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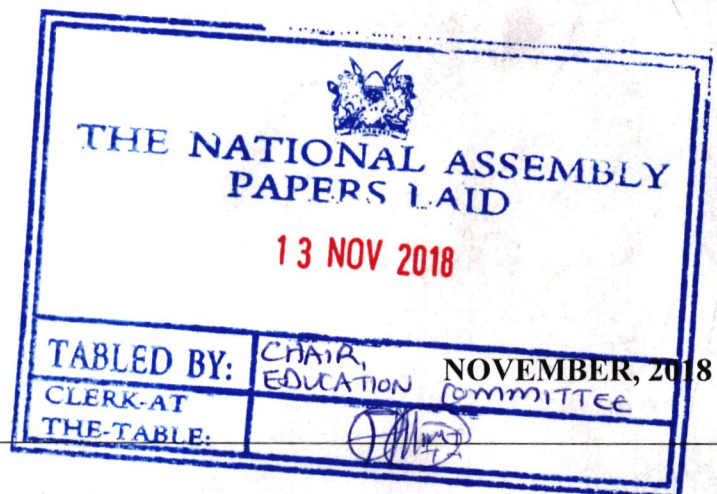
THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – SECOND SESSION 2018

DEPARTMENTAL COMMITTEE ON EDUCATION AND RESEARCH

REPORT ON THE INQUIRY INTO ALLEGED SEXUAL ASSAULT OF
STUDENTS AT MOI GIRLS SCHOOL NAIROBI ON 2ND JUNE, 2018

Directorate of Committee Services
Clerk's Chambers
National Assembly
NAIROBI



CONTENTS

1.0. PREFACE	4
1.1 Mandate of the Committee.....	4
1.2 Committee subjects.....	4
1.3 Oversight.....	4
1.4 Committee Membership.....	5
1.5 Committee Secretariat.....	5
3.0 BACKGROUND INFORMATION.....	9
3.0 SUBMISSION BY WITNESSES.....	14
3.1 FACT-FINDING VISIT TO MOI GIRLS SCHOOL NAIROBI.....	14
3.2 SUBMISSION BY MS. LYDIA MUTEKI - SUB-COUNTY DIRECTOR OF EDUCATION, KIBRASUB-COUNTY	15
3.3 SUBMISSIONS BY MS MONICA WAMBUI - SCHOOL MATRON, MOI GIRLS NAIROBI.....	15
3.4 SUBMISSIONS BY MS. CELESTINE MUTISO - BOARDING MISTRESS.....	16
3.5 SUBMISSIONS BY MS. FLORENCE OMUSULA - DEPUTY PRINCIPAL IN-CHARGE OF ACADEMICS	17
3.6 SUBMISSION BY MS. ANNASTACIA KABUBI - DEPUTY PRINCIPAL IN-CHARGE OF ADMINISTRATION.....	17
3.7 SUBMISSION BY THE FORMER PRINCIPAL OF MOI GIRLS SCHOOL NAIROBI – MS. Jael MURIITHI.....	18
3.8 SUBMISSION BY THE CABINET SECRETARY FOR THE MINISTRY OF EDUCATION.....	23
3.9 SUBMISSION BY THE DIRECTOR OF DIRECTORATE OF CRIMINAL INVESTIGATIONS.....	25
3.10 SUBMISSION BY THE CHIEF EXECUTIVE OFFICER NAIROBI WOMEN’S HOSPITAL.....	26
3.11 SUBMISSION THE CHIEF EXECUTIVE OFFICER KENYATTA NATIONAL HOSPITAL.....	26
3.12 SUBMISSION BY THE MANAGING DIRECTOR LAVINGTON SECURITY LIMITED.....	26
4.0 COMMITTEE OBSERVATIONS AND FINDINGS.....	29
5.0 COMMITTEE RECOMMENDATIONS	31

CHAIRPERSON'S FORWARD

On 2nd June 2018 the media aired reports of an alleged sexual assault of students at Moi Girls School Nairobi. The incident occurred in the early hours of the day between 12 midnight and 5.00 am in the washrooms of one of the dormitories named Elgon. The student who was allegedly assaulted together with three other students were rushed to the nearby Nairobi Women's Hospital at Adams Arcade for examination and treatment accompanied by the Deputy Principal, boarding mistress, school nurse and matron.

The student was later taken to Kenyatta National Hospital for a second opinion on the medical tests. The incident was reported at Kilimani Police Station. Officers from the station were dispatched to guard the school and to commence investigations into the matter.

Following media reports, the Cabinet Secretary, the Chief Administrative Secretary, the Principal Secretary for the State Department of Early Learning and Basic Education, the then Acting Director General of Basic Education, the Nairobi County Regional Coordinator of Education, and the Director for Quality Assurance and Standards in the Ministry of Education visited the school on the same day to ascertain the facts.

Later in the day, parents arrived in the School after receiving information of the alleged incident through social media believed to have been posted by one of them. The parents demanded to withdraw their daughters from the school. The Ministry officials addressed the agitated parents and persuaded them to let the girls stay until the following morning when they would be released to their respective parents. The school was closed for a week.

The Directorate of Criminal Investigations and the Ministry of Education embarked on separate investigations into the incident by visiting the school and interrogating students, teachers and support staff in the school.

The Committee in its sitting held on 5th June, 2018 resolved to conduct an independent inquiry into the alleged incident with a view to establishing the circumstances under which the incident took place; assess the safety and security of students in the schools and make recommendations regarding the incident and safety of students in schools in future.

In conducting the inquiry, the Committee undertook a fact-finding tour of the school where it visited the scene of the alleged crime and received an account of events from the school administration, teachers and school matron. The Committee later invited the Cabinet Secretary for the Ministry of Education, the Chief Executive Officer of Nairobi Women's Hospital, the Chief Executive Officer of Kenyatta National Hospital, the former Principal Moi Girls School Nairobi and the Managing Director, Lavington Security Ltd. to adduce evidence on the incident, all which form part of this report.

The Committee made observations, findings and recommendations which are contained in parts 4 and 5 of the report on alleged rape incident of a student of Moi Girls school, Nairobi.

Hon. Julius Melly, MP – Chairperson, Departmental Committee on Education and Research

1.0. PREFACE

The Departmental Committee on Education and Research is established under the National Assembly Standing Order 216.

1.1 Mandate of the Committee

Pursuant to the National Assembly Standing Orders No. 2016, the Committee is mandated, among others, to: -

- i) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
- ii) study the programmes and policy objectives of Ministries and departments and the effectiveness of the implementation;
- iii) study and review all legislation referred to it;
- iv) study, assess and analyze the relative success of the Ministries and Departments as measured by the results obtained as compared with their stated objectives;
- v) **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;**
- vi) vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (*Committee on Appointments*);
- vii) examine treaties, agreements and conventions;
- viii) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
- ix) consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
- x) Examine any questions raised by Members on a matter within its mandate.

1.2 Committee subjects

The Committee is mandated to consider the following subjects:

Education;
Training; and
Research.

1.3 Oversight

The Committee oversights:

- i) The Ministry of Education; and
- ii) The Teachers Service Commission

1.4 Committee Membership

The Committee comprises of the following Members: -

1. Hon. Julius Melly, MP - Chairperson
2. Hon. Amos Kimunya, EGH, MP - Vice-Chairperson
3. Hon. Moses Malulu Injendi, MP
4. Hon. Geoffrey Makokha Odanga, MP
5. Hon. (Dr.) Pamela Ochieng, MP
6. Hon. (Eng.) Nzambia Thuddeus Kithua, MP
7. Hon. (Prof.) Zadoc Abel Ogutu, MP
8. Hon. Catherine Wambilyanga, MP
9. Hon. Eric Muchangi Njiru, MP
10. Hon. Eve Obara, MBS, MP
11. Hon. Jackson Lekumontare, MP
12. Hon. Jerusha Mongina Momanyi,
13. Hon. John Oroo Oyioka, MP
14. Hon. Joseph Kipkosgei Tonui, MP
15. Hon. Lilian Cheptoo Tomitom, MP
16. Hon. Omboko Milemba, MP
17. Hon. Peter Lochakapong, MP
18. Hon. Wilson Sossion, MP
19. Hon. Wilson Kipngetich Kogo, MP

1.5 Committee Secretariat

The Committee secretariat comprise the following officers; -

1. Mr. Daniel Mutunga - Principal Clerk Assistant I
2. Mr. Philip Lekarkar - Clerk Assistant III
3. Mr. Eric Kanyi - Fiscal Analyst
4. Ms. Anneceta Gacheri - Research Officer
5. Ms. Emma Essendi - Legal Counsel
6. Mr. Nimrod Ochieng - Audio Officer
7. Ms. Catherine Mukunyi - Serjeant At Arms
8. Ms. Winnie Kizia - Media Relations Officer

Acknowledgement

The Committee wishes to thank the offices of the Speaker and the Clerk of the National Assembly for the support accorded to the Members in fulfillment of the Committee's mandate. The Committee is also grateful to the Ministry of Education, the management of Moi Girls School, Nairobi, Kenyatta National Hospital, Nairobi Women's Hospital and Lavington Security Ltd for their co-operation and volunteering of information during the inquiry.

Further, I wish to express my appreciation to the Honourable Members of the Committee for their commitment and valuable contributions during the inquiry and writing of this report.

Finally, it is my pleasant duty and privilege, on behalf of the Departmental Committee on Education and Research and pursuant to Standing Order, 199 to table the Report on the alleged sexual assault at Moi Girls School Nairobi on 2nd June 2018.

Sign:  Date: 6th Nov 2018


HON. JULIUS MELLY, MP
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON EDUCATION AND RESEARCH

2.0 EXECUTIVE SUMMARY

Safety of students is an integral and indispensable component of the teaching and learning process. Indeed, no meaningful teaching and learning can take place in an environment that is unsafe and insecure to both learners and staff. It is, therefore, imperative that educational stakeholders foster safe and secure school environments to facilitate access and quality education for all.

A hostile school environment neglects the needs of its learners, especially girls, children with disabilities, orphans and other children with special needs. In addition, it does not foster a good teaching and learning process which inevitably affect physical and mental health.

Physical and sexual assault of learners can lead to disability or death while emotional and psychological trauma can result in lack of self-esteem and ultimately lead to poor performance in school. Creating a safe school environment that fosters all-round safe living is the responsibility of all.

An incident of alleged sexual assault involving students was reported at the Moi Girls School Nairobi and was alleged to have taken place at a time between 12 midnight and 5.00 am in the washroom area of one of the dormitories christened Elgon.

The Committee by its own resolution and pursuant to the National Assembly Standing Orders No. 216 (5) (e) which gives the Committee the mandate to **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;** instituted an inquiry into the incident.

The Committee undertook a fact-finding visit to the school, visited the scene of crime and received oral evidence from witnesses. Other witnesses were later invited to appear before the Committee to adduce further evidence which is captured in part 3 of this report. This informed the Committee observations, findings and recommendations which are found in parts 4.0 and 5.0 of this report.

The key findings of the inquiry were as follows:

1. There was an act of vaginal penetration on the victim as was deduced from the doctors' reports from the Nairobi Women's and Kenyatta National Hospitals. However, the Committee could not establish the cause and nature of the penetration.
2. There was laxity on security of the students in the school. For instance, there was inadequate surveillance of the school compound at night. The school fence was broken in some areas. This exposed students to risks from intruders who could access the school compound with ease considering its location in and around the informal settlements.
3. The school failed to adhere to the Ministry of Education and Teachers' Service Commission circulars on security, safety and protection of students while in school. The school further failed to enforce the Teachers Service Commission circular TSC/CIRCULAR No.14/2018 on protection of students from sexual abuse. The circular states that: *"all principals and head teachers should ensure that for any co-curricular activity-games and sports, music, drama,*

scouts, girl guides, educational tours, congresses, exchange programmes, debates, symposia, contests within or outside the school, pupils and students are accompanied by at least one registered teacher of the same sex depending on the number of students or pupils involved in the activities and that persons not registered as teachers including teachers whose names have been removed from the official register should not be incorporated in school programmes (including co-curricular activities) to teach, coach or supervise pupils or learners”.

4. During the night of the incident there was inter houses drama competition in the school. The coaches and adjudicators were non-teachers from outside the School. Further the competition extended late into the night and ended at 9.30 pm.
5. The circumstances under which the assault happened and the identity of the suspects involved is still a matter under investigation by the Directorate of Criminal Investigations (DCI). At the time of writing of this report by the Committee, the matter had not been resolved.
6. The Committee acknowledges that the matter is under active investigation by a competent investigative authority with the potential of undergoing a judicial process and thus a definite conclusion on the incident by the Committee might be prejudicial.

The key recommendations made by the Committee are that:

1. The Director of the Directorate of Criminal Investigations expedites investigation into the incident to establish the circumstances, under which the assault happened, the identity of the suspects, acts of omission and/or commission and allegations of cover-up of the assault by the school administration and recommend prosecution of all individuals found culpable.
2. The Ministry of Education should urgently review and revise the safety standards manual for schools in Kenya to conform with the emerging threats to safety, security and welfare of students and school staff such as physical and sexual assault of students, technology-related challenges, terrorism and student’s radicalisation. It should also include actions for the prevention, preparedness, response to and recovery from emergencies.
3. The Board of Management of Moi Girls School Nairobi and all schools should review the school’s security and safety policy and put in place sufficient and reliable measures aimed at protecting the students from physical and sexual abuse. The Board should regularly review the policy with a view to guaranteeing the safety and security of students while in school.
4. Principals, Head teachers, teachers, School Boards of Management, school managers, administrators and care givers must protect the rights guaranteed to children under the Kenyan Constitution, specifically the right not to be subjected to any form of sexual or physical violence, the right to education, non-discrimination and the right to dignity, which are also guaranteed to children under the Children Act, 2001. Those found to violate this requirement should be held personally responsible.

3.0 BACKGROUND INFORMATION

The main purpose of a school is to provide students with regular instructions and build an educational foundation from which students can build successful independent lives. This can only be achieved in a safe and secure school environment. Maintaining safety and security in schools is therefore essential in creating an effective and conducive learning environment.

The safety of students is an integral and indispensable component of the teaching and learning process. Indeed, no meaningful teaching and learning can take place in an environment that is unsafe and insecure to both learners and staff. It is, therefore, imperative that educational stakeholders foster safe and secure school environments to facilitate access to quality education for all.

A hostile school environment neglects the needs of its learners, especially girls, children with disabilities, orphans and other children with special needs. In addition, it does not foster a good teaching and learning process which inevitably affects the physical and mental health of the learners.

Any physical and sexual assault of learners can lead to disability or death. There is also the emotional and psychological trauma which can result in lack of self-esteem and ultimately lead to poor performance in school. Creating a safe and secure school environment is the responsibility of all.

School administrators, managers and other stakeholders therefore need to take safety measures to either minimize or eliminate risky conditions or threats that may cause accidents, body injury as well as emotional and psychological distress to learners.

Moi Girls School, Nairobi

Moi Girls School Nairobi is an extra County school in Nairobi City County that runs an integrated system where both sighted and visually challenged students learn together.

The School sits on a 52-acre piece of land between the informal settlement of Kibera and Woodley estate in Kibra Constituency. The school has an external wall on a 2 km stretch and live kei-apple fence fronting the Joseph Kang'ethe Road as shown in sketch maps **ANNEX I** and **ANNEX II**.

The school is headed by a Principal assisted by two Deputy Principals; one in-charge of academics and the other in-charge of administration. The Boarding Department is headed by the boarding mistress who reports to the Deputy Principal in-charge of administration.

The School has a population of 1195 students, 59 teachers and 68 support staff as at June 2018. 24 teachers including the Principal are housed in the school together with other 13 essential staff.

The students are housed in three dormitories namely Elgon, Kenya and Kilolongo and in a hall where some students were shifted to after a dormitory was destroyed by fire on 2nd September 2017.

Security services are out sourced from Lavington Security Limited. The school enjoys close proximity to Kilimani Police Station which offers security reinforcement during emergency.

Elgon dormitory is the first in a line of three dormitories located between the Principal's house and a kei-apple fence separating the teachers' quarters and the dormitories area as shown in the sketch map. **ANNEX II.**

It is a single-storeyed building with students' beds both on ground and first floors. The interior of dormitory is divided into cubicles each having six beds. It has two main doors along the length near either ends; the front and rear ends. A prayer room is also enclosed within the dormitory on the rear end where the alleged rape incident took place. **ANNEX III.**

The main front entrance leads to the matron's house on the left and the students' cubicles on the right. The school matron's house is separated from the principal's house by a fence of iron sheets.

On the rear end of the dormitory are bathrooms where the incident is alleged to have taken place. Access to the bathrooms can only be from the inside of the dormitory meaning that an intruder accessing the bathrooms from outside has to use one of the main two entrances to the dormitory. The dormitory doors are wooden and are supposed to be locked from inside at night by the House prefect. This is to allow for easy opening and escape in case of emergency.

The dormitory windows were not grilled on one side to allow for emergency exit in the case of emergency. These windows may however pose a risk as intruders from outside may gain entry into the dormitory through the un-grilled windows. The dormitory has a working alarm bell which nobody reportedly used to raise alarm on the night of the incident. The dormitory did not have closed-circuit television cameras.

Chronology of events leading to the rape incident

After opening for 2018 second term on 3rd May 2018, the school settled to its daily routine.

On 1st June 2018, during a public holiday, the school held its annual inter-house drama competitions in the multi-purpose hall. The adjudicators for the drama competition were non-teachers engaged by the school.

The Committee observed that this was in contravention of the Teachers Service Commission circular TSC/CIRCULAR No.14/2018 on protection of students from sexual abuse which states that *"persons not registered as teachers including teachers whose names have been removed from the official register should not be incorporated in school programmes (including co-curricular activities) to teach, coach or supervise pupils or learners"*. **ANNEX IV**

The inter houses drama competition ended at around 9:30 pm and the students were given dinner. They were accompanied by two boarding mistresses, drama teachers and the school cateress. After dinner, the boarding mistress settled the girls in the dormitory and the roll call was taken.

The assistant boarding mistress was left with agriculture students discussing a symposium scheduled for the following day Saturday 2nd June 2018. Before leaving the school past 11:00 pm she reportedly made a final round to ensure all the girls were in the dormitories.

On 2nd June 2018 at around 5:00 am students made frantic shouts and knocks at the school matron's door to inform her that a girl had been raped within Elgon dormitory which is attached to the matron's residence.

The matron reached out to the Boarding mistress and the Deputy Principal administration through mobile communication and immediately thereafter informed the Principal in her house through the watchman as the two residences are separated by a fence. The Boarding mistress arrived first followed by the Principal, the Deputy Principal in-charge of Administration, school nurse while other members of staff residing in the compound joined later.

The Boarding mistress found the victim and three girls fully dressed in E7 cubicle of Elgon dormitory. She inquired from the girls whether they had showered and their response was negative. Curiously one of the girls found in cube E7 had come from Kilolongo dormitory for a sleep over which is not allowed.

At the time the Principal arrived in the school, the Boarding mistress had already picked the alleged victim and three other girls and placed them in a staff member's car. The victim and three other students were taken to Nairobi Women's Hospital, Adams Arcade and arrived at the Hospital at 5.45 am accompanied by the matron, two Boarding mistresses, and the school nurse and were later joined by the School Deputy Principal in charge of Administration.

The father of the alleged victim was called immediately and he joined the team in Nairobi Women's Hospital Adams. Whilst at the hospital, only the girl allegedly assaulted was examined.

A test was carried out by a doctor at the Hospital and results were announced in the presence of the father, school nurse, boarding mistress and the victim. The girl was counselled and put on medication. Thereafter the father wanted a second opinion.

The victim was taken back to school accompanied by the Boarding mistress, the father, matron, Deputy Principal in charge of Administration and two female police officers to make a statement.

Meanwhile, the school received a call through Boarding mistress from Nairobi Women Hospital requesting that the victim be taken for another test. The victim was accompanied by Boarding mistress and the father to Nairobi Women Hospital and a second test was carried out at 3.20 p.m.

After the release of the second test, the father demanded for a 3rd test at Mama Lucy Kibaki but the school decided to take her to Kenyatta National Hospital because it was nearer and it was also a referral hospital.

At 4.20 pm the victim was accompanied to Kenyatta National Hospital by her father, an uncle, school nurse, the Boarding mistress and two police officers. While they were on the way to

Kenyatta National Hospital, the father called a team from Lancet Laboratory Centre to meet at Kenyatta National Hospital. The Lancet medical team collected specimen from Kenyatta National Hospital. The results of Kenyatta National Hospital were released in the presence of the school nurse, two policemen, boarding mistress, the father and the uncle of the victim.

DNA samples were collected and forwarded to the Government Chemist for analysis by Criminal Investigations officers.

After the release of the results at Kenyatta National Hospital, the victim was taken home by her father and uncle.

The School also submitted the results from Nairobi Women's Hospital and Kenyatta National Hospital to the Directorate of Criminal Investigations on demand.

Meanwhile at the School, the Principal assisted by the School captain settled the students from Elgon in the dining hall to take their physical count. The students were instructed not to enter the washrooms of E5 and E7 as they were crime scenes (areas cordoned off).

The Principal established that apart from the girls who reported the incident, others including those in E7 did not know about the occurrence until they saw the Boarding mistress and the girls moving towards the car parked at the gate.

The Cabinet Secretary for the Ministry of Education accompanied by the Chief Administrative Secretary, Principal Secretary for State Department of Early Learning and Basic Education, the then acting Director General of Basic Education, Regional Coordinator of Education for Nairobi Region and the Director, Quality Assurance and Standards visited the school soon after the reporting of the incident by the media.

Many agitated parents camped at the school demanding to take their children home. They were persuaded to let the girls stay until morning when the students were to be released to their parents. The school was closed for a week from 3rd June to 10th June 2018.

On 5th June 2018, the former Principal Mrs. Jael Muriithi wrote a letter to the Teachers Service Commission requesting for early retirement which was accepted. On the same day the Cabinet Secretary for the Ministry of Education dissolved the Parents Association and the School's Board of Management.

Security in the School

The School had contracted Lavington Security Limited to offer security services to the School since October 2012. The firm deploys a total of fourteen (14) security guards for day and night shifts; six (6) during the day and eight (8) at night.

On the night of the incident eight security guards were deployed to the school and specific duties assigned to each one of them. One female guard was assigned to guard three dormitories which were Elgon, Kenya and Kilolongo and another one to guard Rec Hall. Six other guards were stationed in various parts of the School including the main gate.

Part of the duties of the guards assigned to the dormitories was to monitor the entrances and respond to any distress calls. On the night of the incident the guard on duty neither raised any alarm nor reported any unusual happening in the morning at the end of her night shift. Likewise, none of the other guards reported any unusual incident.

Conduct of the Inquiry by the Committee

The Committee instituted an inquiry into the incident pursuant to Standing Order No. 216 with a view to establishing the circumstances under which the alleged rape incident took place and assess the safety and security of students in the secondary schools, identify security gaps and make recommendations to prevent occurrence of such incidences in schools.

The Committee conducted a fact-finding visit to the school on 6th June 2018 and later held a total of ten Sittings where it received and examined evidence from various witnesses.

During the inquiry the Director of Criminal Investigations submitted to the Committee through the Office of the Inspector General, National Police Service vide letter Ref. No. NPS/IG/SEC/2/6/13/8/VOL dated 27th July 2018 informing the Committee that criminal investigations into the sexual assault claims that occurred at the school is still a matter under active investigations and hence any public disclosure, discussion or debate, at this point in time would prejudice and jeopardise ongoing investigations (**ANNEX V**).

He further sought the Committee indulgence to allow the investigations to be concluded before the matter could be disclosed for public scrutiny.

3.0 SUBMISSION BY WITNESSES

3.1 FACT-FINDING VISIT TO MOI GIRLS SCHOOL NAIROBI

Following the media reports of the alleged sexual assault of a girl at Moi Girls School Nairobi in the school, the Committee in its sitting held on 5th June, 2018 resolved to conduct a fact-finding visit to: -

- (i) investigate and inquire into the alleged rape incident in school;
- (ii) establish the circumstances under which the incident took place; and
- (iii) assess the safety and security of students in the school and recommend preventive measures to mitigate and curb such incidences affecting schools across the country.

The fact-finding visit was conducted on 6th June 2018 by the following Committee Members: -

1. Hon. Moses Malulu Injendi, MP - Leader of delegation
2. Hon. (Prof.) Zadoc Abel Ogutu, MP
3. Hon. Eve Obara, MBS, MP
4. Hon. John Oroo Oyioka, MP
5. Hon. Lilian Tomitom, MP
6. Hon. Peter Lochakapong, MP
7. Hon. Wilson Sossion, MP
8. Hon. Wilson Kogo, MP

The Committee conducted a tour of the school including the Elgon dormitory where the alleged incident took place. A meeting was thereafter held at the School with the below mentioned officers where the Committee received oral evidence on the account of events.

1. Ms. Florence Omusula - Deputy Principal in-charge of Academics/ Ag. School Principal
2. Ms. Anastacia Kabubi - Deputy Principal in-charge of Administration
3. Ms. Celestine Mutiso - Boarding Mistress,
4. Ms Monica Wambui - School Matron
5. Mr. John Ololtuaa - Regional Coordinator of Education Nairobi
6. Ms. Lydia Mutegi - Sub-County Director of Education Officer, Kibra
7. Mr. P.K Chirchir - Assistant Regional Director of Education, Nairobi
8. Ms. Susan Murerwa - Deputy Regional Coordinator of Education Nairobi
9. Ms. Joyce Karimi Muchiri - Curriculum Support Officer Representing TSC, Riruta Zone
10. Mr. Kimachas Bernard - Representative TSC Nairobi

During the visit the Committee found the former Principal Mrs. Jael Murithi preparing to hand over the school to the incoming acting Principal Mrs. Florence Omusula after she opted to proceed for early retirement following the incident in the school. She was reluctant to provide information on the incident and instead referred the Members to the Deputy Principal who was due to take over from her.

At the same time the school had been closed for an early midterm break thus no students were present in the school for interrogation by the Committee.

During the visit to the school, the Committee received oral statements from Kibra Sub-County Director of Education, Ms. Lydia Mutegi, the school Deputy Principals in-charge of Academics and Administration Mrs. Florence Omusula and Ms. Anastacia Kabubi respectively, the school boarding mistress Ms. Celestine Mutiso and the school matron, Ms. Monica Wambui.

The Committee further called for submission of evidence from the Cabinet Secretary for the Ministry of Education, the then School Principal Ms. Jael Murithi, the management of Lavington Security Limited, the Chief Executive Officer Nairobi Women's Hospital, the Chief Executive Officer Kenyatta National Hospital and the Director of the Directorate of Criminal Investigations.

The section below contains evidence submitted orally by the witnesses to the Committee.

3.2 SUBMISSION BY MS. LYDIA MUTEGI - SUB-COUNTY DIRECTOR OF EDUCATION, KIBRASUB-COUNTY

Ms. Lydia Mutegi informed the Committee as follows: -

That on the Saturday morning of 2nd June 2018 at 6.15 am, she received a telephone call from the School Principal Ms. Jael Muriithi informing her that a rape incident involving three girls had taken place in the school. She was further notified that the girls involved had already been taken Nairobi Women's Hospital for examination and treatment. Having been out of Nairobi, she managed to arrive at the school at 12.30 pm and found officers from the Directorate of Criminal Investigations already in the school who had already commenced investigations into the incident. They cordoned off the scene of crime and started interrogating the students.

That at 4.00 pm the then acting Director General of Education Mr. Robert Massed arrived in the school after receiving the report on the alleged sexual assault. Between 5.30 pm and 6.00 pm parents started arriving in the school and camped outside the school main gate insisting to enter the school. After overpowering the security guards at the main gate, they stormed into the school compound and demanded to withdraw their daughters from school.

At around 9.00 pm the Cabinet Secretary for the Ministry of Education arrived at the school and requested parents to remain calm and let the students spend in the school since it was already late. After calm was restored it was mutually agreed that the students proceed for an early mid-term break and parents were requested to pick their daughters the following morning on 3rd June 2018. At the same time police officers were called to guard the school.

3.3 SUBMISSION BY MS MONICA WAMBUI - SCHOOL MATRON, MOI GIRLS NAIROBI

Ms. Monica Wambui informed the Committee as follows: -

That on the dawn of Saturday 2nd June 2018 at 5 O'clock she heard bangs at the door of her house and girls were shouting out "matron, matron". Her house is annexed to the main entrance of Elgon dormitory where the alleged incident took place.

On coming out of her house she met a group of students who informed her that two girls were raped inside Elgon dormitory. At this point she did not go into the dormitory to see the scene of crime alleging that she would not have contained the state of confusion then alone.

She immediately made a call to the Deputy Principal in-charge of Administration and the Boarding mistress informing them of the alleged sexual assault in Elgon dormitory. She further asked the Deputy Principal to relay the information to the School Principal.

The Deputy Principal and the boarding mistress arrived in the dormitory area after a short while. She thereafter looked for the security guard on duty at night and found her at the back door of the dormitory (near where the incident happened) and asked her to rush to the principal's house and inform her of what had happened.

When the Principal arrived, she found the boarding mistress, deputy principal in-charge of administration and the school nurse with four girls in a vehicle ready to be taken to the hospital. The principal advised them that the girls be taken to Nairobi Women's Hospital.

The Matron noted that at the hospital only one of the four girls was examined. While in the hospital the Principal called to advise that the parent of the girl who was sexually assaulted be contacted to report to the hospital to be given the medical report of his daughter.

She then proceeded to Kilimani Police Station to record a statement on the incident after which she went back to school accompanied by two police women. She further noted that it is upon her return from the police station that she visited the scene of crime in Elgon dormitory for the first time. She found out that officers from the Directorate of Criminal Investigations had already arrived and started investigations.

3.4 SUBMISSION BY MS. CELESTINE MUTISO - BOARDING MISTRESS

The Boarding mistress Ms. Celestine Mutiso informed the Committee as follows: -

That she received a distress call from the school matron at exactly 5.08am in the morning of Saturday 2nd June, 2018 informing her that a stranger had accessed Elgon dormitory at night and assaulted the girls. She then called the Deputy Principal in-charge of administration Ms. Anastacia Kabubi who happens to live in the same teachers' quarters with her within the school compound. They then quickly drove to the dormitories area where she found a crowd of girls yelling at the entrance of Elgon dormitory, where the incident took place. The Matron informed her that the girls suspected to have been assaulted were in cubicle E7 which is in the middle of the dormitory.

She paved her way through the packed corridor to cubicle E7 in the centre of the dormitory where she found two girls seated on a lower bed surrounded by other girls and crying. Other girls pointed at the two girls suggesting that they were the ones allegedly assaulted.

The two girls were not members of cubicle E7, theirs was cubicle E5 with cubicle E6 in between the two cubicles. It was not clear why the girls were not in their own cubicle.

The girls insistently pointed at one girl as the one allegedly assaulted. The particular girl was dressed in school track trouser, navy blue school t-shirt, school jacket and a black scarf despite being still early in the morning when other girls had not dressed up in proper school uniform. It could not be confirmed when the girl dressed up.

She asked the girl whether she had taken a bath which she replied in the negative. She picked the two girls and two others who looked traumatized and took them out of the dormitory and into her car ready to be taken to the hospital.

At that moment the Principal and the Deputy Principal in charge of Academics arrived and she handed the girls over to them. She thereafter called the nurse and other teachers informing them of the incident after which she took a roll call and accounted for all the 216 girls of Elgon dormitory.

Together with the school nurse, school matron and deputy principal administration they drove the four girls to Nairobi Women's Hospital for medical examination and treatment. At the hospital only one girl was examined as the others said that they were not assaulted.

On coming back from the hospital, she found the school running under the command of the Principal and police officers and officers from the Directorate of Criminal Investigation.

3.5 SUBMISSION BY MS. FLORENCE OMUSULA - DEPUTY PRINCIPAL IN-CHARGE OF ACADEMICS

The School Deputy Principal in charge of Academics Ms. Annastacia Kabubi informed the Committee as follows: -

That the administration structure of the school consisted of the School Principal assisted by two Deputy Principals (Administration and Academics) and a Director of studies. As at the time of the incident the school had a total population of one thousand one hundred and ninety five (1195) students. Elgon dormitory where the alleged rape assault took place accommodated two hundred and sixteen (216) students.

That the School Principal, school nurse, matron and a number of teachers resided in school. Further she stated that the Deputy Principal Administration was in a better position to give an account of the alleged rape assault as she dealt with academics.

3.6 SUBMISSION BY MS. ANNASTACIA KABUBI - DEPUTY PRINCIPAL IN-CHARGE OF ADMINISTRATION

The Deputy Principal in charge of Administration Ms. Annastacia Kabubi informed the Committee as follows:

That she received a phone call at 5.20 am on the morning of Saturday 2nd June 2018 from the matron informing her of an alleged sexual assault incident involving a girl in Elgon dormitory. She in turn asked the matron to call the Principal and inform her of the incident.

She immediately made her way to the School from her house in the teachers' quarters and on arriving at the dormitories she found the Principal, the Deputy Principal in charge of Academics Ms. Florence Omusula had already arrived Elgon dormitory.

She also found four girls put in a staff member's car ready to be driven to the hospital accompanied by the Matron, Boarding Mistress and her assistant boarding mistress and the School nurse. She helped establish order in the dormitory area after which she called the school driver and some teachers to accompany her to the Kilimani police station to report and record a statement on the incident.

At the Police station they were advised that statement can only be recorded by the person who was present at the scene at the time of incident thus they drove back to the school where they sealed off the dormitory and organized for the girls to take breakfast, freshen up and resume school routine for the day.

3.7 SUBMISSION BY THE FORMER PRINCIPAL OF MOI GIRLS SCHOOL NAIROBI – MS. Jael MURIITHI

Ms. Jael submitted to the Committee as follows:

She is a Kenyan citizen aged 59 years with a Bachelor of Education and Master's degree in Leadership and Policy. She joined the Teachers Service Commission in 1983 and has taught for 36 years in various secondary schools rising from a classroom teacher to the level of Chief Principal Job Group R. She had been a principal for 18 years 13 and a half (13.5) of which she served at Moi Girls School Nairobi before opting for early retirement following the alleged rape incident in the School on 2nd June 2018 which was preceded by a fire tragedy in the school on 2nd September 2017.

She has served in various other capacities in the course of her career which include treasurer Nairobi Secondary Schools Sports Association, Vice - treasurer National Secondary Schools Sports Association, executive member Kenya Secondary Schools Heads Association and Chairperson Parklands Baptist Church School.

Moi Girls' School Nairobi is an extra county school that runs an integrated system where both the sighted and visually impaired students learn together. The school sits on 52 acres of land and neighbours a challenging neighbourhood of Kibera informal settlement. The School has an external wall on a stretch of 2 Km and a live Kei-apple fence on the frontage on Joseph Kang'ethe Road.

As at 2nd June 2018 the School had 1195 students, 59 teachers and 68 support staff. The school houses 24 teachers including the Principal and another 13 essential support staff.

The School outsources security services from Lavington Security Limited and enjoys close relations with Kilimani Police Station in the event of security reinforcement.

During her tenure as the Principal Moi Girls' School Nairobi she made great accomplishments in development of the school and the school obtained various awards and recognitions.

Chronology of events preceding and succeeding the alleged rape incident in Moi Girls Nairobi up to the time Ms. Jael Muriithi officially handed over the school

1. After opening term 2 on 3rd May 2018 the school settled and the daily routine was effectively executed.
2. On 29th May 2018 the Board of Management held a meeting to discuss school matters including security in response to a circular received by the school from the Ministry of Interior, Ref. No S/SEC/7/26VOL.i/46.
3. On 1st June 2018, a public holiday the school held the annual inter house drama competitions in the school multi-purpose hall. The inter house drama competition ended at around 9:30 pm. and the students were given special dinner. They were accompanied by two boarding mistresses, teachers of drama and the school cateress. After dinner, the boarding mistress settled the girls in the dormitory and the roll call was taken. The assistant boarding mistress was left with agriculture students discussing the symposium scheduled on Saturday 2nd June 2018. Before she left the school past 11:00 pm she made final round to ensure all the girls were in the dormitories. The yellow gate was locked and the main gate was closed and security guard was patrolling the area.
4. On 2nd June 2018 at around 5:00 am students reported to the matron that one girl in Elgon dormitory which is attached to her residence had been raped. The matron reached out to the boarding mistress and the deputy principal administration through mobile communication then proceeded to inform the principal in her house through the watchman as the two residences are separated by a fence. The boarding mistresses arrived first followed by the principal, the deputy principal administration, school nurse and other members of staff residing in the compound joined later.
5. The boarding mistress found the victim and three girls fully dressed in E7 cubicle. The boarding mistress inquired from the girls whether they had showered and their response was in the negative. One of the girls in E7 had come from Kilolongo dormitory for a sleep over which is not allowed.
6. At the time the principal arrived in the school, the boarding mistress had already picked the alleged victim and three other girls and placed them in a staff member's car. She assured the girl that she would be taken for the best treatment in the hospital immediately. Thus, the victim and three other students were taken to Nairobi women's hospital, Adams Arcade accompanied by the matron, two boarding mistresses, and the school nurse and later joined by the school Deputy Principal - Administration.
7. The father of the alleged victim was immediately called and he joined the team in Nairobi women's hospital, Adams Arcade. While at the hospital, the following took place; -
8. The first test was carried out by a doctor at Nairobi Women's Hospital. The results were announced in the presence of the father, school nurse, boarding mistress and the victim. Thereafter the father requested for a second opinion in the presence of the deputy principal administration and the school nurse. After the first test, the victim was brought back to

- school accompanied by the boarding mistress, the father, matron, deputy principal administration and two police officers who were ladies to make a statement.
9. Meanwhile, the school received a call through boarding mistress from Nairobi Women's Hospital requesting that the victim be taken for another test. The victim was accompanied by the boarding mistress and the father to Nairobi Women's Hospital and a second test was carried out. After the release of the second test, the father demanded for a 3rd test at Mama Lucy Kibaki Hospital but the school made a decision to take her to Kenyatta National Hospital because it was nearer and it was also a referral hospital.
 10. The victim was accompanied to Kenyatta National Hospital by the father, the uncle, school nurse, the boarding mistress and two police officers. While they were on the way to Kenyatta National Hospital, the father called a team from lancet laboratory centre to meet at Kenyatta National Hospital. The lancet team collected specimen from Kenyatta National Hospital. The results of Kenyatta National Hospital were released in the presence of the school nurse, two policemen, the boarding mistress, the father and an uncle of the victim. After the release of the results the victim was taken home by her father and uncle.
 11. The school submitted the results from Nairobi Women's Hospital and Kenyatta National Hospital to the Directorate of Criminal investigation on demand.
 12. While in school, the Principal assisted by the school captain settled the students from Elgon in the dining hall to make their physical count. The students were instructed not to enter the washrooms, E5 and E7 as they were crime scenes (areas cordoned off).
 13. The Principal established that apart from the girls who reported the incident, other girls including those in E7 did not know about the incident until they saw the boarding mistress and the girls moving towards the car parked at the gate.

Other activities that took place in the school after the alleged rape incident was reported by the Students

- (i) Three teachers and the matron reported the alleged rape incident at Kilimani Police Station. Two other teachers established order in the school while securing the crime scene.
- (ii) The Principal informed the Chairman of the Board of Management and the Sub County Director of Education about the incident.
- (iii) All the school external functions scheduled on Saturday 2nd June, 2018 were cancelled.
- (iv) Later in the day, officers from the Ministry of Education and Kibra Sub County Director of Education arrived in the school. Furthermore, in the afternoon a group of parents started streaming in the school after they received a WhatsApp message of the alleged rape which the school believe was posted by a parent. Thereafter, the students assembled at the parade ground and were addressed by the Principal and the Ministry of Education Officers officials who had arrived at the school. Later in the evening, the parents assembled in the school's multi-purpose hall where they were addressed by the School Principal, Principal Secretary and the Cabinet Secretary of Education. The Nairobi County women representative was also present to give the school support. After

deliberations between the various stakeholders, parents were requested to pick their daughters the following day for early midterm break.

- (v) On Sunday 3rd June 2018 early in the morning, the Cabinet Secretary, Ministry of Education visited the school. The students were released to their parents for early half term and were instructed to report back to school on 10th June 2018. The Directorate of Criminal Investigation continued with their investigations on the alleged rape incident in the school. On the same day the Regional commissioner visited the school and the Board of Management held a meeting to discuss the alleged rape incident.
- (vi) On 4th June 2018 another Board of Management held another meeting.
- (vii) On 5th June 2018, there was a demonstration at the school gate against the alleged rape incident. On the same day, Ms. Jael Murithi, the former principal Moi Girls Nairobi wrote a letter to TSC requesting for early retirement. On the same day, the Cabinet Secretary, Ministry of Education dissolved the schools Parents Association and Board of Management.
- (viii) On 6th June 2018, the National Assembly Committee on Education and Research visited the school on a fact-finding mission on the alleged rape incident.
- (ix) On 7th June 2018, Ms. Jael Murithi, the former principal Moi Girls Nairobi preliminary handed over the school to the acting Principal Ms. Omusula. This took place on Thursday between 8:30 a.m. – 10:30 a.m. Thereafter a parents meeting took place between 11:00 a.m. – 4:00 p.m.

Any previous attempts by internal and external persons to violate privacy and Security of Moi Girls Students

- (i) The effects of post-election violence in 2007 led to about 70 metres of the school perimeter wall being pulled down in the area bordering Kibera and the residents in the neighbourhood (Kibra) invaded the school farm. The government provided General Service Unit (GSU) personnel to mitigate any security threat.
- (ii) On 2nd September 2017 there was a fire tragedy at the school which was a matter still in court.
- (iii) From mid May 2018 established garage activities along Joseph Kang'ethe road near winner's chapel on the western side on the school were demolished.
- (iv) There was a Threat from guardian of a student who had been sent home because of indiscipline in October 2017. The parent/guardian shouted to the school security guards '*nyinyi hamjaona moto*'.
- (v) Mushrooming of illegal structures along the school perimeter wall is a security threat.

Security measures to promote safety and security of students

- (i) The school is surrounded by a stone perimeter wall for about 2km and the frontage is a live kai apple fence.
- (ii) The second level of fence separating girls' dormitory and the farm is Kai apple and barbed wire.

- (iii) The third enclosure is the school dormitories are surrounded by kai apple live fence and intertwined with iron sheets wall, mesh wire and barbed wire.
- (iv) The yellow gate is locked at 7:00p.m and the key is kept by the matron and boarding mistress. The main gate is closed at 10:30p.m and security guard patrols the area and keeps the key. The matron and boarding mistresses also keep the keys.
- (v) The school is guarded 24 hours by Lavington Security Ltd.
- (vi) On 2nd June 2018, there were eight (8) guards on duty and two (2) dogs during the night shift as shown in table I below. During the day the school has six guards. There is a challenge because the recommended number of guards for a boarding school of 7 streams is 6. The area which the school is located would require more than the recommended number. The cost of managing the school is fairly prohibitive.

Table I

The status of guards and dogs on duty in the night of 2nd June 2018 at Moi Girls School, Nairobi

S/No	Control area	No. of guards
1	Main gate	1
2	New hall	1
3	Kenya/Elgon/Kilolongo	1
4	Farm gate	1 and a dog
5	Teachers quarters/entrance to new dormitory	1 and a dog
6	Library	1
7	Recreation pool	1
8	Swimming pool	1
Total		8

- (i) There is a strong control of access to the school through the main gate. Thus, all the visitors and vehicles entering the school are registered and inspected at the gate.
- (ii) The principal, deputy principal administration, deputy principal academic, two boarding mistresses, six house mistresses and other teachers reside in the school compound. Thirteen teaching and support staff are barely 20 metres from the school dormitories.
- (iii) There is an electric bell in Elgon hostel connected to the matron's house. The school is well lit with street lights and flood lights.
- (iv) The BOM is in the process of re-installing the CCTV cameras as per their meeting held on 29th May 2018, after the system was written off during the fire incident in September 2017; the controls were destroyed in the building.

Night routine in the school

- (i) Monday to Friday students attend evening prep between 7:00p.m to 9:00pm.
- (ii) Roll call is done by the boarding mistress assisted by dormitory captains after evening preps.
- (iii) The students go to the hostels at 9:30 pm and by 10:30 pm the lights are switched off.

- (iv) Individual cubicles have facility to switch on the light but the washrooms lights remain on throughout the night.
- (v) The hostel gates are locked and matron/ boarding mistress/ nurse/ security officer keep the keys.
- (vi) The hostel doors are shut from inside.
- (vii) On Saturday and Sunday, students attend evening prep and entertainment up to 9:00 pm alternately.

Plenary discussions

The Principal clarified to the Members as follows:

- (i) That the alleged victim of the sexual assault and the other three girls were not involved in any school indiscipline cases. The principal received briefs from the security guards on regular basis.
- (ii) Drama adjudicators were in the school on 1st June 2018, during the inter houses Drama festivals. However, they checked out immediately after the inter houses festivals were over at around 9:30 p.m.
- (iii) One cubicle accommodated six girls. The alleged sexual assault victim had moved from cubicle E5 to E7. While one of the girls found in E7 (Elgon House), was a member of Kilolongo House.

3.8 SUBMISSION BY THE CABINET SECRETARY FOR THE MINISTRY OF EDUCATION

The Cabinet Secretary for the Ministry of Education Amb. (Dr.) Amina Mohamed, EGH, CAV accompanied by Ministry officials appeared before the Committee to give evidence on the alleged sexual assault incident at Moi Girls School Nairobi.

The Cabinet Secretary informed the Committee as follows:

The Director, Quality Assurance and Standards led a team of officers to assess Moi Girls School Nairobi. This was prompted by reports in the media that girls in the school had been sexually assaulted in one of the school dormitories. The incident reportedly took place in the early hours of Saturday 2nd June, 2018.

Reporting of the Incident

The Ministry received a report on the sexual assault of students through the social media, which stated that there was sexual assault on students at Moi Girls' School Nairobi on the night of 2nd June, 2018.

Response by the Ministry to the Incident

The Cabinet Secretary and senior officers including: the Chief Administrative Secretary, Principal Secretary, State Department of Early Learning and Basic Education, Director General of Basic Education, Regional Coordinator of Education, Nairobi County and the Director, Quality Assurance and Standards went to the school soon after the report. Many agitated parents were also at the school demanding to take their children home. They were persuaded to let the girls stay until morning when students were to be released to their parents. The school was

closed for a week. Quality Assurance and Standards officers embarked on investigation and interrogated a number of students, teachers and support staff in the school and compiled their report.

Findings

The following were the major findings:

- (i) There were security lapses in the school.
- (ii) There were various attempts to violate the privacy of girls since last year's fire incident by strangers including construction workers who were writing messages like "Please call me when you get this" and phone numbers on currency notes and then throwing them into girl's dormitories.
- (iii) The BOM and PA were found to have been lax.
- (iv) The security guards were not vigilant
- (v) The school perimeter wall was porous and could allow strangers entry to the compound.
- (vi) Dormitories were left open at night.
- (vii) School activities (Drama) were allowed to go on till past 8:00 pm in the night. Adjudicators and trainers stayed late in the school compound.
- (viii) Visiting trainers and adjudicators did not sign out as evidence that they had left the school compound.
- (ix) The CCTV surveillance system and alarm bells were not functional.
- (x) The Matron who is over 65 years of age was overwhelmed by the number of students in the school.
- (xi) Girls could move from one dormitory to another at night.
- (xii) There was laxity by the dormitory mistresses as no roll call was conducted at night.

Measures put in place

Security lapses have now been addressed.

- (i) The kiosks were removed from the school perimeter wall through support from Ministry of Interior and Co-ordination of the National Government and the County Government.
- (ii) Open sections on the fence/wall were sealed.
- (iii) Security guards were changed.
- (iv) Five Police Officers are on 24-hour guard each day.
- (v) The Board of Management and Parents Association were dissolved.
- (vi) An interim BOM was put in place to manage transition.
- (vii) A new BOM was inaugurated on 17th July, 2018.
- (viii) Parents held elections on 8th June, 2018, and a new Parents Association team is in place.
- (ix) The guards have been changed. The school has started the process of procuring another security company.
- (x) The school support staff are being vetted to ensure the right sizing of the staff who currently exceed the required number of 34, for a seven (7) stream school.
- (xi) The Principal also went on early retirement and the Teachers Service Commission appointed the Deputy Principal to take over.

Response to questions by Members

Channel of Communication during such school incidences.

In response to the Members questions on the proper channel of communication during such tragedies in schools, the CS reported that there is need to improve such communication and avoid the use of social media to relay the same. Ideally the school head is supposed to contact the area Director of Education who in turn conveys the same to the Ministry.

Moi Girls Nairobi School Matron

The school had only one matron who is over 65 years of age and who was overwhelmed by the number of students in the school. She has since been retired and a new one hired by the school Board of Management.

Allegations of cover-up of the alleged assault by the school.

On why the school girls were dressed in uniform early in the morning on the day of the alleged sexual assault, the CS reported that (un-named) adults in the school prevailed upon the victims to bath and dress up properly in an attempt to cover up the incident in a bid to protect the name of school. The girls were further ordered to resume the normal school routine.

Location of the Boarding Mistress House.

The Committee expressed concern that the Boarding mistress house at Moi Girls School, Nairobi was at a distance from the dormitories and thus could not respond quickly to an emergency. The CS informed the meeting that new regulations on the design of new dormitories require that the Boarding mistresses'/masters' house should be annexed to the dormitory for convenience during emergencies.

In other instances, keys of the dormitories are kept by the watchman contrary to safety regulations which require that keys be kept in the custody of the House Master/Mistress or student.

Security in schools

The Kilemi Mwiria report on unrest in schools recommended 6-7 security officers for a six stream school with consideration to other peculiarities of school. For Moi Girls School, Nairobi which has six streams, four security officers assigned to guard the school are inadequate.

3.9 SUBMISSION BY THE DIRECTOR OF DIRECTORATE OF CRIMINAL INVESTIGATIONS

The Director of the Directorate of Criminal Investigations wrote to the Committee through the Office of the Inspector General, National Police Service vide letter Ref. No. NPS/IG/SEC/2/6/13/8/VOL dated 27th July 2018 informing the Committee that criminal investigations into the sexual assault incident that occurred at Moi Girls School, Nairobi is still a matter under active investigations and hence any public disclosure, discussion or debate, at this point in time will prejudice and jeopardise ongoing investigations.

He further sought the Committee indulgence to allow the investigations to be concluded before the matter is disclosed for public scrutiny.

The Committee acceded to the request of DCI to conclude the matter and provide the report to the Committee once investigations are concluded.

3.10 SUBMISSION BY THE CHIEF EXECUTIVE OFFICER NAIROBI WOMEN'S HOSPITAL

The Chief Executive Officer Nairobi Women's Hospital Dr. Felix Wanjala appeared before the Committee to give evidence on the report of medical examination and treatment of the student allegedly assaulted at Moi Girls School Nairobi and examined at the Nairobi Women's Hospital

The contents of the medical report cannot be disclosed as it will infringe on the girl's right to privacy as provided for under Article 31 of the Constitution.

3.11 SUBMISSION THE CHIEF EXECUTIVE OFFICER KENYATTA NATIONAL HOSPITAL

The Ag. Chief Executive Officer Kenyatta National Hospital Dr. Thomas Mutie appeared before the Committee to adduce evidence on the report on medical examination, treatment and DNA analysis of the student assaulted at Moi Girls School Nairobi and examined at the Hospital.

The contents of the medical report cannot be disclosed as it will infringe on the girl's right to privacy as provided for under Article 31 of the Constitution.

3.12 SUBMISSION BY THE MANAGING DIRECTOR LAVINGTON SECURITY LIMITED

The Managing Director Lavington Security Limited, Mr. Pius Chelimo accompanied by the General Manager Mr. Felix Kipruto, Security Zonal Manager Mr. Douglas Buluma, security guards Moses Orocho, Veronica Cherop, Celestine Nafula, Patricia Nekesa, Christopher Cheruiyot, Gilbert Ngetich, Nicholas Rono and Julius Kitonga.

He informed the Committee as follows:

Moi Girls School Nairobi contracted Lavington Security Ltd to offer security services at the school starting from 1st October 2012. Fourteen security guards were deployed, six during the day and eight during the night. The guards oversee the school's security on a 24-hour basis.

Two guards are always stationed at the main gate to ensure that staff, students and visitors entering and leaving the School are inspected and control entry of visitors. The guards patrol the school field, swimming pool area, chapel, livestock area, dormitories and tuition block as well as the administration block.

Chronology of events preceding and succeeding the alleged sexual assault incident and response from the guards

1st June 2018 was a National Holiday and students were engaged in various activities including the inter-class drama festivals. This continued until 9.30 pm. There was nothing unusual noted during the day and at night.

Activities during the day of the incident

On 2nd June 2018 at around 5.10 am, the guard safeguarding the teachers' quarters, Mr. Gilbert Ngetich confirms that he saw two boarding mistresses Mr. Washiori and Ms. Mutiso driving out. He opened the staff gate for the staff and they left.

The guards at the main gate Mr. Moses Orucho and Ms. Veronica Cherop also confirmed to have received the two boarding mistresses, opened the gate for them before they instructed the guards to open the gate wide as they rushed towards the dormitories.

Immediately thereafter, Ms. Cherop called the guard at the dormitories areas Ms. Celestine Nafula asking if there was any issue at the dormitories to which she answered that all was okay.

When Ms. Washiori went back to the gate, she reported to the guard in-charge Ms. Veronica Cherop that there was an incident of alleged rape within the school hostels.

Ms. Ms. Veronica Cherop went to the dormitory to check what was happening and reported to the Lavington Zonal security officer Mr. Douglas Buluma at around 5.30 am that there was an incident of alleged rape within the school hostels. Mr. Buluma visited the scene immediately after receiving the information.

Ms. Ms. Celestine Nafula confirmed that all was well until around 4.00 am when she saw a student who had woken up going towards the kitchen to fetch warm water. At around 5.15 am while patrolling along Kilolongo dormitory she received a call from Ms. Veronica Cherop asking if all was well as the boarding mistresses were heading there. She went towards the hostel gate where she saw the school matron Ms. Monica Wambui holding three students, as the boarding mistresses were heading to join them. She tried to ask what had happened but no one responded to her questions.

Ms. Celestine Nafula claims to have insisted on asking what had happened and Ms. Mutiso informed her that there was one student who was allegedly raped at Elgon Hostel and she withheld her details.

The Lavington zonal security officer upon his arrival met with the school Principal Ms. Jael Murithi where she informed him of the alleged incident. They both took a walk along the perimeter fence trying to establish if there was any possible intrusion but they were not able to pin point out any possible entry.

The Principal advised the Zonal officer that it was not prudent to enter the hostels since the girls were still dressing up and the police had been called to conduct the investigations over the alleged incident.

Police officers from Kilimani Police Station arrived and went to the scene to carry out investigations.

The zonal officer retained all the eight night guards until 1.00 pm when he released them so that they would report back on duty in the evening.

Activities after the incident

The Directorate of Criminal Investigations officers joined their colleagues from Kilimani Police Station in investigating the matter before other government agencies came on board to assist in the alleged rape case.

Presence of the night guards in the School on the fateful night

All the eight Lavington security guards were on duty in the school on the night of 1st/2nd June 2018 when the alleged incident happened.

Previous Incident of violation of security of the students and school facilities

On the night of 1st/2nd September 2017 one of the school dormitories was razed down by fire. After receiving the distress, the company dispatched a back-up team to the scene, called the Nairobi Fire Brigade and Police Control informing them of the incident. Fire brigade officers and police arrived at the scene but on arrival they found out that the dormitory was razed down completely. Nine students lost their lives and several others sustained burns of various degrees.

4.0 COMMITTEE OBSERVATIONS AND FINDINGS

The Committee observed that: -

Doctors' reports

1. There was an act of vaginal penetration on the victim as was deduced from the doctors' reports from the Nairobi Women's and Kenyatta National Hospitals. However, the Committee could not establish the cause and nature of the penetration.

The Directorate of Criminal Investigations

2. The investigations to establish the circumstances under which the assault happened and the identity of the suspects involved was being undertaken by the Directorate of Criminal Investigations at the time of the visit to the school by the Committee and have not yet been concluded to date.
3. The Director of Criminal Investigations declined to honour the Committee's invitation on two different occasions. At one instance, the DCI send his deputy to represent him in the meeting. However, the Committee turned him back with instructions that the DCI should appear in person, given the weighty nature of the allegations of rape.

The Ministry of Education

4. The Safety Standards Manual for schools in Kenya (2008) developed by the Ministry of Education does not conform to the emerging safety and security challenges facing schools in the country such as physical and sexual assault of students, technology-related challenges, terrorism and students' radicalisation.
5. The Ministry of Education had taken too long to replace the existing BOM and Parents Association which appeared ineffective.

Board of Management of Moi Girls School, Nairobi

6. The Board of Management was lax in ensuring that there was adequate security within the School. This omission exposed the students and the school premises to risks. The Board of Management ought to have taken care of the safety of the students. Specifically, it was observed that: -
 - (a) There were no closed-circuit television (CCTV) cameras installed in the dormitories areas to monitor students' safety and security. The CCTV cameras installed earlier in the school were destroyed in the fire incident that took place in the school in September 2017.
 - (b) There was only one female security guard assigned to guard all the four dormitories in the school, supervise the girls' activities, movements and safety at night. It was apparent that one security guard was not sufficient for all these tasks.
 - (c) The guards in the School compound at the night of the incident did not observe any unusual happening at night and the incident was only reported by the students in the morning.

- (d) The Elgon dormitory doors where the alleged sexual assault took place were worn out and almost falling apart. The doors were not locked from the inside on the night of the alleged incident which would allow easy access into the dormitory by strangers.

School Administration

7. The exact time the alleged incident took place could not be established by the school. While other sources alleged that the incident happened a few hours after midnight, the reporting of the incident was first made early in the morning of Saturday at 5.00 am by the students to the matron. The recounting of events indicated that there were no screams by the victims at the time of the assault as could have been expected under such circumstances. The screams could have awoken the other girls sleeping in the same dormitory.
8. The school is surrounded by several layers of perimeter walls. The fence is broken at various areas which may allow easy access by intruders into the school; more over the girls may sneak out of the school through the porous fence, and smuggle in restricted and illicit substances from the numerous kiosks bordering the school perimeter fence. The attempt by the school to put up a continuous perimeter wall was testimony that the school administration was confronted with security threats from the neighbouring settlements.
9. On the night of the incident there was inter-houses drama competition in the school that stretched up to 8:00 pm. Afterwards, the girls went for late supper that ended at around 10.00 pm. The coaches and adjudicators for the activity were non-teachers engaged by the school administration contrary to section 23 (2) of the Teachers Service Commission Act, 2012 which provides that *a person shall not engage in the Teaching Service unless such person is registered as a teacher under the provisions of the Act*. This was also contrary to the Teachers Service Commission guidelines on supervision and management of co-curricular activities in schools which bars non-teachers from coaching and training of students in school activities.

In addition, none of the witnesses from the school disclosed the presence of the strangers in the school during interrogation. Visiting trainers and adjudicators did not sign out as evidence that they had left the school compound.

10. It was strange that the student did not use the electric bell in Elgon hostel connected to the matron's house to raise alarm during emergency. Instead they walked to the matron's house to report the incident.
11. The Boarding mistress' house is located at a distance from the dormitories and not directly accessible to the students' hostels. The Boarding Mistress could have come to the rescue of the girls faster had the proximity of her house been closer.

5.0 COMMITTEE'S RECOMMENDATIONS

The Committee recommends as follows:

Directorate of Criminal Investigations

1. **The Directorate of Criminal Investigations expedites the investigations into the alleged sexual assault to establish the circumstances under which the incident occurred, the identity of the suspects, acts of omission and/or commission and allegations of cover-up of the assault by the school and recommend prosecution of all individuals found culpable.**

Ministry of Education

2. **The Ministry of Education should ensure that the Directorate of Quality Assurance and Standards conducts regular assessments and monitoring to ensure that schools conform to the laid down standard operating procedures such as ascertaining that CCTV cameras are installed in all schools to enhance safety and security of students, school staff and properties and for surveillance of student's and visitors' activities.**
3. **The Ministry of Education should urgently review and revise the safety standards manual for schools in Kenya to conform with the emerging threats to safety, security and welfare of students and school staff such as physical and sexual assault of students, technology-related challenges, terrorism and student's radicalisation. It should also include actions for the prevention, preparedness, response to and recovery from emergencies.**
4. **The Ministry of Education should review the security policy guidelines on the number of security guards engaged by schools with a view to increasing the recommended number taking into consideration the student population, the acreage of the school, the neighbouring environment, age, qualification and integrity of the guards.**
5. **The Ministry of Education and the Teachers Service Commission should stringently enforce compliance of all the circulars issued to schools from time to time and particularly the Teachers Service Commission circular TSC/CIRCULAR No.14/2018 on protection of students from sexual abuse.**
6. **The Ministry of Education should recognise and embrace the use of Information and Communications Technology (ICT), social media, including Facebook and Twitter, as a means of relaying information effectively and timeously.**
7. **The Ministry of Education should continuously build capacity of Board of Management members in all Basic Education institutions, to enable them acquire**

skills and knowledge for effective performance of their functions as enshrined in the Basic Education Act, 2013.

Principals and Head teachers

8. All principals and head teachers should ensure that for any co-curricular activity: games and sports, music, drama, scouts, girl guides, educational tours, congresses, exchange programmes, debates, symposia, contests within or outside the school, pupils and students are accompanied by at least one registered teacher of the same sex depending on the number of students or pupils involved in the activities. Such activities must end by 6.00 pm.
9. Principals, head teachers, teachers, school Boards of Management, school managers, administrators and care givers must protect the rights guaranteed to children under the Kenyan Constitution, specifically the right not to be subjected to any form of sexual or physical violence, the right to education, non-discrimination and the right to dignity, which are also guaranteed to children under the Children Act, 2001. Those found to violate this requirement should be held personally responsible. Further, there should be a standing agenda on safety and security of the students, staff and school property discussed during the meetings of the Board.
10. All schools should undertake regular risk assessment to identify any possible risks and precautions to be taken to minimise such threats and provide a course of action to follow to assist the school community when an emergency occurs.

School Board of Management - Moi Girls School Nairobi

11. The new Board of Management of Moi Girls School Nairobi should review the school's security and safety policy and put in place sufficient and reliable measures aimed at protecting the students from physical and sexual abuse. The Board should regularly review the policy with a view of guaranteeing safety and security of students while in school.
12. The Board should develop a clear emergency reporting procedure and crisis response plan to effectively avert or minimize the effects of any disasters or emergencies that may occur in school and offer forms of support to affected students in the event of disasters. Disaster drills should be conducted regularly in the school.
13. The Board of Management, Parents Association and School Administration should urgently and immediately carry out repairs of all the dormitories to address the challenges of unsecured doors, leaking roofs, worn out paint and old washrooms. Further they should decongest the dormitories.

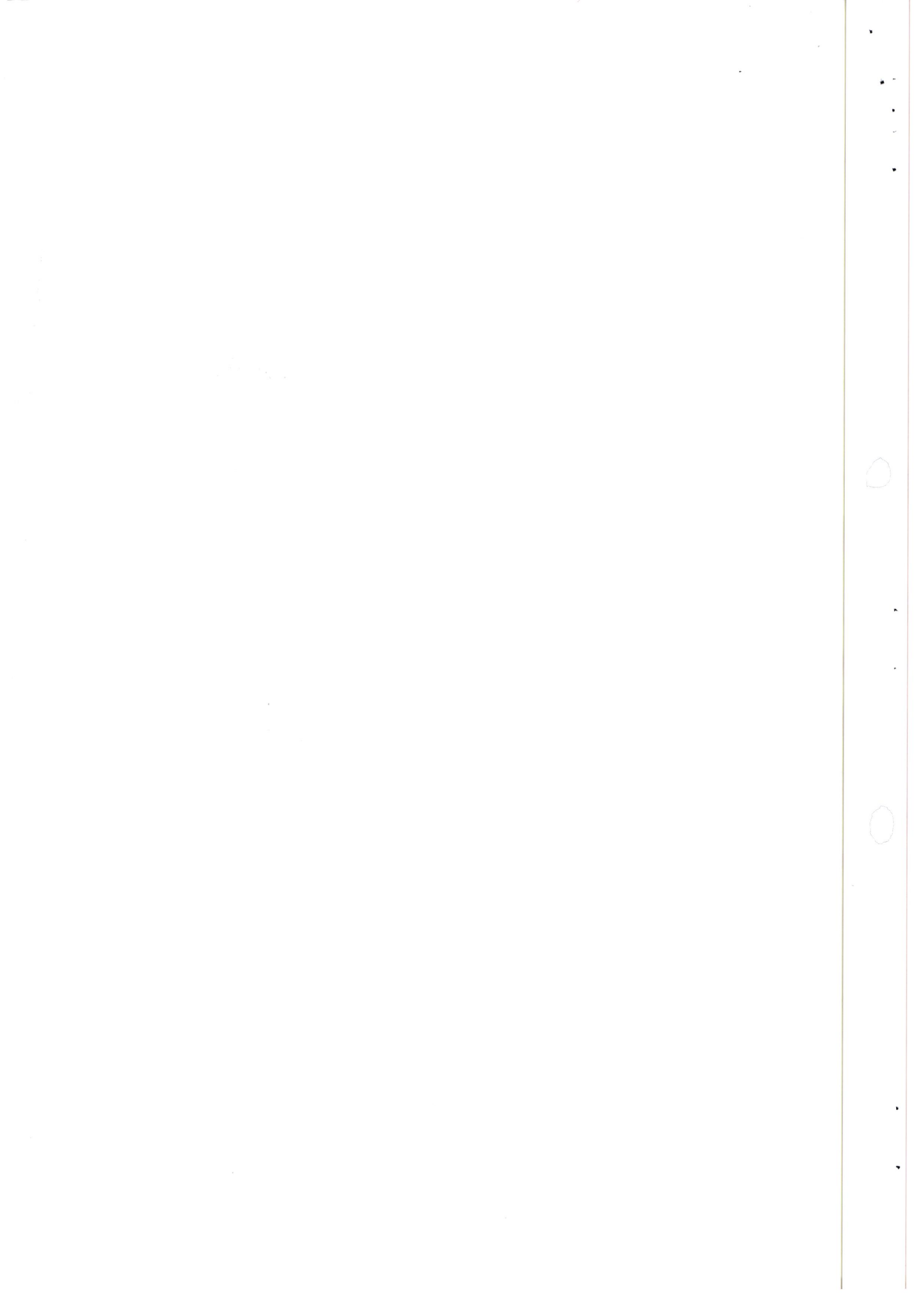
14. **The Board should ensure that stringent security measures are put in place as far as access to the school is concerned. The school should be secured by putting up a proper continuous fence around the compound. Body search, screening and registration of persons and vehicles at the gate should be done to ensure no unauthorized persons or items are sneaked into the school. Night supervision and patrol should be enhanced and all guards should be briefed on the need to be vigil and report any unusual security breach to school administration for action.**



ADOPTION OF THE REPORT ON THE INQUIRY INTO THE ALLEGED SEXUAL ASSAULT INCIDENT AT MOI GIRLS SCHOOL NAIROBI ON 2ND JUNE, 2018

We the undersigned, hereby affix our signatures to this Report to affirm our approval

1. Hon. Julius Melly, MP - Chairperson 
2. Hon. Amos Kimunya, EGH, MP - Vice Chairperson 
3. Hon. Moses Malulu Injendi, MP 
4. Hon. Geoffrey Makokha Odanga, MP 
5. Hon. (Dr.) Pamela Ochieng, MP 
6. Hon. (Eng.) Nzambia Thuddeus Kithua, MP 
7. Hon. (Prof.) Zadoc Abel Ogutu, MP 
8. Hon. Catherine Wambilyanga, MP 
9. Hon. Eric Muchangi Njiru, MP 
10. Hon. Eve Obara, MBS, MP 
11. Hon. Jackson Lekumontare, MP 
12. Hon. Jerusha Mongina Momanyi, MP 
13. Hon. John Oroo Oyioka, MP 
14. Hon. Joseph Kipkosgei Tonui, MP 
15. Hon. Lilian Cheptoo Tomitom, MP 
16. Hon. Omboko Milemba, MP 
17. Hon. Peter Lochakapong, MP
18. Hon. Wilson Sossion, MP
19. Hon. Wilson Kipngetch Kogo, MP



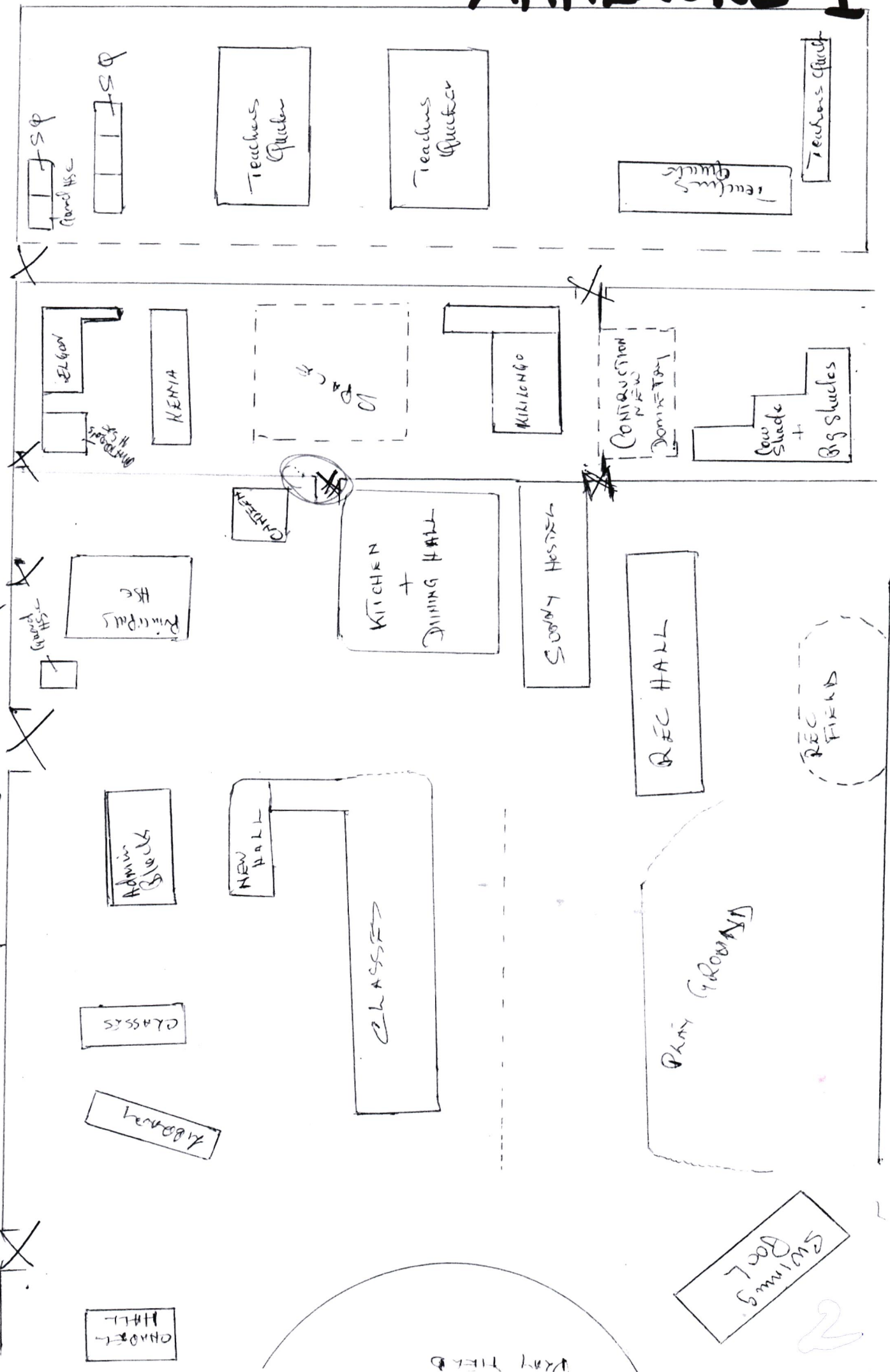
ANNEXURES

- ANNEXURE I - SKETCH MAP OF MOI GIRLS SCHOOL NAIROBI
- ANNEXURE II - SKETCH MAP SHOWING THE LOCATION OF THE DORMITORIES IN THE SCHOOL
- ANNEXURE III - ARRANGEMENT OF CUBICLES IN ELGON DORMITORY
- ANNEXURE IV - TSC CIRCULAR NO. 14/2018 ON PROTECTION OF PUPILS/TEACHERS
- ANNEXURE V - LETTER FROM THE DIRECTOR OF DIRECTORATE OF CRIMINAL INVESTIGATIONS
- ANNEXURE VI - COMMITTEE MINUTES



ANNEXURE I

Joseph Rangelle Road



FARM

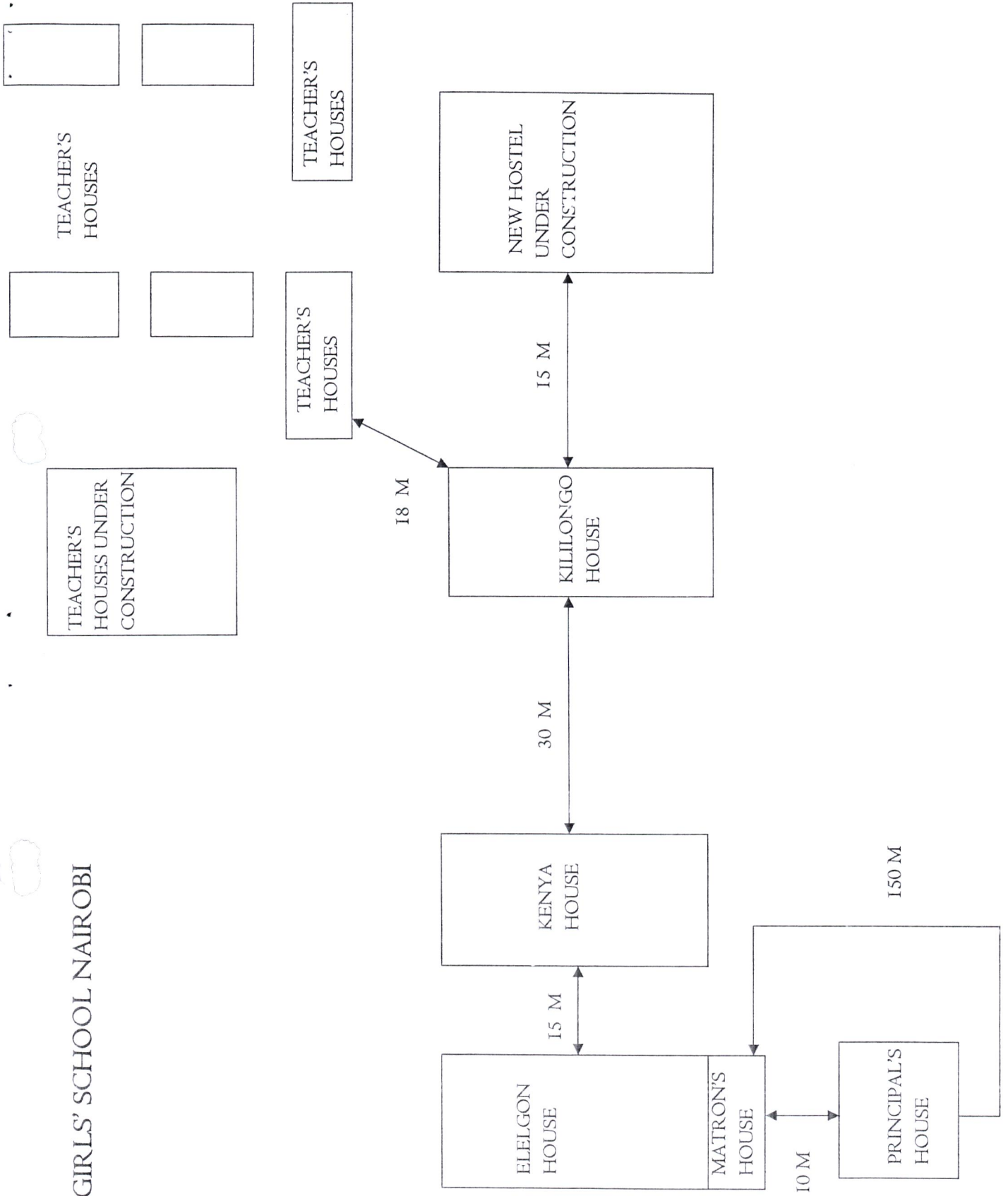
FOREST

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ANNEXURE I

ANNEXURE II

MOI GIRLS' SCHOOL NAIROBI

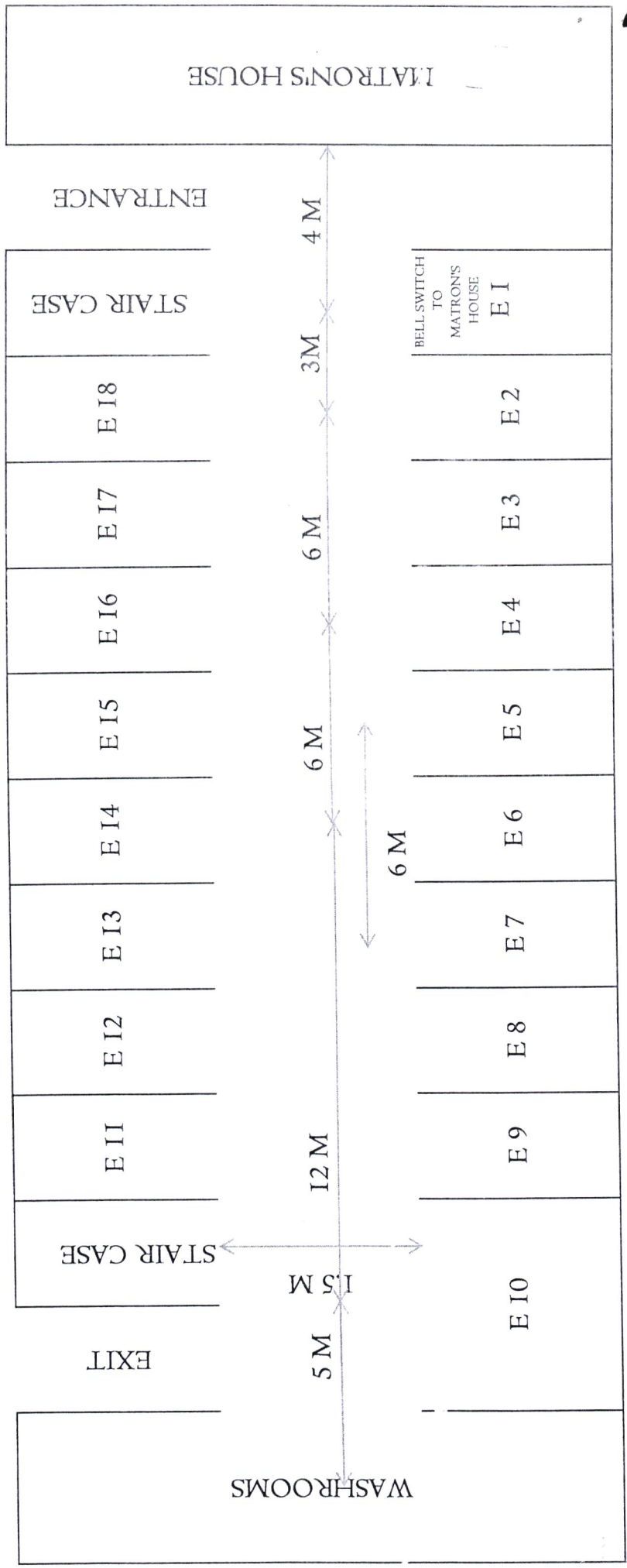


ADMINISTRATION AND TUITION BLOCKS AREA

ANNEXURE II

ANNEXURE III

MCI GIRLS' SCHOOL NAIROBI
 ELGON HOUSE DOWN STAIRS



ANNEXURE IV

TEACHERS SERVICE COMMISSION

Télé: 020-2892000
Email: info@tsc.go.ke
Web: www.tsc.go.ke

When replying please quote:

Ref. No: TSC/ADM/192A/VOL.IX/44



TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG- 00100
NAIROBI, KENYA

Date: 13th June, 2018

CIRCULAR NO: 14/2018

TO: ALL TEACHERS

PROTECTION OF PUPIL/STUDENTS

Pursuant to TSC/CIRCULAR NO: 3/2010 (Protection of Pupils/Students from Sexual Abuse) and in view of emerging issues, the Commission hereby issues the following additional guidelines aimed at enhancing the safety and welfare of ALL learners.

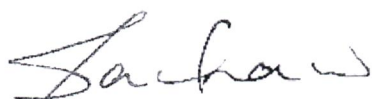
- (1) **ALL** Principals/Headteachers **SHALL** ensure that for any co-curricular activity (games and sports, music, drama, scouts, girl guides, educational tours, congresses, exchange programmes, debates, symposia, contests etc) within and/or outside the school, pupils/students are accompanied by at least one registered teacher of the same sex depending on the number of students/pupils involved in the activities.
- (2) Persons **NOT** registered as teachers (including teachers whose names have been removed from the register of teachers) should not be incorporated in the school programmes (including co-curricular activities) to teach, handle, manage, coach, supervise and/or assist in the teaching, handling, managing, coaching, supervision of pupils/learners.

TEACHERS SERVICE COMMISSION KENYA IS ISO 9001:2008 CERTIFIED



- (3) **ALL** Principals/Headteachers **SHALL** ensure that their respective Boards of Management do not employ and/or incorporate persons not registered as teachers (including those whose names have been removed from the register of teachers) in the administration and/or management of the school curriculum including administration of examinations. Principals/Headteachers found to be in violation of this clause and/or to have acted in negligence hereof shall be held personally liable.
- (4) At **ALL** times, registered teachers have a duty to act in *loco parentis* (take legal responsibility to as a parent) and to **ALWAYS** act in the **BEST INTEREST** of **ALL** pupils/students regardless of their stations of duty/work.
- (5) **ALL** teachers engaged with students/pupils in any school activity **MUST** ensure that **ALL** students/pupils are released from the activities in time to enable the students/pupils reach their schools or homes before **6:00 p.m.** as per the Ministry of Education's Policy on Safety of School Children.
- (6) Activities in boarding institutions programmed to take place after 6:00 p.m. **MUST** end at reasonable time but not later than **9:00 p.m.** to allow students/pupils have enough rest for the night. The teacher(s) supervising these activities **MUST** ensure that **ALL** student/pupils return safely to their dormitories/hostels and immediate remedial action taken to address any incidents that may be a threat to the security and welfare of the students/pupils.
- (7) **ALL** County Directors and Sub-County Directors are required to **affix** this Circular conspicuously on their **bulleting notice boards** for easy access by everyone.

- (8) ALL Principal/Headteachers are required to **bring the contents of this Circular to the attention of all staff and students/pupils** in their respective institutions and to display the same on all institutional notice boards for easy access by everyone and to encourage students/pupils to report any elements of misconduct against them by teachers.
- (9) Pursuant to regulation 139(5) of the Code of Regulations for Teachers, the Commission shall henceforth liaise with other law enforcement agencies in bringing to book teachers who violate the rights of student/pupils.
- (10) This Circular applies to all registered whether or not they are engaged in the teaching service in public or private institutions.



DR NANCY NJERI MACHARIA, CBS
SECRETARY/CHIEF EXECUTIVE

Copy to:

1. Cabinet Secretary,
Ministry of Education, Science & Technology
Jogoo House,
NAIROBI
2. The Principal Secretary,
Ministry of Education, Science & Technology
Jogoo House,
NAIROBI
3. Secretary General
Kenya National Union of Teachers
P.O Box 30407-00100,
NAIROBI



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ANNEXURE V



FA
27/7/18

**OFFICE OF THE INSPECTOR GENERAL
NATIONAL POLICE SERVICE
NAIROBI – KENYA**

Telegraphic Address: "IG, NPS"
Telephone: Nairobi 020-2221969
When replying please quote Ref. No. and Date

VERY URGENT

Jogoo House "A"
P O Box 44249-00100
NAIROBI

Ref. No. NPS/IG/SEC/2/6/13/8/VOL

27th July, 2018

The Clerk of the National Assembly
Clerk's Chambers
Parliament Building
NAIROBI

**MEETING WITH DEPARTMENTAL COMMITTEE ON
EDUCATION AND RESEARCH**

We refer to your letter NA/DCS/EDU/2018/(066) dated 23rd July 2018 on the aforesaid matter.

The Director, Directorate of Criminal Investigations was scheduled to appear before the Departmental Committee on Education and Research, on Thursday 26th July 2018 at 10:00am, to highlight on the status of investigations regarding the reported defilement which occurred at Moi Girls High School on Saturday 2nd June 2018.

We however wish to inform the matter is still under active investigations and hence any public disclosure, discussion or debate, at this time, will prejudice and jeopardise on-going investigations.

RECEIVED
27 JUL 2018
CLERK'S OFFICE

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EXHIBIT V
We therefore plead that we allow the DCI to conclude the investigations and thereafter subject the evidence to public scrutiny.



JOSEPH K. BOINNET, MGH nsc (AU)
INSPECTOR GENERAL
NATIONAL POLICE SERVICE

Copy to: Dr. Fred Matiang'i, EGH

Cabinet Secretary
Ministry of Interior &
Coordination of National Government
Harambee House
NAIROBI

Eng. (Dr.) Karanja Kibicho, CBS

Principal Secretary/ Interior
Harambee House
NAIROBI

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ANNEXURE VI

MINUTES OF THE 53RD SITTING OF THE COMMITTEE ON EDUCATION & RESEARCH HELD
ON TUESDAY 31ST JULY, 2018 IN 4TH FLOOR BOARDROOM CONTINENTAL HOUSE,
PARLIAMENT BUILDINGS AT 10.00 AM

PRESENT

1. Hon. Julius Melly, MP - Chairperson
2. Hon. Moses Injendi, MP
3. Hon. (Dr.) Pamela Ochieng, MP
4. Hon. (Eng.) Nzambia Kithua, MP
5. Hon. (Prof.) Zadoc Ogutu, MP
6. Hon. Catherine Wambilianga, MP
7. Hon. Eric Muchangi, MP
8. Hon. Eve Obara MBS, MP
9. Hon. Jackson Lekumontare, MP
10. Hon. Joseph Tonui, MP
11. Hon. Oroo Oyioka, MP
12. Hon. Wilson Sossion, MP

ABSENT WITH APOLOGY

1. Hon. Amos Kimunya EGH, MP - Vice Chairperson
2. Hon. Geoffrey Odanga, MP
3. Hon. Jerusha Momanyi, MP
4. Hon. Lilian Tomitom, MP
5. Hon. Peter Lochakapong, MP
6. Hon. Omboko Milemba, MP
7. Hon. Wilson Kogo, MP

NATIONAL ASSEMBLY SECRETARIAT

1. Mr. Daniel Mutunga - Principal Clerk Assistant I
2. Mr. Philip Lekarkar - Clerk Assistant III
3. Ms. Acenta Gacheri - Research Officer
4. Mr. Nimrod Ochieng' - Audio Officer
5. Ms. Catherine Mukunyi - Serjeant at Arms

MINISTRY OF EDUCATION

1. Amb. (Dr.) Amina Mohammed, EGH - Cabinet Secretary Ministry of Education
2. Dr. Belio Kipsang - Principal Secretary, State Department of Early Learning and Basic Education
3. Mr. Darius Mogaka - Director, PP & EACA
4. Mr. Kimara Nyabwari - Director, DACE

ANNEXURE II

- | | |
|-------------------------|----------------------------|
| 5. Mr. Pius Mutisya | - Director QAS |
| 6. Mr. Paul Kibet | - Ag. Director SE |
| 7. Mr. John Temba | - DDE Primary |
| 8. Mr. Mujumbi Obwoyere | - SADE -Secondary |
| 9. Mr. Kennedy Buhere | - SADC/PC |
| 10. Ms. Rose Macharia | - Chief of Staff CS Office |

MIN.NO. /EDUC/2018/271: PRELIMINARIES

The Chair called the meeting to order at 10.25 am thereafter followed by prayers.

The agenda of the meeting was adopted having been proposed and seconded by Hon. (Dr.) Pamela Ochieng, MP and Hon. Oroo Oyioka, MP respectively.

MIN.NO. /EDUC/2018/272: CONFIRMATION OF MINUTES

Confirmation of minutes of the previous sittings was deferred to the next sitting.

MIN.NO. /EDUC/2018/273: SUBMISSION BY THE CABINET SECRETARY ON SCHOOLS UNREST IN SECONDARY SCHOOLS

The Cabinet Secretary informed the Committee as follows:

The ship of progress of any country floats on the hard work and dedication of its young generation and their innovative thoughts. Hence, Kenya's strategy of Vision 2030 and the Sustainable Development Goals require the student community to play their vital role in the society. Their recognized great force is essential for achieving the country's development agenda. In this regard, education and training is vital for the achievement of the objectives of the country's strategies. However, the growing secondary school unrest and indiscipline among students is a matter of great concern to the Ministry of Education. This is because, in recent years, cases of unrest have assumed alarming proportions. Such students' unrest pose a serious threat to the educational system and to the nation at large. They result in destruction of property, loss of learning time, and psychological effects to staff and students. All these translate to low achievement in learning outcomes hence affecting the quality of education provided. It is therefore necessary to determine measures to control student unrest in schools.

BREAKDOWN AND NATURE OF SCHOOLS' UNREST IN 2018

In total, 107 schools out of 8900 public and 1800 private secondary schools were affected by various forms of unrest in 2018. In 2017, there were 123 cases. In 2016, the number of schools affected were 483 schools. Table 1 shows the breakdown of reported cases of schools' unrests in 2018.

Breakdown of Reported cases

No.	Region	Arson	Walk-outs	Sit ins	Breakages	Total
1	Central	1	4	2	1	8
2	Coast	4	1		0	5
3	Eastern	22	9	5	4	40
4	Nairobi	2	1	0	0	3
5	North Eastern	0	0	0	0	0
7	Rift Valley	12	7	1	5	25
8	Western	4	1	0	1	6
	Total	63	23	8	14	107

Other incidents include:

- (i) Attack of teachers in Chalbi and Kirimara Boys Secondary schools
- (ii) Heightened tension in the following schools: Maikona Girls, Isiolo Boys, Mweini Secondary, Kyambuko secondary, Kabarnet secondary, Chianda High, Ng'iya, Maranda High, Shenderema, Ofafa Jericho, Kangemi. St. Aquinas high, Nairobi Milimani, Msambweni Boys

POSSIBLE CAUSES OF SCHOOLS' UNREST

The possible causes of these schools' unrest are

- (i) Fear of the national examinations due to the strict measures instituted to curb cheating.
- (ii) Drug and substance abuse by learners.
- (iii) Communication challenges within some of the schools
- (iv) Lack of role models in the society manifested by violent avenues used to resolve conflict in many of our surroundings
- (v) Domino-effect/copy-cat mentality by schools within the same region
- (vi) Reaction to change management
- (vii) Teacher shortage in school leading to incomplete syllabus coverage resulting to panic among students who feel ill prepared for the examinations.
- (viii) Inadequate school facilities.

No.	County	Total
1.	Homa Bay	26
2.	Bungoma 17	
3.	Busia	22
4.	Embu	15
5.	Elgeyo Marakwet	9
6.	Makueni	34
7.	Machakos	6
8.	Nairobi	37
9.	Kericho	1
10.	West Pokot	1
11.	Migori	17
12.	Narok 5	5
13.	Isiolo	5
14.	Kisii	3
15.	TOTAL	198

ACTION TAKEN AGAINST THE CULPRITS

- (i) Actions initiated against the culprits include:
- (ii) Arraignment in Court
- (iii) Suspension of students involved by Boards of management in accordance with the Basic
- (iv) Education Regulations, 2015
- (v) Closure of affected schools for investigation and cost assessment in accordance with Regulations 3 and 36 of the Basic Education Regulations
- (vi) Conditional re-admission of the affected students
- (vii) Guidance and counseling

Basic Education Regulations Articles 33-39, stipulate how deal with mass indiscipline in schools.

PROPERTIES DESTROYED

The main properties destroyed through arson were dormitories and food stores whereas other properties destroyed include window-panes, furniture, and students' personal effects.

PROPERTIES LOST UNDER DIFFERENT CATEGORIES	NUMBERS OF SCHOOLS	COSTING
Dormitories & students' personal properties destroyed through Arson	58 schools	
Other properties burnt (store, staffrooms)	6 schools	
Physical facilities (Window panes, furniture)	7 schools	
Total	71 schools	

Schools are working with the Ministry of Public Works to assess damage. On 13th July, 2018, I asked school administrators to follow the proper assessment processes to determine the extent of damage and cost implications to those involved. We are working with our Regional and county officials to implement this directive.

MEASURES TO ADDRESS SCHOOL UNRESTS

Long term Measures

The Ministry has implemented and continues to implement recommendations of Taskforce Reports commissioned by the Ministry and has put in place a multi-agency standing committee to review and continuously advice on the implementation process.

Short-term measures

The immediate actions taken by the Ministry include –

- (i) Extensive pre- monitoring of national examinations
- (ii) Instruction to schools to double the number of teachers on duty especially at night in boarding schools;
- (iii) Instructing Quality Assurance Officers to identify the existing gaps that may lead to school unrests;
- (iv) Holding stakeholder fora led by at Regional and County levels Coordinators of Education to address schools unrest;
- (v) Close collaborating with Ministry of Interior and Coordination of National Government;
- (vi) Schools adhering to the student transfer policy as elaborated under Regulation 40 of the Basic Education Regulations, 2015
- (vii) Ensuring that there is flexibility in school programmes and tenable demands of the learners addressed by constantly monitoring/visiting schools and prompt reports to Ministry Headquarters. Ministry officials visited various Counties and held

stakeholder fora to address emerging and recurring issues contributing to cases of unrest.

- (viii) Reporting and taking action on teachers/students who may be involved in incitement and destruction of school property.
- (ix) Ongoing teacher recruitment to address the persisting teacher shortage.
- (x) Additional field officers will be deployed to the field to collate data on school needs and support school administrators to manage schools.

Response to Members questions

Why school unrests in term II

The CS submitted that school unrests occur in term II because of the length of the term, built tension carried over term I and the many co-curricular activities taking place in and out of schools during term II. Most of the strikes involved burning of dormitories as it gives students an opportunity to be sent home.

Re-introduction of corporal punishment

On re-introduction of corporal punishment in schools as a disciplinary measure to avert the escalating unrests, the Cabinet Secretary informed the Committee that the Children Act safeguards the welfare and rights of children and protects them from physical and psychological abuse, neglect and any other form of exploitation, further Kenya is a signatory of United Nations Convention on the Rights of the Child which protects the rights of children. Caning degrades the dignity of the learners.

Guidance and Counselling in schools

Majority of schools have guidance and counselling departments headed by regular teachers who may not have adequate time and professional experience to counsel the students. Employing full time school chaplains is an alternative to strengthening guidance and counselling, providing spiritual guidance in schools and instilling good morals among learners.

Students Baraza's

Student barazas should be made frequent in schools to give the students an avenue to air their grievances and allow them to speak out their challenges.

Conducting routine inspection and quality assurance in schools

The CS noted that there is schools were not assessed as many times as required by Directorate of Quality Assurance and Standards due to an acute shortage quality assurance officers in the field. She however reported that 150 additional field officers currently undergoing training will be deployed to various parts of the country in August to enhance quality assurance and standards in schools.

School Program

The CS proposed that school program should be relaxed to give students enough rest and play time. Very early and late learning and other school activities should be outlawed and primary schools program to run from 8.00 am to 5.00pm. This will also help in ensuring the safety of day-school learners.

Domino effect and relationship with schools activities in term II

The domino effect is a contributor to schools strikes as evidenced by copycat burning of dormitories and food stores and other similar facilities in various schools. Increased students interaction during schools term II activities is a source of external incitement. During Such activities students are also exposed to drugs and alcohol which they may ferry to school. The CS reported that consultations are ongoing to find out a way of holding school activities outside the term dates.

Student sent home to collect schools fees incite their colleagues in schools to go on strike for all of them to be at home at the same time.

Relationship of the unrests with examinations and delocalization of principals

The current unrest cannot be solely attributed to exams as majority of the students involved are in Forms 1 and 2 who are not preparing for preparing for national examination. A number of many other factors are responsible for the strikes.

The Ministry averred that the wave of unrest has no any relationship with the transfers of school principals which have been ongoing since December, 2017. Most schools affected by delocalization have not experienced the unrests.

School facilities

Poor school infrastructure was cited as one of the causes of strike in some schools where students resort to burn sub-standard structures with the hope that the school will replace with modern one. The CS pointed out that poor and inadequate schools infrastructure is a challenge in most schools, however the Ministry continues to allocate resources for additional and improvement of the existing infrastructure. This will however take take a long time as more schools are being established.

View of day schools vis-a-vis boarding schools with respect to discipline in schools

The CS pointed out that there is need to examine the school based and home based factors and their influence on student discipline in boarding and day secondary schools respectively as most of the reported cases of unrests happened in boarding schools.

Boards of Management of Schools

It was noted that the composition of Boards of Management of schools is bloated with many members with no specific functions. In the proposed amendments to the Basic Education Act the number is set to be reduced for effectiveness. The proposed amendments also seek to introduce Su-County Education Boards of Management.

Incident at Chalbi Secondary School

The CS reported that the unrest in Chalbi Secondary School in Marsabit was linked the cancellation of 2017 national examination results of the school. During the strike that happened on July 2, 2018 six teachers who were severely injured and property destroyed by the students. A section of the parents of Chalbi Boys High School students have sided with their children. Six students are being sought by police and they will not be found the parents will be arrested and will take responsibility.

COMMITTEE OBSERVATIONS

The Committee observed that:

1. The current unrests in schools are characterised by burning of buildings, especially dormitories, administration blocks, classrooms and food stores by students.
2. Lack of Effective guidance and counselling services in schools is also singled out as a major cause of student strikes. These services are usually given during crisis times as teachers are too busy covering syllabuses leaving little time for them to offer counselling services to students.
3. The Basic Education Act No. 14 of 2013 and Regulations thereunder provide guidelines for cases of students' unrest, their management and administration. The Act however does not spell out the obligations of the learners and the parents in maintaining discipline and actions to be taken against them as a result of their actions.
4. Discipline is an important component of the teaching learning process and therefore an important aspect of the school system. There is need for the Ministry and all stakeholders to find out ways of ending the perennial strikes in schools to foster safe school environments.

MIN.NO./EDUC/2018/274: REPORT ON ALLEGATIONS OF SEXUAL ASSAULT OF STUDENTS OF MOI GIRLS SCHOOL NAIROBI

The Director, Quality Assurance and Standards led a team of officers to assess the above named school. This was prompted by reports in the media that girls in the school had been sexually assaulted in one of the school dormitories. The incident reportedly took place in the early hours of Saturday 2nd June, 2018.

PRELIMINARIES

Reported Incident

The Ministry received a report on sexual assault of students through the social media, which stated that there was sexual assault on students at Moi Girls' Nairobi on the night of 2nd and 3rd of June, 2018.

Response

The Cabinet Secretary and senior officers including: the Chief Administrative Secretary, Principal Secretary, State Department of Early Learning and Basic Education, Director General of Basic Education, Regional Coordinator of Education, Nairobi County and the Director, Quality Assurance and Standards went to the school soon after the report. Many agitated parents were also at the school demanding to take their children home. They were persuaded to let the girls stay until morning when students were to be released to their respective parents. The school was closed for a week. Quality Assurance and Standards officers embarked on investigation and interrogated a number of students, teachers and support staff in the school and compiled their report.

FINDINGS

The following were the major findings:

- (i) There were security lapses in the school.
- (ii) There were various attempts to violate the privacy of girls since last year's fire incident by strangers including construction workers who were writing messages like **"Please call me when you get this"** and phone numbers on currency notes and then throwing them into girl's dormitories.
- (iii) The BOM and PA were found to have been lax.
- (iv) The security guards were not vigilant
- (v) The school perimeter wall was porous and could allow strangers entry to the compound
- (vi) Dormitories were left open at night.
- (vii) School activities (Drama) were allowed to go on till past 8:00 pm in the night. Adjudicators and trainers stayed late in the school compound.
- (viii) Visiting trainers and adjudicators did not sign out as evidence that they had left the school compound.
- (ix) The CCTV surveillance system and alarm bells were not functional.
- (x) The Matron who is over 65 years of age was overwhelmed by the number of students in the school.
- (xi) Girls could move from one dormitory to another at night.
- (xii) There was laxity by the dormitory mistresses as no roll call was conducted at night.

MEASURES PUT IN PLACE

Security lapses have now been addressed.

- (i) The kiosks were removed from the school perimeter wall through support from Ministry of Interior and County Government.
- (ii) Open sections on the fence/wall were sealed.
- (iii) Security guards were changed.
- (iv) Five Police Officers are on 24-hour guard each day.

- (v) The Board of Management and Parents Association were dissolved.
- (vi) An interim BOM was put in place to manage transition.
- (vii) A new BOM was inaugurated on 17th July, 2018.
- (viii) Parents held elections on 8th June, 2018, and a new Parents Association team is in place.
- (ix) The guards have been changed. The school has started the process of procuring another security company.
- (x) Police surveillance is ensuring security.
- (xi) School support staff are being vetted to ensure the right sizing of the staff who currently exceed the required number of 34, for a seven (7) stream school.
- (xii) The Principal also went on early retirement and the Teachers Service Commission appointed the Deputy Principal to take over.

Response to questions by Members

Channel of Communication during such school incidences.

In response to the Members questions on proper channel of communication during such tragedies in schools, the CS reported that there is need to improve to improve such communication and avoid the use of social media to relay the same. Ideally the school head is supposed to contact the area Director of Education who in turn convey the same to the Ministry.

Moi Girls Nairobi School Matron

The school had only one matron who is over 65 years of age was overwhelmed by the number of students in the school. She has since been retired and a new one hired by the school Board of Management.

Allegations of cover-up of the alleged assault by the school.

On why the school girls were dressed in uniform early in the morning on the day of the alleged sexual assault, the CS reported that the (un-named) adults in the school prevailed upon the victims to bath and dress up properly in an attempt to cover up the incident in a bid apparently to protect the name of school. Girls were further ordered to and resume the normal school routine.

Location of the Boarding Mistress House.

The Committee expressed concern that the Boarding mistress house of Moi Girls Nairobi School at a distance from the dormitories and thus could respond urgently to emergency. The CS informed the meeting that new regulations on the design of new dormitories require that the Boarding mistresses'/masters' house should be annexed to the dormitory for convenience during emergencies.

In other instances keys of the dormitories are kept by the watchman contrary to safety regulations which require that keys be kept in the custody of the House house master/mistress or student.

Security in schools

The Kilemi Mwiria report on unrest in schools recommended 6-7 security officers for a six stream school with consideration to other peculiarities of school. For Moi Girls Nairobi School with six streams four security officers assigned to guard the school are inadequate.

MIN.NO. /EDUC/2018/275: AN EXECUTIVE REPORT ON MOI GIRLS SCHOOL FIRE INCIDENT THAT OCCURRED ON 2ND SEPTEMBER, 2017

Preliminaries

A team of officers from the Ministry of Education and TSC headed by the Cabinet Secretary Dr. Fred Matiangi' arrived in the school at 7.30 a.m. on 2nd September 2018, after fire was reported to have broken out at about 2.20 a.m. from Kabarnet dormitory. The Principal, Mrs. Jael Muriithi, said she was among the first to respond with police officers who were guarding the school. She was later joined by teachers who lived within the school compound. By 5 a.m. that day the fire had been managed by the relevant agencies like the Nairobi fire brigade.

FINDINGS

Fifty-one (51) students were injured and were taken to neighboring medical facilities of which Forty (40) were treated and discharged, eleven (11) were admitted while eight (8) were confirmed missing. Later eight (8) bodies were collected from the dormitory by the security team and taken to Chiromo mortuary. One (1) student died later to make nine (9) who were confirmed dead.

By 6.30 pm of 3rd September 2017 all students had been picked by their parents and guardians in compliance with the Cabinet Secretary's directive.

The school was closed as a multi-agency crisis management team took over to deliberate on the way forward.

Recommendations of the preliminary visit

The Cabinet Secretary issued a press statement and recommended the following;

- (i) That the school be closed for two weeks for form 1 – 3. The students should report back on 15th September 2017. The form four students to close for a week and to report on 8th September 2017.
- (ii) All the parents and guardians to be informed and to pick their daughters in person under the supervision of the class teachers.

- (iii) Parents of the missing students to be assisted and counseled by the relevant agencies.
- (iv) All the agencies were well coordinated and every agency carried out their responsibilities and tasks effectively.

Preliminary investigations suggested that the fire may have been started by a student using a candle or cigarette either inadvertently or deliberately.

A status assessment was carried out on 6th September 2017 led by the Director Quality Assurance & Standards and found that a B.O.M. meeting held on Monday 4th September 2017 had resolved to form various sub-committees as below:

- (i) Resource mobilization committee by the private sector
- (ii) Burial/Funeral Committee.
- (iii) Reconstruction Committee.
- (iv) Reception Committee.

The victims of the fire incident

Nine (9) victims had died, eight (8) in the ill-fated dormitory, and one in hospital. Currently all the 12 girls who were in hospital are back in school and have proceeded to Form two (2)

Reconstruction

The dormitory was condemned by the Ministry of Works who had been requested to draw a new dorm plan to be constructed. The Chief Engineer Ministry of Works had presented to the BOM a plan of 3 floors to accommodate 300 students once completed at a cost of between Kshs. 85m and Kshs.90 million.

It was reported that it would take about 3 months to complete. However, the Chairman expressed his concern on the high cost and the length of time of construction and cited another company, which had pledged to construct with the same materials in 120 days at a cost of about Kshs.40 million.

The technical committee was tasked to follow up and finalise on best quotations.

The Director, QAS reported that the Cabinet Secretary had pledged to give to the school Kshs.7 million to help in quick construction of the precast dorms, on top of the kshs.10 million the school had been given for infrastructure. The BOM was challenged to be innovative and proactive and approach other development partners like the County Government for more support. In the meantime, the BOM and PA would organize how the Form ones would be accommodated in the two halls as they await the construction of the new dormitory.

The current assessment indicates that the dormitory is yet to be completed nine months and has stalled for lack of funds as reported by the school administration. There is great congestion in all dormitories as well as safety and security concerns due to the increasing number of students in the school as the makeshift dormitories are not ideal.

The Suspect

The girl, a form I, did not have previous recorded discipline case apart from being found in class one time alone after all girls had gone to sleep, at 11.30 p.m. and had expressed wish to go home. Her parents had been called and collected her that same night. She was to undergo counselling before readmission. The Kenya Association of Professional Counsellors had written to the school confirming counselling had been done.

The suspect had been arraigned in court and charged on 6th September 2017.

The intensive investigations were being conducted purely by the police as it was a criminal offence.

Recommendations as students reported to school

- (i) The scene of the incident should be fenced off/sealed off before the Form 4s report.
- (ii) The emergency doors should be easily openable during an emergency.
- (iii) Fire drills should be conducted often.
- (iv) The Annex dorm should not be occupied as it did not meet the safety standards.
- (v) All future constructions must meet the health and safety requirements as per Ministry of Education guidelines.

The investigative assessment carried out on 2nd June 2018 indicated that the grills on windows were only removed from one side of the dorm; the doors were opening outward although the doors were never locked at night. However, in the makeshift dormitories, there were safety and security concerns as some windows had grills, there was too much congestion and the emergency exits were blocked. The students reported that no fire drill had been carried out since the fire incident.

The above observations indicate that there lapses in adhering to safety guidelines provided by the Ministry of Education.

Response to Committee queries

On school safety guidelines

The CS submitted that school safety guidelines for disaster and risk reduction require that dormitories should be locked from inside at night, doors should be at least 5feet wide and they should open outwards door should open outwards to allow easy exit in case of emergency. The dormitories should also have emergency exits at the middle and back, and windows must be Without grills and should be easy to open outwards.

Fire extinguishers and fire alarms should also be fitted in the dormitories in case of a fire outbreak to protect students from being burnt and at the same time to safeguard property.

Schools should not compromise on implementation of the guidelines.

Construction of the new dormitory

Construction the new dormitory at Moi Girls Nairobi School was meant to be completed at a cost of between Kshs. 85m and Kshs.90 million in 120 days due to use of precast technology which is cheaper and takes less time. The project has however faced funding challenges but the Ministry is committed to completing it.

MIN.NO. /EDUC/2018/276: ANY OTHER BUSINESS

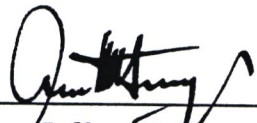
1. The Committee resolved to retreat for report writing retreat on the alleged student assault at Moi Girls Nairobi and the unrests in schools between 16th and 19th August 2018.
2. The Chair thanked the members for showing decorum in Committee sitting during interrogation of business.

No other business arose.

MIN. NO./EDUC/2018/277: ADJOURNMENT

There being no other business the meeting was adjourned at 11.48 am. The next meeting will be held on Thursday 2nd August, 2018 at 10.00am.

Signed _____


PP Hon. Julius Melly, MP
(Chairman)

Date _____

6/Nov/2018

MINUTES OF THE 59TH SITTING OF THE COMMITTEE ON EDUCATION & RESEARCH HELD ON FRIDAY 17TH AUGUST, 2018 IN VITTORIA SUITES HOTEL IN KISUMU AT 9.00 AM

PRESENT

1. Hon. Julius Melly, MP - **Chairperson**
2. Hon. Moses Injendi, MP
3. Hon. Geoffrey Odanga, MP
4. Hon. (Prof.) Zadoc Ogutu, MP
5. Hon. (Dr.) Pamela Ochieng', MP
6. Hon. (Eng.) Nzambia Kithua, MP
7. Hon. Eve Obara MBS, MP
8. Hon. Catherine Wambilianga, MP
9. Hon. Jerusha Momanyi, MP
10. Hon. Jackson Lekumontare, MP
11. Hon. Joseph Tonui, MP
12. Hon. Peter Lochakapong, MP
13. Hon. Omboko Milemba, MP
14. Hon. Oroo Oyioka, MP
15. Hon. Wilson Kogo, MP

ABSENT WITH APOLOGY

1. Hon. Amos Kimunya EGH, MP - **Vice Chairperson**
2. Hon. Lilian Tomitom, MP
3. Hon. Eric Muchangi, MP
4. Hon. Wilson Sossion, MP

NATIONAL ASSEMBLY SECRETARIAT

1. Mr. Daniel Mutunga - Principal Clerk Assistant I
2. Mr. Philip Lekarkar - Clerk Assistant III
3. Ms. Annceta Gacheri - Research Officer
4. Ms. Emma Essendi - Legal Counsel
5. Mr. Nimrod Ochieng' - Audio Officer
6. MR. Manuel Leparachao - Serjeant at Arms

MIN.NO. /EDUC/2018/306: PRELIMINARIES AND CHAIRS REMARKS

The Chair called the meeting to order at 9:10 am thereafter prayers were said.

The Chair welcomed the Members to the Report Writing Retreat and impressed upon the members to contribute ideas to enable the Committee come up with a good report during the retreat.

The agenda of the meeting was adopted having been proposed and seconded by Hon. Wilson Kogo, MP and Hon. (Eng.) Nzambia Kithua MP respectively.

MIN.NO. /EDUC/2018/307: CONFIRMATION OF MINUTES

Confirmation of minutes of the previous sittings were deferred to the next sitting.

MIN.NO. /EDUC/2018/308: CONSIDERATION OF THE REPORT ON THE INQUIRY INTO THE ALLEGED SEXUAL ASSAULT OF STUDENT AT MOI GIRLS SCHOOL NAIROBI

The Committee considered the draft report and proposed the following amendments:

On page 1: paragraph 2 be deleted as it is wrongly placed.

On page 4: paragraph 8 was amended to read as follows "The Committee acknowledged that the matter is under active investigation by a competent investigative authority with the potential of undergoing a judicial process and thus a definite conclusion on the incident by the Committee might be prejudicial".

The paragraph "the Committee concluded that there was penetration on the victim but the nature could not be established by the Committee" was included.

On page 8

Paragraph 1 was amended as "that the purpose of a school is provide regular instructions to the learners and prepare them to live independent lives".

Paragraph 3: the word pupils was replaced with the word "learners".

Page 9

Paragraph 3 was amended to read that there were no CCT cameras in the School.

Paragraph 4 was amended to read as follows "Part of the duties of the guards assigned to the dormitories was to monitor the dormitory entrances and respond to any distress calls. On the night of the incident the guard on duty neither raised any alarm nor reported any unusual happening in the morning at the end of her night shift. Likewise none of the other guards reported any unusual incident".

Page 11

Paragraph 2:

The names of the Committee members undertook the fact-finding visit to Moi Girls School on 6th June 2018 be included in the report.

Paragraph 4

Was amended to read "During the visit the Committee found the then School Principal Mrs. Jael Murithi preparing to hand over the School to the incoming acting Principal Mrs. Florence Omusula after she opted to proceed for early retirement following the incident in the school. She was reluctant to provide information on the incident and instead referred the Members to the Deputy Principal who was due to take over from her".

Page 13

The correct name of Moi Girls Deputy Principal In-charge of Administration was corrected to Ms. Kabobia Wachiuri.

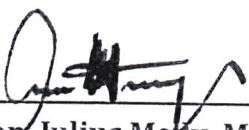
MIN.NO. /EDUC/2018/309: ANY OTHER BUSINESS

No other business

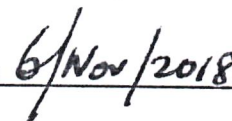
MIN.NO. /EDUC/2018/310: ADJOURNMENT

There being no other business the meeting was adjourned at 1.40 pm. The next meeting will at 2.00 pm same day.

Signed


// Hon. Julius Meny, MP
(Chairman)

Date





**MINUTES OF THE 60TH SITTING OF THE COMMITTEE ON EDUCATION & RESEARCH HELD
ON FRIDAY 17TH AUGUST, 2018 IN VITTORIA SUITES HOTEL IN KISUMU AT 2.00 PM**

PRESENT

1. Hon. Julius Melly, MP - **Chairperson**
2. Hon. Moses Injendi, MP
3. Hon. Geoffrey Odanga, MP
4. Hon. (Prof.) Zadoc Ogutu, MP
5. Hon. (Dr.) Pamela Ochieng', MP
6. Hon. (Eng.) Nzambia Kithua, MP
7. Hon. Eve Obara MBS, MP
8. Hon. Catherine Wambilianga, MP
9. Hon. Jerusha Momanyi, MP
10. Hon. Jackson Lekumontare, MP
11. Hon. Joseph Tonui, MP
12. Hon. Peter Lochakapong, MP
13. Hon. Omboko Milemba, MP
14. Hon. Oroo Oyioka, MP
15. Hon. Wilson Kogo, MP

ABSENT WITH APOLOGY

1. Hon. Amos Kimunya EGH, MP - **Vice Chairperson**
2. Hon. Lilian Tomitom, MP
3. Hon. Eric Muchangi, MP
4. Hon. Wilson Sossion, MP

NATIONAL ASSEMBLY SECRETARIAT

1. Mr. Daniel Mutunga - Principal Clerk Assistant I
2. Mr. Philip Lekarkar - Clerk Assistant III
3. Ms. Annceta Gacheri - Research Officer
4. Ms. Emma Essendi - Legal Counsel
5. Mr. Nimrod Ochieng' - Audio Officer
6. MR. Manuel Leparachao - Serjeant at Arms

MIN.NO. /EDUC/2018/311: PRELIMINARIES AND CHAIRS REMARKS

The meeting reconvened at 2.00 pm and afterwards the Chair called the meeting to order at 2:10 pm thereafter prayers were said.

MIN.NO. /EDUC/2018/312: CONFIRMATION OF MINUTES

Confirmation of minutes of the previous sittings were deferred to the next sitting.

**MIN.NO. /EDUC/2018/313: CONSIDERATION OF THE RFEPORT ON THE INQUIRY
INTO THE ALLEGED SEXUAL ASSAULT OF STUDENT AT
MOI GIRLS SCHOOL NAIROBI**

The Committee continued consideration of the draft report and proposed the following amendments:

Page 16

Paragraph 8 was amended to read in other instances keys of the dormitories are kept by the watchman contrary to safety regulations which require that keys be kept in the custody of the House Master/Mistress or student.

Paragraph 9 was amended to read the Kilemi Mwiria report on unrest in schools recommended 6-7 security officers for a six stream school with consideration to other peculiarities of school. For Moi Girls Nairobi School with six streams four security officers assigned to guard the school are inadequate.

Page 17

Paragraph 6 was amended to read "She presented with a complaint of allegedly having been raped by a man unknown to her. She reported that she had woken up at 1 am the same day to go the washrooms, but while in there, a man had followed her. The man allegedly pushed the door, slapped her on the cheek then ordered her to remove her clothes. He then proceeded to rape her. He then left with the girls skirt, shirt and sweater. The man left the girl with her jacket".

Page 20

Paragraph 6: Was amended to read "The school is surrounded by a stone perimeter wall for about 2km and the frontage is a life kai apple fence. The second level of fence separating girls' dormitory and the farm is Kai apple and barbed wire. The third enclosure is the school dormitories are surrounded by kai apple life fence and intertwined with iron sheets wall, mesh wire and barbed wire. The fence is broken at various areas which may allow we easy access by intruders into the School; more over the girls may sneak out of the school through the porous fence, and smuggle in restricted and illicit substances from the numerous kiosks bordering the school perimeter fence".

Page 21

Observations no. 6 was changed to read as "the student could not use electric bell in Elgon hostel connected to the matron's house to raise alarm during emergency instead they walked to the matron's house to report the incident".

Page 22

Recommendation no. 6 and 7 were amended to read as:

All schools should regularly undertake regular risk assessment to identify any risks and precautions to be taken to minimise any risk and provide a course of action to follow to assist the school community when an emergency occurs.

School principals and head teachers should ensure that they comply with all Ministry of Education and Teachers Service Commission circulars in addition to implementing schools safety policies.

Committee Resolutions

- 1. That the secretariat organises the observations and recommendations in a logical order**
- 2. That the former Principal of Moi Girls School Nairobi and Lavington security company be invited to give evidence to the Committee regarding the alleged sexual assault.**

MIN.NO. /EDUC/2018/314: ANY OTHER BUSINESS

No other business

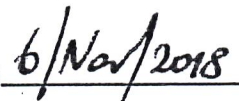
MIN.NO. /EDUC/2018/316: ADJOURNMENT

There being no other business the meeting was adjourned at 4.40 pm. The next meeting will held on 18th August, 2018 at 9.30 am.

Signed


/s/ Hon. Julius Melly, MP
(Chairman)

Date


6/Nov/2018



**MINUTES OF THE 64TH SITTING OF THE COMMITTEE ON EDUCATION & RESEARCH
HELD ON THURSDAY 30TH AUGUST, 2018 IN 9TH FLOOR BOARDROOM, PARLIAMENT
BUILDINGS AT 10.00 AM**

PRESENT

1. Hon. Julius Melly, MP - **Chairperson**
2. Hon. Moses Injendi, MP - **Session Chair**
3. Hon. Geoffrey Odanga, MP
4. Hon. (Prof.) Zadoc Ogutu, MP
5. Hon. Catherine Wambilianga, MP
6. Hon. (Dr.) Pamela Ochieng, MP
7. Hon. (Eng.) Nzambia Kithua, MP
8. Hon. Eric Muchangi, MP
9. Hon. Eve Obara MBS, MP
10. Hon. Jerusha Momanyi, MP
11. Hon. Jackson Lekumontare, MP
12. Hon. Joseph Tonui, MP
13. Hon. Peter Lochakapong, MP
14. Hon. Omboko Milemba, MP
15. Hon. Oroo Oyioka, MP
16. Hon. Wilson Kogo, MP

ABSENT WITH APOLOGY

1. Hon. Amos Kimunya EGH, MP - **Vice Chairperson**
2. Hon. Lilian Tomitom, MP
3. Hon. Wilson Sossion, MP

NATIONAL ASSEMBLY SECRETARIAT

1. Mr. Daniel Mutunga - Principal Clerk Assistant I
2. Mr. Philip Lekarkar - Clerk Assistant III
3. Ms. Annceta Gacheri - Research Officer
4. Mr. Nimrod Ochieng' - Audio Officer
5. Ms. Catherine Mukunyi - Serjeant at Arms.

MIN.NO. /EDUC/2018/332: PRELIMINARIES

The Chair called the meeting to order at 10.18 am thereafter followed by prayers. The agenda of the meeting was adopted having been proposed and seconded by Hon. Joseph Tonui, MP and Hon. Oroo Oyioka, MP respectively.

MIN.NO. /EDUC/2018/333: CONFIRMATION OF MINUTES

Confirmation of minutes of the previous sittings was deferred to the next sitting.

**MIN.NO./EDUC/2018/334: SUBMISSION BY THE MANAGING DIRECTOR
LAVINGTON SECURITY LIMITED**

The Managing Director Lavington Security Limited Mr. Pius Chelimo accompanied by the General Manager Mr. Felix Kipruto, Security Zonal Manager Mr. Douglas Buluma, security guards Moses Orocho, Veronica Cherop, Celestine Nafula, Patricia Nekesa, Christopher Cheruiyot, Gilbert Ngetich, Nicholas Rono and Julius Kitonga.

He informed the Committee as follows:

Moi Girls School Nairobi contracted Lavington Security Ltd to offer security services at the School starting from 1st October 2012; where fourteen security guards were deployed six being for the day and eight for the night. The guards oversee the School security on 24 hour basis.

Two guards are always stationed at the main gate to ensure that staff, students and visitors entering and leaving the School are inspected and control entry of visitors. The guards patrol the school field, swimming pool area, chapel, livestock area, dormitories and tuition block as well as the administration block.

Chronology of events preceding and succeeding the alleged sexual assault incident and response from the guards

1st June 2018 was a National Holiday and students were engaged in various activities including the inter-class dram festivals. This continued until 9.30 pm. There was nothing unusual noted during the day and during the night.

Activities during the day of the incident

On 2nd June 2018 at around 5.10 am, the guards managing teachers' quarters Gilbert Ngetich confirms that he saw two boarding mistresses Mr. Washiori and Ms. Mutiso driving out. He opened the staff gate for the staff and they left.

The guards at the main gate Moses Orucho and Veronica Cherop also confirmed to have received the two boarding mistresses, opened the gate for them before they instructed the guards to open the gate wide as they rushed towards the dormitories.

Immediately thereafter, Veronica called the guard at the dormitories areas Celestine Nafula asking if there was any issue at the dormitories which she answered that all was okay.

When Ms. Washiori went back to the gate, she reported to the guard in-charge Ms. Veronica Cherop that there was an incident of alleged rape within the school hostels.

Ms. Veronica Cherop went to the dormitory to check what was happening and reported to Lavington Zonal security officer Mr. Douglas Buluma at around 5.30 am that there was an incident of alleged rape within the school hostels. Mr. Buluma visited the scene immediately after receiving the information.

Ms. Celestine Nafula confirmed that all was well until around 4.00 am when she saw student who had woken up going towards the kitchen to fetch warm water. At around 5.15 am while patrolling along Kilolongo dormitory she received a call from Veronica Cherop asking if all was well as the boarding mistresses were heading there. She went towards the hostel gate where she saw the school matron Ms. Monica Wambui holding three students, as the boarding mistresses were heading to join them. She tried to ask what had happened but no one responded to her questions.

Celestine Nafula claims to have insisted on asking what had happened and Ms. Mutiso informed her that there was one student who was allegedly raped at Elgon Hostel and she withheld her details.

The Lavington zonal security officer upon his arrival met with the school Principal Ms. Jael Murithi where she informed him of the alleged incident. They both took a walk along the perimeter fence trying to establish if there was any possible intrusion but they were not able to pin point out any possible entry.

The Principal advised the Zonal officer that it was not prudent to enter the hostels since the girls were still dressing up and the police had been called to conduct the investigations over the alleged incident.

Police officers from Kilimani Police Division arrived and went to the scene to carry out investigations.

The zonal officer retained all the eight night guards until 1.00 pm when he released them so that they would report back on duty in the evening.

Activities after the incident

Directorate of Criminal investigations officers joined their colleagues from Kilimani Police Station in investigating the matter before other government agencies came on board to assist in the alleged rape case.

Presence of the night guards in the School on the fateful night

All the eight Lavington security guards were on duty in the school on the night of 1st/2nd June 2018 when the alleged incident happened.

Previous Incident of violation of security of the students and school facilities

On the night of 1st/2nd September 2017 one of the school dormitories was razed down by fire. After receiving the distress the company dispatched a back-up team to the scene, called the Nairobi Fire Brigade and Police Control informing them of the incident. Fire brigade officers and police arrived at the scene but on arrival they found out that the dormitory was razed down completely. Nine students lost their lives and several others sustained burns of various degrees.

Committee Observations

The Committee observed that:

- (i) Records from check list and occurrence book kept by the Company in the School showed that all the eight night guards were on duty in School on the night of the incident.
- (ii) The security guards in the school did not observe any unusual security incident in the school on the night of the alleged assault despite overseeing and monitoring security on 12 hours basis during the night.
- (iii) One security guard cannot provide adequate security surveillance for all dormitories.

MIN.NO./EDUC/2018/335: SUBMISSION BY THE FORMER PRINCIPAL OF MOI GIRLS SCHOOL NAIROBI – MS. Jael MURIITHI

The former Principal Moi Girls School Nairobi, Ms. Jael Murithi appeared before the Committee to adduce evidence on the alleged sexual assault incident at Moi Girls School

Ms. Jael submitted to the Committee as follows:

She is a Kenyan citizen aged 59 years with a bachelor of Education and Master's degree in Leadership and Policy. She joined the Teachers Service Commission on 1983 and taught for 36 years in various secondary schools rising from a classroom teacher to the level of Chief Principal Job Group R. She had been a principal for 18 years of which she served at Moi Girls School Nairobi for 13 years and 6 months before opting for early retirement following the alleged rape incident in the School on 2nd June 2018 which was preceded by a fire tragedy in the School on 2nd September 2017.

She has served in various other capacities in the course of her career which include treasure Nairobi Secondary Schools Sports Association, vice treasurer National Secondary Schools Sports Association, executive member Kenya Secondary Schools Heads Association and Chairperson Parklands Baptist Church School.

Moi Girls' School Nairobi is an extra county school that runs an integrated system where both the sighted and visually impaired learn together. The school sits on 52 acres of land and neighbours a challenging neighbourhood of Kibera informal settlement. The School has an external wall on a stretch of 2 Km and a life Kei-apple fencing on frontage on Joseph Kang'ethe Road.

As at 2nd June 2018 the School had 1195 students, 59 teachers and 68 support staff. The school houses 24 teachers including the Principal and another 13 essential support staff.

The School outsources security services from Lavington Security Limited to provide security and the school enjoys close relations with Kilimani Police Station in the event of security reinforcement.

During her tenure as the Principal Moi Girls' School Nairobi she made great accomplishments in development of the school and the school obtained various awards and recognitions.

Chronology of events preceding and succeeding the alleged rape incident in Moi Girls Nairobi up to the time Ms. Jael Murithi officially handed over the school.

- (i) After opening term 2 on 3rd May 2018 the school settled and daily routine was effectively executed.
- (ii) On 29th May 2018 the Board of Management held a meeting to discuss school matters including security in response to a circular received by school from the ministry of interior, Ref. No S/SEC/7/26VOL.i/46.
- (iii) On 1st June 2018, a public holiday the school held the annual inter house drama competitions in the school multi-purpose hall. The inter house drama competition ended at around 9:30 pm. and the students were given special dinner. They were accompanied by two boarding mistresses, teachers of drama and school cateress. After dinner, the boarding mistress settled the girls in the dormitory and the roll call was taken. The assistant boarding mistress was left with agriculture students discussing the symposium scheduled on Saturday 2nd June 2018. Before she left the school past 11:00 pm she made final round to ensure all the girls were in the dormitories. The yellow gate was locked and the main gate was closed and security guard was patrolling the area.

- (iv) On 2nd June 2018 at around 5:00 am students reported to the matron that one girl in Elgon dormitory which is attached to her residence had been raped. The matron reached out to the boarding mistress and the deputy principal administration through mobile communication then proceeded to inform the principal in her house through the watchman as the two residences are separated by a fence. The boarding mistresses arrived first followed by the principal, the deputy principal administration, school nurse and other members of staff residing in the compound joined later.
- (v) The boarding mistress found the victim and three girls fully dressed in E7 cubicle. The boarding mistress inquired from the girls whether they had showered and their response was negative. One of the girls in E7 had come from Kilolongo dormitory for a sleep over which is not allowed.
- (vi) At the time the principal arrived in the school, the boarding mistress had already picked the alleged victim and three other girls and placed them in a staff member's car. She assured the girl that she would be taken for the best treatment in the hospital immediately. Thus, the victim and other three students were taken to Nairobi women's hospital Adams Arcade accompanied by the matron, two boarding mistresses, and the school nurse and later joined by the school Deputy Principal Administration.
- (vii) The father of the alleged victim was immediately called and he joined the team in Nairobi women's hospital Adams. While at the hospital, the following took place:-
- (viii) The first test was carried out by a doctor at Nairobi women. The results were announced in the presence of the father, school nurse, boarding mistress and the victim. Thereafter the father wanted a second opinion in the presence of the deputy principal administration and the school nurse. After the first test, the victim was brought back to school accompanied by the boarding mistress, the father, matron, deputy principal administration and two police ladies to make a statement.
- (ix) Meanwhile, the school received a call through boarding mistress from Nairobi women hospital requesting that the victim be taken for another test. The victim was accompanied by boarding mistress and the father to Nairobi women hospital and a second test was carried out. After the release of the second test, the father demanded for a 3rd test at Mama Lucy Kinaki but the school made a decision to take her to Kenyatta National Hospital because it was nearer and it was also a referral hospital.
- (x) The victim was accompanied to Kenyatta National Hospital by the father, the uncle, school nurse, the boarding mistress and two police officers. While they

were on the way to Kenyatta national hospital, the father called a team from lancet laboratory centre to meet at Kenyatta national hospital. The lancet team collected specimen from Kenyatta national hospital. The results of Kenyatta national hospital were released in the presence of the school nurse, two policemen, boarding mistress, the father and the uncle of the victim. After the release of the results, at Kenyatta national hospital, the victim was taken home by her father and uncle.

- (xi) The school submitted the results from Nairobi women's hospital and Kenyatta national hospital to the criminal investigation department on demand.
- (xii) While in school, the principal assisted by the school captain settled the students from Elgon in the dining hall to make their physical count. The students were instructed not to enter the washrooms, E5 and E7 as they were crime scenes (areas condoned).
- (xiii) The Principal established that apart from the girls who reported the incident, girls including those in E7 did not know about the incident until they saw the boarding mistress and the girls moving towards the car parked at the gate.

Other activities that took place in the school after the alleged rape incident was reported by the Students

- (i) Three teachers and the matron reported the alleged rape incident to Kilimani police station. Two other teachers established order in the school while securing the crime scene.
- (ii) The Principal informed the Chairman of Board of Management and the Sub County Director of Education about the incident.
- (iii) All the school external functions scheduled on Saturday 2nd June were cancelled.
- (iv) Later in the day, the officers from the Ministry of Education and Kibra Sub County Director of Education arrived in the school. Furthermore, in the afternoon a group of parents started streaming in the school after they received a WhatsApp message of the alleged rape which the school believe was posted by a parent. Thereafter, the students assembled at the parade ground and were addressed by the principal and The Ministry of Education Officers officials who had arrived at the school. Later in the evening, the parents assembled in the schools multi-purpose hall where they were addressed by the School Principal, Principal Secretary and the Cabinet Secretary of Education. The Nairobi County women representative was also present to give the school support. After deliberations between the various stakeholders, Parents were requested to pick their daughters the following day for early midterm break.

- (v) On Sunday 3rd June 2018 early in the morning, the cabinet secretary ministry of education visited the school. The students were released to their parents for early half term and were instructed to report back to school on 10th June 2018. The criminal investigation department continued with their investigations on the alleged rape incident in the school. On the same day the Regional commissioner visited the school and the Board of Management held a meeting to discuss the alleged rape incident.
- (vi) On 4th June 2018 another Board of Management held another meeting.
- (vii) On 5th June 2018, there was a demonstration at the school gate against the alleged rape incident. On the same day, Ms. Jael Murithi, the former principal Moi Girls Nairobi wrote a letter to TSC requesting for early retirement. On the same day, the Cabinet Secretary, Ministry of Education dissolved the schools Parents Association and Board of Management.
- (viii) On 6th June 2018, the parliamentary committee on education visited the school on fact finding on the alleged rape incident.
- (ix) On 7th June 2018, Ms. Jael Murithi, the former principal Moi Girls Nairobi preliminary handed over the school to the acting Principal Ms. Omusula. This took place on Thursday between 8:30 a.m. – 10:30 a.m. Thereafter a parents meeting took place between 11:00 a.m. – 4:00 p.m.

Any previous attempts by internal and external persons to violate privacy and Security of Moi Girls Students

- (i) The effects of post-election violence in 2007 led to about 70 metres of the school perimeter wall being pulled down in the area bordering Kibera and the residents in the neighbourhood (Kibra) invaded the school farm. The government provided General Service Unit (GSU) personnel to mitigate any security threat.
- (ii) The 2nd September 2017 school fire tragedy was a matter still in court.
- (iii) From mid May 2018 the established garage activities along Joseph Kang'ethe road near winner's chapel on the western side on the school were demolished.
- (iv) Threat from guardian of a student who had been sent home because of indiscipline in October 2017. The parent/guardian shouted to the school security guards 'nyinyi hamjaona moto'.
- (v) Mushrooming of illegal structures along the school perimeter wall is a security threat.

Security measures in to safeguard safety and security of students

- (i) There is a strong control of access to the school through the main gate. Thus, all the visitors and vehicles entering the school are registered and inspected at the gate.
- (ii) The principal, deputy principal administration, deputy principal academic, two boarding mistresses, six house mistresses and other teachers reside in the school compound. Thirteen teaching and support staff are barely 20 metres from the school dormitories.
- (iii) There is an electric bell in Elgon hostel connected to the matron's house. The school is well lit with street lights and flood lights.
- (iv) The BOM is in the process of re-installing the CCTV cameras as per their meeting held on 29th May 2018, after the system was written off during the fire incident in September 2017; the controls were destroyed in the building.

Night routine in the school

- (i) Monday to Friday students attend evening prep between 7:00p.m to 9:00pm
- (ii) Roll call is done by the boarding mistress assisted by dormitory captains after evening preps.
- (iii) The students go to the hostels by 9:30 pm and by 10:30 pm the lights are switched off.
- (iv) Individual cubicals have facility to put on light but the washrooms remain on throughout the night.
- (v) The hostel gates are locked and matron/ boarding mistress/ nurse/ security officer keep the keys.
- (vi) The hostel doors are shut from inside
- (vii) On Saturday and Sunday students attend evening prep and entertainment up to 9:00 pm alternatively.

Plenary discussions

The Principal clarified to the Members as follows:

- (i) That the alleged victim of the sexual assault and the other three girls were not involved in any school indiscipline cases. The principal received briefs from the security guards on regular basis.
- (ii) Drama adjudicators were in the school on 1st June 2018, during the inter houses Drama festivals. However, they checked out immediately after the inter houses festivals were over at around 9:30 p.m.

- (i) The school is surrounded by a stone perimeter wall for about 2km and the frontage is a life kai apple fence.
- (ii) The second level of fence separating girls' dormitory and the farm is Kai apple and barbed wire.
- (iii) The third enclosure is the school dormitories are surrounded by kai apple life fence and intertwined with iron sheets wall, mesh wire and barbed wire.
- (iv) The yellow gate is locked at 7:00p.m and the key is kept by the matron and boarding mistress. The main gate is closed at 10:30p.m and security guard patrols the area and keeps the key. The matron and boarding mistresses also keep the keys.
- (v) The school is guarded 24 hours by Lavington security firm.
- (vi) On 2nd June 2018, there were eight (8) guards on duty and two (2) dogs during the night shift as shown in table I below. During the day the school has six guards. There is a challenge because the recommended number of guards for a boarding school of 7 streams is 6. The area which the school is located would require more than the recommended. The cost of managing is fairly prohibitive.

The status of guards and dogs on duty in the night of 2nd June 2018 in Moi Girls School,

S/No	Control area	No. of guards
1	Main gate	1
2	New hall	1
3	Kenya/Elgon/Kilolongo	1
4	Farm gate	1 and a dog
5	Teachers quarters/entrance to new dormitory	1 and a dog
6	Library	1
7	Recreation pool	1
8	Swimming pool	1
Total		8

(iii) One cubicle accommodated six girls. The alleged sexual assault victim had moved from cubicle E5 to E7. While one of the girls found in E7 (Elgon House), was a member of Kilolongo House.

Location of the Boarding Mistress House.

The Committee expressed concern that the Boarding mistress house of Moi Girls Nairobi School at a distance from the dormitories and thus could respond urgently to emergency.

In other instances keys of the dormitories are kept by the watchman contrary to safety regulations which require that keys be kept in the custody of the House Master/Mistress or student.

MIN.NO. /EDUC/2018/336: ANY OTHER BUSINESS

No other business arose.

MIN. NO./EDUC/2018/337: ADJOURNMENT

There being no other business the meeting was adjourned at 12.48 pm. The next meeting will be held on notice.

Signed:  _____

Date 6/Nov/2018

P.P. Hon. Julius Melly, MP
(Chairman)



**MINUTES OF THE 69TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
EDUCATION AND RESEARCH HELD ON THURSDAY, 18TH OCTOBER, 2018, 11TH FLOOR
PROTECTION HOUSE MAIN PARLIAMENT BUILDINGS AT 10:00 AM**

PRESENT

1. Hon. Julius Melly, MP - Chairperson
2. Hon. Amos Kimunya EGH, MP - Vice Chairperson
3. Hon. Moses Injendi, MP
4. Hon. Geoffrey Odanga, MP
5. Hon. Eve Obara MBS, MP
6. Hon. (Dr.) Pamela Ochieng, MP
7. Hon. (Eng.) Thaddeus Nzambia Kithua, MP
8. Hon. Eric Muchangi, MP
9. Hon. Peter Lochakapong, MP
10. Hon. Jerusha Momanyi, MP
11. Hon. Jackson Lekumontare, MP
12. Hon. Joseph Tonui, MP
13. Hon. Wilson Kogo, MP

ABSENT WITH APOLOGY

1. Hon. (Prof.) Zadoc Ogutu, MP
2. Hon. Catherine Wambilianga, MP
3. Hon. Omboko Milemba, MP
4. Hon. Oroo Oyioka, MP
5. Hon. Lilian Tomitom, MP
6. Hon. Wilson Sossion, MP

IN-ATTENDANCE - NATIONAL ASSEMBLY

1. Mr. Daniel Mutunga - Principal Clerk Assistant I
2. Mr. Philip Lekarkar - Clerk Assistant III
3. Ms. Annceta Gacheri - Research Officer
4. Emma Essendi - Legal Counsel
5. Mr. Nimrod Ochieng' - Audio Officer

MIN. NO. /EDUC/2018/359: PRELIMINARIES/ADOPTION OF THE AGENDA

The Chairman called the meeting to order at 10:16 am. A Prayer was said. The Agenda of the Meeting was adopted as true business for the day having been proposed by Hon. (Dr.) Pamela Ochieng, MP and seconded by Hon. Eric Muchangi, MP.

MIN.NO./EDUC/2018/360: CONFIRMATION OF MINUTES

Minutes of the 68th Sitting were confirmed as true record of the deliberations having been proposed by Hon. Moses Injendi, MP and Hon. Jerusha Momanyi, MP.

MIN.NO./EDUC/2018/361: MATTERS ARISING

Under MIN.NO./EDUC/2018/356

The following matters arose during the confirmation of the previous minutes:

- (i) The 68th Sitting was held on Tuesday 16th October 2018 and not on Thursday as erroneously captured.
- (ii) That the minutes of the 67th Sitting were proposed by Hon. Oroo Oyioka, MP and seconded by Hon. Peter Lochakapong, MP (and not by Hon. Oroo Oyioka, MP) as true record of the deliberations.
- (iii) It was the Ministry of Education that lauded the proposals to lower admission grades into TTCs in hardship areas to D+ and not the Committee.
- (iv) That any Member chairing Committee sitting other than the Chair should be indicated as the Session Chair in the minutes.

MIN.NO./EDUC/2018/362: CONSIDERATION AND ADOPTION OF COMMITTEE REPORTS

Report on the Petition Regarding Hiring, Posting and Transfer of Teachers by Julius Kipkoech Bores

The Committee reconsidered the draft Report on Petition regarding hiring, posting and transfer of primary school female teachers by Julius Kipkoech Bores and made the following further amendments to the Report:

The Committee observed that:

(i) On Committee Recommendations

That Parliament should appropriate more funding to TSC to recruit more teachers to bridge the deficit. The word "gap" at the end of the sentence was deleted.

(ii) Report on the Inquiry into the Sexual Assault Incident at Moi Girls School Nairobi

The Committee deliberated on the draft report and made the following amendments. The key findings of the inquiry on page 7 and subsequently in the general recommendations was amended as follows:
"That there was an act of vaginal penetration on the victim as was deduced from the doctors' reports from the Nairobi Women's and Kenyatta National Hospitals. However, the Committee could not establish the cause and nature of the penetration".

Report on the Petition Regarding Hiring, Posting and Transfer of Teachers by Julius Kipkoech Bores was adopted having been proposed Hon. Joseph Tonui, MP and seconded by Hon. Jerusha Momanyi, MP.

Report on the Inquiry into the Sexual Assault Incident at Moi Girls School Nairobi was adopted unanimously having been proposed by Hon. (Eng.) Thaddeus Nzambia Kithua, MP and seconded Hon. Eric Muchangi, MP.

MIN. NO./EDUC/2018/363: ANY OTHER BUSINESS

Universities Inspection Visit

The meeting was informed that inspection visit to two universities in the Coastal region and four universities in Nyanza region will be undertaken as from Thursday 25th to Saturday 27th October 2018.

The Committee further resolved to conduct inspection visits to universities in Rift Valley, Western, Central and Eastern regions once the first round is concluded.

The Secretariat was directed to brief the members on the purpose of the visits and plan for the programs in consultation with the respective universities managements.

No other business arose

MIN. NO. /EDUC/2018/364: ADJOURNMENT

There being no other business, the meeting was adjourned at 12.00 noon. The next meeting will be held on Tuesday 23rd October, 2018 at 10.00 am.

Signed.....
PP Hon. Julius Melly, MP
(Chairman)

Date.....
6/Nov/2018

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