

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 11th July, 2007

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

VISITING NIGERIAN NASC COMMISSIONERS
IN SPEAKER'S ROW

Mr. Speaker: Hon. Members, we are privileged this afternoon to have three Commissioners from the National Assembly Service Commission of the Federal Republic of Nigeria. They are the hon. Ohepo Ada Egiga, hon. Alhaji Saado Aming and hon. Ambrose Moende. Accompanying them are the directors Alhaji Abubakar Dege and Mrs. Hellen Ndabup. They are on an official study tour of the Kenyan Parliament. Let me take this opportunity, on your behalf and on my own behalf, to welcome them to Kenya and to wish them a happy and enjoyable stay.

Thank you.

(Applause)

ORAL ANSWERS TO QUESTIONS

Question No.097

SUPPLY OF CLEAN WATER TO
AWENDO TOWNSHIP RESIDENTS

Mr. Ochilo-Ayacko asked the Minister for Water and Irrigation:-

- (a) what he is doing to supply residents of Awendo Township with clean water; and,
(b) how much money the Government has set aside for the exercise.

Mr. Speaker: The Minister for Water and Irrigation! I will hold on a little to find out if he is here!

Question No.218

RE-CONSTRUCTION OF LITEIN-
MOGOGOSIEK-BOMET ROAD

Mr. S.C. Koech asked the Minister for Roads and Public Works:-

- (a) whether he is aware that Road C24, Litein-Mogogosiek-Bomet is in a deplorable state and dangerous to motorists and pedestrians;
- (b) whether he could inform the House how much money has been allocated to the road for the last three financial years; and,
- (c) when the Ministry will reconstruct the road.

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that Road C24, Litein-Mogogosiek-Bomet Road is in a poor state and it is problematic to motorists and pedestrians.

(b) For the last three financial years from 2004 to 2007, Kshs8.5 million has been allocated for the maintenance of the road.

(c) The road will be reconstructed during this Financial Year, namely, of Kshs80 million. Meanwhile, the Ministry has already given Kshs14,560,000 from the Fuel Levy Fund for the initial maintenance of the road, so that when the reconstruction of the road starts, the potholes will have been reduced.

Mr. S.C. Koech: Mr. Speaker, Sir, while thanking the Minister for that answer, the amount allocated, of Kshs80 million, will not be adequate for the reconstruction of this road.

Mr. Speaker, Sir, when His Excellency the President toured the area recently, he assured the residents of Bomet and Buret Districts that this road will be allocated Kshs820 million during this financial year. This is a very sad day for the residents of the two districts.

Mr. Speaker: Ask your question!

Mr. S.C. Koech: Mr. Speaker, Sir, the assurances given by His Excellency the President--

Mr. Speaker: Mr. S.C. Koech, do you know, as a matter of fact, you are breaking the rules? You, as an ordinary Back-bencher, are not allowed by the rules of the House to use the name of the President as authority for what you are saying.

Hon. Members: He was there!

Mr. S.C. Koech: Mr. Speaker, Sir---

Mr. Speaker: Order! You may have been there, but the Standing Orders were not there! Proceed!

Mr. S.C. Koech: Mr. Speaker, Sir, I wish to rephrase my question. The assurance given by the Government occasionally should be taken seriously. This is a statement that was carried by the Presidential Press Service through the Kenya Broadcasting Corporation (KBC), and people--

Mr. Speaker: Would you like to ask your question? Mr. S.C. Koech, I have to finish Question Time at 3.30 p.m. and there are many hon. Members who have Questions. We are not going to have your Question alone!

Mr. S.C. Koech: Mr. Speaker, Sir, when will the Minister provide funds to complete reconstruction of this road?

Mr. Nyachae: Mr. Speaker, Sir, if the hon. Member listened very carefully, I stated that Kshs80 million, which is being made available, is the initial amount. We have to go through the tender procedures. The contractors will have to quote their figures before we can specify how much the reconstruction of the road will cost.

However, we have agreed that we are going to reconstruct the road. Even from the discussions that were held by the area leaders, it was agreed that we are going to reconstruct the road. Mr. S.C. Koech, and his colleague from Litein, came to see me in my office and I confirmed to them that we are going to do the road.

Mr. Speaker, Sir, we are also going to do the Fort Ternan Road. We are getting a consultant

to survey the Fort Ternan Road. What else is the hon. Member asking for now?

Mr. Raila: Mr. Speaker, Sir, I actually pity the Minister. I am very conversant with this survey. This road was actually earmarked for reconstruction in the Financial Year 2004/2005. The reconstruction should have started in 2005. At that time, we had allocated Kshs50 million for the exercise.

This is a 51-kilometre road. The Kshs80 million is peanuts. At a cost of Kshs20 million per kilometre, it will cost about Kshs1 billion to reconstruct the road. Why is the Government refusing to allocate sufficient funds for this road? Could the Minister deny or confirm that the money which had been earmarked initially for this road was transferred to another road elsewhere?

Mr. Nyachae: Mr. Speaker, Sir, first, I want to correct the hon. Member. This road is not 51 kilometres long. It is 41.6 kilometres long. There is not much difference, but it is not right to give the wrong figures to this House.

Mr. Speaker, Sir, secondly, my colleague who has asked the question should know where the money went to. The problem is not with the hon. Members who are asking Questions. This road was last done in 1999. The hon. Member should be grateful that we are now paying attention to the road.

Mr. S.C. Koech: Mr. Speaker, Sir, we have been told that Kshs80 million has been allocated during this financial year. The estimate for the reconstruction of the road is Kshs820 million. If Kshs80 million is the initial allocation, when will the balance be provided?

Mr. Nyachae: Mr. Speaker, Sir, money is continuously re-allocated depending on the contracts that we have to tender. For the information of this House, certain projects which are shown in the Printed Estimates may not be started during this financial year. If they are not started, we get authority from the Treasury to re-allocate that money. Once we have stated that we are going to do a road, there is no point of having misgivings. Wait and you will see.

Question No.341

TOILET FACILITIES FOR KANGUNDO/
TALA POLICE STATIONS

Mr. Speaker: Hon. M. Maitha is not in the House. His Question is dropped!

(Question dropped)

Question No.366

TABLING OF KENYA'S COMPREHENSIVE EXTERNAL
DEBT PORTFOLIO

Mr. Muite asked the Minister for Finance:-

(a) whether he could table a comprehensive breakdown of Kenya's total external debt position from 31st January, 1963 to 31st December, 2006, indicating the lender, security offered and account(s) to which the money was deposited;

(b) what the total debt portfolio was as at 31st December, 2006, and how the money borrowed was utilised; and,

(c) if he could state whether the law was complied with in respect of each borrowing.

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

(a) Kenya's total external debt for the period between 31st January, 1963, and 31st December, 2006, amounts to Kshs1,103,149,099,873. The external debt was contracted from a number of sources among them being the International Bank for Reconstruction and Development, International Development Association and Commonwealth Development Corporation. All borrowed funds were deposited into the Consolidated Fund.

(b) The country's total debt portfolio as at 31st December, 2006 was Kshs374,063,661,796. The money borrowed was used to fund a number of development projects within the various sectors of the economy.

(c) I wish to confirm that the law was complied with in respect of each borrowing.

Mr. Muite: Mr. Speaker, Sir, you will notice that in part "a" of the Question, I had asked the Minister to table a comprehensive breakdown of the total debt. In part "b" of the Question I had asked for a breakdown of the portfolio.

Mr. Speaker, Sir, in his reply, the Assistant Minister says that this Kshs1.1 trillion was borrowed from a number of sources and he has listed three of them. This House is entitled to a complete breakdown of all the places from which we borrowed this money and how much because that is what a comprehensive breakdown is.

Secondly---

Mr. Speaker: Just a moment, Mr. Muite! Can we take it in stages? You demanded to have the breakdown tabled. Mr. Assistant Minister, could you table that?

Mr. Kenneth: Mr. Speaker, Sir, I have the full list from 1964 up to December, 2006 that shows how the Kshs1.1 trillion was borrowed. It also shows that Kshs700 billion has been repaid, for which project, how it was repaid and for what purpose. The whole list is here.

*(Mr. Kenneth laid the document
on the Table)*

Mr. Speaker: Mr. Muite, do you in any way think you are disadvantaged?

Mr. Muite: Yes, Mr. Speaker, Sir. There are two assumptions; that the information given to this House by the Assistant Minister is 100 per cent accurate and that it is reflected in the Foreign Debt Register. Has the Foreign Debt Register been availed to the Controller and Auditor-General in order for him to verify the information given to this House?

Mr. Kenneth: Mr. Speaker, Sir, this list is derived from the Foreign Debt Register. Mr. Muite asked for a comprehensive list. I know of no other comprehensive list. This is the one from 1964 to 1986. It is upon him to verify what he would like to verify and perhaps even audit it or seek the help of the Controller and Auditor-General because this is what we have in the Foreign Debt Register.

Mr. Bifwoli: Mr. Speaker, Sir, this Question is very important given the fact that Parliament never approved the debts. If the Controller and Auditor-General has been called to audit these debts, how come that the Anglo Leasing scandal came into existence in the name of borrowing?

Mr. Kenneth: Mr. Speaker, Sir, the cap of how much can be borrowed has been put in place by this same House. At the moment the cap is Kshs500 billion. The Government has borrowed Kshs374 billion.

Mr. Weya: Mr. Speaker, Sir, most parliaments around the world approve the list of countries from which they should get borrowing. Could the Assistant Minister tell us if this House has to approve foreign borrowing before money can be borrowed by the Government?

Mr. Kenneth: Mr. Speaker, Sir, Cap.422 of the External Borrowing Act is very clear.

Parliament actually approves what the cap is and I have said the cap is Kshs500 billion. We are at Kshs374 billion.

Mr. Speaker: Mr. Muite, are you still interested in asking the final question. I thought you donated your chance.

Mr. Muite: No, Mr. Speaker, Sir. I was giving an opportunity to that other hon. Member. I have one last question. Could the Assistant Minister confirm that the details he has just tabled, which we will go through, also contain the 18 Anglo Leasing foreign debt borrowings?

Mr. Kenneth: Mr. Speaker, Sir, you know, hon. Muite wants me to do his job! He has asked me to table the comprehensive borrowing list from 1964 to 2006.

Mr. Muite: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to evade answering the question? I am asking the question on behalf of the House. Do the details in that list contain the 18 Anglo Leasing projects?

Mr. Speaker: Order, Mr. Muite! Has he not tabled the list? It is the property of the House now; find out!

Mr. Kenneth: Mr. Speaker, Sir, I support what you have just said.

Mr. Raila: Mr. Speaker, Sir, as you can see, the Assistant Minister has tabled a very comprehensive list here. The House has not had time to go through it now to be able to ask supplementary questions.

Will I be in order to ask that this Question be deferred until we have had time to peruse the list?

Mr. Speaker: As a matter of fact, Mr. Raila you are already too late. At the very initial stages, when the Assistant Minister laid the list on the Table, I asked the hon. Member whether he feels disadvantaged and he did not say he was disadvantaged.

Hon. Members: He did! Give him an option!

Mr. Speaker: Order! I am not inclined to! You are at liberty to look at that document and you may, at subsequent time, raise by all avenues available to hon. Members through the Standing Orders, any queries that you wish. I appreciate the fact that it is the role of this Parliament to, in fact, keep vigil on the use and borrowing of all funds on behalf of the people. I am appreciative of that fact.

Next Question!

Question No.140

UNLICENSED SALE OF GAME MEAT

Mr. Khamisi asked the Minister for Tourism and Wildlife:-

(a) whether he is aware that game meat is sold in many restaurants and butcheries around the country;

(b) whether he could tell the House how many such establishments are licensed to deal in game meat; and,

(c) what measures he is taking to ensure that this trade does not lead to the extinction of certain wildlife species.

The Minister for Tourism and Wildlife (Mr. Dzoro): Mr. Speaker, Sir, I beg to reply.

(a) Bush meat poaching is taking place in various parts of the country and most of it is consumed in the villages and settlements in the rural areas. Any game meat, other than ostrich, crocodile and guinea fowl being sold in any restaurant, is being done illegally.

(b) Currently, the only authorised restaurants dealing in ostrich, crocodile and guinea fowl meat are the Panari Restaurant, Carnivore Restaurant and Pamba Grill in Nairobi and also Midway

Hotel in Mombasa. Any restaurant selling the authorised game meat without a licence from the KWS is committing a crime.

(c) The KWS has established units to deal with the menace in the hot spots of Tsavo, Kajiado, Naivasha, Nakuru, Nairobi and Narok. These units carry out frequent raids in collaboration with livestock, veterinary and health officials.

Mr. Khamisi: Mr. Speaker, Sir, I am shocked because the answer that the Minister is giving is completely different from the one that I have here. In fact, it is contradictory. In his answer, he admits that there are restaurants that are licensed to sell game meat. In this particular answer he denies that there is any outlet in Kenya that sells game meat. I would like clarification. Which one is the correct answer?

Mr. Speaker: Hon. Members, I think I have made that clarification almost time without number. This is time for Oral Answers to Questions. Hold it to what comes out of an hon. Members' mouth. That is what an oral reply is.

Proceed!

Mr. Dzoro: Mr. Speaker, Sir, this Question came up some weeks ago and I needed to get more clarification. I told the hon. Member about it. When this answer came last week the hon. Member was not in this House, hence the Question was dropped. The answer I had at that time is the one that I am reading now. Whatever he is referring to is the one on which I needed clarification.

Mr. Mwandawiro: Bw. Spika, ninashangaa! Huyu Waziri anatoka Mkoa wa Pwani na anaelewa sana kwamba katika mbuga ya wanyama pori ya Tsavo kuna wanyama pori wengi. Watu wa eneo kama Taita-Taveta hawafaidi chochote na huku kando nyama hii inauzwa katika mahoteli. Je tutaendelea kuwaambia watu wetu wachunge hizo kanga ili kutosheleza mahitaji ya mabepari wakati hawapati chochote?

Mr. Dzoro: Mr. Speaker, Sir, it is unfortunate that I have started answering this Question in English. I would have loved to answer my hon. colleague in Kiswahili. However, if the hon. Member has that information, we will be glad to get it and action will be taken because poaching of game meat is illegal.

Mr. Speaker: Mr. Minister, I understood the hon. Member to mean that the local population who keep and live with that wildlife do not benefit at all from that wildlife and yet people who are far removed from the wildlife, including restaurants and hotels, are benefiting. Why are the common people keeping them? Is that a fair reflection?

Mr. Dzoro: Thank you, Mr. Speaker, Sir, for making that clarification. You are aware that we have gone everywhere wanting to come up with a new Bill on wildlife. That matter will be considered. We have taken views from people in those areas very seriously and I am equally concerned; like my colleagues. This Bill will be brought before the House. I kindly ask the hon. Member to participate fully so that our local people can benefit not only from wildlife, but also those who are in tourism can also benefit from this industry.

Mr. Balala: Mr. Speaker, Sir, is the Minister aware that there is competition between livestock and plain game? In addressing the issue of competition by animals in wildlife sanctuaries, why can he not allow culling so that we allow plain game to be harvested and be used in restaurants?

Mr. Dzoro: Mr. Speaker, Sir, as I said, we have a team that has been going round the country and a Bill will come to this House. We will be glad to hear your comments when that Bill comes before the House.

Mr. Khamisi: Mr. Speaker, Sir, most of this meat that is sold to restaurants in our cities is from private ranches. Could the Minister tell this House what controls the Government has over the animals in those ranches, which are brought to restaurants in our cities?

Mr. Dzoro: Mr. Speaker, Sir, again, I would like to say that this matter has to be looked into, and it will be very good for hon. Members to wait for the Bill which is coming to this House very soon, so that we can deal with it.

Mr. Balala: On a point of order, Mr. Speaker, Sir. Is it in order for the Minister to constantly keep referring to a Bill that has not been tabled in this House? He has not also specifically said when it is coming. Is he in order?

Mr. Speaker: Order, hon. Members! I think we all appreciate the fact that, maybe, the bulk of our---

(Mr. Wako consulted loudly)

If I could have the Attorney-General's attention--- If he does not give it, I will ensure that I have it, whether he wills it or not.

(Laughter)

*(Mr. Wako acknowledged
the Chair)*

Thank you, Mr. Attorney-General.

What I was saying is that I think this matter is really exercising the minds of the Kenyan people, particularly those who live with wildlife. Mr. Minister, I think the question being raised by Mr. Balala requires your attention. Are you intent on bringing this Bill at all, or you do not intend to bring it? If you do, when?

Mr. Dzoro: Mr. Speaker, Sir, it will come as soon as possible, because what is happening right now is that it is at the Attorney-General's Chambers. He has promised that it will be dealt with very soon, as you have seen from him.

Hon. Members: The Attorney-General is here!

The Attorney-General (Mr. Wako): On a point of information, Mr. Speaker, Sir. As far as this Bill is concerned, what I know is that I have received letters addressed to the Ministry, with copies to me, saying that there is need for a stakeholders' forum in order to fine-tune and finalise the Bill.

Hon. Members: When?

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I received one letter yesterday from a corporation, which deals with this matter.

Hon. Members: So, there is no Bill!

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, there is a draft Bill, which we are finalising, but there are some stakeholders who want a final stakeholders' forum.

Mr. Speaker: Order, Mr. Wako! These so-called stakeholders, I do not know whether they are the "steak", the ones who hold the meat---

(Laughter)

These so-called stakeholders do not hold the wildlife, and it is them who have actually messed up the whole of our wildlife law. Why are you hostage, Mr. Attorney-General, to stakeholders?

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, first of all, the work on this Bill is more or less finalised. We are finalising it on instructions from the Ministry of Tourism and Wildlife, who are responsible for the policy issues which are reflected in the Bill.

All that I was informing the august House was that some stakeholders have written to the Ministry, with a copy to us, that they would want to have some input into this Bill. Some of these stakeholders are the ones concerned with the very issue that we are talking about, wildlife.

Mr. Speaker: But do you realise that there is a relevant Committee of the House, which these stakeholders can make their presentations to? Why should the whole country be held to ransom by people called "stakeholders", who have no name?

(Applause)

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, in the drafting of Bills, and it is there in the circular to the Ministries, which are responsible for policy, we are very clear to the Ministries that before they finalise the policy and bring the Bill for finalisation, they should engage in wide consultations, particularly with those persons and institutions which will be affected by that legislation. So, by the time we received the Bill, and this is what the Minister may be saying, they had already consulted the stakeholders. They are recognised in the Bill. I was just informing the House that I will put the--- But we are finalising the Bill.

Mr. Speaker: I think we will finish that!

Mr. Dzoro: Can I comment?

Mr. Speaker: Let us finish and come to you.

(Mr. Bahari stood up in his place)

What is it, Mr. Bahari?

Mr. Bahari: Mr. Speaker, Sir, we had a conference in Mombasa on the preparation of the necessary policy, and all the input was given there. The Kenya Wildlife Service (KWS) has gone round all the zones in this country. They have got input even from the local community. If that is true, could the Attorney-General and the Ministry consult, and with speed? For some us, this Bill is very important! They should bring it to this House, so that we can finalise this matter. In fact, if they over-consult now they are going to spoil it.

Mr. Speaker: Mr. Attorney-General, you can respond to that.

*(Mr. Wako moved to the
Dispatch Box)*

Just before you make your comments, Mr. Attorney-General, I am sorry for getting involved in this. I think the non-existence of a workable--- The very existence of wildlife in Kenya is totally dependent on the existence of a law, or a policy, that will make their existence acceptable to those people who live with it. So, could you reply having them in mind and not those people who benefit because they conserve wildlife in briefcases?

(Applause)

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, this is what I have to say, and this is what I expect of the Ministry. Taking into account the contributions that have been made here, in fact, consultations have taken place. What I expect to hear from the Ministry is: "Mr. Attorney-General, finalise that Bill. We have already consulted. If anybody has any comment to make, they will make it after the Bill has been published". But that has to come from the Ministry, and it is what I expect them to do.

Mr. Speaker: We will finish now. Mr. Minister, do you have any comment?

Mr. Khamisi, can I finish with him? Do you have any further comment?

Mr. Khamisi: No, Mr. Speaker, Sir.

Mr. Dzoro: Mr. Speaker, Sir, I just want to confirm to this House that I will liaise with the Attorney-General to make sure that the Bill comes to this House as soon as possible.

Speaker: Very well!

Next Question, Mr. Muturi!

Question No.314

LEGAL INSTRUMENT TO CONFIRM
APPOINTMENT OF MINISTERS
AND ASSISTANT MINISTERS

Mr. Muturi asked the Attorney General:-

(a) what legal instrument exists to confirm appointment of a Member of Parliament as a Minister or Assistant Minister pursuant to Sections 16 and 19 of the Constitution; and,

(b) how the fact of such an appointment is conveyed to the National Assembly to facilitate its mandate as provided under Section 17(3) of the Constitution.

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I beg to reply.

(a) A Member of Parliament is appointed as a Minister or Assistant Minister by a letter of appointment signed by the President, and takes and subscribes to the oath of allegiance and such oath for the due execution of his office as is prescribed under the Promissory Oaths Act, Cap.100 of the Laws of Kenya, as required under Section 21 of the Constitution of Kenya, before she or he enters upon the duties of the office of Minister or Assistant Minister.

(b) The appointments are conveyed through Presidential Circulars.

Mr. Speaker: Mr. Muturi, I do not seem to understand this Question.

Mr. Muturi: Mr. Speaker, Sir, the Question is technical!

(Laughter)

Mr. Speaker: Are you implying by that fact that---

Mr. Muturi: The problem is with the answer!

Mr. Speaker: Will you, please, sit down? Are you implying, by any chance, that the Chair cannot understand technical matters?

(Laughter)

Mark you, the Chair went to the Law School way before you went there!

Mr. Muturi: Mr. Speaker, Sir, while appreciating that many people have actually been to the Law School many years before others, of course, that does not limit the knowledge of those who went there later. Let me ask my question. The Question is asking about the legal instruments that exist to confirm the appointment of a Member of Parliament as, either a Minister or an Assistant Minister. The Attorney-General has told us that, that is done through letter of appointment which is signed by the President. However, the second bit of the Question is: How are

such appointments conveyed to the National Assembly in order for this House to perform its mandate under Section 17(3) of the Constitution of holding them accountable or jointly responsible? A Presidential Circular is not a legal instrument. Unless the Attorney-General is---

Mr. Speaker: Order, hon. Members! Order! Order! Mr. Muturi, what constitutional provision requires that a Minister or an Assistant Minister is appointed through legal instrument? What provision?

Mr. Muturi: Mr. Speaker, Sir, Section 18 of the Constitution says that such apportionment of responsibilities will be done in the hand of the President in writing, and he is the one who determines what functions. The House requires to know that a particular person is the one responsible for a particular function.

Mr. Speaker: Why do you not read the whole section? There is a difference between what the section says and what you understand it to say? What does it say?

Mr. Muturi: Mr. Speaker, Sir, can I ask my question? The Chair is at liberty to either agree or disagree with me.

Mr. Speaker: Order, order! We are a very serious organisation. It is the duty of the Speaker to ensure that all Questions make sense. It is my job to do that and if it appears---

Hon. Members: If it does not make sense!

Mr. Speaker: Yes, if that is the position, then it is my duty to bring the House to understand what it is. Otherwise, we shall be acting in vain. If, indeed, Section 18 says that the President shall appoint Ministers through a legal instrument and must convey that appointment to Parliament in a certain manner, then, obviously, the hon. Member is right. However, if it is what he wishes, maybe it is a different matter. Mr. Muturi, maybe we should hear from you what the Section says. That will help me and the House.

Mr. Muturi: Mr. Speaker, Sir, I raised the Question myself. What I want is not what hon. Mungatana is shouting there about---

Mr. Speaker: Order!

Mr. Muturi: Mr. Speaker, Sir, let me ask my supplementary question.

Mr. Speaker: Order! Mr. Muturi, if you are going to insult other hon. Members, please, sit down! If you will use unparliamentary language against others, you will not--- You are pointing at an hon. Member and saying that he is shouting there! Hon. Members do not shout! Could you, please, withdraw that and relax a little? That way, you will be able to get your bearing.

Mr. Muturi: Mr. Speaker, Sir, I withdraw the word "shout" but it is obvious that someone was trying to urge me to say something---

Mr. Speaker: Will you, please, just withdraw? What is the matter with you?

Mr. Muturi: Mr. Speaker, Sir, I have withdrawn.

Mr. Speaker: Thank you!

Mr. Muturi: Mr. Speaker, Sir, I would like to know, since Parliament is supposed to hold the Cabinet collectively responsible--- The Cabinet is collectively responsible to the National Assembly and, therefore, the National Assembly should know that so-and-so has been appointed in this manner. I would like to know from the Attorney-General whether a Presidential Circular is a legal instrument that contains such appointments and assignment of responsibilities to a Minister or an Assistant Minister in a particular Ministry or Department.

Mr. Wako: Mr. Speaker, Sir, just like you, I was at a loss to understand this Question, with the utmost due respect to the hon. Member. A letter of appointment is a legal instrument. A Presidential Circular is also a legal instrument. What is a legal instrument? A legal instrument is a piece of writing---

(Loud consultations)

Yes, I am, hereby, quoting *Chambers Dictionary*, 20th Edition, page 680. " A legal instrument is a piece of writing which can be used as evidence in matters of court---" In such appointments, the following are legal instruments: A Presidential Circular contains the names of the persons appointed as Ministers, Assistant Ministers and their assigned duties.

Even the Assistant Ministers are assigned dockets in the Presidential Circular, which is circulated to every institution. To the National Assembly, it is circulated through the Clerk of the National Assembly. Here is such a Presidential Circular.

(Mr. Wako displayed the document to the House)

Mr. Speaker: Order! Order!

Mr. Billow: Thank you, Mr. Speaker, Sir. In recent weeks, the Assistant Ministers have been complaining that they are not being assigned executive duties or responsibilities, which they believe they should be given. Could the Attorney-General tell this House whether Ministers and Assistant Ministers have an executive role or whether they have, merely, a non-executive role such as policy-making? There is a lot of concern by the Assistant Ministers.

Mr. Wako: Mr. Speaker, Sir, the executive authority is vested in the Head of State, who is the President. The Cabinet, Ministers, and Assistant Ministers are there to aid and advise the President of the Government of Kenya. That is the constitutional provision. However, the fact of the matter is that in a Presidential Circular, and in the letter that goes to them, they are assigned specific duties to aid and advise the President of the Republic of Kenya. The Ministers are overall in charge of their Ministries, but Assistant Ministers are given specific dockets within the Ministry for which they are responsible. Here is one such Presidential Circular.

(Mr. Wako displayed the document to the House again)

Mr. Speaker: Are you interested at this stage, Mr. Muturi, or shall I give one more person a chance?

Mr. Muturi: Mr. Speaker, Sir, you can give one more person.

Mr. Balala: Mr. Speaker, Sir, after yesterday's, meeting with the President, and the Assistant Ministers, does it now mean that they have become Deputy Ministers because they have been given certain responsibilities?

Mr. Speaker: Does that create Ministers and Assistant Ministers? I think it is outside the Question. But you can respond to it, if you want to.

Mr. Wako: Mr. Speaker, Sir, that question is outside the scope of the Question before the House. I was in that meeting and I think the Assistant Ministers here know my position regarding that matter. However, that specific question is outside the scope of the Question before this House.

Mr. Muturi: Mr. Speaker, Sir, I brought up this Question because of some glaring contradictions that I find, in that in certain respects and more so particularly appointments made by the President to certain key organs of the Government are actually gazetted through legal notices and the reason I therefore, wanted to bring out is that if, we intend to follow one or the other of any of those systems, there is some consistency. Are the appointments made through Presidential Circulars superior to those in view through legal notices that are gazetted in the Kenya Gazette?

Mr. Wako: Mr. Speaker, Sir, when it comes to notices, there is normally a legal requirement. Some legislations provide for a legal requirement that the appointments be gazetted. I

can quote many examples of such requirements that the appointments should be gazetted, for example. For example, under the Anti-Corruption and Economic Crimes Act, certain appointments must be gazetted. It is a requirement of the law. Under the National Assemblies and the Presidential Elections Act, certain appointments and positions are required by law to be gazetted. Also, under the Criminal Procedure Code, certain appointments--- For example, when I am appointing a special prosecutor, I am required to gazette that appointment. Certain corporations, particularly those which are constituted under an Act of Parliament, the directors and chairmen are required to be gazetted by law. So, it is the law which says: "Gazette". There is no law under the Constitution or under any legislation which says that the appointment of Ministers or Assistant Ministers must be gazetted. There are some instances where, for example, Ministers have merely been gazetted. But it is not as a requirement of the law but general information. But as far as the appointment of Ministers is concerned, Presidential circulars suffice.

Mr. Speaker: Very well. Who is not there among the following hon. Members? That is because I have to give Mr. Raila one minute to seek a Ministerial Statement. Is Mr. F. Bett there?

Mr. Bett: Yes, I am here.

Mr. Speaker: Yeah! You are the farthest. I intend to defer your Question, that of Mr. Weya and that of Mr. Wambora to tomorrow and, if necessary, thereafter. Is that all right?

Mr. Bett: It is okay, Mr. Speaker, Sir.

Mr. Speaker: So, some of them will come tomorrow. I hope we will be able to get all of them tomorrow.

Question No.382

SHIPPING OF TEA TO OVERSEAS
BUYERS WITHOUT LCs/CASH

(Question deferred)

Question No.357

AMOUNT OF FUEL CONCESSION RECEIVED
FROM NIGERIAN GOVERNMENT

(Question deferred)

Question No.304

AMBULANCE FOR KANJA
HEALTH CENTRE

(Question deferred)

Mr. Ochilo-Ayacko: On a point of order, Mr. Speaker, Sir. My Question was the first on the Order Paper. It is the one that was deferred yesterday. It was skipped because the Minister was not in.

Mr. Speaker: Yes! I am aware of the fact that the Minister was late. But he came here and he was actually anxious to answer it. But now, the time is not on my side and I will have to put it off to tomorrow. Mr. Minister, please, come and answer it tomorrow.

Question No.097

SUPPLY OF CLEAN WATER TO
AWENDO TOWNSHIP RESIDENTS

(Question deferred)

Mr. Speaker: So, Mr. Raila, what did you want of the Minister?

POINT OF ORDER

SHOOTING OF KIBERA RESIDENTS
BY GANGSTERS

Mr. Raila: Mr. Speaker, Sir, I rise to seek a Ministerial Statement from the Minister of State for Administration and National Security--- I wish he was listening!

Mr. Speaker, Sir, on 27th June, 2007, in the evening, some criminals invaded Kibera Village in Langata Constituency. Those people proceeded to shoot at will from a village called Laini Saba---

An hon. Member: A section!

Mr. Raila: No! Mr. Speaker, Sir, it is a village called Laini Saba. They moved along and shot at many people. In the process, by the time they were through, they had shot five people. One of them, a Mr. Moses Kamau, was shot and died on the spot. Mr. Eliud Okeyo, Mr. George Ouma and Mr. Paul Munanda were all shot and died on the spot, but at different areas. Mr. Joseph Kinyua died later of gun wounds at the Kenyatta National Hospital.

From that date - that is 27th June, 2007 - up to date, nothing has happened. The police had said that they were following some leads, but nothing has happened up to today. It is a very serious matter because people are being killed and, sometimes, various personal statements have been made pointing a finger at the *Mungiki*. There were no signs to show that those were the *Mungiki*. Those were just criminal gangs who are moving around. That has become a very serious issue in the country; that innocent Kenyans are losing their lives on a daily basis.

Mr. Speaker, Sir, I would like to ask for a Ministerial Statement from the Minister of State for Administration and National Security. We would like to know what has happened! Who were those people? What does the Government intend to do to actually bring insecurity in this country under control. So many people have died and, each time, we are told that they have some leads. So many of those people have been killed here and there, but the gang keeps on killing our people.

Mr. Speaker: Very well. I have just a little time for him, unless you do not want--- Do you want a response?

Mr. Raila: Yes, Mr. Speaker, Sir.

Mr. Speaker: Mr. Michuki, do you want to respond?

(Loud consultations)

Order!

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Speaker, Sir, it is highly regrettable that these things are happening, not just in Kibera, but also in other places. It has become fashionable that whenever crime is being committed by other people, the blame, obviously, must go to *Mungiki*. But I want to assure this House that what I am dealing with are criminals. Indeed, as far as I am concerned, *Mungiki* does not exist!

(Laughter)

An hon. Member: Why?

The Minister of State for Administration and National Security (Mr. Michuki): It does not exist because it is a proscribed society whose members can only meet the Government in a court of law, and not elsewhere!

Mr. Speaker, Sir, I seek the indulgence of the hon. Member that we be allowed to bring a Statement on Wednesday afternoon, next week.

COMMUNICATION FROM THE CHAIR

LOSS OF FIRST ALLOTTED DAY ON VOTE 01 DUE TO LACK OF QUORUM

Mr. Speaker: Very well. Thank you. That is the end of Question Time! We will go to the next Order. As we do so, hon. Members, once again, we lost a day yesterday. We should have concluded the debate on this Vote today. But we will not do it because we lost yesterday. So, we hope to do it today and conclude it tomorrow.

Hon. Members: Why?

Mr. Speaker: Because we lost a day yesterday! Order! Let me explain to hon. Members who do not understand.

(Laughter)

Order! Let me explain to you. There are some serious issues that we take very lightly. Our Standing Orders demand that a Vote in the Committee of Supply shall be done in two days. Now, a day is defined in our Standing Orders as a period of debate for that particular Vote, for a period not less than three hours. That is why we begin a Committee of Supply at 3.30 p.m., just like now. Three hours will end at 6.30 p.m. Yesterday, we began at 3.30 p.m. and the debate continued until 6.10 p.m.. That is two hours and fifty minutes.

So, the House rose ten minutes to time. That means that we never made the three hours. So that was a wasted day.

Yesterday was totally wasted. It is no day; zero, nil! So, we have to begin afresh now and hope that you do give this Vote the three requisite hours. The consequence of not reaching that, is that we shall deal with this Ministry for the balance of your term because the law does not allow it to disappear. It will continue to be on the Order Paper as 1st Allotted Day until our term expires, if you do not make it a habit to be in the House. So, I am beseeching the House to note that this is a very serious issue. Just keep the quorum.

Mr. Angwenyi: On a point of clarification, Mr. Speaker, Sir. I do realise that we were here until about 6.10 p.m., as you have said. So, we lost only about 20 minutes. Could we round it up or contribute for 20 minutes to make up for the three hours?

Mr. Speaker: No way! There are no short-cuts to the law. As they say: "The law is an ass". The law says that a day shall be three hours and it shall remain so. I do not know how to fast-track your clocks. They will take their sweet way. So, we should take three hours today.

Next Order!

COMMITTEE OF SUPPLY

*(Order for Committee read
being First Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW
LEAVE THE CHAIR

Vote 01 - Ministry of State for
Administration and National Security

*(The Minister of State for
Administration and National
Security on 10.7.2007)*

*(Resumption of Debate interrupted
on 10.7.2007)*

Mr. Speaker: Mr. Salat was on the Floor. You have eight minutes.

Mr. Salat: Mr. Speaker, Sir---

(Loud consultations)

Mr. Speaker: Order! Order, hon. Members! Order, Mr. Balala! Hon. Members, up to this point, we were on matters other than business. That is, we were not in business. It is now that we are getting into business. As soon as we get into business, hon. Members talk too much. So, please, let us get into business and let us keep the quorum for the balance of today.

Mr. Salat: Mr. Speaker, Sir, is it possible for me to have my full ten minutes since this is a new Allotted Day?

Mr. Speaker: You have eight minutes, Mr. Salat!

Mr. Salat: Mr. Speaker, Sir, as I was saying, yesterday, I did thank the Minister for having dealt with insecurity in the country and asked him not to compromise on issues of security in this country. I am wondering whether this could be sabotage within the forces. I ask that because maybe the security forces are dissatisfied in the way that promotions are being handed down and, therefore, they approach the security issues of this country---

(Loud consultations)

Could you protect me, Mr. Speaker, Sir?

Mr. Speaker: Order! Order, all of you! I have been asked to protect the hon. Member and it is my duty and pleasure to do so: You are duly protected!

Proceed!

Mr. Salat: Thank you, Mr. Speaker, Sir. As I was saying, I urge the Minister to look into issues like sabotage within the forces. When we talk to police officers they do, sometimes, confide in us that they are not happy at the way promotions are being handed out. Some are overlooked when it is time for them to be promoted. This being an election year, as usual, it is very challenging for the security forces.

I am very happy that the housing problems which have been persistent within the forces are going to be looked into in this Vote. I say this because the welfare of the police officers is also a contributing factor to fighting insecurity in the country. So, I urge the Minister to consider the welfare of police officers including even increasing their salaries. If the forces continue to be under-paid, the morale will be down. So, I urge the Minister to also look into the future and consider a salary increment for the police officers.

Mr. Speaker, Sir, an issue which has been raised by hon. Members is the issue of *Mungiki*. I wonder how the *Mungiki* menace crept into this country. I have a case in point where police officers in my constituency and district have adopted a *Mungiki* style approach by demanding

Kshs200 per day from all *matatus* operating within my district. So, I wonder where the *Mungiki* got this style of extortion. I do believe that there is something really wrong because we have over 200 vehicles operating as *matatus*. So, if each vehicle contributes Kshs200 per day, the extortion involved in this particular incidence by the police officers is one where we will find our people continuing not to respect the forces.

I ask the Minister to look into the cases of police officers who have been stationed, for example, at Sotik and Bomet. We have police officers who have been there for over ten years. Those particular police officers are even qualified to be made village elders because they have over-stayed their welcome. I urge the Minister to look into police officers who have over-stayed in their respective stations so that they could be transferred.

Mr. Speaker, Sir, yesterday, a colleague also mentioned a case of police officers and their control of traffic within the Nairobi City and other cities. I do find that the police officers are more-- They actually contribute more to the congestion and the traffic jams that we have in our cities. The cost of endless traffic jams to individuals is enormous. So, I urge the Minister to look into ways of de-congesting Nairobi City by taking our police officers to learn ways of controlling traffic instead of actually creating traffic jams.

As I said yesterday, I do urge the Minister to continue and not to compromise with the security of Kenyans. He should deal with the menace caused by all the elements of gangs including *Mungiki* and any other that may arise. The other day we read in the newspapers, that a Minister stated that there was a gang being trained in Trans Mara and he has reported the matter to the security forces and nothing is being done. For a Minister to say that there is a gang being trained, and especially when it is an election year, that is not going to go down well. It is going to create fear amongst Kenyans. Recently, at the coast, a gang's hide-out was raided by the police while undergoing training. So, whenever we have these gangs coming up without being dealt with decisively, Kenyans will always live in fear.

So, I hope the Kshs29 billion that has been allocated to this Ministry will be adequate, so that Kenyans can go about their business without fear.

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

The Minister for Water and Irrigation (Mr. Katuku): Thank you, Mr. Speaker, Sir, for giving me the opportunity to make my contribution to this Vote, which is very important for all of us. This is because we require security to be able to perform our day-to-day activities.

I would like to start by thanking the Minister. Although some hon. Members have expressed disappointment in the way he has handled a few issues, I am personally very happy with the way he has handled his docket. There is no way you can compromise with criminals. Some hon. Members may want him to compromise with criminals, but you cannot compromise with criminals who handle or hold guns. I would want to encourage the Minister to take on these criminals, so that we can have a peaceful society. This business of letting criminals, who hold guns, get away with it, is the one which is adding problems to this country.

I would want the Minister to re-look at the law that relates to handling of illegal firearms, so that once one is caught in possession of an illegal firearm, he or she is dealt with firmly. This is because once you leave such a criminal--- Sometimes when they are taken to court, they are released on bond. Then, they use other weapons to continue harassing innocent Kenyans. So, I think it is the high time we re-looked at the law and amended it, in order to come up with serious penalties against anybody who is found in possession of illegal firearms. This is because it means that such a person is out to kill. So, if that person is out to kill, why do we have to spare him or her? Why does one have to acquire an illegal fire arm? It means that you are a killer and, therefore, you should be dealt with firmly. That is why I support the Minister for the way he has handled some of the incidents, where criminals have been found. All of us, as leaders, do not need to

sympathise with these criminals. I have seen some leaders in this country - some of them are in this House - trying to sympathise with criminals, purposely, to catch headlines in newspapers. The insecurity situation in this country does not require somebody to make headlines while defending criminals.

Mr. Speaker, Sir, I also want to thank the Minister for the way that he has handled the aspect of re-training our officers. The retraining of officers is a programme which has been going on since the last financial year. I hope that he will continue with the same programme, which started with the assistant chiefs, chiefs and District Officers (DOs) and other security personnel. It is important that we re-train these officers. I think the Minister is giving the chiefs some training on how to handle firearms. I would like to recommend that he considers giving them firearms, so that they can assist in some areas. In some areas, we have some chiefs who possess guns, but in others, you will find that when the communities are confronted by insecurity, they run to the chiefs who are helpless because they do not have fire arms. Some of them stay away from their camps. So, there is no way they can be of any help. So, I am appealing to the Minister to consider allowing chiefs to be given guns, and training them to handle them, so that they can assist communities when they raise alarm, especially, when they are attacked unawares.

Mr. Speaker, Sir, as we undertake this re-training of our officers, it is also important to note that there are some officers who have the mentality of serving the Government interests instead of the people. Most of them were recruited during the previous administration. It is time civil servants realised that they are supposed to serve the Government of the day because, in some cases, you will find them handling issues in a manner to suggest that they have some political protection. Someone imagines that because he was appointed to a certain position, through the help of somebody, he needs to---

Mr. Speaker, Sir, while talking about insecurity, I would like to appeal to my colleague to see how he can handle the insecurity that has been brought about by the "hammer." I would like to appeal to my colleague to give my brother, Mr. Kalonzo Musyoka, extra security, because I saw him, recently, being confronted by an insecurity situation known as "hammer." When he was addressing a *baraza* in Mombasa, the "hammer" almost caught up with my brother. This "hammer" is an insecurity weapon.

I do not know whether it is a car or the hammer itself. I saw on television, an innocent, Mr. Kalonzo Musyoka, faced by several hammers; the real hammers. That is the insecurity which---

*(Mr. Raila stood up
in his place)*

Mr. Speaker: What has it got to do with--- Mr. Raila, what is it?

Mr. Raila: Mr. Speaker, Sir, what does what the hon. Member is talking about got to do with the Vote of Office of the President?

Mr. Speaker: *Huo ni uchokozi tu!*

Mr. Raila: *Ni uchokozi!*

Mr. Speaker: *Wacha kuchokoza! Endelea!*

The Minister for Water and Irrigation (Mr. Katuku): Mr. Speaker, Sir, we are talking about insecurity. So, when one of us is being threatened, we need to raise the concern. I am telling the Minister to check that insecurity.

Mr. Speaker: Order, Mr. Katuku! *Huo uchokozi umetosha! Sasa, rudia kazi yako!*

The Minister for Water and Irrigation (Mr. Katuku): Thank you, Mr. Speaker, Sir. I am sure the Minister has heard that my brother is insecure, and he needs some security. All of us are leaders and, therefore, we need to speak with one voice when dealing with insecurity problems.

This will enable us to address those problems once and for all.

Mr. Speaker, Sir, as a Government, we must look at how we can best engage our youth. As the Minister for Water and Irrigation, I strongly believe that if we can allocate enough resources to my Ministry and engage the youth in activities like irrigation, the Minister will require less money. That is why I am appealing to this House, that we need to allocate more money to engage our youth in economic activities. This is because most of our youth engage in criminal activities due to unemployment.

Mr. Speaker, Sir, I would like to talk about the issue of the mobility of our Government officers. I have discussed this issue with the Minister. I want to thank him because he has assured me that he will allocate adequate vehicles to the DOs and other Government officers in my constituency. The Minister has assured us that using the money that the Ministry has been allocated, he will buy enough vehicles so that all our officers can move around and attend to different situations. However, most of the vehicles, especially, the turbo-type, that the Government buys, break down almost as soon as they are bought. The Minister should consider re-training our drivers, because we spend a lot of money to buy these vehicles. The turbo-type of vehicles break down two or three months after they are bought, because the drivers do not seem to understand how to use them. I would like to imagine that some of the drivers started their careers when this type of vehicles were not in operation.

Mr. Speaker, Sir, I have seen so many vehicles parked in our yards because of the mishandling of the turbo-type of vehicles. So, I would want to appeal to the Minister to look at how he can re-train these drivers to be able to handle the new vehicles that are coming to the force.

Mr. Speaker, Sir, the issue of motivation of our officers is also a major concern. We need to further motivate our officers. I want to thank the Minister for the effort he has done so far in increasing their salaries. However, as many Members have said, this increment is inadequate. We need to look at how we can further motivate our officers, so that they can work with zeal and strength and combat crime in this country. However, it is also important that as we look at the qualifications of those to recruit in the forces, we emphasise on the merits. We should not emphasise on recruiting people because of political reasons.

With those remarks, I beg to support.

Mr. Raila: Thank you, Mr. Speaker, Sir. We are trying to approve Kshs30 billion for the Ministry of State for Administration and National Security. This is a lot of money. Security is, of course, very important as well as administration. That is the reason why, at the end of the day, we may have to consider approving this Vote. However, before we do that, we will demand a lot of answers from the Minister.

(Loud consultations)

Mr. Speaker: Order, out there! Hon. Members, you can see the hon. Minister straining to hear what the hon. Member is saying. This is because some Members out there, are also determined to make it impossible for him to hear. Now, please, keep your peace!

Proceed, Mr. Raila!

Mr. Raila: Mr. Speaker, Sir, I was trying to refer to serviceability of the equipment that is procured by the Ministry of State for Administration and National Security. We spend a lot of money procuring vehicles and other equipment, but they are not properly maintained. So, you find the depots are full of vehicles. Some of them, had minor accidents and have just been abandoned there. It is very important that this Government becomes more serious about maintenance of equipment.

Mr. Speaker, Sir, secondly, I want to talk about the issue of insecurity in the country

generally. We have raised this matter so many times in this House. Virtually, every day we are asking for a Ministerial Statement on this matter. Why? Because the state of insecurity in the country is alarming. What is happening here is not only dangerous for the residents of this country, but it is also scaring away potential investors. It is very important that this Government takes the issue of security much more seriously. People have been dying in the last financial year in Mount Elgon, Samburu, Turkana, Marsabit, Moyale, Tana River and Murang'a districts, Nairobi and other parts of the country. These are some of the deaths that are preventable. A government which cannot provide security for its people is not a government that is worth existing. It is the primary responsibility of any government to protect lives and properties of its citizens. We, therefore, do not just want empty assurances that something will be done about insecurity. We want to see actual protection.

Mr. Speaker, Sir, on the issue of recruitment and training, not only of police officers, but also for the Provincial Administration, I want to begin with the latter. We had said that the Provincial Administration as is currently constituted is a relic of colonialism that has very little space in an independent country. We do not have it in Britain where it came from. We did not say that we will scrap the Provincial Administration, but we said that we will reform it to make it much more relevant to our situation. Currently, there are chiefs at Embakasi Administration Police Training College (EAPTC) being trained. The main propaganda which is being spread to all of them, when they are brought here, is that if you allow the ODM(K) Government to come into power, you will all be sacked. This is the propaganda which is being spread to these people all the time. Even when groups come here, this is the information that they come to tell us. This Government knows about this propaganda. We know that the Kilifi Draft Constitution is the one that was actually intended to scrap the Provincial Administration; it is not the Bomas Draft.

Mr. Speaker, Sir, with regard to recruitment, the same applies. I want this Government to borrow an example from the Government of Malaysia in order to deal with the issue of ethnicity. This Government intends to recruit 24,000 policemen over the next few years. It is very important that there is equity in recruitment.

Mr. Speaker, Sir, in Malaysia, for example, they have several communities like Malaysians, Chinese, Indians and other minorities. What they have done is that they have come up with clear demographic figures regarding the quantities of various communities. When they are recruiting, they make sure that each community gets its quota. This is very important that, for example, when they are going to recruit 100 policemen, they know that straightaway 60 will be Malayan, 30 will be Chinese and the rest will be taken by Indians and the others. By so doing, each and every community gets its fair share. That is what we should be doing here. If that is done, there will be no complaint about tribalism and ethnicity. It will also help the President on this issue of tribalism. The civil servants doing this do not know the kind of political cost to the Government.

This country is now torn along ethnic lines as a result of the actions of these civil servants who are recruiting in a very skewed manner. If they use the Malaysian example, even an El Molo will find space in this Government. It is not just a question of merit. Merit must also be toned with equity. So, if it is, for example, a quota for the Kisii, that merit must be available within the Kisii community. So, if it is a quota for the Kambas or the Mijikendas, they look for merit within those communities. At the moment, they just advertise. They invite people to come for interviews and they just look at how those people have performed. In that way, we find that the service is so skewed. They only recruit from a section of the society. The other section of society which is being left, also pays taxes. They also have people who are qualified. These are some of the issues which, sometimes, cause wars in countries.

Mr. Speaker, Sir, I would like to advise this Government that time for tapping phone calls

of politicians are long gone. Why should somebody come and ask, why do you talk to so-and-so? How does that benefit him? He tells you that he heard you talking to your girlfriend and so on. Those are the efforts or technologies which are so misplaced. Those are things which should not exist in a civilised society. The time when the Special Branch officers were following politicians and tapping their phone calls and conversations are long gone. I want to invite this Government to understand that none of these politicians have evil intentions about it. We want to get rid of this Government through legal means and we shall do it, whether they like it or not. So, they do not actually have to go to the extent of trying to stifle our phone conversations.

Mr. Speaker, Sir, we would like to see that this Government improves the relationship with our neighbours. The other week I was in Busia border where His Excellency the Vice-President and Minister for Home Affairs comes from. Yesterday, he had a visit from His Excellency the President of Uganda. I am sure, he obviously, raised the issue with him. When I went to Busia, there was a queue of three kilometres of trucks waiting to cross the border into Uganda. Some of the trucks are destined for Rwanda, Burundi and so on. I was told that the trucks take as long as three days to cross the Busia border to Uganda. It is true that this is a permanent feature. It is the same scenario on a daily basis. We ask ourselves: "What are we doing to the economy of Uganda, Rwanda and Burundi?" We should put ourselves in that picture.

Mr. Speaker, Sir, first, the goods are held in Mombasa for so long. They are released from Mombasa and taken to Busia where they stay for three days merely because the customs officers are there waiting to be paid some money before they allow the trucks to go. It is so primitive and so distressing. It is something that you really would not expect of the NARC Government which came into power on the promise of reforms.

Mr. Speaker, Sir, we would like to see some kind of discipline amongst the officers here. Why should police officers make people miss their flights at the Jomo Kenyatta International Airport (JKIA)? Why should we have three road-blocks between here and the airport? It is because of that, that people miss their flights. It is also the cause of terrible traffic jams. There are some permanent road-blocks in the City of Nairobi which we do not need. I wish the Minister could even order tonight that these road-blocks be removed because they are not doing anything useful. They are just toll stations for police officers.

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

The Vice-President and Minister for Home Affairs (Mr. Awori): Thank you, Mr. Speaker, Sir, for allowing me also to make very brief remarks. I want, first of all, to congratulate the Minister for the efforts that he has put in, in fighting crime. I would have liked to see more money actually being given to this Ministry in order to give the Minister the ammunition that will help to fight crime.

Mr. Speaker, Sir, a G3 gun in the hands of the police and an AK-47 gun in the hands of a criminal is almost a joke. It is really important that we should try to give more money so that we replace all the G3 guns with AK-47 guns. I think that is the only way out. When criminals know that the police have similar equipment in their hands, then they will think twice.

When we look at this Ministry's Vote, Kshs26 billion is for Recurrent Expenditure while only Kshs3 billion is for Development Expenditure. We need to think again very seriously because we have earlier on stated that it is important to look at the welfare of the police in order to motivate them to go out there and fight crime. Housing is part of the development. Today's *Standard Newspaper* depicts a terrible situation. The newspaper showed pictures of police houses in Migori. The houses are not fit for habitation by the police or any human being. I think we need to help our Minister of State for Administration and National Security by giving him more money to improve the housing of the police. Our police, to me, are, probably, the bravest on the continent of Africa. This is because they have gone out to fight with very little at their disposal. In June, 2007, it is

stated that nearly 12 officers were killed. I would like to take this opportunity to, in fact, send my condolences to the families of all those police officers who died in the line of duty.

Mr. Speaker, Sir, I would like to look at the situation in our prisons so that I can relate it to the budget allocated to the Police Department. Currently, our prisons are holding 48,000 inmates. Out of this number, only about 20,000 are convicted criminals. A good number of them have not even been brought before a court of law after they appeared for the first time. I would like us to give the police more money so that they can build more police cells. We really would like a situation whereby people who are arrested are not sent to prison, but to be in the police cells. There are 48,000 prisoners, but there is accommodation only for 16,000 prisoners. It is a breeding ground for various sicknesses. There is tuberculosis, HIV/AIDS, dysentery and many other diseases in our prisons. Many people contract diseases in prison because of too many people there. If we had police cells for remandees--- When people are remanded, they should be remanded in the police cells and not in prison.

Mr. Speaker, Sir, I would like money to be increased for the real training of the police. We know, for instance, that there is a law which allows the police, when they arrest somebody, to give a police bail so that people do not spend the night in police cells. However, very few of our police are doing that simply because they have not been retrained. They need to be retrained so that they can issue police bonds so that a person who has been arrested does not spend the night in the police cells or prison. This will reduce the number of inmates in our prisons and thereby save lives of people who would have contracted illnesses.

We would like to train the police even more to recognise that there are certain minor crimes that do not need anyone to be thrown in. For instance, a young Kenyan who is arrested for walking around without an identity card, but has it kept at home, there is no reason at all for the police to throw that person in the cell. This only serves to increase the number of inmates in prison. We have what we call the Governance, Justice, Law and Order Sector Reform Programme (GJLOS) which we have to work in tandem with so that we can, indeed, have the welfare of our people at heart.

Mr. Speaker, Sir, I want to move right away from issues of security and talk about the question of airstrips. For quite some time, we used to have a lot of airstrips that made travelling within the Kenyan expanse easier. The responsibility over these airstrips has been moved to the Office of the President. There are many airstrips that have ceased operating. We need to set aside many to renovate them so that they can make easy travel. This will reduce the accidents on our highways. With airstrips all over, we will make it easier to travel around the country. This would mean, with 78 districts, almost every district headquarters should have an airstrip.

This, again, will allow even our civil servants to move quickly from the headquarters to their place of work. This will reduce the cost, so that the Recurrent Expenditure, which will take Kshs26 billion of this Vote of Kshs29 billion, can be reduced when we use quick flights to the various places.

Mr. Speaker, Sir, on the question of the cells that I talked about earlier, when they are constructed, or built, I would like to see a situation where children have got separate cells from grown ups. Children are people from the age of 18 years downwards. Currently, we find, in some police stations, that children of 15 years and 16 years of age are put in the same cells as adults. In fact, this is contrary to the Children Act, and we would like to ensure that our own Ministries do not go against the Children Act. So, when we build cells, we must ensure that at every police station, there are cells for young people. This House must be children-friendly.

Finally, on our police force, I would like to see a situation where there will be proper compensation when officers are killed in the line of duty. Currently, we have many widows who are suffering, and whose children cannot go to school because the compensation is little and its release delays.

With those very brief remarks, I beg to support.

Mr. Biwott: Thank you, Mr. Speaker, Sir. The Provincial Administration is the central organ of the administration of this country. It is the organ that unites the people throughout the country. It is the organ which was established immediately the Europeans came here to rule the natives. It was intended to go through the chiefs and prominent people in the rural areas, so that the natives could be administered. It has been perpetuated and has now become a perfect system of managing the country. Therefore, it is important that it is run properly in order to ensure that law and order prevails, justice is done in the country, and that it integrates the people by doing things that appeal to the people and make them believe that the Government is, indeed, looking after their interests.

First, the facilities given to all the provinces and districts should be the same. Today, there are discrepancies. For example, in my own district, the headquarters is still the one which was built in the 1970s, and it reflects the corruption that existed at that particular time. If you look at the District Commissioner's house, it shows you how glaring the corruption of that time was. Half of the house was built and half of it was left unbuilt, and where the fire place is supposed to be is outside, and not inside. Therefore, I would like the Provincial Administration to attend to that discrepancy in order to give the impression that the Government cares.

Mr. Speaker, Sir, the headquarters itself is dilapidated. It was built at that particular time. If you go to other places, like Kisumu, you will see a building equivalent to the Office of the President. If you go to other places, you will see modern facilities. We would like the image of the Provincial Administration to be the same throughout the country, because it is a symbol of authority in this country, and it is the only organ which manages the people. Until devolution takes place, so that power is devolved throughout the provinces, the Provincial Administration will continue to be looked upon as the source of authority and administration of justice.

Be that as it may, the security situation in this country requires that a lot be done for those who provide security. The lives of police officers are very important, yet they are not protected. In most cases, they do not put on bullet-proof vests when they go out on operations. Police officers should be protected, because they are just humble and small people, who give their lives for the security of others. Whenever there is a problem, you talk about those who attack the police and you forget about them. I think all of them should be considered because all of them are lives of Kenyans.

Mr. Speaker, Sir, it is the Provincial Administration, which should provide security. In order for the police and the Provincial Administration to be effective, they need cars, spare parts, fuel, and good accommodation throughout the country of the same standards, because security is a very important aspect of life in the country. The money that is allocated for security, to me, is not adequate. We should be budgeting in order to ensure that all those things which facilitate the work of the Provincial Administration and the police are of the highest standard.

With regard to the police, there is a tendency by them to concentrate on *matatus*. They stop *matatus* at roadblocks all the time, instead concentrating more on the roadworthiness of vehicles, so that there can be less harassment of ordinary small *matatu* owners out there. Roadblocks should only be used to counter crime. If there is police communication to the effect that there are vehicles which have gone to a particular place, whose occupants intend to commit a crime, or that criminals are on the run, that is the time the police should erect roadblocks. So, the police should spare poor *matatu* owners, who earn very little the agony of going through several roadblocks and concentrate on the roadworthiness of the motor vehicles on our roads.

Mr. Speaker, Sir, on the issue of clashes, there is need to understand the people. We should put more emphasis on community policing, so that communities themselves can assist the police and the Provincial Administration to detect crime and alert the Government about any impending

trouble, so that the Government can act proactively, instead of acting after problems arise. There should be more public *barazas* to, at least, engage the people in discussions and communication with them.

In order to ensure that any troubles that occur are within Kenyans themselves, we should ensure that foreigners, especially those who cross the borders into our country, are actually checked because, maybe, some of the crime is exported to this country by people who do not know peace. Kenyans are people who enjoy peace, and cannot accept people who are perpetually in trouble, and who are immune to problems. The case of Mount Elgon, for instance, is something which the Provincial Administration should understand in order to deal with it more effectively.

Mr. Speaker, Sir, issues regarding chiefs and sub-chiefs ought to be looked into properly. I was very encouraged to see the recent relevant training of chiefs and DOs. But there is still one problem especially with regard to chiefs and DOs; most of them are too young to deal with older and middle-aged people. Most of them are young individuals who have just left school. They are appointed to those positions to administer their fathers, elder brothers and so on. That cannot work. They need authority. Authority is seen in age and experience.

Frequent transfers of the Provincial Administration do not help. We need DOs and DCs to live with the people for a little bit longer. We should transfer those who cannot work with the people, those who are incompetent and those with conflicts of interest in their areas. But the ones who get on well with the people and perform their work properly should be given time to, at least, make an impact and create a good image for the Government. There are certain officers like chiefs and sub-chiefs who have not been paid for some time. Their payments should be effected fast in order to improve their morale.

Mr. Speaker, Sir, the Provincial Administration is a thankless office. That is where all manner of blame is thrown. It is a depository of all the blame in any Government system. That should be understood. That should not deter anybody because that is where all *maneno* is taken to. It is a *baraza*!

Mr. Speaker, Sir, the question of co-ordination is very important. Every DO and DC should ensure that there is adequate and effective co-ordination within the districts, in order to ensure that the administration and implementation of development programmes are effected properly. Decisions that are made by District Development Committees (DDCs), District Education Boards (DEBs) and District Roads Boards (DRBs) are actually communicated directly to the headquarters. That, again, will continue to be a bottleneck in a centralised system until such a time when we will have more resources and administrative structures that are well established. Until then, it is important that the Provincial Administration, which is active and has people who are qualified and properly trained, works round the clock to ensure that there is peace, stability and development in the country. They should understand more about the districts they live in.

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

The Assistant Minister for Energy (Mr. Kiunjuri): Thank you, Mr. Speaker, Sir. I stand to support this Vote. I also want to congratulate the Minister and the Ministry for the good work that they have been doing for us. If you look at the progress made by this Ministry, considering what used to happen in the past--- It is only four years since this Government came into power. It is only those who do not want to see or hear who will not recommend and commend the work that is being done by this Ministry. We have come from far. Some of us have been in the Opposition in this House and we used to ask Questions, but we never used to get any answers that were implemented. Everything was supposed to be done when funds became available. Even to get an opportunity to go and see the Minister of State for Administration and National Security or get anywhere close to those offices was impossible! Therefore, I believe that today, hon. Members, either in the Opposition or in the Government, are able to access Government offices, including the

Ministry of State for Administration and National Security.

Mr. Speaker, Sir, the Ministry has been able to distribute resources equitably, especially to those areas that have been affected. I had an opportunity to visit upper Eastern Province and parts of North Eastern Province to campaign there. Today, hon. Members from those areas can bear testimony that the rate of insecurity is not the same as it was four years down the line. They can testify that there are additional police posts, police stations, equipment to fight crime and additional vehicles. That means that they have really benefitted from the Government.

There is also progress in Rift Valley Province. The rate of crime has completely come down. We are no longer fighting hard to get police officers distributed equally. We can talk of new police posts and police stations. Those were things of the past.

The government has also increased the number of districts. In Turkana District, for example, the people there never thought in their lives that they would get a new district. They now have a new district. That also applies to areas like Kajiado and Laikipia districts. Generally, that can be seen all over the country. But what hon. Members can see is what they can interpret politically. They are forgetting that it is not only the additional districts; there has been additional divisions and locations, which are more effective than the districts. It is good for hon. Members not only to support this Vote, but to wait for the Minister of State for Administration and National Security to table the proposed districts so that we can vote for them. They will, for the first time, be legitimised and things will be done according to the law of this country. To those who are also interested in having new districts, they should also be considered. Leaders should sit down and address those issues in a positive way, so that they do not affect any community whatsoever.

On the morale of our security forces, it is important that this Vote is passed. In future, we should give additional money to enable the Minister and the relevant authorities to make sure that there is morale in the police force and other personnel who are in charge of security in this country. We are talking about administration police officers getting additional pay. Police officers are now getting better housing facilities. That was a thing of the past. Today, we can talk of a percentage of officers in the forces who are enjoying good housing. If that trend continues, because this Government will be voted in again come December, 2007, we guarantee Kenyans that, in the next five years, we shall have our police force and other security forces living comfortably. They should not share any facilities, and especially houses. I was cracking a joke with one of the officers near where I stay. I was asking him whether these days they ask themselves those questions they used to ask themselves when they were visited by their spouses, because they used to live three or four in the same house and he told me that those are now things of the past. That means that their morale has been raised.

Mr. Speaker, Sir, the most important thing is to take care of our police officers. We should not blame them. Many of them are being killed in the line of duty. It is high time we came up with a law to make sure that they are properly covered. An insurance cover should be given to those who die in the line of duty. At the same time, we should make sure that the immediate family members left behind by dead police officers are taken care of immediately. We should not have a situation where when a police officer is shot or dies in the line of duty, the family is not able to educate or feed its children in the next one month. These officers should be taken seriously.

Mr. Speaker, Sir, for the first time in history, all of us are benefiting from the services of police officers. There is no hon. Member of Parliament in this House who does not have a security officer attached to him or her. Even those in the Opposition have, at least, an Administration Police (AP) officer attached to them. We should know that police officers are human beings. If they are comfortable, they will be able to take care of us. We should be the first people to pass the relevant laws in this House, to make sure they are comfortable.

Mr. Speaker, Sir, people say that the Minister of State for Administration and National

Security is tough. However, I say he is not. He has not been able to implement the forensic laboratory project to enable our forces to fight insecurity. This is one of the best things he should do for this country. We shall continue making a lot of noise. Members of the Opposition will still continue talking, but when we are hit by crime, it is the Minister who is blamed.

Mr. Speaker, Sir, I believe we should have enough funds to ensure that we have equipment to fight crime. We should have very powerful police radios and surveillance cameras all over our streets. We should also have gun detectors. This is the only way we can fight the wave of crime in this country. Otherwise, if we continue complaining about crime in this country and asking the Minister to fight crime and yet, we are not giving him instruments to do so, it is an exercise in futility. We would like to see Kenyans walk comfortably in the streets of Nairobi, knowing that the police force would be able to catch up with whoever attacks them.

It is high time we had surveillance cameras all over this country. What happened the other day when there was a bomb blast - I do not know whether it was a bomb blast or a hand grenade - we would not have gone ahead trying to ask who did it. We would have monitored them through the surveillance cameras.

Mr. Speaker, Sir, we are talking about people having guns everywhere. It is true that if we have gun detectors, we shall be able to eliminate this by half. Nobody would be carrying firearms anyhow if they know that it can be detected, unless one is a police officer. These are the things we should do. At the end of the day, we have the Kenya Anti-Corruption Commission (KACC) to investigate any corruption dealings in buying these equipment. We should not tie the Minister's hands in his effort to fight corruption and other crimes in this country.

Mr. Speaker, Sir, I agree that there are so many roadblocks on our roads. Sometimes, we are even worried about the security officers manning our roads. You find only two police officers manning a road block. If four people approach these police officers even if they are not armed, they will easily snatch guns from those police officers on that particular roadblocks. It is dangerous to let two police officers man a roadblock. It is good that we reduce the unnecessary road blocks on our roads. We have some cases in our constituencies where we get a police post with four police officers and three of them, man a roadblock. Then you wonder what their work is if they are permanently on the roadblocks. Are they not supposed to offer us security? This should be corrected. If that is done, we will be able to have enough officers to fight crime. The roadblocks should also have enough police officers.

Mr. Speaker, Sir, I beg to support.

Mr. Speaker: Yes, Mr. Kosgey!

Hon. Members, after Mr. Kosgey, I will give chances to two or three hon. Members on my right-hand side because it is more populated. This other side, is sparsely populated!

Mr. Kosgey, please, proceed!

Mr. Kosgey: Thank you, Mr. Speaker, Sir, for giving me this opportunity. I think that what you have said is called affirmative action.

Mr. Speaker, Sir, I support this Vote. When the Minister was moving this Vote, I listened very attentively to what he was saying.

(Mr. Michuki entered the Chamber)

Mr. Speaker, Sir, I am glad that he has just walked in right now. He can now listen to me the way I also listened to him.

Mr. Speaker, Sir, I would have liked the Minister to elaborate on what exactly he wants to do with the money. At the end of it, he said that he was coming to the "meat". You were generous and gave him a few more minutes, so that he could tell us about the meat. However, he did not do

so! All we came to know is that he needed Kshs29 billion: Kshs26 billion for Recurrent Expenditure and Kshs3 billion for Development Expenditure.

In future, Mr. Minister, although I do not know whether you will be there; but I will be there; do not spend half-an-hour giving us history. Spend half-an-hour giving us facts on what you want to do with the money.

Mr. Speaker, Sir, having said that, I hope that the Kshs26 billion that is being asked for Recurrent Expenditure, not all of it, will go to paying salaries. One of the biggest problems we have is lack of money to run Ministries. This is what is called operation and maintenance. If the Kshs26 billion is going towards salaries and then tomorrow if you go a police station, you find that they do not have any money to buy fuel for their vehicles, that money is wasted. It is being consumed and no service is realised. The purpose of having police officers is to render services to the country.

Mr. Speaker, Sir, the Minister said that the money is not adequate. We want the Office of the President; because it is the nerve centre of the Government, to be adequately funded, so that they do not have an excuse. When Kenyans are killed, they claim that they did not have vehicles, fuel and so forth and so on.

Mr. Speaker, Sir, we keep repeating this over and over again that the core function of any government is to safeguard the life and property of its citizens. That is the purpose of a government. At the moment, I can safely say that this Government has failed in its core function. I would say this without hesitation. Kenyans are killed by the hour in this country! It is the only country in the world which is at peace and yet, its citizens get killed and no explanation is given. It does not even attract headlines in our Press. You really wonder, what is happening to the security in this country? We are told that it is improving! If it so, why do Kenyans get killed? In other countries if one citizen is killed, that is enough to make the Government resign. Although the Minister is my friend, he should have resigned long time ago on account of the fact that Kenyans have been killed under his watch. It is not enough to say that there are criminals. Even the police shoots people. How do we know that they are shooting criminals? How do we know that innocent Kenyans are not getting killed? The law requires that those who commit crime should be arrested and taken to a court of law. That is the law. We should not change the law. We should not kill suspects. In Kenya, human life is really of no value. That is the way the Government is treating human life.

Mr. Speaker, Sir, with regard to districts, the Minister said that they have created 46 districts. That is good because *wananchi* want services to be brought closer to them. But I hope that tomorrow, *wananchi* or the small Constituencies Development Fund (CDF) kitties will not be called upon to build district headquarters. The Government should plan systematically and build those new district headquarters from the taxpayers' money, and not through *wananchi's* harambee efforts. I know in some cases the people might say: "Ooh! We want a district and will build its headquarters." It is easier said than done.

Mr. Speaker, Sir, in its co-ordination role, the Office of the President should play a much more stronger role. That is particularly in areas of land allocations. It should liaise with the Ministry of Lands to make sure that Kenyans who have been promised land do not suffer unnecessarily. In fact, there should be no evictions before land is identified. We have had cases in Narok and in my own constituency in a place called Natipkong, where people who have resided on land since 1955 up to 2005, have been evicted by this Government. The Government promised to give them alternative settlement. But up to today, those people are suffering. Children are not going to school and the Government is quiet. Yet, they disturbed their peace in the first place. So, they should play a leading role. The Ministry of Lands said that it had identified land for those people. The Office of the President should actually take the leading role and make sure that Kenyans do not

suffer unnecessarily. With regard to Mt. Elgon District---

The Mt. Elgon issue is both a security problem and a land problem. The Provincial Administration has actually been entangled in the problems of Mt. Elgon. A lasting solution should be found so that the people of Mt. Elgon can live in peace. As Members from the Rift Valley Province, we have offered to work with the Government to solve that problem. That is because the people of Mt. Elgon are part of our community, although they are in western Kenya. We understand those people much better than the Government, and nothing has been done. I think we gave a memorandum to the Minister of State for Administration and National Security on that matter. We know that other people have also given out a memorandum, but nothing has happened.

The contents of that memoranda have fallen on deaf years. We are still willing to participate in bringing lasting peace in Mt. Elgon.

Mr. Speaker, Sir, with regard to chiefs, nobody had actually said that the Provincial Administration should be scrapped. I support it myself. As a Chairman of a party that will come into power, I support it fully. What we want is reforms to make sure that it is friendly. It should not be used for political purposes. The Minister told them the other day: "You must support us because we pay you!" You do not pay them alone. That money comes from our taxes. It comes from every Kenyan. So, it is not the Government of the day that is paying the chiefs. It is taxpayers' money. So, they are not under any obligation to support the Government of the day. Their obligation is to render services to all Kenyans.

With those few remarks, I beg to support.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Thank you very much, Mr. Speaker, Sir. I have a lot of sympathy for my friend, Henry, because---

Mr. Kosgey: I do not need any sympathy!

Mr. Speaker: Order! Order, Henry! I am informed that you are an elder - which I believe - and elders do not behave that way. So, will you, please, relax!

Proceed, Mr. Wetangula!

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Thank you, Mr. Speaker. It is exactly for those reasons that I have sympathies for him.

Mr. Speaker, Sir, I stand to support this Vote. In so doing, I would like to say that the Ministry of State for Administration and National Security has been grossly under-funded. As Maj-Gen. Nkaiserry said yesterday, this Ministry is the nerve centre of the Government.

[Mr. Speaker left the Chair]

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

Everything everywhere in this country revolves and rotates around this Ministry. Of late, for the last one or so years, this country has witnessed literally run-away crime. The body count we are witnessing in this country is frighteningly unacceptable. It is a bother to many of us.

Mr. Temporary Deputy Speaker, Sir, those of us who have the opportunity to travel all the time in the representation of our country and Government are now facing a lot of questions from all over, about the state of security in our country. It is for this reason that I would have loved to see a lot more money put in this Ministry, to address the problems of insecurity. I have said before, and I want to say it again that, in a country, where we have no immediate military threat to our borders--- I want to suggest that we freeze the recruitment of any military personnel for the next four to five years, and concentrate on the beefing up of our police force. Our problems in this country touching on insecurity are not external, but internal. We need to considerably cut down the budget for the Ministry of State for Defence and transfer it to the Provincial Administration, so that we can be

able to have adequate policing. To increase the number of police is only one of the solutions to our problems. We need those policemen to be properly trained. We need those policemen to be given continuous training on how to handle and combat the ever changing faces of crime. We need to give mobility to those policemen. We need to arm those policemen properly. We need to train those policemen in intelligence gathering, so that they can be able to infiltrate the cells of the criminals and deal with them from within. It is disheartening to see a policeman walking in the alleys of Nairobi carrying a massive gun called G3, which cannot be used to tackle sophisticated criminals carrying dangerous weapons like AK-47s and very high calibre pistols. This cannot help us in combating crime. Indeed, we have seen that criminals are so courageous now that even with the dead bodies count we are seeing, they are gunning down policemen in broad daylight. They are ambushing everybody. They have even killed a chief of the Minister for Administration and National Security and even slaughtered people in his backyard. This has to stop!

Mr. Temporary Deputy Speaker, Sir, I want to ask the same question that Maj-Gen. Nkaisserry asked yesterday. When we passed the Bill for the National Security Intelligence Service (NSIS) here, if you look at it, it says that they are to deal with issues of intelligence, internally and externally. Are they discharging their duties properly to help the Minister of State for Administration and National Security? While the police are busy running up and down with guns chasing criminals, the NSIS should help them in intelligence gathering. They should be able to help them in infiltrating criminal gangs, so that we can reverse this trend. I do not believe that our problem of crime is stemming from unemployment or poverty. We have neighbours who are a lot poorer, but who do not have this same problem! Uganda is not any richer than Kenya. It has an unemployment rate as high as that of Kenya, if not higher, and so is Tanzania. However, their gun crimes are, perhaps, just about 10 per cent of the gun-crimes we have in Kenya.

As a leadership, from both sides of the House, we need to stand up and each one makes a contribution in one way or another on how to tackle crime. Our much talked about economic growth, which is in a very large percentage based on tourism, can easily be affected and undermined by this runaway crime. The moment a tourist boarding a plane to come to Kenya sees news flash on television in London, Moscow, China or wherever, of shoot-outs in Nairobi, they do not even know that Nairobi is not the Maasai Mara or Mombasa. For them, Kenya begins and ends in Nairobi. This has the impact that is so negative on our economy. Tourism, the world over, is a very fragile part of the economy. Look at Thailand. When they had a coup, their tourism flow dropped by 95 per cent in two months. This can happen to any other country.

Mr. Temporary Deputy Speaker, Sir, I want to urge the Minister to buy vehicles for the police. You have seen the vehicles the people are using, those Toyotas. There is no way they can chase criminals in sprint cars. We should do what is done in Italy. The fastest cars in Italy are Alfetas. That is what they have given the police to chase the *Mafia*. The police must constantly have better equipment than the criminals to be able to fight them. You cannot give a Toyota 1200 to a policeman and expect him to chase a criminal in a Range Rover! It cannot work! As a Parliament, we are ready to support the Minister fully by allocating him more money, and assisting by even cutting down on some Votes to pass the extra money to him. This is because the future of this country, the success of any other department, sector and Ministry is dependent on what we do with security.

I would also like to mention the issue of the skirmishes and massacres going on in the Rift Valley. I have said this to the Minister on the Floor of this House and in private, that when you have a Provincial Police Officer (PPO) based in Nakuru, without a full-time helicopter, how do you expect him to tackle murders in Suguta Marmar? I want the Ministry to budget, even if it is not in this Budget, to make sure that in volatile areas like the Rift Valley, the police are equipped with helicopters. This will help them to track down cattle rustlers and criminals. They will also help

them arrive at the scenes of crime on time and gather information much quicker.

Mr. Temporary Deputy Speaker, Sir, the PPO in Nakuru will take two days to reach Lodwar by road. It will take him two days to reach Loitokitok by road, yet these areas are in the same province. The North Eastern Province, with the terrain that we have--- I want to urge the Minister to budget and make sure that, at least, every provincial headquarters is equipped with, among other things, a helicopter for easier movement of the police to tackle crime.

Last but not least, I want to urge the Minister to improve the housing facilities for the police, so that they can also work from a point of comfort.

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

Mrs. Mwendwa: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Vote. I would like to support the last speaker regarding the issues of our police. Because of our insecurity, we tend to blame the police, or feel that they are not doing enough. However, I stand here to ask whether we do enough for them.

I had the privilege to go to Sweden, where the police are the best paid in the world. We were enquiring on whether they have corruption there. We were very amazed to be told that the police there do not receive any inducement, because they are very well looked after. Their wages are the best, and you must possess a degree. If you are from the high class and special families, you try to get into the police force, because you are highly respected if you are a police officer.

Mr. Temporary Deputy Speaker, Sir, when you look at our police, in fact, we should congratulate them all the time. If you see where they live, as officers--- Some of them live in *mabati* huts in Garissa and Kitui, with all the heat in semi-arid areas, and the officers are supposed to sleep there.

The wages we pay our police force, and even the Administration Police, are very low. So, among the things which should be improved, together with their housing, is their wages. Since I had the privilege of having a police officer, as an hon. Member, one of the few things that I was amazed to find out is that when it comes to the Christmas month, they are not paid then but are paid the following month, because if they are paid, they will drink. Maybe this is so, but I always think of their families. If they are not paid at Christmas time, what do their families do? On top of that, these officers do not even stay with their families. They normally wait until January or February to go for leave.

I would like to tell the Minister that, that is inhuman. It is normal and it makes sense for every family to spend Christmas together, especially if their father is working. Mr.

Temporary Deputy Speaker, Sir, I would like to raise the issue of compensation or death gratuity paid to the families of both our regular police officers and the Administration Police officers who die in the line of duty. This takes very long. In some cases, since our officers do not live with their families, most of the widows do not know where to seek help. They are afraid, especially if they live and work in the countryside as teachers, to visit the offices where they should seek their dues.

Mr. Temporary Deputy Speaker, Sir, I would like to plead with the Minister to ensure that the process of compensation is enhanced so that those widows do not have to come all the way to Nairobi to seek compensation. I am sure that the process can be enhanced in a way that beneficiaries can be paid from where they are. I am sure that the process can be worked out so that those widows can be paid from wherever they are so that children do not stop going to school. This will also ensure that families do not suffer more than necessary, after losing their spouses.

I will now turn to the issue of the Provincial Administration. The word "Government" or "*Serikali*", to most ordinary *wananchi* refers to the Provincial Administration. That is what the ordinary *wananchi* see with their eyes. Therefore, I recommend that our sub-chiefs, chiefs and District Officers (DOs) should be trained properly on how to handle issues that concern *wananchi*. The Provincial Administration has to deal with *wananchi* regarding land issues and other small

matters. I, therefore, recommend that the personnel working under the Provincial Administration be trained properly. Their wages have been improved of late and, therefore, I will not touch on that matter

Previously, we used to have very good offices for the Provincial Administration, especially during the colonial times. When you visited a chief's office, you would realise that it was, actually, a chief's office. When you visited a DO's office, you would also realise that it was a proper DO's office. From the time we started building them on Harambee basis, you will realise that their standards have gone down. I think we should have standard chiefs' offices and standard DOs' offices.

At the moment, we do not have standard offices for chiefs and DOs. If they are there, then they are not in my constituency, but we need them. Previously, *wananchi* used to raise funds and build

them but since we do not do that today, I think resources to build those offices should be included in our Budget. I am sure that we would all support that because these offices are very helpful and are needed by *wananchi*.

Mr. Temporary Deputy Speaker, Sir, while I am still on the issue of DOs, I recommend that we have vehicles in every division for the DOs. It is not proper for us to have a DO stuck somewhere in a division because he has no means of transport to move around, or because he uses *matatus*. That is not proper. I do not think an officer can have morale when he is working in a *bundu*, yet he cannot move around and has to rely on other people to know what is happening. He is of no use. It is a waste of manpower to put a DO somewhere, yet he has no vehicle to move around.

Mr. Temporary Deputy Speaker, Sir, with regard to insecurity, a lot has been said. We support the Minister on that issue. It is very demeaning and even sometimes, we wonder if we are really Kenyans. When we tune to our radios, we do not hear of anything else but about who was killed where or who has stolen which goat, among other things. Insecurity is eating us up. I think we have the right Minister in the Ministry. He should address the issue of insecurity the same way he transformed the public transport sector. If we do not win this war, many other things will go down. We will also lose a lot because we will not be able to sleep well. We will also not be able to enjoy our lives. Insecurity will also affect our economy and everything else. We, therefore, urge the Minister to ask for the resources he requires and involve *wananchi* in policing. Let us have more ordinarily people involved in community policing. Let us police ourselves also. Let us be trained because we must be able to control insecurity. Otherwise, we will not be able to do any other thing. Of course we are worried about the insecurity which is manifesting itself just before our general election. We do not know what kind of elections we will have due to insecurity. Therefore, we would like to ask the Minister of State for Administration and National Security to conduct some research on how to deal with insecurity, from other countries.

A few years back, we used to have a lot of insecurity in Uganda. There is a lot of insecurity in South Africa. We would like to know how other countries handle their security issues so that we can learn from them how to handle our situation. I always think we are better than other countries. I do not understand why we should be defeated to address the issue of insecurity in our country.

With those few remarks, I beg to support.

Mr. Wambora: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this critical Vote of a Ministry that deals with very sensitive issues concerning security, which are prerequisite to development. It is also a Ministry which spends a lot of resources and, rightly so, because it is big. I have noticed some progress, and I want to commend the Minister and his staff for a job well done. The performance, evaluation, transparency and accountability, and the Rapid Results Initiative (RRI) approach, the Government has shown that we

can do very well.

For the first time Kenya Civil Service won a UN Award. This shows that we can beat a developed country like Singapore. That is a good sign.

Two, I wish to commend the Ministry and the Minister for the completion of previously abandoned projects like the Nairobi West Park Housing Project near the Carnivore and police stations, among other projects. I would also like to commend the Minister for buying new vehicles and training personnel in Provincial Administration and in the police department. That is commendable.

Mr. Temporary Deputy Speaker, Sir, having said that, I think there are challenges facing the Ministry. There are many challenges which we must take this opportunity to focus on so that they can be tackled. One of the major challenges is the modernisation and the rehabilitation of security facilities. A good example is the Runyenjes Police Station which is being modernised. A modern police station is being built there, and I understand that there are already a few more in the country. We are, really, very proud of that project. What is remaining now is for us to come up with Phase II and put up police lines so that the police officers at the Runyenjes Police Station can also live like the other officers that mhe. Kiunjuri was talking about; who are living in comfortable houses, so that they are able to perform their duties comfortably. The first phase has been very successful and we are only asking for a second phase, which will now incorporate police lines.

Mr. Temporary Deputy Speaker, Sir, the second major challenge for the Ministry is the police/population ratio, which is terrible! It is terrible because we are very far from the United Nations (UN) recommended police/population ratio. But I think the Ministry is now beginning to recruit more and more police officers, which will now bring the ratio closer to the ratio recommended by the UN.

Mr. Temporary Deputy Speaker, Sir, I am also seeing a challenge in the number of police officers. We need to recruit more police officers so that they can man various parts of the country, in order to reduce the insecurity which we are now facing. This challenge of the police/population ratio can also be solved in the short term by recruiting vetted police reservists, who can help a lot in that field. I can also see another solution of dealing with insecurity in the country by arming vetted and disciplined civilians. That has been done in South Africa and Uganda, where there used to be a lot of insecurity. Recently, when I was in Kampala, I was able to see people moving about even at night in the city, without fear of insecurity. Any crook who tries to do any nonsense in the city is quickly ambushed by civilians who are guarding the shops. It has worked! If we do not have enough policemen, we can arm some vetted people from security firms. I am sure that they will work well.

Mr. Temporary Deputy Speaker, Sir, I would also wish to recommend that the police force or security forces be very ruthless to armed criminals. They should have no mercy on armed people who are not authorised to carry arms. They are very, very dangerous, indeed. I am really shocked to hear some of my colleagues trying to press the Minister for taking a hard stand. *Bw*. Minister, continue taking a hard stand and eliminate the thugs in the country. You do not have to resign. Continue and be very, very tough! That is what has brought security in a country like Uganda. They were ruthless! They were not taking armed criminals to court. They were shooting them dead! That is what should happen in this country.

Mr. Temporary Deputy Speaker, Sir, I am also shocked to hear some of my colleagues condemning road-blocks. I normally drive from Runyenjes to Nairobi at night. For the first time, I do not worry about driving at night because there are several road-blocks. My colleagues and family used to worry after seeing so many road-blocks. But I told them that it is better to have many road-blocks and travel safely. Let us have road-blocks because they have brought security on the Embu-Nairobi Road. Those others who want their road-blocks removed, *shauri yao!* But for

me, I recommend those road-blocks because I am able to travel between Nairobi and my constituency, even at midnight.

Mr. Temporary Deputy Speaker, Sir, there is a need to supplement the Constituencies Development Fund (CDF). I am talking from experience because, personally, I have put up five police posts with CDF funds. I have spent several millions. One or two have now been manned by Administration Police. But three are still not manned. Now that I have spent public funds through CDF, I would like to ask the Ministry to provide personnel to man those facilities. That will enhance security in the rural areas.

Mr. Temporary Deputy Speaker, Sir, I want to give others a chance. So, with those few remarks, I beg to support.

The Minister for Science and Technology (Dr. Wekesa): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to support this Motion. In the first instance, I would like to congratulate the Minister and his officers for what they have done. They are working under very difficult conditions. They are dealing with people who are moving around with guns in our towns and villages. They have a shortage of manpower and equipment.

Mr. Temporary Deputy Speaker, Sir, I want to commend the Minister for what he has done in my own constituency. Cattle rustling was happening on a daily basis. We were losing many people on the border of Trans Nzoia and West Pokot. The Minister assisted us by bringing enough security on the border. I can now say that people in my constituency are concentrating on development. I wish to urge him to increase the security personnel that he has posted there. That way, we can have peace both on the Kenya-Uganda border and between West Pokot and Trans Nzoia.

Mr. Temporary Deputy Speaker, Sir, while I am at that point, I think it is very important that we, leaders, must guard what we talk to the public. We can contribute a lot by saying the right things to those who have elected us to this House. I know of instances in this country where leaders have gathered and have been very careless in their talk. That has resulted in many people dying. So, I am urging my colleagues to contribute to peace in this country. We can do so by showing the way and saying the right things to our people. We should also cultivate a culture of brotherhood, so that the issue of tribalism is played down. We should be able to visit each other. I should be able to go to my colleagues in other communities and show the people that we are working together. Indeed, we have tried to do that between ourselves and West Pokot. Leaders in West Pokot and leaders in Trans Nzoia are working together. They are coming together to conduct Harambees. That is a good way of showing those who elected us that we are working together as brothers and sisters.

Mr. Temporary Deputy Speaker, Sir, you are aware - and it has been repeated by my colleagues - about small arms. There are so many small arms in Kenya. It is a problem to the Minister and a problem to peace. We must have a gun law. I think the Attorney-General should really work out a gun law, so that anyone found with guns of any description is sent to the gallows. We read in the press recently that somebody in China, possibly a pharmacist - I am not sure - was selling drugs that had not been tested - drugs that could actually kill! That person has been sent to the gallows!

We need a law that can deal with those people who handle legal arms. If they think that they are going to run around with small arms then they should know that once they are caught, they will be in trouble. I urge the Minister to really look at this because it has been done in Uganda. I live very close to the Uganda border. My constituency borders Uganda and I am aware that crime in Uganda has come down. We should visit Uganda to see what happens there. The Minister here should go and sit with the Minister for Internal Security in Uganda and see why it is that Kampala is so peaceful.

Mr. Temporary Deputy Speaker, Sir, 20 years ago, I would go out and have a nice dinner

with friends in any part of this town. I cannot do that any more because I am not sure if I will be safe when I enter my house. Indeed, I have been attacked once. I have been a victim of these gun-totting thugs all over the place. As leaders and as a Government, we are worried that there are so many guns in the hands of these criminals. It is high time that we did something.

It is common knowledge that the Provincial Administration needs to put its act together. Chiefs should be able to assist the police in their work, possibly by having the elders to assist in identifying criminals. The police reservists ought to be paid some sort of salary. In my constituency, police reservists are doing a good job but they are not paid. I think my colleagues have repeated this; we need to recognise the importance of the elders who assist the chiefs. We must identify the police reservists and both groups should be paid by the Government because they do a good job.

Mr. Temporary Deputy Speaker, Sir, we now have many district centres being built including in my own district. We have a new district called Trans-Nzoia East and we have managed to identify a site where we are going to build a new district centre. I want to congratulate the hon. Member for Kitui West for saying that some of our offices in which the chief and police work from need to be refurbished. You are aware that we are living in a technological era and we must see computers in police offices. They must have equipment that is being used by the rest of the world. If you are driving a car in London and you go through a red light, there are cameras there. This will assist the technological advancement that we have today, which can do a lot. So, it beats me to go in a police station and see that people are working in very small offices without equipment like computers, telephones and other modern equipment. We should be looking at that area because it will help in cutting down crime. I know that at the borders of our country, there is a lot of crime that goes on. I am thinking of my own constituency where we have so many--

With those few remarks, I beg to support.

Mr. Lesrima: Mr. Temporary Deputy Speaker, Sir, I wish to support the Vote for this Ministry because this is a very important Ministry.

I wish to begin by congratulating the Ministry for the reforms that they have carried out, particularly in re-training the Provincial Administration; the District Commissioners (DCs), the chiefs and so on. They have also put in place performance contracts which now allow the public--- There is now the *Shauri Day* which is on a Monday, where the DC spends a day hearing complaints from the public.

Mr. Temporary Deputy Speaker, Sir, nobody is now immune from crime in this country. We have heard of incidents at the backyard of the President's and Ministers' constituencies. I must thank the Media for highlighting a number of these incidences that have taken place in the country. I want to ask the Ministry and the Commissioner of Police to be a little bit tolerant when they see Media reports, because very often there is a tendency to want to have good news all the time and feel good. I want to congratulate the Media for covering incidences of insecurity, particularly, where I come from.

There was a time, early last year, when the Provincial Administration used one media house to deny activities of insecurity where people were being attacked. I want to thank *Citizen Television* for coming out clearly to show pictures of people suffering. We have a joint responsibility in maintaining law and order. We recognise that the number of policemen is not adequate to guard every citizen. For this reason, when there are problems, we need to share and support each other in solving them. There are major and minor security problems which can be solved. Minor problems are there but are a nuisance to very many people. A good example is insecurity on Rumuruti-Maralal Road. That road is 110 kilometres long passing mainly through Laikipia, leading to Lake Turkana and my district. I want to say that bandits have literally taken

over this road.

Mr. Temporary Deputy Speaker, Sir, I say so because there is no week that passes without an incident of personal vehicles or public transport vehicles being stopped and people being robbed of their mobile phones and cash. I would like to be forgiven for keeping on highlighting this issue. I am not being very parochial, because every time I speak, people look at me as representing the people of Samburu. The buses and *matatus* that ply that route hardly belong to Samburus. The passengers who get injured include civil servants. As I speak now, some of the civil servants are lying in hospitals with broken bones and they do not even come from that area. There is no reason for them to suffer.

I want to take this opportunity to thank the Government for establishing two police posts in two locations between Maralal and Rumuruti. One of the police posts has a communication facility at a place called Tingamara. The post next to Samburu border has policemen without communication gadgets. I would like to say that given the whole stretch of the road is now vacant following the eviction of Samburus from Laikipia from the land they own, which is 20,000 acres of land, there is now a vacuum. That is the area where bandits are taking advantage to rob other Kenyans, not necessarily my constituents. We are even endangering the lives of policemen by having them in those quarters. I must continue to mention these things. Even last night, there was an incident where passengers were removed from two *matatus* and stripped completely naked. I know that somebody will deny this tomorrow - I know that I am becoming a nuisance - but this is a fact.

Mr. Temporary Deputy Speaker, Sir, the police and district Commissioners (DCs) require support in these operational areas. I think we need to be a little bit serious. You will excuse me for focusing on Samburu District, because this could be a replication in other areas. As I speak, the DC for Samburu District does not even have a Land Rover. It broke down two days ago. I know that he will be embarrassed to hear that I am talking in Parliament about this issue. The other car that he has is a small Hyundai make, yet, all of us know what is going on in that operational area.

I am saying these things in the interest of my people and also public servants, so that they can be supported. These are some of the minor things that the Government should focus on. Sometime back, the Government officers surrendered so many vehicles and packed them at the Ministry of Roads and Public Works parking lot. Why can we not give a DC and Officer Commanding Police Division (OCPD), in an operational area of 21,000 square kilometres, just two extra Land Cruisers?

Mr. Temporary Deputy Speaker, Sir, I would like to also talk about the issue of provision of more police posts, especially in the newly-created districts. In particular, I would like to mention that the OCPD for the new district of Laikipia is still based in Nanyuki. I hope that when we pass this Vote, the Government will re-establish the security system in Rumuruti, so it can help us.

Mr. Temporary Deputy Speaker, Sir, the Anti-stock Theft Unit also needs to be located where there is cattle rustling. There is no point stationing the Anti-stock Theft Unit in Gilgil. I do not know what it does there. I do not know what kind of cattle rustling takes place over there. Maybe, it is the few exchanges of chicken and goats. We have requested that the Unit should be posted to various places, which the Ministry is aware of.

Mr. Temporary Deputy Speaker, Sir, very little is said about policemen who die in the line of duty. Very few people talk about the subject. There seems to be more sympathy for criminals. Many policemen lose their lives in the course of duty. In the year 2004, an OCPD was killed at the border of my constituency. Also, a few months ago, an Officer Commanding Station (OCS) was killed in a place called Lokori in Turkana District. I, believe, two weeks ago an OCS was also killed somewhere in Baringo. However, there is no indication that there has been a very strong pursuit of the criminals behind the killings. If there is, I want to be excused. But, I think we need to

send a very strong message; that anybody who kills a policeman will have to pay for it. Otherwise, they will be totally demoralised. I think the efforts that are being made to track down those who kill policemen need to be publicized, not just in my area, but wherever this happens.

Mr. Temporary Deputy Speaker, Sir, my final point is with regard, again, to small things that can make a big difference. The Dog Section of the police plays a major role in the security of our nation. Dogs are very intelligent animals which can track and identify very easily where the criminals are hiding. I know that this is an area which has been neglected. A Dog Section was set up in Maralal about 20 years ago, but no dogs have been provided up to now. We have borrowed dogs, occasionally, from some friends to track down criminals and they have never failed. I know that this is a very expensive undertaking. But I want to plead that more resources should be directed to that Section.

With those few remarks, I beg to support.

The Assistant Minister, Office of the President (Mr. Kingi): Asante, Bw. Naibu Spika wa Muda, kwa kunipa nafasi ili niweze kuchangia Hoja hii ambayo inaendelea.

Kwanza ningependa kusema kwamba naunga mkono Hoja hii. Ningependa pia kuwapongeza wenzangu ambao wameiunga mkono. Kama vile tusemavyo maji ni uhai, vile vile usalama ni maisha na maendeleo. Hakuna maendeleo ya maana ambayo yanaweza kufanyika katika mazingira ambayo hayana usalama. Usalama unahitajika katika shule, ukulima, uuguzi na kila mahali katika taifa letu. Usalama hupatikana mahali ambapo mifumo iliyowekwa na Serikali na wananchi inafanya kazi. Mahali ambapo mifumo hii haifanyi kazi, mambo mengi huharibika. Mambo mengi yakiharibika, mambo hayo huzaa utovu wa nidhamu na kufanya usalama kuwa haba. Tumeishi katika nchi hii na Bara letu la Afrika pia kwa miaka mingi, katika hali ambayo mifumo iliyowekwa haikufanya kazi. Kwa mfano, ikiwa ni mfumo wa ugawaji wa ardhi, sheria iliyowekwa haikufuatwa kwa miaka mingi. Vile vile, tumeishi katika hali ambayo mifumo iliyowekwa ili kugawana kazi katika taifa haikufanya kazi. Tumeishi katika hali ambayo mifumo iliyowekwa ili kuimarisha vyombo vya usalama, kama vile vinavyotumiwa na polisi, haikufanya kazi.

Kwa sababu tumeishi katika hali hiyo kwa miaka mingi, imekuwa ni hali ya maisha. Watu sasa wamechukulia utovu wa nidhamu na uvunjaji wa sheria kama kwamba ndio hali ya maisha. Leo ningependa kusema kwamba tuliishi katika taifa hili kama vile watu huishi katika kilabu cha usiku, ambako kila jambo huendelea. Leo tumekuwa na nia ya kukisafisha kilabu hicho cha usiku na kukifanya mahali pa kuabudu; mahali pa utakatifu. Hio sio kazi rahisi, bali ni vita. Watu wameishi kwa kukuza na kuiuza bangi na kutengeneza pesa kinyume na sheria. Serikali imetangaza vita dhidi ya visa kama hivyo. Kwa hivyo, jamii zote ambazo zilikuwa zinategemea bangi kwa maisha, sasa zina vita na Serikali.

Bw. Naibu Spika wa Muda, kwa muda mwingi tuliishi katika hali ambapo vijana wengi walitengeneza pesa katika biashara ya matatu bila kufanya chochote. Leo hii tunawaambia hatutaki hali hiyo iendeleo. Tukifanya hivyo, inakuwa ni vita. Watu wamekuwa wakileta bunduki hapa nchini na kuziua ili watengeneza pesa. Leo tunasema jambo hili ni haramu. Mtu aliyepata ardhi kinyume cha sheria lazima arejeshe ardhi hiyo kwa Serikali na ipewe wananchi wengine kulingana na sheria. Jambo hili pia haliwezekani kwa sababu ni vigumu kufanya hivyo. Ikiwa nafasi za kazi zilienda kwa sehemu moja ya taifa, sasa tunataka kila mtu apate. Hata hivyo, itatubidi labda tupunguze hapa ili tuongeze pale. Jamo hili haliwezekani. Mambo kama hayo yanaweza kuleta vita hapa nchini.

Bw. Naibu Spika wa Muda, ninataka kusema kwamba leo tunataka kubadilisha mambo. Tukifanya hivyo, basi tutapata pingamizi kila mahali. Kwa hivyo, hali inayoendelea leo, tulikuwa tunaitarajia wakati ule tunataka tufanye marekebisho ya maisha yetu. Kupiga vita hivi si rahisi kwa sababu gharama yake itakuwa juu. Ni lazima taifa likubali kutumia pesa na raslimali ili tuweze

kushinda vita hivi. Ndio maana ninamuunga mkono Waziri anaposema ya kwamba hata pesa ambazo Wizara yetu imetengewa katika bajeti ya mwaka huu, hazitoshi. Pesa hizi ni nusu ya mahitaji yetu. Tunahitaji zaidi ili tuweze kuhakikisha ya kwamba mifumo ile ambayo iliwekwa inaweza kufanya kazi.

Bw. Naibu Spika wa Muda, ninazungumza juu ya askari wetu ambao wana jukumu kubwa la kulinda usalama na mali ya wananchi. Idadi yao ni chache muno. Hawatoshi. Ni lazima tuhakikishe ya kwamba tunawaongeza marudufu. Tunajua mishahara yao ni ya chini sana. Huwezi kumlipa Kshs5,000 mtu ambaye kazi yake ni kulinda usalama na maisha ya watu ambao wana mabilioni ya pesa. Kwa hivyo, ni lazima katika bajeti yetu tuwafikirie. Si mishahara yao tu, bali tuimarisha makazi yao. Askari wetu wengi wanaishi vibandani ambavyo vinavuja. Ni vyumba ambayo havifiki futi kumi kwa kumi na huko anatarajiwa kwenda kumlinda mtu ambaye nyumba yake ni vyumba zaidi za 20. Ni mtu ambaye analala vizuri na ana mali nyingi. Ninasema ni lazima turekebisha mahali wanapokaa. Marekebisha haya yanahitaji pesa. Vyombo vyao vya kufanyia kazi ni lazima viimarishwe. Vinunuliwe vya kisasa. Tusiwanunulie vyombo hivi tu, ni lazima viifadhiwe. Ni jambo la kuchekesha kuona ya kwamba wilaya nzima wakati mwingine inapewa Kshs50,000 au hata Kshs100,000 ya kuhifadhi, kulinda na kurekebisha vifaa vya kufanyia kazi. Ikiwa magari yatafanya kazi kwa siku mbili kwa mwezi na muda ule mwingine wote hayafanyi kazi, hatuwezi kuendelea. Tunahitaji pesa kwa kuhakikisha ya kwamba askari wetu wana vifaa vya kutosha. Wale waliosema ya kwamba kila mkoa unahitaji kuwa na helikopta ili tuhakikishe usalama umeimarika na panapotokea matatizo maofisa wetu wanafika kwa haraka. Labda jambo hili lingekuwa limetekelezwa miaka mingi iliyopita. Sasa sisi tumechelewa kufanya kwa hivyo tutahitaji kutumia pesa nyingi kwa wakati mmoja ili kuhakikisha ya kwamba vifaa kama hivyo vinapatikana ndio tuweze kuendelea kufanya kazi yetu vizuri.

Bw. Naibu Spika wa Muda, tumezungumza kuhusu askari wale ambao wanapoteza maisha wakati wa kazi. Ni muhimu kufikiria jamii zao. Watoto watafutiwe shule ambapo wataendelea na elimu yao bila kutatizwa. Afya yao ihakikishwe ya kwamba inatunza na waweze kupata matibabu bila malipo. Pia waweze kupata chakula ili maisha yao yaweze kuendelea bila shida.

Bw. Naibu Spika wa Muda, tumeanzia wilaya nyingi kwa sababu tunataka kuhakikisha ya kwamba huduma kwa mwananchi iwe karibu na yeye haraka iwezekanavyo. Hatutaki wakati ule wa zamani ambapo mtu anatumia siku mbili au saa kumi akisafiri kutafuta mkuu wao wa wilaya. Hizi wilaya mpya ambazo tumeanzia na hata zile za zamani zinahitaji vifaa ili kuweza kutoa huduma. Tunahitaji kumpatia mkuu wa wilaya ofisi safi, nzuri na kubwa na pia vifaa vya kisasa kutumikia wananchi. Tunahitaji kuwapatia wakuu wa tarafa na lokesheni vifaa vya kisasa ili waweze kuwatumikia wananchi.

Bw. Naibu Spika wa Muda, tunazungumza habari ya kununua pikipiki kwa machifu wetu. Labda tunafanya hivyo kwa sababu ya hali yetu ya umasikini au udhaifu. Ninasema hata pikipiki hazifai kwa watumishi wa umma kama machifu. Tungekuwa tunazungumzia juu ya magari ambayo wanaweza kuyatumia. Pengine tungewanunulia pikipiki manaibu wao.

Bw. Naibu Spika wa Muda, miaka mingi hatukuweka rasilimali yetu katika usalama wetu. Sasa hali imekuwa mbaya. Ni lazima tukubali ya kwamba ilituweze kurekebisha hali ya usalama wetu, ni lazima tutumie rasilimali yetu. Kwa hivyo, Waziri anaposema kwamba tutarudi hapa hivi karibuni kuuliza Bunge kutuongezea pesa katika bajeti yetu ili tuweze kufanya mambo haya yote ambayo Wabunge na wananchi wanataka sisi tuyafanye; nina amini anasema jambo ambalo ni la kweli na litaungwa mkono na Wabunge wakati utakapofika.

Kwa hayo machache, ninaunga mkono Hoja hii.

The Assistant Minister for Lands (Mr. Kamama): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for granting me the opportunity to support the Motion on this Vote, which is so critical to the lives of Kenyans and our neighbours.

Mr. Temporary Deputy Speaker, Sir, first I want to congratulate the Minister of State for Provincial Administration and Internal Security, like my colleague did, for being very firm, decisive and consistent in dealing with insecurity issues in this country. We have heard a lot of criticisms from many quarters that the Ministry is not doing as much. However, let me tell you, and I want to quote this without fear of contradiction; that I have been a member of the Provincial Administration in the previous regime and I want to confirm that currently this Ministry is doing ten times better than we used to do. So, a lot of things have been done.

I know the Minister has a lot of challenges like urban crime, terrorism threats, cross-border raids, cattle rustling that is very prevalent in our region, especially the pastoral regions, banditry and the recent development of *Mungiki* which is threatening the urban dwellers of this city. It is really a big issue which the Minister has been consistent on. However, I know he needs a lot of time to really get into the cells of these people. They are not very few in this city; they are many.

There is the issue of proliferation of small arms, drug abuse and many other challenges. The Minister has performed very well, especially when it comes to the policy of the Rapid Results Initiative (RRI). Nowadays, when you go to the District Commissioners'(DCs) offices, *wananchi* are given what we call "red carpet reception" and not the red tape that we were used to. This is very much in line with His Excellency the President's Vision 2030. So, people are given "red carpet reception". In fact, you will get two Administration Police Officers (APs) at the customer-care desk. I even think *wananchi* are being saluted. So, they are really very happy that they are getting good services this time round.

I would also like to thank the Minister for creating new districts, especially in the pastoral regions in order to take development closer to the people and also to address issues of insecurity. There are many challenges, but I want to report to the House that with regard to the issue of the Officer Commanding Station (OCS) who was killed in my constituency a week ago, *wananchi* arrested the person who killed the OCS yesterday and he is, right now, in custody. I think he is going to face justice. The issue of creating new districts came with many challenges. First, I want to ask the Minister to post Officers Commanding Police Divisions (OCPDs) as a matter of priority. The DCs are there, but the OCPDs should be posted there so that they can address insecurity concerns in those particular districts.

However, there is also another policy that was introduced by the Directorate of Personnel Management (DPM). The issue of saying that newly appointed chiefs should have better qualifications. They are saying that chiefs should have obtained a C+ (Plus) in their KCSE Examinations, or a diploma certificate and must be over 35 years. You cannot get people with those qualifications in the pastoral regions.

The Ministry was over ambitious when it came up with this policy. Right now, the Ministry is going to re-advertise and re-advertise again for two years, but it will not get people with those qualifications. People with diploma certificates in those areas have jobs and so they are not jobless. So, the Ministry needs to reduce the age to 30 years and then the minimum qualifications should be Standard Eight or, perhaps, Form Four with a D (Plain) and above. That is the reality on the ground. I think the DCs from those regions were not consulted. They just got views from DCs from places like Kiambu, Machakos and other places which are developed.

Mr. Temporary Deputy Speaker, Sir, I would like to thank the Ministry for building houses for the police and increasing their salaries. They are very highly motivated this time, but we need to do something about their risk allowance. When police officers are shot at or killed in the line of duty, we need to have a minimum amount of money, say, Kshs300,000 to Kshs500,000 that should be given to the families of the deceased officers. I have seen the families of these officers suffer having been a very young commander of APs.

The training of chiefs has really transformed them, but I want to deny the allegation by

some friends of ours in the Opposition that these people are being drilled and that they are being given some propaganda to support the Government. Any sensible person in this country will have to support this system. It is the best system I have ever seen. During Kenyatta's time, I was in primary school and during Moi's time, you all know what was there. This is the best system, and I am very confident that Kenyans will vote back this Government come the next General Election.

Mr. Temporary Deputy Speaker, Sir, the issue of equipping the police with modern equipment is an issue that needs to be addressed. We have a lot of problems, especially within the Suguta Corridor, the upper parts of Eastern Province and North Eastern Province. Information does not flow the way it should because of the challenges of the terrain and so on. So, we need to improve the communication system for the police. We should start by actually buying them vehicles. If you go to places where insecurity is so high like Turkana, Baringo and Pokot--- My OCS does not even have a vehicle and yet these are very dangerous areas which should be looked into.

Recently, I made some impromptu calls. I called Vigilance House, but I could not access it. You cannot access Vigilance House! I think their switch board is dead. If you are doubting, get into the next office and call Vigilance House. You will not access it. I tried about four to five hotlines in this town, but I could not access them. I tried calling hotlines for Langata, Kabete, Kasarani and other police stations, but they were not working. Let us do something about police hotlines.

If you want to address the issue of *Mungiki* let us make the police hotlines work for 24 hours. Let us also make Vigilance House accessible to Kenyans. We have our officers here so, when you get out of here, try calling Vigilance House and those other hotlines. You will find that 80 per cent of them are not working.

Mr. Temporary Deputy Speaker, Sir, in a bid to address the issue of urban crime, I want us also to introduce Closed Circuit Televisions (CCTVs) in most of our urban centres like Mombasa, Nakuru, Kisumu, and mainly in this town. If we do not do that, it is going to be hard to track criminals in this town.

On the whole, the Ministry should be supported. It should be given a lot of money. When we shall be discussing the Supplementary Estimates, we should give them extra funds to make them as efficient as possible.

With those few remarks, I beg to support.

Mr. Marende: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion.

First, I would like to commend the Minister in charge of this Ministry for his result-oriented endeavours to bring about efficacy in that Ministry. But having said that, it is true, as a matter of fact, that that Ministry is the nerve centre of Government operations and service. It is, therefore, important that whatever resources that are allocated to this Ministry are shared nationally and equitably as is possible. This should not just be by claim, but by deed. So, I would want to see the recruitment of police officers, for example, reflecting the face of Kenya. Each constituency in this country should have a fair number of police officers recruited when recruitment is done both in the regular Police Force and the Administration Police force.

Mr. Temporary Deputy Speaker, Sir, it is also important that when motor vehicles are bought, such as have been allocated Kshs767 million in this Vote, those vehicles should be distributed as equitably as possible. As I speak today, the DC in the new Emuhaya District has no vehicle. The local police station has a motor vehicle that is under a state of disrepair. These are matters of concern, particularly in a Ministry as central as this one. Being a beneficiary of the 46 districts that were recently created, I want to thank the Minister that we got that privilege of being among the 46 districts. Indeed, the people of Emuhaya District, which is now constituted of one constituency, are happy that they are beginning to see Government services come near to them,

particularly with the arrival of the DC, the OCPD and allied Government departments. However, I would have been happier to see an allocation of more money for the development of this new district. Although the District Commissioner (DC) is already serving in the district, he still commutes from the neighbouring Vihiga District, because he has no place of residence in the district. Similarly, the Officer Commanding Police Division (OCPD) operates from the neighbouring Vihiga District.

Mr. Temporary Deputy Speaker, Sir, I have seen, in the Development Vote, various new districts allocated money for construction of buildings. I am at a loss as to why no money has been allocated to Emuhaya District for construction of buildings. It is my sincere hope that the Minister will address this anomaly immediately, so that we feel happy to have those services by both word and deed.

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

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

Mr. Temporary Deputy Speaker, Sir, the people of Emuhaya are now hopeful that the Electoral Commission of Kenya (ECK) is going to look at them favourably. Indeed, as underscored by the Minister for Justice and Constitutional Affairs just the other day, that there is going to be 30 new constituencies, we, really, are hopeful that we will fall in the category of districts that will enjoy a new constituency, so that we are a district of not one constituency but a district of two constituencies, because we have the requisite numbers.

I want to move on to performance contracts. This is a very noble idea, whose time had come. However, it is important that austerity measures are taken to ensure that the output of the performance contract initiative compares with the celebration that there has been, that this idea has been introduced in our public service. We would like to see a situation where under-performers are dealt with. Performance contracts have been in place for close to one-and-half years now. We have had commendations, including winning a United Nations award, but we have not heard of any disciplinary measures taken against under-performing officers. We want to see that happening, so that the output from this idea can be greater than we have witnessed so far.

Mr. Temporary Deputy Speaker, Sir, I want to move on to the area of insecurity. This is a matter that is worrying. It is a matter which concerns every Kenyan now, because we are witnessing a situation where the security situation in the country has deteriorated so much that we are hearing of hot spots of insecurity running all the way from Mount Elgon through to Kwale District, including the midst of the Capital City, Nairobi, among many other places. It is necessary that the Government takes very firm measures.

I know that the Minister has tried so far, but it is not good enough. This Government is under a contractual, constitutional and moral duty to safeguard the security of every Kenyan's life and property. If this contractual, constitutional and moral duty is not fulfilled, then this Government, among other things, will not be seen to be doing what it, really, ought to do.

Mr. Temporary Deputy Speaker, Sir, I want to move on to the aspect of drug abuse. We would have liked to see a little more money allocated to the National Authority for Campaign Against Drug Abuse (NACADA), instead of the Kshs160 million, because drug abuse is a vice which needs to be tamed, so that we do not lose what would otherwise have been very productive manpower to drugs. Stern action must be taken against drug peddlers and dealers, so that they are sentenced to imprisonment for long terms, as much as possible. Perhaps this is also aligned to the

prevailing insecurity in the country.

Mr. Temporary Deputy Speaker, Sir, I am, therefore, recommending, among other things - and this is my considered view - that the Government enforces the death sentence, which is still in our statute books. We are concerned that a number of prisoners who have previously been sentenced to hang are released after serving prison terms for some time. It is possible that this has a bearing on the increase in the rate of violent crime in this country. Perhaps, it would be necessary that the Minister considers this, so that we have a few executions carried out to deter violent criminals.

I am informed, I do not know whether this is true, that the last executions in this country were carried out in 1985. Why should this be so? Is it that the Government is shying away from punishing murderers and violent robbers? Is that the position? If it is, then the Government, in fact, is condoning crime.

Finally, I want to urge the Minister, whom I commended at the beginning, that he ensures that the Vote of his Ministry is demystified, so that what appears to be shrouded in secrecy, or Government classified secrets, should become open, because, in this era, this is information that the public is entitled to and it ought to be published.

With those remarks, I beg to support.

The Assistant Minister for Health (Dr. Machage): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Vote.

*[The Temporary Deputy Speaker
(Mr. Muriithi) left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, as I support the allocation by the Exchequer to the Recurrent and Development Votes of the Ministry of State for Administration and National Security, which is under the Office of the President, it is prudent to accept the truth that when most people refer to Government, they actually tend to refer to the Office of the President, and especially to this Ministry. It follows, therefore, that this Ministry must project the face of the Government properly, right from the Headquarters to the provincial, district, divisional, locational and sub-locational levels. Everything must be proper, including the infrastructure, housing, painting and uniforms. Even the boots of the Administration Police officers must project the face of the Government. We are happy that there is an attempt right now to properly remunerate service providers in this Ministry. A lot needs to be done to these people, so that they do not get tempted to be corrupt.

Mr. Temporary Deputy Speaker, Sir, as the Ministry provides services to the whole country, affirmative action must be looked into. There are areas in this country that have been neglected over the years, and which need closer supervision by the Government. There are areas where the Electoral Commission of Kenya (ECK) has found it necessary to increase the number of wards. It should not, therefore, be the duty of hon. Members or the District Development Committees (DDCs) to begin requesting this Ministry to automatically establish locations in all the areas that have been picked by the ECK and given the status of wards. A ward must be a location. That should be automatic.

In Kuria District, I have several of those areas - nearly four - that have been identified by the ECK to be big enough to be wards and, hence, awarded the same. It is my request that this Ministry moves very fast to establish the Provincial Administration at that level. That is because

there will be a problem after the General Elections, where more councillors will be serving under one chief.

Mr. Temporary Deputy Speaker, Sir, when I talk about allocation of resources, it should not only be seen to be equitably distributed, but affirmative action should be given to those areas that did not have those facilities. In my district, some allocations are made during the recruitment of police officers. But what happens is that, it is only three quarters or even half of those positions that are taken up by my own people. The administrators always find a way of pushing in people from their own areas. Therefore, we are denied the chance of employing our people and pulling ourselves up to the levels of other people in other places in this country. I pray that this anomaly is seen, so that when there is an allocation of employment opportunities to a district, it should be seen that only the citizens that belong to that district really qualify to take up those positions. To enhance the Government's policy of eradication of poverty, resources must be properly distributed.

Mr. Temporary Deputy Speaker, Sir, I would like to bring to the notice of this House about what is nearly obvious - the security situation everywhere. Whereas I am happy that the Ministry has done a lot, especially to avert inter-tribal clashes, especially in my district, there was a problem between Kuria versus Trans Mara districts. I am very happy. But it is important to look at the service providers at that level. When police officers in clash torn areas are left to stay in one station for over three, four to five years, then the possibility of hatching or incubating other problems is quite enormous. There must be a policy of a structured transfer system of service providers at the police level, so that officers do not overstay in one station for long. There are police officers in my district, especially those from the Criminal Investigations Department (CID), who have overstayed in stations. They have built homes, married, their wives have died and they are buried there. Then, we expect un-biased service provision by those officers. It is not possible because those people have already joined a certain clan and have made great friends. Some of them are very good friends to criminals. That should not be allowed to happen.

Mr. Temporary Deputy Speaker, Sir, doors in this Ministry should be opened to politicians, and not only to Cabinet Ministers. When we see a few things that could straighten the name of the Government properly, please, open the doors for us. Listen to us, as legislators! Let it not be such that: "Yes! We do not listen to politicians because they always interfere with security." That should not be the case. Listen, sieve, take what you think is important out of that information because those are elected leaders. If that listening is done properly and in good time, situations like the one we have in Mt. Elgon District and other places can easily be aborted. Leaders must be listened to.

Mr. Temporary Deputy Speaker, Sir, may I comment on the issue of distribution of constituencies. I do not think that is directly associated with this Ministry. But I think the Ministry has a lot in terms of advising the necessary structures. Kuria District is represented in this House by only one hon. Member. Kuria District has only one hon. Member who works in this Parliament. That is myself! There is not even a sweeper in this Parliament, and we are also citizens of this country. Please, I seek that this Ministry becomes my advocate for the sub-division of Kuria Constituency, at least, into two. There should be, at least, two hon. Members so that my community feels part and parcel of this country. We should not be seen to be marginalised. Unless Dr. Machage makes noise, the whole thing is a total failure.

If, for some reason, the Chair is not able to see me when I stand, then it is 100 per cent neglect of my people in this House. If I do not speak in this House, a community is 100 per cent ignored in this country. We are fighting for justice from every angle - from Parliament, the Government and other Ministries.

Mr. Temporary Deputy Speaker, Sir, may I support the hon. Member who commented on the education levels of hiring chiefs and assistant chiefs. Kuria District had its first P1 lady in 1967. I was the first Kuria to train in medicine at the University of Nairobi (UoN). In your communities,

the first trained doctors are long dead not because of HIV/AIDS, but old age! Here is a situation where, even employing a driver requires a Form IV leaver with Grade C plain. We have positions in my district for drivers being taken up by people from other areas. Very soon, we may have chiefs employed from other areas to come and manage administrative affairs in Kuria District. That is unfair! That must be checked. There must be affirmative action. Someone does not need to be a Form IV leaver to be a driver. We have illiterate drivers who are doing a very good job and they have zero accident records over the years they have driven for the Government. Let people be assessed and employed on merit.

Mr. Temporary Deputy Speaker, Sir, some of the police stations, both for the regular police and Administration Police in my district, are appalling and are an eye sore to look at, being the first place you have to enter into this country from Tanzania or Southern Africa. It is good to look into those things

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

Mr. Muriithi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute

An hon. Member: Dedan Kimathi!

Mr. Muriithi: Who mentioned Kimathi here, Mr. Temporary Deputy Speaker, Sir?

*(Dr. Machage stood up in his place
and consulted loudly)*

The Temporary Deputy Speaker (Mr. Khamasi): Order, Dr. Machage! Let us listen to the hon. Member!

Proceed, Mr. Muriithi!

Mr. Muriithi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this important Motion. The Minister has done everything possible to control crime in our country. But there are a few areas which require a lot of improvement. The salaries of police officers should be increased to avoid corruption. If a police officer is paid Kshs5,000 for 30 days work and there is no other way of earning money, he or she will be tempted to accept a reward. If that is done, it will reduce crime and the number of people who die as a result of accidents on our roads. As said by my colleagues, that ratio is too low considering the rate of growth in Kenyan population. The recruitment should be increased, probably three times.

Mr. Temporary Deputy Speaker, Sir, the National Security Intelligence Service (NSIS) has been allocated a lot of money in this Budget. However, they do very little as far as gathering of intelligence information is concern. I do not see any work that they do apart from using state-of-the-art vehicles. If they were working properly, the *Mungiki* adherents would not have caused so much suffering to our people or this Government would not be facing threats from any quarter.

Mr. Temporary Deputy Speaker, Sir, there was no point for the police officers to have gone to villages to kill innocent people whom they alleged to be members of the outlawed *Mungiki* sect. If the NSIS was doing its work effectively, they would have been in Mathare and Murang'a District. They would have interacted with ordinary Kenyans there and obtained information which would have led to the arrest of those *Mungiki* adherents. They would have been arrested and taken to court without causing so much pain to innocent *wananchi*.

Mr. Temporary Deputy Speaker, Sir, the other day, I was misquoted that I am opposed to police officers being provided with proper housing. I commend the Minister for what he has done so far, but a lot needs to be done. It is a pity that even to date, police officers are still staying in ramshackle sheds. These people are human beings and they have families. When you put two married men in a single room, obviously, they cannot enjoy their conjugal rights. Therefore, they

should be separated in order for them to live well like any other Kenyans.

Mr. Temporary Deputy Speaker, Sir, corruption is rampant in the recruitment of police officers. Sometimes hon. Members of Parliament provide financial assistance to enable would-be candidates to join the police force. If they are recruited as police officers, then they will continue with corruption. This must be avoided. It is very hard to know how corruption is taking place because it is deeply rooted in this country. With all due respect, the senior officers are also involved in corruption. It is, therefore, not possible for us to arrest the situation. Perhaps, the Minister would be able to do it.

Mr. Temporary Deputy Speaker, Sir, I appreciate that the work of the police is sometimes excessive. We shall never forget what happened in Mathare. It reminds us of Soweto in South Africa where police used dogs, harassed and unleashed terror on innocent citizens during the Apartheid regime. This should not be the case. I call upon the Government to immediately dismiss the trigger-happy officers.

The community policing programme is now dying because police officers are not friendly to members of the public. If they were friendly, people like taxi men would have helped them to track down the criminals in this country. Mr. Temporary Deputy Speaker, Sir, one of the hon. Members talked about compensation for police officers who die in the line of their duty. There was an insurance cover in place which was very good, but it was withdrawn. It provided a cover for death and five years salary was paid to dependants when an officer died. I do not know why this cover was withdrawn and whether the Government has put a similar scheme in place. The family of the officer who was shot in Banana early this year has not been compensated. I would request the Minister to make sure that an insurance scheme is put in place for police officers as soon as possible.

Mr. Temporary Deputy Speaker, Sir, I support Mrs. Nyiva Mwendwa's view on chiefs and their assistants. However, in my constituency, there is nothing to improve on. The chiefs and their assistants do not have offices. They operate under trees. It is very embarrassing. When it rains, it causes havoc and they are not able to perform or render services to Kenyans. In my constituency, we found it necessary to construct some temporary offices for chiefs, so that they can, at least, host their flags to show dignity and respect to our nation. The Ministry should do everything possible to help those chiefs because they are helping the Government to stamp out any banditry in their areas.

With those few remarks, I beg to support the Motion.

The Minister for Justice and Constitutional Affairs (Ms. Karua): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support the debate on this Vote. We all appreciate the work that the police are doing in keeping security and, indeed, all the law enforcement agencies.

Mr. Temporary Deputy Speaker, Sir, I just want to emphasize that, as we ask the police to continue being vigilant in keeping security, we must remember that they too are human beings. When there is a shoot out between the police and criminals, let us not just talk about the human rights of criminals or suspects. Let us also appreciate that the police are human beings. The police too have families and, therefore, we must balance the need to protect citizens and the need for our police to also protect themselves when circumstances warrant it.

Mr. Temporary Deputy Speaker, Sir, the law permits the police to use the necessary force when the circumstance demand it. We must, therefore, realise that because, as citizens, we are too quick to criticise the police without reviewing the circumstances. I would also call upon the police to balance the use of force. They should use force only when it is necessary, so that we can be able to move together. But I want also to say that it is our duty to support the police in their work. We cannot expect security without contributing towards that security. I am calling upon all citizens, and especially Members of this House, not to instigate lawlessness and then call upon the police to

keep law and order, when we are the instigators. It is in fashion these days to listen to people who were in authority yesterday; people who condoned the rise of criminals gangs in this country, now talking about the problem of insecurity.

Mr. Temporary Deputy Speaker, Sir, uprooting something that has been going on for more than a decade is not easy. I want to appreciate the fact that, laws are being developed to deal with organised crime. I am also very impressed with the police response. We know that a lot needs to be done. We want to encourage that both the police and the citizens work together to keep peace. I want to commend the police for their response during the recent incident, when we had a bomb or whatever explosive devise outside the Ambassador Hotel the other day. The response was truly fast and very commendable, even in terms of investigations which are ongoing. I also want to commend the response to disaster in various parts of this country. We need to improve. But we also need to acknowledge where good work is going on.

Mr. Temporary Deputy Speaker, Sir, several people have touched on the reforms that are going on in the Police Force and the Provincial Administration. I want to encourage the Police Commissioner and his team to examine ways and means of reforming the traffic police. I think it would not be difficult to tell traffic police officers that they have no business of entering vehicles that they have stopped. That is trying to create opportunities for rent seeking. Let them give them bonds. After all, if someone does not go to the police station, we can always track the car down. But let us stop seeing the habit of police entering vehicles. It makes us suspect that they are looking for bribes. There are little things that can be done to enhance the credibility of the Police Force. I am glad that some are being done, but we encourage the Minister to continue. I want to say that we need to support this Vote. We cannot ask for security and not be ready to pay for it.

With those very many words, I beg to support.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Khamasi): Order! Hon. Members! It is now time to interrupt our business today. The House is, therefore, adjourned until tomorrow, Thursday, 12th July, 2007, at 2.30 p.m.

The House rose at 6.30 p.m.