominee has said that he has experience about it having served in Uganda. He knows much about the Karamojong. He will bring that experience to deal with the menace of cattle rustling in this country. However, the matter that has been overlooked and is not being mentioned is the issue of drug barons.

As Hon. Kaluma has said, the Committee intends to add money to the DCI for purposes of fighting corruption. We need the same Committee to add more money to the fight against drug barons. The IG should find it well to unweave the rot that has destroyed the young men of this country through drugs. These people who have gone high into the political system are running networks and parties and are everywhere in Government. I think the new IG will do better if he takes this as his mandate to fight drug barons.

The Temporary Deputy Speaker (Hon. Christopher Omulele): The Member for Kipkelion West, sorry for interrupting you. Hon. Members, you will recall that time for a Motion such as this is three hours. We have run down the clock to two hours and 50 minutes.

So, it is now incumbent upon me to call upon the Mover to reply in the next 10 minutes. Sorry, the Member for Kipkelion. Time has caught up with you. It is time for the Mover to reply. The Mover, in replying, has opportunity to donate anytime to any other Member whom he may nominate to share his time with. So, he can nominate a few Members because the interest was immense. We still have 21 Members who are still interested in speaking.

Hon. Paul Koinange (Kiambaa, JP): Thank you, Hon. Temporary Deputy Speaker. I wish to donate two minutes out of my 10 minutes. One minute to Hon. Bashir and another to Beatrice Nyaga and then I will proceed.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Proceed.

Hon. Major (Rtd.) Bashir S. Abdullaih (Mandera North, JP): Thank you, Hon. Temporary Deputy Speaker. I want to thank the Chair for donating one minute to me. From the outset, I want to take this opportunity to support the appointment of Mr. Mutyambai as the third IG under the new Constitution. Looking at his experience and CV, I think he is well versed in matters police. Therefore, it is important that as he comes in, he upholds the issue of open-door policy which has already been said, acknowledge and work with all stakeholders.

The issue of extrajudicial killings is a key thing Members have spoken about. I want to ask Mr. Mutyambai as he settles down to deal with this issue. All members of the security forces do not have answers to this issue. I want to urge him to have an answer and solution---

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Nkatha, you have the Floor.

Hon. (Ms.) Beatrice Nyaga (Tharaka-Nithi CWR, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Motion.

From the outset, I want to say that Mr. Mutyambai has a lot of issues to sort out in the force and particularly, the welfare of our police officers. We have officers who have been in one grade for more than 10 years and this is very unfair. Look at the issue of housing. Remuneration has to be taken care of so that we can offer the best to our security officers in this country. If we do not take care of our police officers, then they cannot perform well. So, we need to address this well.

Corruption is the elephant in the House and Mr. Mutyambai has to do something. He has to support the DPP and DCI without politics...

The Temporary Deputy Speaker (Hon. Christopher Omulele): Let us now have the Chair.

Hon. Paul Koinange (Kiambaa, JP): Thank you, Hon. Temporary Deputy Speaker. First of all, I want to thank all the Hon. Members who have contributed and also those who have waited and failed to get a chance to speak. I also want to tell the Members that as a Committee we have taken their contributions very seriously because they are the undertones we will use to oversight the NPS. I also want to thank my Committee Members as well as our counterparts from the Senate for a job well done.

I also want to recognise the good work by the outgoing IG, Mr. Boinnet. The incoming IG must ensure that the reforms are implemented. If his name is approved by this House and he subsequently gets appointed by His Excellency the President, the nominee will become the next IG of the NPS, and a commissioner with the NPSC at a time when the country is undertaking major reforms in the Service.

The Constitution gives the IG of the NPS exclusive mandate in respect of independent command over the Service. He is in charge of the Police Service, the Administration Police Service and the DCI. He is responsible for rewarding and disciplining police officers, especially the ones in lower ranks. It has become common to see police officers engage in crime, including armed robberies, like many Members have mentioned here today. Of course, there are very good officers and I urge them to continue to be ambassadors of change in the NPS.

The cancer of taking bribes by police officers appears to be deeply rooted that the two immediate former IGs failed to deal with the menace. It cannot be that even children as young as seven years know that traffic police officers demand and receive bribes from road users and yet the IG does not. It is very ridiculous.

As members of the public, we shall continue demanding that the new IG of deals with the corruption menace within the Police Service once and for all.

We also get very many civilians licenced to carry guns. Guns have now been turned into a status symbol, which is a very scaring thing. This is unacceptable and the new IG must deal with this emerging trend. We also have many officers deployed as body guards to VIPs. Why would one VIP need more than one bodyguard?

In the rural and peri-urban areas, many police officers are posted as guards to banks and microfinance institutions. During the day, these officers work for the bank, which are private institutions, and in the evening, they are off duty having been on duty the whole day guarding banks. The net effect of this is that we shall forever have a shortage of police officers. Why can't banks hire retired police officers or even the NYS graduates? Why can VIPs not hire retired police officers, military and prison officers as their bodyguards? The new IG must decisively deal with the issue of private security being offered by our police officers. Very many officers want to leave the main police duties to become bodyguards to VIPs, or join the NIS, the diplomatic unit or the DCI. When they succeed in joining the DCI, they all want to join the Anti-Fraud Department. They actually do not want to fight crime in the Flying Squad, the Rapid Deployment Unit or even the Anti-Stock Theft Unit. It is high time police officers changed and made the police service a calling. If that is done, the IG will be assisted greatly in his work.

Going forward, we want to see merit-based postings, transfers, promotions and deployments to help boost the morale of our hardworking police officers. The issue of ghost police officers is very rampant within the Service. It is costing our taxpayers a lot of money. It needs to be tamed. The new IG must operationalise the police counseling centres and improve the working condition of our police officers. We do not want to see more police officers commit suicide or kill members of their families due to excessive work-related stress.

As I conclude, the new IG will help tame gambling menace in our country which is a national disaster in the making that can easily destroy the future of our children. As a member of the Kenya Coast Guard Service Board, we require that the new IG helps this important security service, which is at its infancy stage get on its feet.

I believe that Mr. Mutyambai is equal to the task. He fits the bill of becoming the next IG of the NPS.

With those many remarks, I beg to reply.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well. Hon. Members, I direct that the next action on this Motion will be undertaken when the matter is again set down in our Order Paper.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, the time being 1.00 p.m., this House stands adjourned until Wednesday, 3rd April 2019, at 2.30 p.m.

The House rose at 1.00 p.m.