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NATIONAL ASSEMBLY

TENTH PARLIAMENT – FOURTH SESSION - 2012

REPORT OF THE
DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND
NATIONAL SECURITY ON THE VETTING OF NOMINEES TO THE
INDEPENDENT POLICING OVERSIGHT BOARD

CLERK'S CHAMBERS
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APRIL, 2012

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PREFACE

Mr. Speaker, Sir,

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

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

Mr. Speaker,

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

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

The Committee oversees the following Ministries and Departments:

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

Mr. Speaker, Sir,

The following are the Members of the Committee:



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

*(The Member whose name is marked with an asterix * has never participated in any Committee deliberations and so he is not part of the observations, findings, conclusions and recommendations contained in this report).*

Mr. Speaker, Sir,

Section 8 (1) of the Independent Policing Oversight Authority Act, 2011 provides that the Independent Policing Oversight Authority shall be governed by a Board to be known as the Independent Policing Oversight Board. The Board shall consist of a Chairperson, seven other persons and the Chairperson of the Kenya National Human Rights and Equality Commission, who shall be an *ex-officio* Member.

In accordance with section 11 (5) of the aforesaid Act, the President shall select the Chairperson and Members of the Board from the list of qualified persons forwarded to him by the Selection panel and subsequently forward the names of the persons so selected as Chairperson and Members of the Board to the National Assembly for approval.

Mr. Speaker,

In a letter from the Permanent Secretary, Secretary to the Cabinet and Acting Head of the Civil Service dated 5th March 2012, the National Assembly was informed that His Excellency the President, in consultation with the Rt. Honourable Prime Minister, had nominated the following persons for the positions stated hereunder;

- | | | |
|---------------------------------|---|-------------|
| 1. Mr. Macharia Njeru | - | Chairperson |
| 2. Ms. Fatumu Ali Saman | - | Member |
| 3. Mr. Mbugua Thomas Kagwe | - | Member |
| 4. Ms. Jedidah Pilale Ntoyai | - | Member |
| 5. Ms. Jane Njeri Njoki Onyango | - | Member |
| 6. Ms. Madoka Grace Barbara | - | Member |
| 7. Mr. Vincent Kibet Kiptoo | - | Member |
| 8. Ms. Rose Awuor Bala | - | Member |



Mr. Speaker, Sir,

Under section 11(6) of the Act, the National Assembly is required, within twenty one days of the day it next sits after receipt of the names of the nominees, to vet and consider all the applicants and may approve or reject any or all of them and request for the names of new nominees.

On 6th March, 2012, in a *Communication from the Chair*, you directed that names of the eight nominees to the Board and the accompanying curriculum vitae (CVs), be referred to the Departmental Committee on Administration and National Security for consideration prior to the approval by the House; and that the Committee tables its recommendations on or before Tuesday 20th March, 2012.

Mr. Speaker,

Pursuant to provisions of Standing order 180 which allows the public to access Committee sittings; and in line with Article 73 (2) (d) of the Constitution which provides for accountability to the public for decisions made, and actions taken, the Committee placed adverts in the mainstream daily newspapers inviting members of the public to present Memoranda on any information they could have on the nominees.

By the time of compiling this report, the Committee had not received any memoranda from the public. However, it is important to mention that the Committee proceedings on the vetting day were open to the media and the public.

The Committee held a total of ten sittings. Further, the Committee conducted interviews of the nominees with a view to establishing their suitability or otherwise to the Board of the Independent Policing Authority. Minutes of the proceedings with the nominees are attached to this report (*appendix 1*).

Further, Sec. 6 (8) of the Public Appointments (Parliamentary Approval) Act, 2011 stipulates that "the criteria specified in the schedule (of the Act) shall be used by the Committee during an approval hearing for purposes of vetting a candidate". In pursuit of this requirement, the nominees filled Questionnaires on public appointment and submitted them to the Committee for perusal. The questionnaires are also attached to the report for ease of reference (*appendix 2*).

Mr. Speaker, Sir,

After consideration of the nominees, the Committee recommends that Parliament approves the appointment Of the eight persons to the respective positions to which they were nominated to serve in the Independent Policing Oversight Board.

The Committee further recommends that the Selection Panel should provide information on why the other shortlisted candidates were not successful.

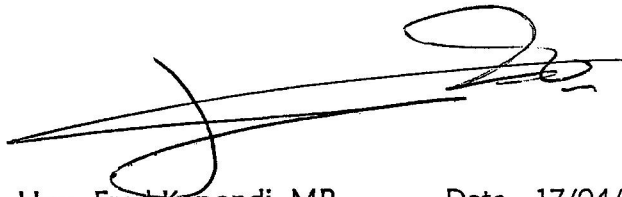


Mr. Speaker,

The Committee wishes to thank the Speaker and Clerk of the National Assembly for the logistical support accorded to it. Also, the Committee is grateful to the members who took time to present their memoranda. The Committee cannot forget the tireless media coverage which made public the proceedings of the Committee, thus enhancing accountability and transparency of the vetting exercise.

Mr. Speaker, Sir,

On behalf of the Committee, and pursuant to Section 11(6) of the Independent Policing Authority Act, 2011, it is my pleasant duty to table the Report of the Departmental Committee on Administration and National Security on the nominations to the Independent Policing Oversight Board, for debate and adoption by the House.



Signed...Hon. Fred Kaponi, MP..... Date...17/04/2012.....

Chairman, Departmental Committee on Administration and National Security

1.0 BACKGROUND

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

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

1.2 To enable the National Police Service meet the objectives set out in Article 244 above, Parliament enacted the Independent Policing Oversight Authority Act, No. 35 of 2011. The purpose of the Act, as set out in its long title, is among other things; to provide for civilian oversight of the work of the Police and to establish the Independent Policing Oversight Authority.

1.3 Section 6 of the Independent Policing Oversight Authority Act, 2011 provides that the functions of the Authority shall be to:-

- a. investigate any complaints related to disciplinary or criminal offences committed by any member of the Service, whether on its own motion or on receipt of a complaint, and make recommendations to the relevant authorities, including recommendations for prosecution, compensation, internal disciplinary action or any other appropriate relief, and shall make public the response received to these recommendations;
- b. receive and investigate complaints by members of the Service;
- c. monitor and investigate policing operations affecting members of the public;
- d. monitor, review and audit investigations and actions taken by the Internal Affairs Unit of the Service in response to complaints against the Police and keep a record of all such complaints regardless of

- where they have been first reported and what actions has been taken;
- e. conduct inspections of Police premises, including detention facilities under the control of the Service;
 - f. co-operate with other institutions on issues of Police oversight, including other State organs in relation to services offered by them;
 - g. review the patterns of Police misconduct and the functioning of the internal disciplinary process;
 - h. present any information it deems appropriate to an inquest conducted by a court of law;
 - i. take all reasonable steps to facilitate access to the Authority's services for the public;
 - j. subject to the Constitution and the laws related to freedom of information, publish findings of its investigations, monitoring, reviews and audits as it sees fit, including by means of electronic or printed media;
 - k. make recommendations to the Service or any State organ;
 - l. report on all its functions under this Act or any written law; and
 - m. perform such other functions as may be necessary for promoting the objectives for which the Authority is established.

1.4 Section 8 (1) of the Independent Policing Oversight Authority Act, 2011, provides that the Independent Policing Oversight Authority shall be governed by a Board to be known as the Independent Policing Oversight Board.

Functions and powers of the Board

- 1.5 Section 8 (2) of the IPOA Act, 2011 further bestows on the Board the proper performance of the functions and the exercise of the powers of the Authority under this Act or any other applicable law - these include:-
- (a) control, supervise and administer the assets of the Authority in such manner as best promotes the objectives for which the Authority is established;
 - (b) determine provisions to be made for capital and recurrent expenditure of the Authority;
 - (c) receive any grants, gifts, donations or endowments and make legitimate disbursements therefrom;

- (d) enter into association with such other bodies or organizations within or outside Kenya as it may consider desirable or appropriate and in furtherance of the objectives for which the Authority is established;
- (e) open a bank account for the Authority;
- (f) exercise any other power provided for in this Act or any other applicable legislation.

Membership of the Board

1.6 Section 9 (1) of the Act sets out the composition of the Membership of the Board. The Board shall consist of nine members, as follows; a Chairperson, seven other persons and the Chairperson of the Kenya National Human Rights and Equality Commission, who shall be an *ex-officio* Member.

Qualifications for appointment of the Chairperson

1.7 Section 9 (1) provides for qualification for appointment as the chairperson – as one who shall be a person qualified for appointment as a Judge of the High Court of Kenya;

Qualifications for Appointment of Board Members

1.8 Section 10 (1) of the IPOA Act provides that a person shall be eligible to be appointed as a member of the Board if that person;

- (a) holds a degree from a university recognized in Kenya;
- (b) is fit and proper to serve as a member of the Board charged with upholding and protecting ethics, professionalism, accountability and lawful conduct;
- (c) is a Kenyan citizen;
- (d) is not disqualified from serving in accordance with the provisions of subsection (2)
- (e) meets the requirements of Chapter Six of the Constitution; and
- (f) shall be persons appointed by virtue of their knowledge and at least ten (10) years' experience in the fields of:-
 - (i) Criminology;
 - (ii) Psychology;
 - (iii) Law;
 - (iv) Human rights and gender;
 - (v) Medicine;



- (vi) Alternative dispute resolution;
- (vii) Security matters;
- (viii) Community policing;

Conditions for disqualification from Appointment as a Board Member

- 1.9 Section 10(2) of the Independent Policing Oversight Authority Act, 2011 provides for the disqualification of a person from appointment as a member of the Board if that person –
- (a) has previously served as a member of the Board;
 - (b) is employed by or is associated with any person who supplies services or goods to the Authority, or whose spouse or other family member is so employed or associated;
 - (c) holds office in a political party;
 - (d) is a serving police officer, or retired from being such an officer within the five years immediately preceding the commencement of this Act;
 - (e) has been convicted, whether in Kenya or elsewhere, of an offence involving dishonesty or of any other offence for which such person has been sentenced to imprisonment without the option of a fine;
 - (f) is unable to discharge the functions of the office due to mental incapacity; or
 - (g) is an un-discharged bankrupt.

2.0 PROCEDURE FOR APPOINTMENT OF THE CHAIRPERSON AND MEMBERS OF THE IPO BOARD

- 2.1 Pursuant to section 11 of the IPOA Act, the Selection Panel advertised for the position of the Chairperson and Members of the Independent Policing Oversight Board in the Daily Nation and Standard of 6th December, 2011. The position of the Chairperson was re-advertised in two (2) daily newspapers on 10th January, 2012 to encourage female candidates to apply. A total of one hundred and twenty three (123) applications were received for the position of Member out of which twenty six (26) candidates were shortlisted.
- 2.2 The Selection Panel conducted interviews of candidates for the position of Member on 23rd to 27th, January 2012 while those for the position of

Chairperson were conducted on 20th February, 2012 at the Public Service Commission. The panel then forwarded the score sheet to H.E. the President and the Right Honorable Prime Minister for nomination.

- 2.3 In a letter Ref. OP/CAB.1/32A, dated 5th March, 2012 from the Permanent Secretary, Secretary to the Cabinet and Acting Head of the Public Service, the National Assembly was advised that H.E. the President, in consultation with the Rt. Hon. Prime Minister had nominated the Chairperson and members of the Independent Policing Oversight Board for vetting by Parliament.
- 2.4 The nominees were Mr. Macharia Njeru for the position of Chairperson; Mr. Mbugua Thomas Kagwe, Ms. Fatuma Ali Saman, Ms. Jedidah Pilale Ntoyai, Ms. Jane Njeri Njoki Onyango, Ms. Madoka Grace Barbara, Mr. Vincent Kibet Kiptoo and Ms. Rose Awuor Bala as members of the Independent Policing Oversight Board.
- 2.5 In accordance with section 11(5) of the IPOA Act, the President shall select the Chairperson and members of the Board from the list of qualified persons forwarded to him by the selection panel and subsequently forward the names of the persons so selected as Chairperson and members to the National Assembly for approval.
- 2.6 Under section 11(6), the National Assembly is required, within twenty one days of the day it next sits after receipt of the names of the nominees to vet and consider all the applicants and may approve or reject any or all of them and request for the names of new nominees.
- 2.7 The Honorable Speaker directed the Departmental Committee on Administration and National Security to table its report on the nomination for consideration prior to approval by the House on or before Tuesday 20th March, 2012.
- 2.8 In conducting the vetting process, the Committee examined the candidates guided by the criteria set out in the Public Appointments (Parliamentary Approval) Act, 2011 on criteria for vetting/approval of the nominees for appointment to Public Office by the National Assembly. That criteria requires the nominees to disclose information on their personal and



professional life including their political affiliations, tax compliance and potential conflict of interest.

3.0 CONSIDERATION OF THE CHAIRPERSON TO THE INDEPENDENT POLICING OVERSIGHT BOARD

The Committee, during its first sitting to vet nominees to the IPO Board in the afternoon of Wednesday, 14th March, 2012, interviewed four persons, as follows:-

3.1 *Mr. Macharia Njeru – Nominee, Chairperson, Independent Policing Oversight Board*

In his submission, Mr. Macharia Njeru informed the Committee that;

- I. He holds a Bachelor's degree in Law (LLB), Second Class Honours (Upper Division) from the University of Nairobi, and a Postgraduate Diploma in Law from the Kenya School of Law.
- II. He is a practicing Advocate of twenty (20) years standing and a managing partner in the law firm of Macharia Njeru Advocates, now Macharia - Mwangi & Njeru Advocates. He is also a Certified Public Secretary and Notary Public. He has gained considerable experience in criminal law including fraud detection, legal consultancy and rendering of legal opinions.
- III. He was a Member of the Police Reforms Implementation Committee and served as Team Leader responsible for developing legislation on Police Reforms including the National Police Service Bill, 2011, the National Police Service Commission Bill, 2011, the Independent Policing Oversight Authority Bill, 2011, the Private Security Regulations Bill, 2011 and National Coroner Service Bill, 2011.
- IV. He was a Member of the National Task Force on Police Reforms popularly known as the Ransley team. He served as one of the team leaders responsible for the drafting of the Ransley Report which has guided the ongoing Police reforms. He is a Board Member, Kenya Airports Authority.
- V. He is also Chairman, Fina Bank Rwanda and Director, Fina Bank Kenya and Fina Bank Uganda.

3.1.1 Issues raised by the Committee Members

The Committee Members sought to know from Mr. Macharia Njeru:-

- i) How he would be able to handle the new appointment given that he is a very busy person; running a successful law firm and sitting in several boards, including that of the Kenya Airports Authority (KAA);
- ii) What values he thinks he would bring along to the IPO Board;
- iii) Whether there was any potential conflict of interest from any of his relatives;
- iv) If he belonged to any political party or had any political affiliations that could lead to conflict of interest;
- v) How he would manage public expectations if he was confirmed as Chairperson.
- vi) If he had any publications to his name; and
- vii) Whether he was tax compliant.

3.1.2 Response by Mr. Macharia Njeru

In his response to clarifications sought, Mr. Macharia Njeru informed the Committee that;

- a. He would resign from the other public offices to be able to render quality service to the new IPO Board, if the need arose. He observed that the appointment was non-executive, and therefore would not take much of his time and energy,
- b. He believed in professionalism and fairness and this is what he hoped to bring to the newly established Board. Also, he had never been mentioned adversely during his more than twenty years of legal practice,
- c. In regard to political affiliations, he currently is neither a member nor an official of any political party. However, he had contested the Kipipiri Parliamentary seat on a Ford People ticket in 2007 where he emerged second. He does not intend to run again,
- d. He was not looking for a job for merely earning a salary but he wanted to serve the nation and help improve the welfare of Kenyans through quality service delivery. He wished to be part of the driving force



behind meaningful police reforms geared to improving the image of the police. He also wanted to raise the bar on the integrity of the police,

- e. On managing public expectations, he wished to educate the public through a professional Internal Affairs Unit. He would educate the police to put up the right structures,
- f. He was a leader of the team that drafted proposals to the legislation on police reforms,
- g. There was no proper prioritization of needs in the past. The Police lacked Monitoring and Evaluation mechanisms as well as management skills. It was necessary to institutionalize basic ICT infrastructure in the Police Service.

3.1.3 Committee observations and recommendation

Qualifications and work experience

- I. Section 9 (1) of the Independent Policing Oversight Authority Act, 2011, provides that to qualify for appointment as a Chairperson of the Board, a person shall be qualified to be appointed as a Judge of the High Court of Kenya.
- II. The Committee observed that Mr. Macharia Njeru fulfilled the requirements of the section and also met the requirements of Chapter six of the constitution. The Committee noted that Mr. Njeru met the requirements for appointment as a Judge of the High Court of Kenya under Article 166 (5) (b) of the Constitution in that he has been a legal practitioner of more than ten years standing. Further, he is knowledgeable and well versed on issues regarding Police reforms having been in the task force that participated in drafting Bills on the Police reform agenda.

The Committee therefore recommends that Mr. Macharia Njeru is qualified to serve as the Chairperson of the Independent Policing Oversight Board and consequently recommends to Parliament to approve his nomination as the Board's Chairperson.

4.0 CONSIDERATION OF THE OTHER NOMINEES TO THE INDEPENDENT POLICING OVERSIGHT BOARD

4.1 *Ms. Fatuma Ali Saman*

In her submission, she informed the Committee that;

- i. She holds a Bachelor of Education (B.Ed. Arts), History and Religion from the University of Nairobi, and a Masters degree in Education, Education Policy and Leadership from Moi University.
- ii. She has practical experience on issues of women and minority rights. She has worked with the Constitutional Review Commission of Kenya (CKRC) as a delegate National Constitutional Conference where she negotiated and lobbied on issues concerning women and social justice.
- iii. She is a serving Board Member, Regional Council Centre for Minority Rights (CEMIRIDE). She is also an Executive Board Member, Inter-Religious Council of Kenya (IRCK). She mentored girls at school through the UNICEF/GOK programme.
- iv. She represented Muslim women in the National Constitutional Conference. She served on the task force on devolution through an appointment by the Local Government Minister.
- v. She is the current Principal of Nairobi Muslim Academy.

4.1.1 Issues raised by the Committee Members

The Committee also sought to know from the second nominee, Fatuma Ali Saman, the following;

- i) Whether she had any family member in the Police force who could bring about potential conflict of interest.
- ii) If she had any political affiliations.
- iii) Whether she was tax compliant.
- iv) What she thought she would do to help the improvement of the National Police Service.



4.1.2 Response by Fatuma Ali Saman

- i. In response, she said she had no relative in the Police force who could bring any potential conflict of interest. She neither had political affiliations nor was she a member of any political party.
- ii. She desired to help women get and use police services more as women were more vulnerable. She wanted to help address the gaps between policy and practice in the Police Service.

4.2 *Mr. Mbugua Tom Kagwe*

The nominee informed the Committee that;

- I. He holds Bachelor of Arts degree in Political Science and Philosophy and a Masters degree in International Studies from the University of Nairobi. He is currently the Chairperson, Constitution and Reform Education Consortium where he convenes regular management Committee meetings to provide financial, institutional and programmatic guidance to the Consortium.
- II. He was the Acting Deputy Director, Kenya Human Rights Commission being part of the team that developed the Commission's 2008-2012 Strategic Plan; and also assisted the Executive Director in providing strategic guidance on overall institutional development. He possesses knowledge on human rights, gender and equality.
- III. He was a member of the Government led National Steering Committee on the National Policy and Action on human rights. He actively participated as a member of the reference group that worked with the Committee of Experts on Constitutional review.

4.2.1 Issues raised by the Committee Members

The Committee further sought to know from the third candidate, Mr. Tom Kagwe Mbugua;

- i) Whether his previous experience as a civil society activist would impart negatively on the new appointment.

- ii) If he had any political affiliations.
- iii) Whether he had done any writings or publications.

4.2.2 Response by Mr. Mbugua Tom Kagawe

In his response to the Committee's queries, Mr. Tom Kagwe said that;

- I. His previous experience as a civil society activist was a positive attribute in the new appointment, as he would strive to ensure the things he professed as an activist were actualized.
- II. He had neither political affiliation nor anyone in the public service that might bring about any potential conflict of interest.
- III. In regard to publications, he had written substantially on thematic issues. Some of his writings had been published. He presented the Committee with some of his previous works.

4.3 *Ms. Jedidah Pilale Ntoyai*

In her submission, she informed the Committee that;

- i) She holds a Bachelor of Arts degree in Counseling Psychology from the University of Nairobi and a Master of Arts degree in Counseling Psychology from USIU.
- ii) She worked as a Commissioner with the Interim Independent Boundaries Review Commission (IIEBRC) where she was a member of the Committee on Human Resource and Administration which designed the organizational structure that aided in the recruitment of the secretariat.
- iii) She was the Human Resource and Administration Manager at the KCCT Multi Media University. She worked as a Counseling Psychologist at Kenyatta National Hospital Department of Mental Health.



- iv) She served as a District Election Coordinator, Electoral Commission of Kenya, Kajiado District, in the coordination of registration of voters, voter education and staff supervision.

4.3.1 Issues raised by the Committee Members

The Committee again sought clarifications from the fourth candidate, Ms. Jedidah Pilale Ntoyai, as follows;

- i) Whether she had any political affiliation or had any future political ambitions.
- ii) What she thought she would bring to the IPOA Board.
- iii) If she was KRA tax compliant.

4.3.2 Response by Ms. Jedidah Pilale Ntoyai

In response, she said that;

- I. She had no interest in politics. She was a reserved person who hoped to improve the relationship between the police and the public. Reforms may not be achieved immediately but would come slowly. More importantly, the public must be informed what the Board was doing.
- II. She had been cleared by KRA.

4.4 *Ms. Grace Barbara Madoka*

During her submission, she informed the Committee that;

- i) She holds a Bachelor of Law degree and is an advocate of the High Court of Kenya. She served as Vice Chairperson in the Public Complaints Standing Committee (PCSC) where she was in charge of receiving and taking appropriate actions on complaints against public officers in public institutions, such as the judiciary, the police service, advocates and the Ministry of Health.
- ii) She participated in the drafting of the Bill on the Commission on Administrative Justice. She has vast experience in dealing with of complaints especially in the Police Service.



4.4.1 Concerns raised by the Committee Members

The Committee sought to know from the fifth nominee, Grace Barbara Madoka, the following;

- i) How she would manage the new appointment given that she appeared to be a very busy person engaged in many other duties.
- ii) What level of experience she was bringing to the Board to rectify the tainted image of the current Police force.
- iii) Whether she had any political ambitions given that she came from a political family.
- iv) How she would be able to cope with the high public expectations and execute mandate of the Board fast to restore public confidence in the police.
- v) What vision she had for the Police force.
- vi) Why she has not been practicing law, her profession, since she graduated in 1977.

4.4.2 Response by Ms. Grace Barbara Madoka

In her response, Ms. Grace Madoka informed the Committee that;

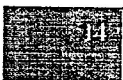
- i) She would relinquish some of her positions if the workload was too much to handle and concentrate on the new appointment.
- ii) Having worked in the Public Complaints Standing Committee, she had gathered adequate experience to be able to deal with complains from the public touching on the police. She had worked for the most vulnerable groups and felt that she was better placed to advance the cause for the underprivileged.
- iii) In a bid to rectify the tainted police image especially on corruption claims, she believed that with the on-going reforms, she expected training of the police officers to greatly improve the image of the police. The Board will have to sensitize the citizens that it was working for their welfare and interests.
- iv) Despite her brother having been in politics, she had no political ambitions herself and was solely dedicated to serving the public on different fora.

- v) With the tremendous powers given to the Board by the Act, even to overstep the Director of Public Prosecutions, she hoped that complains will be disposed off fast. The Board would require the support of Parliament in terms of budgetary provisions.
- vi) Her vision was to have a respected, reputable Police force; one that 'wananchi' was friendly to and had trust on, and could rely upon to deliver services. She also hoped to see a corrupt-free Police. The Board would require assistance from all quarters to ensure the Police are held accountable for their actions.
- vii) She had not been practicing since 1977 because she opted to offer services behind her desk and not really as a practicing lawyer. She is more contented with delivering services from her office instead of going to courts.

4.5 Mr. Vincent Kibet Kiptoo

He informed the Committee that;

- i) He holds a degree in BA (Land Economics), a Postgraduate Diploma and a Master of Science degree in Land Appraisal from the University of Reading. In addition, he holds a Masters degree in Housing Administration from the University of Nairobi.
- ii) He is a professional valuer of good standing for over 15 years and is experienced in criminology as an investigator for 10 years. He has great experience in criminal ethics and governance related activities at Kenya Anti-Corruption Authority (KACA), Anti-Corruption Police Unit (ACPU), Kenya Anti-Corruption Commission (KACC) and Ethics and Anti-Corruption Commission (EACC).
- iii) He undertook financial investigation courses at asset recovery agency in the United Kingdom.
- iv) He was appointed a member of the Pending Bills Closing Committee by His Excellency, the President of the Republic of Kenya, in January 2005.
- v) He was a Valuation Officer in the Ministry of Lands, where he conducted database and physical searches/tracing and identification of assets and



valued them for taxation, acquisition, government leasing, development, purchase and disposal.

4.5.1 Concerns by the Committee Members

The Committee sought to know from Mr. Vincent Kiptoo Kibet;

- i) Why he had opted to join IPOA Board, given that he had excellent credentials to retain his present appointment at the Ethics and Anti-corruption Commission (EACC).
- ii) How he would best utilize his energy and experience to improve the image of the police.
- iii) Whether being with the EACC would bring conflict of interest with the new job.
- iv) Why he wanted to move out of EACC to IPOA given the latter was more challenging.
- v) If he had any political affiliations given that at some point he received the Head of State appointment.

4.5.2 Response by Mr. Vincent Kiptoo Kibet

In his response to the issues raised by the Committee, Mr. Kibet informed the Members that;

- i) He had been looking for an opportunity to serve the country in a manner that would rid it of social evils such as corruption. His experience in the Ethics and Anti-corruption Commission as well working as a investigative agent with the police, had cultivated a deep interest for him to work and create a responsive police answerable to the needs of the public. He also wished to see a police force guided by professionalism. His case was a national patriotic drive.
- ii) Having worked previously with the police and now engaged at the EACC gave him an edge to offer quality service and improve the police force. He hoped to relinquish his position from the EACC if it conflicted with the IPO Board appointment.
- iii) He had received a state appointment as a member of the Pending Bills Closing Committee by the President of the Republic of Kenya because of his qualifications as well as his experience as an investigator in the Police Force's Fraud Detective Unit.