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REPUBLIC OF KENYA

PARLIAMENT OF KENYA

THIRTEENTH PARLIAMENT – FIRST SESSION

REPORT OF THE JOINT COMMITTEE OF THE NATIONAL ASSEMBLY
DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL
AFFAIRS AND THE SENATE STANDING COMMITTEE ON NATIONAL
SECURITY, DEFENCE & FOREIGN RELATIONS

ON

THE APPROVAL HEARING FOR ENG. JAPHET KOOME NCHEBERE THE
NOMINEE FOR APPOINTMENT TO THE POSITION OF INSPECTOR-
GENERAL OF THE NATIONAL POLICE SERVICE

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THE NATIONAL ASSEMBLY	
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CHAIRPERSON'S FOREWORD

Article 245 (1) and 245(2) (a) of the Constitution establishes the Office of the Inspector-General, which is an office in the National Police Service. The Inspector-General is appointed by the President, with the approval of Parliament. The Inspector-General exercises independent command over the National Police Service, and performs any other functions prescribed by national legislation.

After receiving the message from H.E. the President on the nomination of Eng. Japhet Koome Nchebere for the position of the Inspector-General of the National Police Service, the Speaker of the National Assembly and the Speaker of the Senate on Tuesday, 25th October, 2022 and Tuesday, 18th October 2022 respectively issued a communication and directed that the approval hearing for the nominee for appointment to the position of Inspector-General of National Police Service, be conducted jointly by both Houses of Parliament as required by the Constitution and National Police Service Act, 2011.

The name of the nominee and his curriculum vitae were referred by the Speaker of the National Assembly to the Departmental Committee on Administration and Internal Affairs, and by the Speaker of the Senate to the Standing Committee on National Security, Defence and Foreign Relations. The Committees held a preliminary sitting on Monday, 7th November, 2022 to prepare for the approval hearing and to consider memoranda received from the public.

The aforementioned Committees, complied with the constitutional and legal requirements and established procedures for the approval hearing. The Committees ensured public participation and openness in carrying out the approval process. Notifications inviting the public to submit memoranda were placed in the mainstream print media on Tuesday 25th October, 2022 as required under the law.

The Committees conducted the approval hearing on Tuesday, 8th November, 2022. In conducting the approval hearing, the Committees were guided by the provisions of the Constitution, the National Police Service Act, 2011, the Public Appointments (Parliamentary Approval) Act, 2011 and the Standing Orders of the respective Houses.

The Committees made observations, contained in this Report, on the basis of constitutional and legal requirements as well as submissions of the nominee during the approval hearing. Article 245() (a) of the Constitution read together with sections 12(1) and 12(2) of the National Police Service Act, 2011 (as amended by the National Police Service (Amendment) Act, 2014 and the Security Laws (Amendment) Act, 2014), mandates the President to nominate a candidate for appointment to the position of the Inspector-General of the National Police Service.

The Committees' recommendation is based on the evidence and information from the proceedings during the approval hearing. The Committees recommend that, having considered the suitability, capacity and integrity of the nominee, and pursuant to Article 245(2) (a) of the Constitution and Section 8 (2) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, **Parliament approves the nomination of Eng. Japhet Koome Nchebere for appointment to the position of the Inspector-General of the National Police Service.**

The Committees wish to thank the Office of the Speaker of the National Assembly, the Office of the Speaker of the Senate, the Clerks of both Houses, and their staff for the logistical support accorded to them during the approval hearing. The Committees are also grateful to the members of the public who sent memoranda and media for their live coverage of the proceedings, thus enhancing accountability and transparency of the approval hearing exercise.

On behalf of the Committees, and pursuant to Article 245(2)(a) of the Constitution, Section 8 of the Public Appointments (Parliamentary Approval) Act, 2011, it is my pleasant duty to table the Report of the National Assembly Departmental Committee on Administration and Internal Affairs, and the Senate Standing Committee on National Security, Defence and Foreign Relations, on the joint approval hearing for the Eng. Japhet Koome Nchebere the nominee for appointment to the position of the Inspector-General of the National Police Service for debate and adoption by Parliament.

1.0 PREFACE

1.1 Communication of the message from H.E. the President

1. Pursuant to Standing Order 42 (1) of the National Assembly Standing Orders and Standing Order 42 (1) of the Senate Standing Orders, on 25th October 2022 and 18th October, 2022, the Speaker of the National Assembly and the Speaker of the Senate respectively conveyed a message to the respective Houses from His Excellency, Hon. Dr. William Samoei Ruto, CGH, President and Commander in-Chief of the Kenya Defence Forces. The message stated that in exercise of the powers conferred by Article 245 (2) (a) of the Constitution, the President had nominated Eng. Japhet Koome Nchebere for appointment as the Inspector-General of the National Police Service.

1.2 Referral of nomination to Committees

2. In accordance with the provision of Standing Order 42(3) (c) of the National Assembly Standing Orders and Standing Order 47 of the Senate Standing Orders, the respective Speakers referred the Message to the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Relations for consideration.

1.3 Committees membership

3. The following are the Members of the National Assembly Departmental Committee on Administration and Internal Affairs:
 1. Hon. Gabriel Koshal Tongoyo, MP - **Chairperson**
 2. Hon. Col (Rtd) Dido Ali Raso, MBS, MP - **Vice Chairperson**
 3. Hon. George Peter Kaluma, MP
 4. Hon. Joshua Aduma Owuor, MP
 5. Hon. Sarah Paulata Korere, MP
 6. Hon. Fred Kapondi, MP
 7. Hon. Liza Chelule, MP
 8. Hon. Oku Edward Kaunya, MP
 9. Hon. Protus Akuja, MP
 10. Hon. Kahangara Joseph Mburu, MP
 11. Hon. Rozaah Buyu Akinyi, MP
 12. Hon. Caroline Jeptoo Nge'lechei, MP
 13. Hon. Fatuma Abdi Jchow, MP
 14. Hon. Francis Kipyegon Sigei EBS, MP
 15. Hon. Hussein Weytan Mohammed, MP

4. The following are the Members of the Senate Standing Committee on National Security, Defence and Foreign Relations:

- | | |
|--|----------------------|
| 1. Sen. William Cheptumo Kipkiror, CBS, MP | - Chairperson |
| 2. Sen. Karen Njeri Nyamu, MP | - Vice-Chairperson |
| 3. Sen. Sen. Fatuma Adan Dullo, CBS, MP | |
| 4. Sen. Abdul Mohammed Haji, MP | |
| 5. Sen. Julius Murgor Recha, MP | |
| 6. Sen. Joseph Githuku Kamau, MP | |
| 7. Sen. (Prof.) Tom Odhiambo Ojienda, SC, MP | |
| 8. Sen. Lenku Ole Kanar Seki, MP | |
| 9. Sen. Sen. George Mungai Mbugua, MP | |

1.4 The Secretariat

- | | |
|--|--|
| 1. Mr. Njenga Njuguna
Committees (Senate) | -Director, Governance & Accountability |
| 2. Mr. Peter K Chemweno | - Director, Departmental Committees (NA) |
| 3. Mr. Ahmed Odhowa | - Principal Clerk Assistant |
| 4. Mr. Adan Gindicha | - Senior Clerk Assistant |
| 5. Mr. Philip Lekarkar | - Clerk Assistant II |
| 6. Ms. Carol Kirorei | - Clerk Assistant II |
| 7. Mr. Gideon Kipkogei | - Clerk Assistant III |
| 8. Mr. Benard Nthiga Njeru | - Clerk Assistant III |
| 9. Mr. Khatib Omar | - Clerk Assistant III |
| 10. Ms. Lorna Okatch | - Research Officer II |
| 11. Ms. Delvin Onyancha | - Research Officer II |
| 12. Ms. Janice Lekuton | - Research Officer III |
| 13. Mr. Mburu Maina | - Research Officer III |
| 14. Ms. Noelle Chelagat | - Media Relation Officer III |
| 15. Mr. Rodgers Kilungya | - Audio Officer I |
| 16. Ms. Millicent Ratemo | - Audio Officer II |

CHAPTER ONE

2.0 BACKGROUND

5. Article 243 (1) of the Constitution establishes the National Police Service. The objects and functions of the National Police Service are set out in Article 244 of the Constitution.
6. Article 245(1) of the Constitution establishes the Office of Inspector-General of the National Police Service. The appointment of the Inspector-General of Police is contained in Article 245(2) (a) of the Constitution. The said Article provides for the appointment of the Inspector-General with the approval of Parliament.
7. The Office of the Inspector-General of the National Police Service fell vacant on Tuesday 27th September, 2022 after the immediate former office holder resigned from office in accordance with section 20(1) (b) of the National Police Service Act, 2011.
8. Pursuant to Standing Order 42(1) of the National Assembly and standing order 47 of the Senate Standing Orders, the Speaker of the National Assembly and the Speaker of the Senate on Tuesday, 25th October, 2022 and Tuesday, 18th October, 2022 respectively, conveyed a message to respective Houses from His Excellency the President on the nomination of Eng. Japhet Koome Nehebere for appointment to the position of the Inspector-General of the National Police Service.
9. The procedure of engagement for the Committees is set out in the Standing Orders of both Houses and the provisions of the Public Appointments (Parliamentary Approval) Act, 2011. It was resolved that the approval hearing shall proceed as follows-
 - (i) That, the approval hearing process would be conducted by the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Relations;
 - (ii) That, the quorum of the joint sittings would be the respective quorum of each of the Committees as stipulated by their respective Standing Orders;
 - (iii) That, pursuant to the Fourth Schedule of the respective Standing Orders Rule 9(6) and (7) of the Houses of Parliament (Joint Sittings) Rules, unless a decision is reached by consensus, any vote to be taken in the joint sitting of the Committees shall be by separate Houses. This would ensure that the numerical

difference of the individual members representing the Houses in the joint sittings had no effect on the decisions of the joint sittings of the Committees; and;

- (iv) That, the Committees having conducted the approval hearings, would submit a Joint Report to the respective Houses in the manner contemplated in Rule 9(8) of the Houses of Parliament (Joint Sittings) Rules.

CHAPTER TWO

3.0 LEGAL FRAMEWORK FOR APPOINTMENT TO THE OFFICE OF THE INSPECTOR-GENERAL OF THE NATIONAL POLICE SERVICE

3.1 Establishment of the National Police Service

10. Article 243(1) and (2) of the Constitution establishes the National Police Service consisting of the Kenya Police Service and the Administration Police Service. Article 243(3) provides that the National Police Service is a national service and shall function throughout Kenya.

11. Article 244 of the Constitution provides for objects and functions of the National Police Service and states that-

The National Police Service shall---

- (a) Strive for the highest standards of professionalism and discipline among its members;*
- (b) Prevent corruption and promote and practice transparency and accountability;*
- (c) Comply with constitutional standards of human rights and fundamental freedoms*
- (d) Train staff to the highest possible standards of competence and integrity and to respect human rights and fundamental freedoms and dignity; and*
- (e) foster and promote relationships with the broader society.*

12. Article 245(1) of the Constitution establishes the office of the Inspector-General of the National Police Service, while Article 245(2) provides that the Inspector-General, shall be appointed by the President with the approval of Parliament and shall exercise independent command of the National Police Service.

13. The National Police Service Act, 2011 as amended by the National Police Service (Amendment), Act No. 11 of 2014 and the Security Laws (Amendment), Act No. 19 of 2014 sets out the functions, powers and qualifications for appointment to the Office of Inspector-General of the National Police Service. On the other hand, the Public Appointments (Parliamentary Approval) Act, 2011 provides for the procedures for parliamentary approval of constitutional and statutory appointments.

3.2 Functions and powers of the Inspector General of Police

14. Sections 10(1) and 10(4) of the National Police Service Act, 2011 sets out the functions and powers of the Inspector- General as follows -

The functions of the Inspector-General shall be to-

- (a) implement policy decisions;*
- (b) audit of police operations and functioning;*
- (c) co-ordinate all police operations;*
- (d) advise the Government on policing matters and services;*
- (e) prepare budgetary estimates and develop a policing plan before the end of each financial year, setting out the priorities and objectives of the service and the justification thereof;*
- (f) determine the establishment and maintenance of police stations, posts, outposts, units or unit bases in the county and determine the boundaries of the police stations, outposts or unit bases;*
- (g) determine the distribution and deployment of officers in the Service and recommend to the Commission and the County Policing Authorities;*
- (h) organize the Service at national level into various formations, units or components;*
- (i) recommend the establishment of, manage and maintain training institutions, centers or places for the training of officers joining the service and other officers;*
- (j) commission research and benchmark against best practices;*
- (k) issue guidelines on community policing and ensure co-operation between the Service and the communities it serves in combating crime;*
- (l) provide the command structure and system of the Service for the efficient administration of the Service nationally;*
- (m) subject to the Constitution and this Act. or any written law, cooperate with and implement the decisions of the Independent Policing Oversight Authority;*
- (n) designate any police station, post, outpost, unit or unit base as a place of custody;*
- (o) promote co-operation with international police agencies;*
- (p) establish and devolve the services of the Internal Affairs Units that are able and equipped to conduct investigations into police misconduct in a fair and effective manner and report directly to the Inspector-General;*
- (q) monitor the implementation of policy, operations and directions of the Service;*
- (r) issue and document Service Standing Orders;*
- (s) cooperate with other public or private bodies to provide reliable police statistics on crime rates, detection rate, public confidence in the police, number of complaints against the police, as well as personnel statistics;*
- (t) act on the recommendations of the Independent Policing Oversight Authority, including compensation to victims of police misconduct; and*

(u) *perform any other lawful act on behalf of the Service.*

15. Section 10(4) of the National Police Service Act, 2011 on the other hand provides for the Powers of the Inspector-General for the performance of such functions; and requires the office holder to uphold the national values, principles and objects set out in Articles 10, 232 and 244 of the Constitution.

3.3 Qualifications for Appointment to the Office of the Inspector-General of the National Police Service

16. Sections 11(1) and 11(3) of the National Police Service Act, 2011 sets out the qualifications of a person for appointment to the office of the Inspector-General of the National Police Service as follows-

A person shall be qualified for appointment as Inspector-General if such person-

- (a) is a citizen of Kenya;*
- (b) holds a degree from a university recognized in Kenya;*
- (c) has had a distinguished career in their respective fields;*
- (d) meets the requirements of Chapter Six of the Constitution;*
- (e) has served in a senior management position for at least fifteen years and has knowledge and experience in matters relating to any of the following discipline-*
 - (i) criminal justice;*
 - (ii) policy development and implementation;*
 - (iii) finance and public administration;*
 - (iv) strategic management;*
 - (v) security;*
 - (vi) law;*
 - (vii) sociology; or*
 - (viii) Government.*

17. Section 11(3) on the other hand sets out circumstances which may disqualify a person for appointment to the office of the Inspector-General. It states that-

“No person shall be qualified for appointment as Inspector-General or Deputy Inspector-General if the person-

- (a) is a member of Parliament or a county assembly, a Governor or Deputy Governor;*
- (b) has served as a member of Parliament, county assembly, trade union or an office in a political party in Kenya in the preceding five years;*
- (c) has previously been convicted of any criminal offence;*
- (d) has violated the Constitution; or*

(e) is an undischarged bankrupt.”

3.4 Procedure for Appointment of the Inspector General of the National Police Service

18. Pursuant to Article 245(2)(a) of the Constitution and section 12(1) of the National Police Service Act, 2011 the Inspector-General is appointed by the President with the approval of Parliament.
19. Section 12 of the National Police Service Act, 2011 as amended by section 11 of the National Police Service (Amendment), Act No. 11 of 2014 and section 86 of the Security Laws (Amendment) Act, 2014 provides for the procedure for the appointment of the Inspector-General of the National Police Service.
20. Section 12(2) provides that the President shall, within fourteen days after a vacancy occurs in the office of the Inspector-General, nominate a person for appointment as an Inspector-General and submit the name of the nominee to Parliament.

3.5 Procedure for Parliamentary Approval

21. After the President has submitted the name of a nominee together with his/her curriculum vitae, Parliament is guided by the Public Appointments (Parliamentary Approval) Act, 2011 and the Standing Orders of both Houses in conducting approval hearings. Sections 5, 7 and 8 of the Act provides that-
 - (i) Section 5
 - (1) *An appointing authority shall, upon nominating a person for an appointment to which this Act applies, notify the relevant House of Parliament accordingly.*
 - (2) *A notification under subsection (1) shall be—*
 - (a) *in writing;*
 - (b) *be lodged with the Clerk of the relevant House of Parliament.*
 - (3) *A notification of appointment shall be accompanied by information concerning the nominee, having regard to the issues mentioned in section 7.*
 - (4) *For purposes of this Act, a notification of nomination shall be deemed to be duly given on the day on which it complies fully with subsections (2) and (3).*
 - (ii) Section 7
The issues for consideration by the relevant House of Parliament in relation to any nomination shall be-
 - (a) *the procedure used to arrive at the nominee;*
 - (b) *any constitutional or statutory requirements relating to the office in question;**and*

(c) the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is being made.

(iii) Section 8

(1) Unless otherwise provided in any law, a Committee shall consider a nomination and table its report in the relevant House for debate and decision made within fourteen days from the date on which the notification of nomination was given in accordance with section 5.

(2) At the conclusion of an approval hearing, the Committee shall prepare its report on the suitability of the candidate to be appointed to the office to which the candidate has been nominated and shall include in the report, such recommendations as the Committee may consider necessary.

22. Vacancy arose in the Office of the Inspector-General of the National Police Service on Tuesday 27th September, 2022 after the immediate former office holder resigned from office in accordance with section 20(1)(b) of the National Police Service Act, 2011.
23. Pursuant to Standing Order 42(1) of the National Assembly and standing order 47 of the Senate Standing Orders, the Speaker of the National Assembly and the Speaker of the Senate on Tuesday, 25th October, 2022 and Tuesday, 18th October, 2022 respectively, conveyed a message to respective Houses from His Excellency the President on the nomination of Eng. Japhet Koome Nchebere for appointment to the position of the Inspector-General of the National Police Service.
24. The procedure of engagement for the Committees is set out in the Standing Orders of both Houses and the provisions of the Public Appointments (Parliamentary Approval) Act, 2011. It was resolved that the approval hearing shall proceed as follows-
- (v) That, the approval hearing process would be conducted by the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Relations;
 - (vi) That, the quorum of the joint sittings would be the respective quorum of each of the Committees as stipulated by their respective Standing Orders;
 - (vii) That, pursuant to the Fourth Schedule of the respective Standing Orders Rule 9(6) and (7) of the Houses of Parliament (Joint Sittings) Rules, unless a decision

is reached by consensus, any vote to be taken in the joint sitting of the Committees shall be by separate Houses. This would ensure that the numerical difference of the individual members representing the Houses in the joint sittings had no effect on the decisions of the joint sittings of the Committees; and

- (viii) That, the Committees having conducted the approval hearings, would submit a Joint Report to the respective Houses in the manner contemplated in Rule 9(8) of the Houses of Parliament (Joint Sittings) Rules.

3.6 Approval Hearing by the Joint Committee

25. The following procedure shall apply in vetting of the Inspector-General nominee—

- (a) the vetting of the nominee for appointment as Inspector-General of Police shall be conducted jointly by the relevant committees of the two Houses mandated to deal with matters of national security;
- (b) The vetting process will therefore, be conducted by the Standing Committee on National Security, Defence and Foreign Relations of the Senate and the Departmental Committee on Administration and Internal Affairs of the National Assembly;
- (c) the Chairpersons of the two committees will Co-Chair the joint sittings and the Secretariat shall be comprised from the two Houses;
- (d) the quorum of the joint sittings will be the respective quorums of each of the committees as stipulated by the respective Standing Orders;
- (e) as contemplated under Rule 9 (6) of the Joint Rules, unless a decision is reached by consensus, any vote to be taken in the joint sitting shall be by separate Houses; and
- (f) the Committee shall, having conducted the vetting hearings, submit a Joint Report to the respective Houses.

CHAPTER THREE

ISSUES FOR CONSIDERATION DURING THE APPROVAL HEARING

4.0 Provisions of the Public appointments (Parliamentary Approval Act)

26. The Committee noted that the issues for consideration are as provided for under Section 7 of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011 which provides as follows-

- (i) the procedure used to arrive at the nominee
- (ii) any Constitutional or statutory requirements relating to the office in question;
- (iii) the suitability of the nominee for appointment proposed with due regard as to whether the nominee's abilities, experience and qualities meets the needs of the body to which the nomination is made.

Section 10 of the Act further provides-

Where the nomination of a candidate is rejected by Parliament, the appointing authority may submit to the relevant House the name of another candidate, and the procedure for approval specified in this Act shall apply accordingly.

4.1 Public access and participation

27. Article 118(1) of the Constitution provides that Parliament shall conduct its business in an open manner, and its sittings and those of its committees shall be open to the public and facilitate public participation and involvement in the legislative and other business of Parliament and its committees.
28. Under Article 118(2) Parliament may not exclude the public, or any media, from any sitting unless in exceptional circumstances the relevant Speaker has determined that there are justifiable reasons for the exclusion.
29. In conducting the approval hearing, the two Committees were guided by the Constitution, the National Police Service Act, 2011 and Public Appointments (Parliamentary Approval), 2011.
30. The following provisions of the Constitution provided further guidance to the Committees during the conduct of the approval hearing-
 - i. Article 10(2) of the Constitution provides for the national values and principles of governance which include patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized; good governance, integrity, transparency and accountability; and sustainable development.
 - ii. Article 73(2) of the Constitution which provide that the guiding principles of leadership and integrity include-

- a. *selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;*
 - b. *Objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favoritism, other improper motives or corrupt practices;*
 - c. *Selfless service based solely on the public interest, demonstrated by Honesty in the execution of public duties and the declaration of any personal interest that may conflict public duties*
 - d. *Accountability to the public for decisions and actions; and*
 - e. *Discipline and commitment in service to the people.*
31. Article 232 of the Constitution provides for the values and principles of public service which include high standards of professional ethics; efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable provision of services; involvement of the people in the process of policymaking; accountability for administrative acts; transparency and provision to the public of timely, accurate information; fair competition and merit as the basis of appointments and promotions; representation of Kenya's diverse communities; and affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service of men and women; the members of all ethnic groups; and persons with disabilities.
32. Additionally, the Public Service (Values and Principles) Act, 2015 under Section 5 provides that a public officer shall maintain high standards of professional ethics, including, being honest; displaying high standards of integrity, transparency, accountability

4.2 Procedure for Appointment of the Inspector-General

33. Pursuant to Article 245(2)(a) of the Constitution and section 12(1) of the National Police Service Act, 2011 the Inspector-General is appointed by the President with the approval of Parliament.
34. Section 12 of the National Police Service Act, 2011 as amended by section 11 of the National Police Service (Amendment), Act No. 11 of 2014 and section 86 of the Security Laws (Amendment) Act, 2014 provides for the procedure for the appointment of the Inspector-General of the National Police Service.
35. Section 12 of the Act provides for the procedure for appointment of the Inspector-General as follows—
- (1) Pursuant to Article 245(2) (a) of the Constitution, the Inspector-General of the Service shall be appointed by the President with the approval of Parliament.

(2) The President shall, within fourteen days after a vacancy occurs in the office of the Inspector-General, nominate a person for appointment as an Inspector-General and submit the name of the nominee to Parliament.

(3) *Parliament shall, within fourteen days after it first meets after receiving the names of the nominee—*

(a) consider the suitability of the nominee;

(b) either approve or reject the nominee for appointment; and

(c) the Speaker of the National Assembly shall notify the President of the decision of the Parliament.

(4) If Parliament approves the nominee, the President shall, within seven days after receiving the notification to that effect, appoint the nominee as the Inspector-General.

If, after the expiry of a period of thirty days from the date of the nomination of a person for appointment as the Inspector-General, Parliament has neither approved nor rejected the nomination of the person, the nominee shall be deemed to have been approved by the Parliament

4.3 Constitutional, Statutory and Professional requirements of the Nominee

36. The Committee considered Constitutional, statutory and professional requirements of the nominees as follows-

- a. The committee considered if the nominees meets the requirements of section 11(1) and 11(3) of the National Police Service Act, 2011 which sets out the qualifications of a person for appointment to the office of the Inspector-General of the National Police Service.
- b. Whether the nominee appreciates the provisions of Article 10 the Constitution on National values and principles of good governance.
- c. Whether the nominee was conversant with Article 232 of the Constitution on values and principles of public service.
- d. The committee considered if the nominee has high moral character and integrity and have satisfied the requirements of Chapter Six of the Constitution.
- e. The committee examined the nominees on their family backgrounds to determine the nature of their citizenship.
- f. The committee considered education background of the nominees to determine whether the person nominated for the position of Inspector-General of Police has served in a senior management position for at least fifteen years and has knowledge and experience in matters relating to any of the following discipline-

- (i) criminal justice;
 - (ii) policy development and implementation;
 - (iii) finance and public administration;
 - (iv) strategic management;
 - (v) security;
 - (vi) law;
 - (vii) sociology; or
 - (viii) Government
- g. The committee considered his personal and work experiences reflect the principles under chapter 6 of the Constitution.
- h. The vision of the nominees to the Office of the Inspector- General of National Police Service

4.4 Potential Conflict of interest

37. Members focused on Article 75 of the Constitution on conduct of state officers and raised the following issues during the approval hearings;
- a. Whether there is any family member or other persons, parties, categories of litigation or financial arrangements that is likely to present potential conflicts of interest if they are approved by the House.
 - b. Whether the nominee has any other gainful employment that is likely to bring about conflict of interest with their assignment if approved by the House.

4.5 Financial Disclosure

38. Members inquired into the nominee's financial net worth and his current and anticipated sources of income.

4.6 Political Activities and Affiliations

39. Members inquired whether the Nominee was member of a political party and whether he has at any time held any position in a political party. The inquiry also covered whether he has ever been dismissed from office for any conflict between personal interest and public or official duties and whether he has been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties.

4.7 Background information from State Agencies

40. During the approval hearings the committee considered the nominee's clearances from state agencies as follows-
- a. Compliance with tax obligations to the State (KRA)
 - b. Clearance with Higher Education Loans Board (HELB)
 - c. Clearance with the Ethics and Anti-Corruption Commission (EACC)
 - d. Certificate of good conduct (DCI)
 - e. Certificate from Registrar of Political Parties
 - f. Whether he was charged in a court of law or convicted?

- g. Certificate from a Credit Reference Bureau (CRB)
- h. Whether the nominee has been adversely mentioned in investigations related to his positions he held in public service.

CHAPTER FOUR
THE APPROVAL HEARING PROCESS

5.0 Message from His Excellency the President

41. Pursuant to Standing Order 42(1) of the National Assembly and the Senate Standing Orders, the Speaker of the National Assembly and the Speaker of the Senate, on Tuesday, 25th October, 2022 and on Tuesday, 18th October, 2022 respectively, conveyed to the respective Houses, a Message from His Excellency, the President on the nomination of Eng. Japhet Koome Nchebere for appointment to the office of the Inspector-General of the National Police Service.
42. The name of the nominee and his curriculum vitae were committed to the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Relations to conduct a joint approval hearing and table reports to the respective Houses of Parliament within the stipulated period.

5.1 Clearance Requirements

43. Following the receipt of the communication from the Speaker of both the National Assembly and the Speaker of the Senate to the afore-mentioned Committees, the Clerk of the National Assembly and the Clerk of the Senate jointly wrote letters dated 25th October, 2022 to various government agencies seeking information on the nominee as listed below:

	Institution	Purpose
1.	Ethics & Anti-Corruption Commission – E.A.C.C	Integrity of the Nominee
2.	Kenya Revenue Authority –K.R.A.	Tax compliance by the Nominee
3.	Higher Education Loans Board – H.E.L.B	Loans owed by the Nominee
4.	Directorate of Criminal Investigations	Certificate of Good Conduct
5.	Office of the Registrar of Political Parties	Membership of any Political Party

5.2 Notification to the Nominee

44. On Tuesday, 25th October, 2022, the Clerk of the National Assembly and the Clerk of the Senate, pursuant to Section 6(3) of the Public Appointments (Parliamentary Approval), 2011, notified the nominee of the time and venue for the approval hearing.
45. The nominee was required to present his original identity card, academic and professional certificates and other relevant testimonials. In addition, the nominee was requested to bring letters/certificates of clearance/compliance from the Ethics and Anti-Corruption Commission, Kenya Revenue Authority, Higher Education

Loans Board, Directorate of Criminal Investigations and any Credit Reference Bureau.

46. Further, the nominee was required to fill and present to the Committees a questionnaire extracted from the Public Appointments (Parliamentary Approval) Act, 2011.

5.3 Notification to the Public

47. Section 6(9) of the Public Appointments (Parliamentary Approval), 2011, provides that *“any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidates have been nominated”*.
48. On Tuesday, 25th October, 2022, the Office of the Clerk of the National Assembly and the Clerk of the Senate jointly published an advertisement in the print media inviting members of the public to present written statements referred to in Section 6(9) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011. The written statements were to be submitted on or before on Wednesday, 2nd November, 2022 at 5:00 pm.
49. Pursuant to Article 118 (1)(a)(b) and (2) of the Constitution, and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011 and provisions of the relevant Standing Orders of the Houses, another advertisement was issued on Tuesday, 25th October, 2022 to notify the public that the Departmental Committee on Administration and Internal Affairs of the National Assembly and Standing Committee on National Security, Defence and Foreign Relations of the Senate would conduct a joint approval hearing on Tuesday, 8th November, 2022.

5.4 Committee Meetings

50. The Committees held a preparatory meeting on Monday, 7th November, 2022 to familiarize with the curriculum vitae of the nominee and prepare for the approval hearing pursuant to the provisions of the Public Appointments (Parliamentary Approval), 2011. The Committees conducted the approval hearing on Tuesday, 8th November, 2022.

5.5 Clearance Letters

51. The Committees received letters from-
 - a. Kenya Revenue Authority, indicating that the nominee was tax compliant;
 - b. Higher Education Loans Board, stating that the nominee had no outstanding loans owed to the Board;
 - c. The Ethics and Anti-Corruption Commission confirming that they had not undertaken any investigations against the nominee;

- d. Directorate of Criminal Investigations outlining the nominee was not a subject of any investigation undertaken by the Directorate;
 - e. The Office of the Registrar of Political Parties stating that the nominee was not an official of any registered political party;
52. The nominee also presented before the Committees his certificate of good conduct issued by the Directorate of Criminal Investigations, loan clearance certificate from the Higher Education Loans Board, clearance certificate from the Ethics and Anti-Corruption Commission, clearance certificate from the Kenya Revenue Authority and a letter from the Office of the Registrar of Political Parties confirming he was not an official of any political party registered in Kenya.

5.6 The Approval Hearing

53. Eng. Japhet Koome Nchebere, the nominee for appointment to the position of Inspector-General of the National Police Service appeared before a joint sitting of the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Relations on Tuesday, 8th November, 2022 at 10am for the approval hearing.
54. In conducting the approval hearing, the Committees were guided by the Constitution, the National Police Service Act, 2011, the Public Appointments (Parliamentary Approval), 2011 and the Standing Orders of the respective Houses.
55. The Committees considered the nominee's academic qualifications, employment record and work experience, professional association, public office, political activities and affiliations, potential conflict of interest, suitability to the position, tax compliance, integrity and other thematic areas relevant to the duties and responsibilities of the Inspector- General of the National Police Service.

5.7 The Nominee's background

56. The Nominee, Japhet Koome Nchebere, informed the Committees that he is a Kenyan citizen and does not hold dual citizenship. He was born on 2nd February 1967 in North Imenti Constituency, Meru County.

5.8 Academic and Professional qualifications

57. He informed the Committees that he holds a Degree in Civil Engineering, from the University of Nairobi. The nominee informed the Committee that he graduated in the year 1990. He further noted that he is registered by the Engineers Board of Kenya Registration Board No. B4771.
58. In addition, he has attended the following professional course-
- i. Countering Violence Extremism in February 2016
 - ii. Regional Senior Mission Leaders Course in October 2016
 - iii. Governance and Public Management in January 2013

- iv. Strategic Leadership Development Programme in August 2012
- v. National Defense College Course in 2002
- vi. Senior Command Course in 2005
- vii. Transformational Organizational Culture for Maximum Growth in May 2004
- viii. Public Service Integrity Programme Certificate in March 2004
- ix. Instructors Techniques Course in October 2002
- x. Instructional Techniques Course in October 2003
- xi. Good Cooperate Governance Seminar in April 2003
- xii. Senior Police Officers Management Course in October 2001
- xiii. Institute of Advanced Technology/Computer Programme in September 2001
- xiv. Principle Based Leadership Course August 2021
- xv. Major Crime Management Course March 1999
- xvi. Crisis Response Team Training Lousiana Police Academy October 1999
- xvii. Police Higher Training Course 1998
- xviii. Police Middle Management Course 1997
- xix. Leadership Development Course in March 1992
- xx. Police Inspectorate Course in 1992
- xxi. Police Basic Training Course in 1991
- xxii. Group Commander in Anti-Stock Theft Unit in 1993
- xxiii. Police Constable Nairobi City in 1991

59. The Nominee sat for his Certificate of Primary Education Exams in 1980 and attained 30 points. He then proceeded to Meru Technical High School where he sat for his Kenya Certificate of Education and attained Division One. He then proceeded to Kagumo High School for his Advanced levels and scored 14 points. He then joined University of Nairobi and graduated with a Bachelor's degree in Civil Engineering in 1990.

5.9 Employment Record and Work Experience

60. He is currently serving as the Commandant of the National Police College, Main Campus Kiganjo. He previously worked as the Principal Deputy to the DIG, Nairobi City Police Commandant, Director Planning Kenya Police Service, Deputy Director Planning, Instructor, Kenya Police College Kiganjo, OCPD in Machakos Murang'a and Nairobi, Deputy OCPD Buruburu, Officer in Charge Anti Stock Theft Unit and Police Constable in Nairobi County.

5.10 Honors and Awards

The Nominee informed the Committee that he was in possession of the following awards-

- i. Elder of Burning Spear (EBS) 2018
- ii. Moran of Burning Spear (MBS) 2010
- iii. National Defence College- (ndc)K 2007
- iv. Head of State Commendation (HSC) 2002
- v. Honorary Mayor- President of Baton Rouge Capital City of Lousiana State 1999

5.11 Relevant experience for the position of Inspector-General of the National Police Service

61. The nominee informed the Committees that he is an accomplished professional in the areas of criminal investigation and security with thirty-one (31) years of investigative and law enforcement experience, and commanded operations that have equipped him for the position.

5.12 Integrity and Leadership

62. The nominee informed the Committee that he has never been mentioned adversely in any report of a Parliamentary Committee or an Independent Commission. He also confirmed that he had no previous conviction or an ongoing case in court and that he is a person of high integrity. The nominee further submitted clearance from the Ethics and Anti-Corruption Commission, the Directorate of Criminal Investigation, the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB) and the Office of the Registrar of Political Parties.

5.13 Financial Net worth

63. The nominee stated that his net worth is eighty-nine million, nine hundred and thirty-two thousand, eight hundred and sixty-five Kenya shillings (89, 932,865). He further stated that his total net worth comprises of his bank accounts deposits, Police SACCO deposits, several motor vehicles and farming equipment and land parcels. His other sources of income includes farming with an approximate income of nine million Kenya shillings per year.

5.14 Conflict of Interest

64. The nominee informed the Committees that his spouse works as a detective and is the head of the Fraud unit in Sacco Societies Regulatory Authority and being a professional she knows the limits, further noting that this could not be a cause of conflict of interest in execution of his duties.

5.15 Public Office, Political Activities and Affiliations

65. The Nominee informed the Committee he has never been a member of a Political Party or held any position of a Political party. He further stated that he has never been dismissed from office due to personal interest or been associated with practices that depict bias and nepotism.

5.16 Vision of Nominee

66. The nominee noted that his vision is to transform the service for a safe and secure nation.

5.17 Key Issues Arising from the Vetting Process

67. The nominee in responding to questions from the members informed the Committees of the following key issues which he would deal with, if appointed to the position of Inspector-General of the National Police Service.

5.18 On Human Rights Violation

68. The nominee informed the Committee that he will be guided by the Constitution and the provisions of the law. He indicated that all people should be treated with dignity and follow the provisions of the law and professionalism.

5.19 On Corruption in the Service

69. The nominee stated that corruption has been in the public domain, and that there is a need to stamp authority. He acknowledged police bribery on the roads as unlawful and unacceptable. He indicated he would deal with it by engaging stakeholders and come up with a monetary reward system to members of the public who report corrupt officers.
70. He further stated that he would operationalize County policing authority to ensure that road blocks are erected on purpose and not for extortion.
71. The nominee informed the Committee that he will ensure all the police in the service will have their name tags to aid in curbing corruption.

5.20 On the Welfare of Police Officers

72. On the police welfare, the nominee stated that:-
He will initiate the process of establishing a Directorate solely dedicated to the welfare of police officers headed by a Senior police officer to address issues such as mental well-being of officers, promotions and transfers.
On the mental health of officers he informed the Committee that mental health is a world wide problem affecting officers in disciplined forces because of the nature of their duties. He expressed willingness to address the matter comprehensively.
Mental Health Issues -The nominee informed the committee that this is a worldwide issue, and that he will come up with a Directorate for Officers wellbeing that will ensure that staff welfare is catered for.
On why the court order on graduate officers pay has not been obeyed, the nominee committed that he will follow up the current matters raised, consult and resolve them accordingly.
On injured officers the nominee noted that he will come up with an enhanced insurance policy proposal to parliament for approval that will cover and compensate the injured as well as the dependents of the fallen police officers.
On the new police uniform issues the nominee noted that the current police uniforms were unsuitable and further his commitment to find an amicable solution.
Police Housing-The nominee noted that in the short term he will enhance house allowance based on where the police posts are situated, and for the long term, he will ensure houses are constructed, by ensuring that funds allocated for construction of houses for officers is reverted to the service from the Ministry of Housing.
Police Reservists- The nominee indicated that one's approved he will come up with a policy to train and motivate the police reservists, he further stated that he will ensure the police reservists are vetted and well remunerated.

5.21 On relationships between police officers and other agencies

73. The nominee noted that he will ensure that there will be good will and good working relations with the relevant agencies particularly Independent Policing Oversight Authority.

5.22 On Extra Judicial Killings

74. The nominee called for the operationalization of the office of the Coroner General to thoroughly investigate all unnatural and suspicious deaths. He further stated that e will be no room for extra-judicial killings under his stewardship.

5.23 On warrant of Arrest to Cabinet Secretaries

75. The nominee informed the Committees that he will guided by the rule of law.

5.24 On Livestock rustling

76. The nominee informed the Committee that he acknowledges the livestock rustling as a serious security issue. He referred to research conducted by IGAD on the cost of cattle rustling in Kenya, which stated that Kshs. 51 billion is lost annually due to this vice. He noted that there is need for a Marshall plan for the areas prone for livestock rustling. In order to curb cattle rustling he proposes to empower the youths through vocational trainings. He will use intelligence led policing, by operationalizing County Policing Authority.

5.25 On insufficient Budget

77. The nominee informed the Committee that he would work closely with Parliament for additional allocation of resources to the National Police Service.

5.26 On Rogue Recruitment Agencies to Arab Countries

78. The nominee acknowledged that this was a grey area, and that there is need for evidence based decision making and multi-agency approach.

5.27 On Contraband goods and Tax evasion

79. The nominee informed the Committee that he will use a Multi-agency approach to ensure that he curbs the vice if approved for the position.

5.28 On illicit Brew and Narcotic Drugs

80. The nominee noted that it is a major concern in the society especially in the youths, and submitted that if approved he would liaise with National Authority for the Campaign Against Alcohol and Drug Abuse and other relevant agencies to propose with a long term solution to curb the vice.

5.29 On his achievements

81. The nominee noted that in his tenure as the Commandant Kenya Police College Main Campus, he had reviewed the curriculum by incorporating a course on Human rights. He

further indicated that he is the Chair of Board of Governors of Utumishi Boys and Utumishi Girls that gives priority to the children of the officers in the service.

5.30 On use of Technology to curb crime

82. The nominee said that he would employ technology by introducing surveillance equipment, personnel carriers and m-ramps although the nominee stated that the office of Inspector General had a budget constraint, which was reduced by nine billion to one billion. Further will be guided by the Constitution and the provisions of the law. He indicated that all people should be treated with dignity and professionalism.

5.31 Submission of Memoranda

83. The Committee received a total number of 3 submissions, one in support of the nominee while 1 contesting his nomination and the third one proposing questions to be put to the Nominee. The memoranda were considered by the committee as required by provisions of the Public Appointments (Parliamentary Approval) Act, 2011.

The memoranda received and the manner in which they were considered is summarized in the table below-

STAKEHOLDER	ISSUES FOR CONSIDERATION	RESPONSE BY THE NOMINEE	COMMITTEE RESOLUTION
Zaina Kombo	<p>Her affidavit raised the following suitability issues based on his past as the Nairobi City County Commander—</p> <p>(a) human rights violations including police killings of unarmed protestors, children and sexual violence as documented by Kenya National Commission on Human Rights report on 2017 post-election violence titled “<i>Mirage at Dusk</i>”;</p> <p>(b) refusal to cooperate with the Independent Policing Oversight Authority;</p>	<p>The nominee responded to the allegations made against him in line with Article 50 (1) of the Constitution and stated that—</p> <p>(a) the Independent Policing Oversight Authority had cleared him of any wrong doing;</p> <p>(b) he has excellent working relationship with the Independent Policing</p>	<p>The nominee rebutted all the allegations on his lack of suitability on oath.</p>

STAKEHOLDER	ISSUES FOR CONSIDERATION	RESPONSE BY THE NOMINEE	COMMITTEE RESOLUTION
	<p>(c) police raid on the University of Nairobi; and</p> <p>(d) death of a nine year old girl, Stephanie Moraa, during the 2017 post-elections violence.</p>	<p>Oversight Authority;</p> <p>(c) the courts have settled the issue of the killing of Stephanie Moraa Gisemba and he was not responsible for the killing;</p> <p>(d) he is accountable and transparent as demonstrated by his provision of over fifteen operation orders;</p> <p>(e) the raid at the University of Nairobi was conducted by another police unit not under his command and the Independent Policing Oversight Authority cleared him of any wrong doing;</p> <p>(f) the Independent Policing Oversight Authority had cleared him of</p>	

STAKEHOLDER	ISSUES FOR CONSIDERATION	RESPONSE BY THE NOMINEE	COMMITTEE RESOLUTION
		<p>any wrong doing during the 2017 post-election violence; and</p> <p>(g) he has never had any disciplinary proceedings against him.</p>	
Joseph Masinza and Evans Okumu Odhiambo	<p>They wanted the Committee to ask the nominee the following questions—</p> <p>(a) the nominee’s capacity to promote a favourable reputation and trust in the office of the Inspector-General of National Police Service;</p> <p>(b) his plans to boost the welfare of the National Police Service;</p> <p>(c) his plans for graduate police officers’ grievances; and</p> <p>(d) ask the nominee on his strategies to tackle mental health within the National Police Service.</p>	The nominee responded to the all the issues.	The nominee addressed all the issues raised.
William Tubman Nyette	He submitted that the nominee is suitable to be appointed as the next Inspector-General of National Police Service.	The nominee noted and appreciated the recommendation.	The nominee noted the recommendation.

CHAPTER FIVE

COMMITTEE OBSERVATIONS AND FINDINGS

6.0 COMMITTEE OBSERVATIONS

84. The Committee having considered the nominee's filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, curriculum vitae and oral submissions during the approval hearing, made the following observations on his suitability for appointment as the Inspector-General of the National Police Service-

1. THAT, the nominee is an experienced police officer serving at the rank of an Senior Assistant Inspector-General of Police. He joined the then Kenya Police Force in 1991 and rose through the ranks to his current rank. Currently he is serving as the Commandant of the National Police College, Main Campus in Kiganjo. He possesses a continuous service and experience of 31 years in the Service.
2. He holds a Bachelor's degree in civil engineering from the University of Nairobi awarded in 1990. He is a registered civil engineer by Engineers Board of Kenya.
3. In addition, he holds certificates and awards on Countering Violence Extremism, Regional Senior Mission Leaders Course, Transformational Organizational Culture for Maximum Growth and Major Crime Management Course amongst others.
4. THAT, the nominee holds several awards in recognition of outstanding and distinguished services he rendered to the nation in various capacities and responsibilities.
5. THAT, during the approval hearings, the nominee exhibited knowledge in matters relating to security, law, management, leadership skills and qualities necessary to administer, manage and command the National Police Service as a disciplined Service as prescribed under section 11 of the National Police Service Act.
6. THAT, based on the evidence submitted during the approval hearings, the nominee met all the Constitutional requirements of Chapter 6 of the Constitution on leadership and integrity and statutory requirements necessary for appointment as Inspector General of the National Police Service as is provided for under Section 7(b) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011).
7. THAT, the nominee has never been dismissed from office for contravention of the provisions of Articles 75(1) (conflict of interest), 76 (financial probity), 77 (restriction of State Officers) and 78(2) (dual citizenship) of the Constitution;

8. THAT, the nominee has the necessary experience and qualifications to hold the Office of the Inspector-General of the National Police Service as per the requirements of the National Police Service Act, 2011.

6. 1 COMMITTEE FINDINGS

85. The committee findings were as follows-

1. THAT, in accordance with Article 78(1) and (2) of the Constitution, Eng. Japhet Koome Nchebere is a Kenyan citizen born in Meru County and does not hold dual citizenship.
2. THAT, his academic qualifications, professional training and experience comply with the requirements of section 6 (7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011 and section 11 (1) of the National Police Service Act No. 11A of 2011.
3. THAT, he meets the requirements of Chapter 6 of the Constitution on leadership and integrity, having been issued with clearance certificates by various government agencies such as EACC, KRA, DCI and HIELB.
4. THAT, as stipulated in Article 75(1) of the Constitution, he has not shown any actual or potential conflict of interest.
5. THAT, he satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment during his tenure as the Inspector General of the National Police Service.
6. THAT, he does not hold office in any political party and hence satisfies the provisions of Article 77(2) of the Constitution. This was confirmed by the Office of the Registrar of Political Parties.
7. THAT, he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), Article 76 (financial probity), Article 77 (restriction on activities of State Officers) and Article 78(2) (dual citizenship) of the Constitution and is therefore fit to hold office of the Inspector -General of the National Police Service
8. THAT, a memorandum was presented to the Committee contesting the suitability or otherwise of the nominee for appointment as Inspector- General but the issues espoused therein were general in nature and were not specifically related to the nominee
9. The Committee found the nominee Eng. Japhet Koome Nchebere suitable and qualified for appointment as Inspector- General of the National Police.
10. THAT, the nominee has the necessary experience and qualifications to hold the Office of the Inspector-General of the National Police Service as per the requirements of the National Police Service, 2011.

CHAPTER SIX

COMMITTEES RECOMMENDATION

86. The Committees having considered the suitability, competence, experience and integrity of the nominee following the approval hearing process, and taking into account its observations and findings, and pursuant to the Provisions of the Constitution, Sections 3 and 5 and 8 (2) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, the National Police Service Act, 2011 and the Standing Orders of the Senate and the National Assembly, the Committees recommend that Parliament **approves** the nomination of **Eng. Japhet Koome Nchebere** for appointment to the position of the Inspector-General of the National Police Service.

THE NATIONAL ASSEMBLY
DATE: 09 NOV 2022 Afternoon
WED
Hon Gabriel Tongoyo, MP
Mairah Wanyika

Signed: _____

Signed: _____

Hon. Gabriel Koshal Tongoyo, MP
Chairperson, National Assembly
Departmental Committee on
Administration and
Internal Affairs

Sen. William Cheptumo Kipkiror, CBS,
MP,
Chairperson, Senate Standing
Committee on National Security,
Defence & Foreign Relations

Date: _____

09/11/2022

Date: _____

9.11.22

LIST OF ANNEXURES

- Annex 1:* Adoption List for Members of the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Relations.
- Annex 2:* Minutes of the Committees' deliberations.
- Annex 3:* Letter from the appointing Authority, H.E. the President dated 29th September, 2022
- Annex 4:* Copy of the nominee's curriculum vitae and certificates
- Annex 5:* Communication by the Honourable Speaker of the National Assembly, issued on 25th October, 2022.
- Annex 6:* Communication by the Honourable Speaker of the Senate, issued on 18th October, 2022.
- Annex 7:* Advertisement published in the Nation and Standard newspapers on Tuesday, 25th October, 2020 inviting the public to submit memoranda by way of written statements on oath (affidavit) on the suitability or otherwise of the nominee.
- Annex 8:* Letters by the Clerks of the National Assembly and the Senate to the nominee
- Annex 9:* Letters from the Clerks of the National Assembly and the Senate to the Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and the Director of Public Prosecutions (DPP), all dated 25th October, 2022.
- Annex 10:* Letters from the Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and the Director of Public Prosecutions (DPP), on the suitability of the nominee.

Annex 11: Questionnaire duly filled by the nominee, in compliance with section 6 (8) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011).

ANNEX 1



THE NATIONAL ASSEMBLY
13TH PARLIAMENT – FIRST SESSION (2022)

COMMITTEE ON ADMINISTRATION AND INTERNAL AFFAIRS

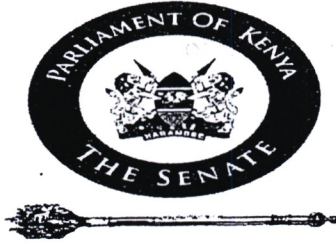
REPORT ADOPTION LIST OF THE

REPORT OF THE JOINT COMMITTEE OF THE NATIONAL ASSEMBLY
DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL AFFAIRS
AND THE SENATE STANDING COMMITTEE ON NATIONAL SECURITY,
DEFENCE & FOREIGN RELATIONS ON THE APPROVAL HEARING FOR ENG.
JAPHET KOOME NCHEBERE THE NOMINEE FOR APPOINTMENT TO THE
POSITION OF INSPECTOR-GENERAL OF THE NATIONAL POLICE SERVICE

We, the undersigned Members of the Departmental Committee on Administration and
Internal Affairs do hereby append our signatures to adopt this Report

Date: 9/11/2022

No.	MEMBER	SIGNATURE
1.	Hon. Gabriel Koshal Tongoyo, MP - Chairperson	
2.	Hon. Col (Rtd) Dido Rasso, MBS, MP - Vice Chairperson	
3.	Hon. Kaluma George Peter, MP	
4.	Hon. Sarah Paulata Korere, MP	
5.	Hon. Fred C. Kapondi, MP	
6.	Hon. Aduma Owuor, MP	
7.	Hon. Oku Kaunya, MP	
8.	Hon. Rozaah Akinyi Buyu, MP	
9.	Hon. Liza Chepkorir Chelule, MP	
10.	Hon. Protus Ewesit Akujah, MP	
11.	Hon. Mburu Kahangara, MP	
12.	Hon. Fatuma Abdi Jehow, MP	
13.	Hon. Caroline Jeptoo Ng'elechei, MP	
14.	Hon. Francis Kipyegon Sigei, EBS, MP	
15.	Hon. Hussein Weytan Mohammed, MP	



THE SENATE

STANDING COMMITTEE ON NATIONAL SECURITY DEFENSE AND FOREIGN RELATIONS

ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON NATIONAL SECURITY DEFENSE AND FOREIGN RELATIONS ON THE PROPOSED APPOINTMENT FOR ENG. JAPHET KOOME NCHEBERE THE NOMINEE. TO THE POSITION OF INSPECTOR-GENERAL OF THE NATIONAL POLICE SERVICE

We, the undersigned Members of the National Security Defense and Foreign Relations hereby append our signatures to adopt this Report

DATE 9/11/2022

	Name	Designation	Signature
1.	Sen. William Cheptumo Kipkiror, CBS, MP	Chairperson	
2.	Sen. Karen Njeri Nyamu, MP	Vice-Chairperson	
3.	Sen. Fatuma Adan Dullo, CBS, MP	Member	
4.	Sen. Abdul Mohammed Haji, MP	Member	
5.	Sen. Julius Murgor Recha, MP	Member	
6.	Sen. Joseph Githuku Kamau, MP	Member	
7.	Sen. Prof. Tom Odhiambo Ojienda, SC, MP	Member	
8.	Sen. Lenku Ole Kanar Seki, MP	Member	
9.	Sen. George Mungai Mbugua, MP	Member	

ANNEX 2

MINUTES OF THE FIRST SITTING OF THE SENATE STANDING COMMITTEE ON NATIONAL SECURITY, DEFENCE AND FOREIGN RELATIONS AND THE NATIONAL ASSEMBLY DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL AFFAIRS HELD ON MONDAY, 7TH NOVEMBER, 2022 AT 11.00 A.M. IN MINI CHAMBER, FIRST FLOOR, COUNTY HALL, PARLIAMENT BUILDINGS

PRESENT

NATIONAL ASSEMBLY

1. Hon. Gabriel Tongoyo, MP - Chairperson
2. Hon. Col. (Rtd.)Dido Ali Raso, MBS, MP - Vice-Chairperson
3. Hon. George Peter Kaluma, MP
4. Hon. Joshua Aduma Owuor, MP
5. Hon. Sarah Korere Paulata, MP
6. Hon. Liza Chelule, MP
7. Hon. Oku Edward Kaunya, MP
8. Hon. Rozaah Buyu Akinyi, MP
9. Hon. Caroline Jeptoo Ng'elechei, MP
10. Hon. Francis Kipyegon Sigei, MP
11. Hon. Hussein Weytan Mohammed, MP

SENATE

1. Sen. William Cheptumo Kipkiror, CBS, MP - Chairperson
2. Sen. Karen Njeri Nyamu, MP - Vice-Chairperson
3. Sen. Abdul Mohammed Haji, MP
4. Sen. Julius Murgor Recha, MP
5. Sen. George Mungai Mbugua, MP

ABSENT WITH APOLOGY

NATIONAL ASSEMBLY

1. Hon. Fred Kapondi Chesebe, MP
2. Hon. Kahangara Joseph Mburu, MP
3. Hon. Protus Akujah, MP
4. Hon. Fatuma Abdi Jehow, MP

SENATE

1. Sen. Fatuma Adan Dullo, CBS, MP
2. Sen. Joseph Githuku Kamau, MP
3. Sen. (Prof.) Tom Odhiambo Ojienda, SC, MP
4. Sen. Lenku Ole Kanar Seki, MP

SECRETARIAT

1. Mr. Ahmed Odhowa - Principal Clerk Assistant II (Senate)

- | | |
|-------------------------|---------------------------------|
| 2. Mr. Adan Gindicha | - Senior Clerk Assistant (NA) |
| 3. Mr. Jeremy Chabari | - Legal Counsel I (Senate) |
| 4. Mr. Peter Mwaura | - Legal Counsel I (NA) |
| 5. Mr. Philip Lekarkar | - Clerk Assistant II (NA) |
| 6. Ms. Carol Kirorei | - Clerk Assistant II (Senate) |
| 7. Mr. Gilbert Juma | - Legal Counsel II (Senate) |
| 8. Mr. Khatib Omar | - Clerk Assistant III (Senate) |
| 9. Mr. Bernard Njeru | - Clerk Assistant III (NA) |
| 10. Mr. Gideon Kipkogei | - Clerk Assistant III (NA) |
| 11. Ms. Lorna Okatch | - Research Officer III (Senate) |
| 12. Ms. Janice Lekuton | - Research Officer III (Senate) |
| 13. Mr. Mburu Maina | - Research Officer III (NA) |
| 14. Mr. Delvin Onyancha | - Research Officer III (NA) |
| 15. Mr. Eric Ogolo | - Public Communications |
| 16. Mr. Rodgers Kilinja | - Research Officer (NA) |
| 17. Mr. Mohamed Said | - Serjeant-At-Arms (NA) |
| 18. Mr. Patrick Murindo | - Serjeant-At-Arms (Senate) |

MIN. NO. IG/01/2022

PRAYER

The meeting was called to order at 11.15 a.m. followed by a word of prayer. This was followed by introductions of the Members and the Secretariat.

MIN. NO. IG/02/2022

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed by Sen. George Mungai Mbugua, MP and seconded by Hon. Liza Chelule, MP as follows –

1. Prayer
2. Adoption of the Agenda
3. Briefing on the approval hearing process for Eng. Japhet Koome Nchebere nominee for appointment to the position of Inspector-General, National Police Service
4. Any Other Business
5. Date of the Next Meeting and Adjournment

MIN. NO. IG/03/2022

BRIEFING ON THE APPROVAL HEARING PROCESS FOR ENG. JAPHET KOOME NCHEBERE NOMINEE FOR THE POSITION OF INSPECTOR-GENERAL, NATIONAL POLICE SERVICE

1. Brief on legal provisions on the approval hearing

Members considered the Brief on the legal provisions relating to the approval hearing for the nominee for the position of Inspector-General of the National Police Service nominee.

The Joint Committee noted that the National Police Service Act, 2011 provided for a fourteen-day period for the Parliamentary approval of the nominee for appointment to the position of Inspector-General, which started running on 26th October, 2022. As such, the Joint Committee was expected to table its Report in the two Houses of Parliament by Wednesday, 9th November, 2022.

Following deliberations, the Committee resolved to proceed with the approval hearing on Tuesday, 8th November, 2022 and thereafter undertake a Report Writing Report within Nairobi County so as to finalize the Report. The date of tabling of the Report and the likelihood of extension of time would be determined in due course.

2. Brief on information on the nominee for the position of Inspector-General

The Committee considered information on the nominee for the Inspector-General including his curriculum vitae, certificates and responses from the Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Office of the Registrar of Political Parties (ORPP), Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and Credit Reference Bureaus.

3. Brief on Proposed questions to the nominee

The Committee considered the Brief on proposed questions to be posed to the nominee during the approval hearing scheduled to be held on Tuesday, 8th November, 2022. The Committee recommended various amendments to the questions for presentation to the Joint Committee prior to the approval hearing.

MIN. NO. IG/04/2022 ANY OTHER BUSINESS

1. Affidavit of one Zainab Kombo, Advocate, questioning the suitability of the nominee for the position of Inspector-General

The Committee was informed that an affidavit had been received on 7th November, 2022, sworn by one, Zaina Kombo, Advocate of the High Court of Kenya, questioning the suitability of the nominee for the position of Inspector-General of the National Police Service.

While noting that the deadline for submission of representations on the suitability of the nominee for appointment to office was on Thursday, 3rd November, 2022, the Committee resolved to admit the affidavit.

2. Time allocation for the approval hearing

The Committee agreed that the approval hearing for the nominee for the position of Inspector-General would be held for a duration of 180 minutes between 10.30 a.m. and 1.30 p.m. It was further agreed that name tags for the Members be availed.

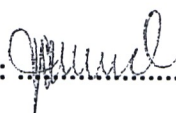
3. Sign Language Interpreter

A request was made for a sign language interpreter for the approval hearing scheduled to be held on Tuesday, 8th November, 2022.

MIN. NO. IG/05/2022

DATE OF NEXT MEETING & ADJOURNMENT

The meeting was adjourned at 2.00 p.m. The next meeting would be held on Tuesday, 8th November 2022 at 10.00 a.m.

SIGNED: 

SEN. GABRIEL TONGOYO, MP

DATE: 9/11/2022

SIGNED: 

SEN. WILLIAM CHEPTUMO, CBS

DATE: 9.11.22

**MINUTES OF THE SECOND SITTING OF THE NATIONAL ASSEMBLY
DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL
AFFAIRS AND THE SENATE STANDING COMMITTEE ON NATIONAL
SECURITY, DEFENCE AND FOREIGN RELATIONS HELD ON TUESDAY, 8TH
NOVEMBER, 2022 AT 9.00 A.M. IN MINI CHAMBER, FIRST FLOOR,
COUNTY HALL, PARLIAMENT BUILDINGS**

PRESENT

NATIONAL ASSEMBLY

1. Hon. Gabriel Tongoyo, MP - Chairperson
2. Hon. Col. (Rtd.) Dido Ali Raso, MBS, MP - Vice-Chairperson
3. Hon. George Peter Kaluma, MP
4. Hon. Joshua Aduma Owuor, MP
5. Hon. Sarah Korere Paulata, MP
6. Hon. Liza Chelule, MP
7. Hon. Oku Edward Kaunya, MP
8. Hon. Rozaah Buyu Akinyi, MP
9. Hon. Caroline Jeptoo Ng'elechei, MP
10. Hon. Francis Kipyegon Sigei, MP
11. Hon. Hussein Weytan Mohammed, MP
12. Hon. Fatuma Abdi Jehow, MP
13. Hon. Fred Kapondi Chesebe, MP
14. Hon. Kahangara Joseph Mburu, MP
15. Hon. Protus Akujah, MP

PRESENT

SENATE

1. Sen. William Cheptumo Kipkiror, CBS, MP - Chairperson
2. Sen. Karen Njeri Nyamu, MP - Vice-Chairperson
3. Sen. Abdul Mohammed Haji, MP
4. Sen. Julius Murgor Recha, MP
5. Sen. George Mungai Mbugua, MP
6. Sen. (Prof.) Tom Odhiambo Ojienda, SC

ABSENT WITH APOLOGY

SENATE

1. Sen. Fatuma Adan Dullo, CBS, MP
2. Sen. Joseph Githuku Kamau, MP
3. Sen. Lenku Ole Kanar Seki, MP

SECRETARIAT

1. Mr. Peter Chemweno - Director, Departmental Committees (NA)
2. Mr. Ahmed Odhowa - Principal Clerk Assistant II (Senate)
3. Mr. Adan Gindicha - Senior Clerk Assistant (NA)

- | | |
|-------------------------|---------------------------------|
| 4. Mr. Jeremy Chabari | - Legal Counsel I (Senate) |
| 5. Mr. Peter Mwaura | - Legal Counsel I (NA) |
| 6. Mr. Philip Lekarkar | - Clerk Assistant II (NA) |
| 7. Ms. Carol Kirorei | - Clerk Assistant II (Senate) |
| 8. Mr. Gilbert Juma | - Legal Counsel II (Senate) |
| 9. Mr. Khatib Omar | - Clerk Assistant III (Senate) |
| 10. Mr. Bernard Njeru | - Clerk Assistant III (NA) |
| 11. Mr. Gideon Kipkogei | - Clerk Assistant III (NA) |
| 12. Ms. Lorna Okatch | - Research Officer III (Senate) |
| 13. Ms. Janice Lekuton | - Research Officer III (Senate) |
| 14. Mr. Mburu Maina | - Research Officer III (NA) |
| 15. Mr. Delvin Onyancha | - Research Officer III (NA) |
| 16. Mr. Eric Ogolo | - Public Communications |
| 17. Mr. Rodgers Kilinja | - Research Officer (NA) |
| 18. Mr. Mohamed Said | - Serjeant-At-Arms (NA) |
| 19. Mr. Patrick Murindo | - Serjeant-At-Arms (Senate) |

MIN. NO. IG/07/2022

PRAYER

The meeting was called to order at 9.10 a.m. followed by a word of prayer.

MIN. NO. IG/08/2022

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed by Sen. Sen. (Prof.) Tom Ojienda, SC and seconded by Hon. Hussein Weytan Mohammed, MP as follows –

1. Prayer
2. Adoption of the Agenda
3. Consideration of reviewed questions for the nominee for appointment to the position of Inspector-General, National Police Service
4. Briefing on the affidavit of Zaina Kombo and William Tubman.
5. Any Other Business
6. Date of the Next Meeting and Adjournment

MIN. NO. IG/09/2022

**CONSIDERATION OF THE REVIEWED
QUESTIONS FOR THE NOMINEE FOR THE
APPOINTMENT TO THE POSITION OF
INSPECTOR-GENERAL, NATIONAL POLICE
SERVICE**

Members considered the reviewed questions for the nominee for appointment to the position of Inspector-General. The Committee resolved as follows-

1. that questions to the nominee be posed in accordance with the set out themes and sequentially by Members under the guidance of the Chairpersons; and

2. that members may add or modify any questions not provided for in the list while adhering to the various thematic areas.

MIN. NO. IG/10/2022 BRIEFING ON THE AFFIDAVIT OF ZAINA KOMBO

Members considered an affidavit sworn by Zaina Kombo questioning the suitability of the nominee for appointment to the position Inspector-General of the national police Service.

The committee was also informed that a second affidavit had been received from William Tubman. Noting that the deadline for submission of representations from the public had lapsed on Thursday, 3rd November, 2022, the Committee resolved to admit the affidavit. and was considered admissible being submitted prior the actual hearing.

MIN. NO. IG/11/2022 ANY OTHER BUSINESS

There were no other business discussed in the meeting.

MIN. NO. IG/12/2022 DATE OF THE NEXT MEETING AND ADJORNMENT

The meeting was adjourned at 10.20am and the next meeting would be held on Tuesday, 8th November, 2022 at 10.30am

SIGNED:

SEN. GABRIEL TONGOYO, MP

DATE:

SIGNED:

SEN. WILLIAM CHEPTUMO, CBS

DATE: 9.11.22

**MINUTES OF THE THIRD SITTING OF THE NATIONAL ASSEMBLY
DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL
AFFAIRS AND THE SENATE STANDING COMMITTEE ON NATIONAL
SECURITY, DEFENCE AND FOREIGN RELATIONS HELD ON TUESDAY, 8TH
NOVEMBER, 2022 AT 10.00 A.M. IN MINI CHAMBER, FIRST FLOOR,
COUNTY HALL, PARLIAMENT BUILDINGS**

PRESENT

NATIONAL ASSEMBLY

1. Hon. Gabriel Tongoyo, MP - Chairperson
2. Hon. Col. (Rtd.) Dido Ali Raso, MBS, MP - Vice-Chairperson
3. Hon. George Peter Kaluma, MP
4. Hon. Joshua Aduma Owuor, MP
5. Hon. Sarah Korere Paulata, MP
6. Hon. Fred Kapondi Chesebe, MP
7. Hon. Liza Chelule, MP
8. Hon. Oku Edward Kaunya, MP
9. Hon. Protus Akujah, MP
10. Hon. Kahangara Joseph Mburu, MP
11. Hon. Rozaah Buyu Akinyi, MP
12. Hon. Caroline Jeptoo Ng'elechei, MP
13. Hon. Fatuma Abdi Jehow, MP
14. Hon. Francis Kipyegon Sigei, EBS, MP
15. Hon. Hussein Weytan Mohammed, MP

SENATE

1. Sen. William Cheptumo Kipkiror, CBS, MP - Chairperson
2. Sen. Karen Nyamu, MP - Vice-Chairperson
3. Sen. Abdul Haji, MP
4. Sen. Julius Murgor Recha, MP
5. Sen. (Prof.) Tom Odhiambo Ojienda, SC, MP
6. Sen. George Mungai Mbugua, MP

ABSENT WITH APOLOGY

SENATE

1. Sen. Fatuma Adan Dullo, CBS, MP
2. Sen. Joseph Githuku Kamau, MP
3. Sen. Lenku Ole Kanar Seki, MP

IN ATTENDANCE

1. Hon. Josephat Kabeabea

THE NATIONAL ASSEMBLY

- Friend of the Committee

IN ATTENDANCE

THE NOMINEE

1. Eng. Japhet Koome Nchebere
Inspector-General

- Nominee for appointment to the position of

IN ATTENDANCE

1. Mr. Irungu Houghton
2. Mr. Hussein Ali
3. Mr. Dimas Kiprono
4. Ms. Gloria Madegwa
5. Ms. Zaina Kombo

THE PUBLIC

- Transparency International
- Haki Afrika
- Police Reform Working Group
- Police Reform Working Group
- Police Reform Working Group

SECRETARIAT

1. Mr. Peter Chemweno
2. Mr. Njenga Njuguna
(Senate)
3. Mr. Ahmed Odhwa
4. Mr. Adan Gindicha
5. Mr. Jeremy Chabari
6. Mr. Peter Mwaura
7. Mr. Philip Lekarkar
8. Ms. Carol Kirorei
9. Mr. Gilbert Juma
10. Mr. Khatib Omar
11. Mr. Bernard Njeru
12. Mr. Gideon Kipkogei
13. Ms. Lorna Okatch
14. Ms. Janice Lekuton
15. Mr. Mburu Maina
16. Mr. Delvin Onyancha
17. Mr. Eric Ogolo
18. Mr. Rodgers Kilinja
19. Mr. Mohamed Said
20. Mr. Patrick Murindo

- Director, Departmental Committees (NA)
- Director, Governance and Accountability
- Principal Clerk Assistant II (Senate)
- Senior Clerk Assistant (NA)
- Legal Counsel I (Senate)
- Legal Counsel I (NA)
- Clerk Assistant II (NA)
- Clerk Assistant II (Senate)
- Legal Counsel II (Senate)
- Clerk Assistant III (Senate)
- Clerk Assistant III (NA)
- Clerk Assistant III (NA)
- Research Officer III (Senate)
- Research Officer III (Senate)
- Research Officer III (NA)
- Research Officer III (NA)
- Public Communications
- Research Officer (NA)
- Serjeant-At-Arms (NA)
- Serjeant-At-Arms (Senate)

MIN. NO. IG/13/2022

PRAYER

The meeting was called to order at 10.29 a.m. followed by a word of prayer. This was followed by introductions of the Members, Secretariat and members of the public.

MIN. NO. IG/14/2022

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed by Sen. (Prof.) Tom Ojienda, SC, MP and seconded by Hon. Francis Sigei, EBS, MP as follows –

1. Prayer

2. Adoption of the Agenda
3. Approval hearing for Eng. Japhet Koome Nchebere nominee for appointment to the position of Inspector-General of the National Police Service Commission
4. Any Other Business
5. Date of the Next Meeting and Adjournment

MIN. NO. IG/15/2022

APPROVAL HEARING FOR ENG. JAPHET KOOME
NCHEBERE NOMINEE FOR THE POSITION OF
INSPECTOR-GENERAL, NATIONAL POLICE
SERVICE

1. Administration of Oath

Eng. Japhet Koome Nchebere, the nominee for appointment to the position of Inspector-General, National Police Service took oath administered by the Secretariat.

2. Preliminary remarks by the Chairpersons

The Chairpersons of the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Relations welcomed the nominee to the approval hearing. They then briefed the nominee that the purpose of the approval hearing was to assess his suitability for office in accordance with section 5 of the Public Appointments (Parliamentary Approval) Act, 2011.

3. Preliminary remarks by the nominee for the position of Inspector-General, National Police Service

The nominee introduced himself and thanked the Committees for the opportunity to appear before them and gave detailed remarks on his educational background and career. He noted that he had joined the Service as a constable and had risen steadily through the ranks, which would certainly be an inspiration to other police officers starting out in the Service.

Upon invitation by the Chairpersons, he confirmed that he had been cleared by the Kenya Revenue Authority (KRA) and Ethics and Anti-Corruption Commission (EACC), the Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and had never been charged in a court of law, or been adversely mentioned in any investigations relating to any office he had held previously.

4. Questions posed to the nominee

The Chairpersons and the Members posed various questions to the nominee-

1. *Whether any conflict of interest, actual or potential existed and whether he was engaged in any other gainful employment likely to bring about conflict of interest.*

The nominee stated that his wife was a detective heading the fraud unit at the Saccos Societies Regulatory Authority. He however, noted that this would not be a source of conflict of interest in the execution of his mandate.

2. *Have you participated in any nepotism during his tenure in the Service?*

He had never practiced nepotism or favoritism

3. *Do you understand the provisions of Article 10 of the Constitution?*

He stated that he appreciated the provisions of Article 10 of the Constitution on national values and principles of good governance and in strict observance of the same he performs his duties throughout his career.

4. *Whether he was conversant with Article 232 of the Constitution on values and principles of public service*

He reported that he was conversant with Article 232 of the Constitution which was a guiding principle for service within the National Police Service.

5. *What is your net worth and sources of current and anticipated income?*

Net worth was Kshs. 89,932,865/= consisting of bank account deposits at the Kenya Commercial Bank (KCB), the Kenya Police Sacco shares, motor vehicles, tractors buildings and various pieces of land.

With regard to sources of anticipated income, the nominee reported that he was a dairy farmer and farmer amounting to approximately Kshs. 9,000,000/= per year.

6. *Have you ever been a member of any political party?*

No.

7. *Do you think you are fit for the position?*

Yes. He reported that he had commanded major operations throughout the span of his thirty-one-year career making him suitable for the position.

8. *What is your vision for the position of Inspector-General?*

To transform the police service for a safe and secure Kenya.

9. *Whether there was any history of disciplinary proceedings against him.*

None.

10. *You worked in Nairobi Machakos etc. mainly urban areas. Do you understand the issues affecting far flung areas so as to lead the Service effectively?*

The nominee reported that he had worked for the Anti-Stock Theft Unit pursuing cattle rustlers for many years in remote parts of the country.

11. *Whether his promotions through the service have been on merit or whether he was assisted through the ranks*

12. *The relationship between the NPS and other Departments have been strained in the recent past. How will you deal with the tensions and ensure harmonious relationships between the institutions?*

13. *If a warrant of arrest was to be issued by the courts against his Cabinet secretary, would you execute such an order?*

He stated that he would have no option but to lawfully effect the arrest.

14. *How do you intend to inculcate personal integrity in police officers? Are policemen sufficiently remunerated or is their pay the cause of corruption? How will you eliminate corruption in the service?*

There was need to stamp authority against corruption as things cannot proceed as they are. He reported that he would ensure name tags must be worn at all times by officers while on duty. He further reported that he would ensure that service commanders to set up a reward mechanism to members of the public who capture any corrupt officers while engaged in corrupt dealings;

15. *What is your philosophy on human rights issues?*

He stated that all persons must be treated with dignity and that the law must be observed at all times.

16. *How will you handle cattle rustling menace in pastoral areas once and for all? What will you do differently to ensure raiders are arrested, recovery of livestock and restoration of peace?*

A study by IGAD showed that the country loses about Kshs. 51 billion annually to livestock rustling. He stated that rustling should be treated as a terrorist act, with perpetrators being jailed for life so bring to an end this criminal activity.

There was need to operationalize the County Policing Authorities comprised of the Governor, the County Police Commander, NIS coordinator, CID Commander and two elected Members of the County Assembly and religious organization, youth and women representatives. If these are operationalized, it will be a game changer in the country not only with cattle rustling but across the board on all security matters.

For security purposes, the nominee refrained from delving too much into his proposed plan to curb the vice.

17. *As Nairobi Regional Commander you are adversely mentioned for gross violation of human rights under your watch during the 2017 General Elections. How do you assure Kenyans of your protection of their rights? Do you take any responsibility for the atrocities committed?*

The nominee did not take responsibility for any atrocities, noting that there were senior commanders responsible for various regions of the city.

18. *You are the first Inspector-General with financial autonomy. What difference shall you make? What level of autonomy shall be given to regional commanders?*

19. *What will you do for Senior Citizens and PWDs in terms of access to police services?*

20. *Tell us something about "wash wash" in your own experience.*

There was need for people to live within their means and avoid peer pressure and get rich quick schemes.

21. *How will you handle illicit brews and drug abuse?*

He stated that he would immediately meet the CEO, NACADA and employ a multi-agency approach to guide the youth and curb alcoholism and drug abuse.

22. *What will you do about influx of contraband goods, tax evasion and exodus of youth seeking employment in Arab countries*

With regard to travel by Kenyan youth, he acknowledged that he may not be very competent to comment on the issue but emphasized on the need for a multi-agency approach to find a lasting solution to the problem. He intended to build capacity of officers and also put more focus on the borders to handle contraband goods.

23. *How will you address mental health issues among officers in the service?*

He stated that he intended to set up the National Police Service Well Being Directorate to address issues of mental health and welfare of officers.

24. *How will he handle the issue of unexploded ordinances, in terms of community compensation and legitimate training grounds for the Service?*

Issues of compensation must be addressed and adherence to court orders is paramount.

5. Request from the public to participate in the hearing

A request was received from Mr. Irungu Houghton a member of the public to raise a query on police reforms. The request was declined on grounds that the standing orders required that any representations from the public be submitted by written statements on oath (affidavits).

6. Conclusion

The Chairpersons thanked the Members and the nominee for their patience. They then informed the meeting that the next steps would be drafting of the Committee Report for tabling in the two Houses of Parliament.

MIN. NO. IG/16/2022

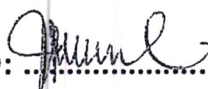
ANY OTHER BUSINESS

There was no other business for discussion at the meeting

MIN. NO. IG/17/2022

DATE OF NEXT MEETING & ADJOURNMENT

The meeting was adjourned at 2.15 p.m. The next meeting would be held on notice.

SIGNED: 

SEN. GABRIEL TONGOYO, MP

DATE: 9/11/2022

SIGNED: 

SEN. WILLIAM CHEPTUMO, CBS

DATE: 9.11.2022

**MINUTES OF THE FOURTH SITTING OF THE NATIONAL ASSEMBLY
DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL
AFFAIRS AND THE SENATE STANDING COMMITTEE ON NATIONAL
SECURITY, DEFENCE AND FOREIGN RELATIONS HELD ON WEDNESDAY,
9TH NOVEMBER, 2022 AT 9.30 A.M. IN LOITA ROOM, FIRST FLOOR, EMARA
OLE SERENI**

PRESENT

NATIONAL ASSEMBLY

1. Hon. Gabriel Tongoyo, MP - Chairperson
2. Hon. Col. (Rtd.) Dido Ali Raso, MBS, MP - Vice-Chairperson
3. Hon. George Peter Kaluma, MP
4. Hon. Joshua Aduma Owuor, MP
5. Hon. Sarah Korere Paulata, MP
6. Hon. Liza Chelule, MP
7. Hon. Oku Edward Kaunya, MP
8. Hon. Rozaah Buyu Akinyi, MP
9. Hon. Caroline Jeptoo Ng'elechei, MP
10. Hon. Francis Kipyegon Sigei, MP
11. Hon. Hussein Weytan Mohammed, MP
12. Hon. Fatuma Abdi Jehow, MP
13. Hon. Fred Kapondi Chesebe, MP
14. Hon. Kahangara Joseph Mburu, MP
15. Hon. Protus Akujah, MP

PRESENT

SENATE

1. Sen. William Cheptumo Kipkiror, CBS, MP - Chairperson
2. Sen. Abdul Mohammed Haji, MP
3. Sen. Julius Murgor Recha, MP
4. Sen. George Mungai Mbugua, MP
5. Sen. Joseph Githuku Kamau, MP
6. Sen. (Prof.) Tom Odhiambo Ojienda, SC

ABSENT WITH APOLOGY

SENATE

1. Sen. Karen Njeri Nyamu, MP - Vice-Chairperson
2. Sen. Fatuma Adan Dullo, CBS, MP
3. Sen. Lenku Ole Kanar Seki, MP

SECRETARIAT

1. Mr. Adan Gindicha - Senior Clerk Assistant (NA)
2. Mr. Jeremy Chabari - Legal Counsel I (Senate)
3. Mr. Philip Lekarkar - Clerk Assistant II (NA)

The Committee noted that some queries were missing from the list of questions captured. The secretariat was tasked to include all questions posed by the Members for record purposes.

MIN. NO. IG/22/2022

ANY OTHER BUSINESS

There were no other business discussed in the meeting.

MIN. NO. IG/23/2022

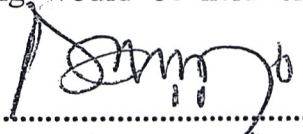
DATE OF THE NEXT MEETING AND
ADJOURNMENT

The meeting was adjourned at 9.55 a.m. and the next meeting would be held on Wednesday, 9th November, 2022 at 10.30am

SIGNED: .....

SEN. GABRIEL TONGOYO, MP

DATE: 9/11/2022.....

SIGNED: .....

SEN. WILLIAM CHEPTUMO, CBS

DATE: 09-01-2022.....

**MINUTES OF THE FIFTH SITTING OF THE NATIONAL ASSEMBLY
DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL
AFFAIRS AND THE SENATE STANDING COMMITTEE ON NATIONAL
SECURITY, DEFENCE AND FOREIGN RELATIONS HELD ON WEDNESDAY,
9TH NOVEMBER, 2022 AT 10.00 A.M. IN LOITA ROOM, FIRST FLOOR,
EMARA OLE SERENI**

PRESENT

NATIONAL ASSEMBLY

1. Hon. Gabriel Tongoyo, MP - Chairperson
2. Hon. Col. (Rtd.) Dido Ali Raso, MBS, MP - Vice-Chairperson
3. Hon. George Peter Kaluma, MP
4. Hon. Joshua Aduma Owuor, MP
5. Hon. Sarah Korere Paulata, MP
6. Hon. Liza Chelule, MP
7. Hon. Oku Edward Kaunya, MP
8. Hon. Rozaah Buyu Akinyi, MP
9. Hon. Caroline Jeptoo Ng'elechei, MP
10. Hon. Francis Kipyegon Sigei, MP
11. Hon. Hussein Weytan Mohammed, MP
12. Hon. Fatuma Abdi Jehow, MP
13. Hon. Fred Kapondi Chesebe, MP
14. Hon. Kahangara Joseph Mburu, MP
15. Hon. Protus Akujah, MP

PRESENT

SENATE

1. Sen. William Cheptumo Kipkiror, CBS, MP - Chairperson
2. Sen. Abdul Mohammed Haji, MP
3. Sen. Julius Murgor Recha, MP
4. Sen. George Mungai Mbugua, MP
5. Sen. Joseph Githuku Kamau, MP
6. Sen. (Prof.) Tom Odhiambo Ojienda, SC

ABSENT WITH APOLOGY

SENATE

1. Sen. Karen Njeri Nyamu, MP - Vice-Chairperson
2. Sen. Fatuma Adan Dullo, CBS, MP
3. Sen. Lenku Ole Kanar Seki, MP

SECRETARIAT

1. Mr. Adan Gindicha - Senior Clerk Assistant (NA)
2. Mr. Jeremy Chabari - Legal Counsel I (Senate)
3. Mr. Philip Lekarkar - Clerk Assistant II (NA)

- | | |
|-------------------------|---------------------------------|
| 4. Ms. Carol Kirorei | - Clerk Assistant II (Senate) |
| 5. Mr. Khatib Omar | - Clerk Assistant III (Senate) |
| 6. Mr. Bernard Njeru | - Clerk Assistant III (NA) |
| 7. Mr. Gideon Kipkoge | - Clerk Assistant III (NA) |
| 8. Ms. Lorna Okatch | - Research Officer III (Senate) |
| 9. Ms. Janice Lekuton | - Research Officer III (Senate) |
| 10. Mr. Mburu Maina | - Research Officer III (NA) |
| 11. Mr. Delvin Onyancha | - Research Officer III (NA) |
| 12. Mr. Mohamed Said | - Serjeant-At-Arms (NA) |
| 13. Mr. Patrick Murindo | - Serjeant-At-Arms (Senate) |

MIN. NO. IG/24/2022

PRAYER

The meeting was called to order at 10.10 a.m. followed by a word of prayer.

MIN. NO. IG/25/2022

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed by Sen. (Prof.) Tom Ojienda, SC and seconded by Hon. Hussein Weytan Mohammed, MP as follows –

1. Prayer
2. Adoption of the Agenda
3. Consideration and adoption of the Report on the approval hearing for Eng. Japhet Koome Nchebere the nominee for the position of Inspector-General of the National Police Service
4. Any Other Business
5. Date of the Next Meeting and Adjournment

MIN. NO. IG/26/2022

CONSIDERATION AND ADOPTION OF THE REPORT ON THE APPROVAL HEARING FOR ENG. JAPHET KOOME NCHEBERE, NOMINEE FOR THE POSITION OF INSPECTOR

Members considered the report on the approval hearing for Eng. Japhet Koome Nchebere the nominee for appointment to the position of Inspector-General of the National Police Service.

Save for proposed amendments, the Committees adopted the Report after being proposed by Sen. Abdul Haji and seconded by Hon. Sarah Korere, MP.

MIN. NO. IG/27/2022

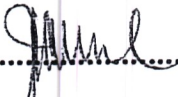
ANY OTHER BUSINESS

There were no other business discussed in the meeting.

MIN. NO. IG/28/2022

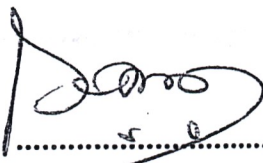
ADJOURNMENT

The meeting was adjourned at 11.00 a.m.

SIGNED: 

SEN. GABRIEL TONGOYO, MP

DATE: 9/11/2022

SIGNED: 

SEN. WILLIAM CHEPTUMO, CBS

DATE: 9-11-22

ANNEX 3



D/DC
Please deal
S/O
04/10/22

EXECUTIVE OFFICE OF THE PRESIDENT
HEAD OF THE PUBLIC SERVICE

Telegraphic Address
Telephone: +254-20-2227436
When replying please quote

SECRET

STATE HOUSE
P.O. Box 40530-00100
Nairobi, Kenya

OP/CAB.26/4A VOL.I/(46)
Ref. No.
and date

Philip Lekarak
29th September, 2022

Kindly facilitate
up
24/10/22

Hon. Moses Francis Masika Wetangula, EGH
Speaker
The National Assembly
Parliament of Kenya
Parliament Building
NAIROBI

NATIONAL ASSEMBLY
RECEIVED
03 OCT 2022
CLERKS OFFICE
P. O. Box 41842, NAIROBI

Dear

TRANSMITTAL LETTER

PARLIAMENTARY APPROVAL OF THE NOMINEE FOR APPOINTMENT AS THE INSPECTOR-GENERAL OF THE NATIONAL POLICE SERVICE

It is most graciously notified that **His Excellency Hon. Dr. Willam Samoei Ruto Ph.D., C.G.H., President and Commander-in-Chief of the Kenya Defence Forces** has in exercise of the constitutional prerogative vested in the Head of State and Government, and pursuant to the **Article 245 (2) (a) of the Constitution**, nominated **Eng. Japhet Koome Nchebere**, for appointment as the Inspector-General of the National Police Service.

In that regard, this transmittal for parliamentary approval is made in accordance with the procedure set out in **Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011)**.

To aid the August House in its consideration and approval processes, kindly be pleased to receive the **Certificate of Presidential Nomination No. 4 of 2022**, together with the Nominee's Curriculum Vitae and Testimonials.

As we set our sights on continuing the transformation of the National Police Service, the House is urged to prioritize the consideration of the Nominee.

SECRET



THE PRESIDENCY
EXECUTIVE OFFICE OF THE PRESIDENT
HEAD OF THE PUBLIC SERVICE

Telegraphic Address
Telephone: +254-20-2227436
When replying please quote

OP/CAB.26/4A VOL.I/(46)

STATE HOUSE

P.O. Box 40530-00100

Nairobi, Kenya

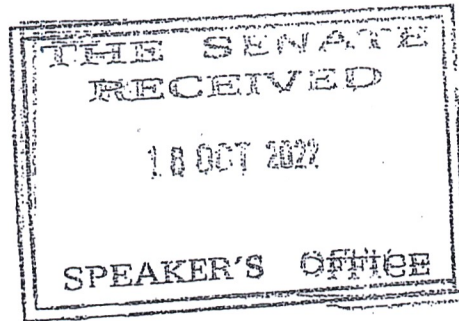
29th September, 2022

20.....

Ref. No.
and date

SECRET

Hon. Amason Kingi Jeffa, EGH
Speaker of the Senate
Parliament Buildings
NAIROBI



Dear *Hon Kingi,*
TRANSMITTAL LETTER

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

It is most graciously notified that His Excellency Hon. Dr. William Samoei Ruto Ph.D., C.G.H., President and Commander-in-Chief of the Kenya Defence Forces has in exercise of the constitutional prerogative vested in the Head of State and Government, and pursuant to the **Article 245 (2) (a) of the Constitution**, nominated **Eng. Japhet Koome Nchebere**, for appointment as the Inspector-General of the National Police Service.

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As we set our sights on continuing the transformation of the National Police Service, the House is urged to prioritize the consideration of the Nominee.

Yours *Sincerely,*
Joseph K. Kinyua

**JOSEPH K. KINYUA, EGH
HEAD OF THE PUBLIC SERVICE**

Clark
Kandy note
At. Hon. Speaker
[Signature]
19/10/22

SECRET



**PRESIDENTIAL
NOMINATION NO. 4 of 2022**

THE CONSTITUTION OF KENYA

**NOMINATION
for
STATE APPOINTMENT**

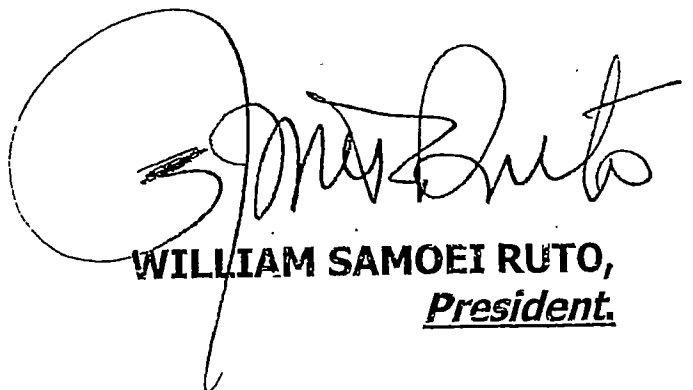
IN EXERCISE of the powers conferred by Article 245 (2) (a) of the Constitution of Kenya, **I, WILLIAM SAMOEI RUTO**, President and Commander-in-Chief of the Kenya Defence Forces nominates —

ENG. JAPHET KOOME NCHEBERE


for appointment as the Inspector-General of the National Police Service.

ISSUED under the **HAND AND SEAL** of the President at State House, Nairobi this.....*27th*.....day of *September*.....2022.




WILLIAM SAMOEI RUTO,
President.

- a) **THAT**, in furtherance to the provisions of Article 245 (2) (a) of the Constitution, I did share the Message of H.E the Presidents with the Senate for bicameral consideration;
- b) **THAT**, in order for Parliament to effectively conduct the vetting process, the Speaker of the Senate and I have consulted on the most judicious manner of facilitating Parliament to discharge this approval process;
- c) **THAT**, the vetting of the nominee shall therefore be jointly undertaken by the Departmental Committee on Administration and Internal Affairs of the National Assembly (*upon its appointment by the House*) and the Senate's Standing Committee on National Security, Defence and Foreign Relations;
- d) **THAT**, the Clerk of the National Assembly is hereby directed to coordinate with the Clerk of the Senate in order to immediately facilitate the process of the statutory notifications to the general public ahead of the first sitting of the joint Committee; and,
- e) **THAT**, the Clerk of the National Assembly is further directed to transmit this Notification to all Members of the National Assembly.


THE RT. HON. MOSES WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Monday, 24th October , 2022



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FIRST SESSION)

THE NATIONAL ASSEMBLY

NOTIFICATION FROM THE SPEAKER

[Standing Order 42(2)]

(No.01 of 2022)

**SUBJECT: MESSAGE FROM THE PRESIDENT ON NOMINATION
OF PERSON FOR APPOINTMENT AS INSPECTOR
GENERAL OF THE NATIONAL POLICE SERVICE**

WHEREAS on Wednesday, 12th October, 2022, the House resolved that, *during the period of the Short and Long Recesses, upon receipt of any name of a person nominated for appointment to a state or public office from the President or any other office in the National Executive, the Speaker shall forthwith refer such Message to the relevant Committee for consideration, without having to recall the House.*

AND WHEREAS the Speaker has since received a Message from His Excellency the President seeking the approval of appointment of **Eng. Japheth Nchebere Koome** as the Inspector-General of the National Police Service in accordance with the provisions of Article 245 (2) (a) of the Constitution and section 12(2) of the National Police Service Act, 2011;

NOWHEREFORE, it is hereby **NOTIFIED** to all Members of the National Assembly and the general public –



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FIRST SESSION)

THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE FROM THE PRESIDENT

(No.002 of 2022)

ON

APPROVAL OF A NOMINEE FOR APPOINTMENT AS THE
INSPECTOR GENERAL OF THE NATIONAL POLICE
SERVICE

Philip Lekakha
Secretary of the Senate
Standing Committee on
National Security and
Defence and Foreign Relations
and for all
26/10/22

Honourable Members,

1. Pursuant to the provisions of Standing Order No. 42(1), I wish to report to the House that I have received a Message from His Excellency the President regarding the nomination of a person for appointment as the Inspector-General of the National Police Service.
2. In the Message, His Excellency the President, conveys that, in exercise of powers conferred by Article 245(2)(a) of the Constitution and section 12(2) of the National Police Service Act, 2011 as read together with section 5 of the Public Appointments (Parliamentary Approval) Act, 2011, he nominates **Engineer Japheth Koome Nchebere** for appointment as the Inspector - General of the National Police Service.

Honourable Members,

3. Article 245 (2) (a) of the Constitution states as follows:-

"The Inspector-General is appointed by the President with the approval of Parliament".

Further, section 12 of the National Police Service Act, 2011 reads, and I quote:-

"12(1) pursuant to Article 245(2) (a) of the Constitution, Inspector-General of the Service shall be appointed by the President with the approval of Parliament.

(2) The President shall, within twenty-eight days after a vacancy occurs in the office of the Inspector-General, nominate a person for appointment as an Inspector-General and submit the name of the nominee to Parliament"

Honourable Members,

4. It is notable that the approval of the nominee will be undertaken by the two Houses of Parliament. In this regard, the vetting of the candidate will be done by a Joint sitting of the relevant Committees of both Houses of Parliament, in accordance with the established practice.

Honourable Members,

5. Section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, provides that, the Committee to which such nomination is referred shall consider the matter and table a report in the House **within twenty-eight (28) days.**

6. As you are aware, the Departmental Committee on Administration and Internal Affairs is yet to be constituted. In this regard, and in keeping with the resolution of the House of 12th October, 2022 regarding conveyance of Messages during recess, yesterday, 24th October, 2022, I notified all Members and directed the Clerk to cause the President's Message to be transmitted to all Members. I also instructed the Clerk to coordinate with the Clerk of the Senate so as to immediately facilitate the process of the statutory notifications to the general public ahead of the first sitting of the joint Committee. The Clerk has already complied. This implies that the counting of time with respect to the vetting process commenced today, Tuesday, 25th October, 2022, being the first day following the statutory notification to the public.

Honourable Members,

7. In summary and in accordance with the requirements of the Public Appointments (Parliamentary Approval) Act, 2011, the Standing Orders of both Houses and the practices of Parliament, it is notified as follows

—

(i) THAT, the vetting of the nominee for appointment to the Office of the Inspector-General of the National Police Service, shall be conducted jointly by the Departmental Committee on Administration and Internal Affairs of the National Assembly and the Standing Committee on National Security, Defence and Foreign Relations of the Senate;

(ii) THAT, the Chairpersons of the two Committees will Co-Chair the joint sittings and the Secretariat will comprise officers of the two Houses;

(iii) THAT, the quorum of the joint Committee will be the corresponding quorums of each of the two Committees as stipulated by the respective Standing Orders;

(iv) THAT, as contemplated under rule 9(6) of the *Houses of Parliament Joint Rules*, unless a decision is reached by the consensus, any vote to be taken in the joint sitting of the Committees shall be by separate Houses. This will ensure that the numerical difference of the individual members representing the Houses in the joint sittings has no effect on the decisions of the joint sittings of the Committees; and,

(v) THAT, the Committees shall, having conducted the vetting hearings, submit a Joint Report to the respective Houses in the manner contemplated by the Standing Orders of the respective House.

Honourable Members,

8. This Message, together with the resume of the nominee, will now stand committed to the Departmental Committee on Administration and National Security of the National Assembly sitting jointly with the Standing Committee on National Security, Defence and Foreign Relations of the Senate for consideration.
-

I thank you!

Wetang'ula

THE (RT.) HON. MOSES WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, 25th October, 2022



ANNEX 4

CURRICULUM VITAE

NAME: JAPHET KOOME NCHEBERE
ID. NO. 8813005
PASSPORT NO: BK 057024
EMAIL ADDRESS: jnkoome@yahoo.com

PHONE NUMBER: 0726 303308
POSTAL ADDRESS: P. O. BOX 189 – 00515 NAIROBI
DATE OF BIRTH: 2ND FEBRUARY, 1967
TRIBE: MERU
HOME COUNTY: MERU
CONSTITUENCY: NORTH IMENTI
GENDER: MALE
MARITAL STATUS: MARRIED WITH TWO ADULT BOYS

PERSONAL OBJECTIVE

I am self-motivated, reliable, responsible, hardworking and disciplined Police Officer with clean record of service.

CORE SKILLS

- Registered Graduate Civil Engineer with Engineers Registration Board No.B4771.
- Competent and qualified Police commander at all levels.

EDUCATION BACKGROUND AND PROFESSIONAL TRAINING

BSC IN CIVIL ENGINEERING DEGREE - University of Nairobi -1990
KACE - MATHS, PHYSICS, CHEMISTRY AND GENERAL PAPER - THREE PRINCIPLES AND ONE SUBSIDIARY - 14 POINTS - KAGUMO HIGH SCHOOL - 1986
KCE - DIVISION ONE - MERU TECHNICAL HIGH SCHOOL - 1984
CPE - 30 POINTS - MARSABIT PRIMARY SCHOOL - 1980

EMPLOYMENT AND JOB RELATED TRAINING

- Countering Violence Extremism - February, 2016
- Regional Senior Mission Leaders Course - October, 2013
- Governance and Public Management - January, 2013
- Strategic Leadership Development Programme - August, 2012
- National Defence College Course - 2007
- Senior Command Course - 2005

- Transformational Organizational Culture for maximum growth- May 2004
- Public service Integrity Programme Certificate - March 2004
- Instructors' Techniques Course - October 2003
- Instructional Techniques Course - October 2003
- Good Cooperate Governance Seminar - April, 2003
- Senior Police Officers Management Course - October, 2001
- Institute of Advanced Technology/Computer Programme - September 2001
- Principle Based Leadership course - August 2001
- Major Crime Management Course - March 1999
- Crisis Response Team Training Louisiana Police Academy, USA- Oct. 1999
- Police Higher Training Course - 1998
- Police Middle Management Course- 1997
- Leadership Development Course - March 1992
- Police Inspectorate Course - 1992
- Police Basic Training Course - 1991

WORK EXPERIENCE

- Commandant , National Police College, Main Campus Kiganjo - November, 2019 to date.
- Principal Deputy to Deputy Inspector General, Kenya Police Service - February, 2018 - October, 2019.
- Regional Police Commander, Nairobi City - September, 2015 to February 2018.
- Director of Planning, Kenya Police Service - 2014 to August, 2015.
- Deputy Director of Planning, Kenya Police Service - 2005 - 2014
- Officer in Charge Practical Police work at Kiganjo Police Training College - July 2003 - 2004.
- OCPD Central Police Division - 2002 to June 2003
- OCPD Buruburu Division - May to December 2001
- OCPD Maragua Division - January to May, 2001
- OCPD Machakos Division - 2000
- Deputy OCPD Buruburu Division - 1998 - 1999

- -Group Commander in Anti-Stock Theft Unit - 1993
- Police constable in the City of Nairobi - 1991 to 1993

OTHER POSITIONS HELD CURRENTLY

- The Chairman, Task Force on the Proposed National Police Service University College.
- The Alternate Council member, National Intelligence and Research University College.
- The Chairman, Board of Management, Utumishi Academy School(National School)
- The Chairman, Board of Management, Utumishi Girls' school (National School)

ACHIEVEMENTS

- Operational Commander for various Successful Major Security Operations in the Country such as:-
 - Tokyo International Conference on African Development – Nairobi.
 - United Nations Conference on Trade and Development - Nairobi.
 - Pope Francis visit to Nairobi, Kenya.
 - General Elections of the Year 2017 in Nairobi City.

CAREER PROGRESSION

- Police Constable - 1991 – 1992
- Inspector of Police - 1993 – 1995
- Chief Inspector of Police - 1996 – 1998
- Superintendent of Police - 1998 – 2001
- Senior superintendent of Police - 2001 – 2004
- Assistant Commissioner of Police - 2004 – 2005
- Senior Assistant commissioner of Police - 2006 – 2014
- Commissioner of Police - 2014 - 2017
- Assistant Inspector general - 2017 – 2019
- Senior Assistant Inspector General - 2019 to date

HONOURS AND AWARDS

- Head of State Commendation (HSC)
- Moran of Burning spear (MBS)
- Elder of Burning spear (EBS)
- National defence College – ndc(K)

HOBBIES AND INTERESTS

- Mentoring and Training Senior/Junior Police Officers.
- Farming

REFEREES

Mr. Edward Njoroge Mbugua, CBS, OGW, ndc(K),
Deputy Inspector General,

Kenya Police Service,
Police Headquarters,
P. O. Box 30083 – 00100,
NAIROBI.

MINUTES OF THE SECOND SITTING OF THE DEPARTMENTAL COMMITTEE ON HEALTH HELD ON TUESDAY 8TH NOVEMBER 2022 IN THE COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDINGS AT 10.00.AM.

PRESENT

1. The Hon.Dr.Pukose Robert,M.P.-**CHAIRPERSON**.
2. The Hon. Muge Cynthia Jepkosgei, M.P.
3. The Hon. Kipngor Reuben Kiborek, M.P.
4. The Hon. Mathenge Duncan Maina, M.P.
5. The Hon. Oron Joshua Odongo, M.P.
6. The Hon. Nyikal James Wambura, M.P.
7. The Hon. Owino Martin Peters, M.P.
8. The Hon. Kibagendi Antoney, M.P.
9. The Hon. Sunkuli Julius Lekakeny ole, EGH, EBS, M.P.
10. The Hon. Prof.Jaldesa Guyo Waqo, M.P.
11. Hon. Mary Maingi,MP.
12. The Hon. Sabina Chege, M.P
13. Hon. Wanyonyi Martim pepela
14. Hon. Lenguris Pauline

ABSENT WITH APOLOGIES

The Hon .Ntwiga Patrick Munene,M.P-**VICE-CHAIRPERSON**.

COMMITTEE SECRETARIAT

- | | |
|--------------------------------|-----------------------|
| 1. Mr. Hassan Arale | - Clerk Assistant II |
| 2. Ms. Gladys Kiprotich | - Clerk Assistant III |
| 3. Ms. Priscillah zaidi | - Research Officer |
| 4. Ms. Faith Chepkemoui Rotich | - Legal Analyst |
| 5. Mr. Hiram Kimuhu | - Fiscal Analyst |

MIN. NO. NA/DC-H/2022/007: PRELIMINARIES/INTRODUCTION

The meeting was called to order at 10 a.m with a word of prayer by the Hon. Dr. Pukose Robert, M.P.-Chairperson.

MIN. NO. NA/DC-H/2022/008: ADOPTION OF THE AGENDA

The agenda was adopted having been proposed by Hon. Sunkuli Julius Lekakeny ole, M.P. and seconded by Hon. Prof. Jaldesa Guyo Waqo, M.P.

MIN. NO. NA/DC-H/2022/009: CONFIRMATION OF PREVIOUS MINUTES

Minutes of the first sitting that were held on 1st November 2022 were confirmed after it was proposed by Hon. Nyikal James Wambura, M.P and seconded by Hon. Oron Joshua Odongo, M.P. respectively.

MIN. NO. NA/DC-H/2022/010: PRE-VETTING BRIEFING BY LEGAL COUNSEL ON THE VETTING FOR THE NOMINEES TO THE POSITIONS OF PRINCIPAL SECRETARIES STATE DEPARTMENTS FOR MEDICAL SERVICES AND HEALTH STANDARDS AND PROFESSIONAL MANAGEMENT

The legal counsel briefed as follows: that,

Pursuant to Standing Order 42(1), the Honourable Speaker, in a Message delivered to the House on Thursday, 3rd November 2022 *informed* the House that he had received a Message from His Excellency the President on 3rd November 2022. The Message was on nomination of appointments to the offices of Principal Secretaries.

These nominations as communicated in the letter *Ref. OP/CAB.26/4A Vol.1/ (49)* dated 2nd November 2022 were done in exercise of the power conferred upon His Excellency the President by Article 155(3)(a) of the Constitution.

Pursuant to Standing Order 45(1) and Standing Order 216 (5) (f) of the National Assembly Standing Orders (the 6th edition), the nominees for the State Department for Medical Services and State Department for Health Standards and Professional Management were committed to the Departmental Committee on Health on 3rd November 2022 for consideration and vetting as follows:

- a) Eng. Peter Tum to the position of Principal Secretary, State Department for Medical Services
- b) Dr. Josephine Mburu to the position of Principal Secretary, State Department for Health Standards and Professional Management

As conveyed by the Honourable Speaker in the aforementioned message, the vetting exercise by the Departmental Committees is to be undertaken within Twenty-eight days from the date of notification of the nomination as stipulated under Section 8 of the Public Appointments (Parliamentary Approval) Act, *No. 33 of 2011*. In this regard, the Clerk of the National Assembly has designated **Monday, 14th November 2022 at 2:30pm-6:30pm** for vetting by the Departmental Committee on Health after which the Committee Report on this vetting exercise shall be tabled by **Tuesday, 22nd November 2022**.

LEGAL BASIS

Article 132(2) (d) of the Constitution provides that the President shall nominate and, with the approval of the National Assembly, appoint, and may dismiss Principal Secretaries in accordance with Article 155.

Article 155 of the Constitution provides as follows—

Principal Secretaries.

155. (1) There is established the office of Principal Secretary, which is an office in the public service.

(2) Each State department shall be under the administration of a Principal Secretary.

(3) The President shall—

- a) nominate a person for appointment as Principal Secretary from among persons recommended by the Public Service Commission; and*

- b) with the approval of the National Assembly, appoint Principal Secretaries.*
- (4) The President may re-assign a Principal Secretary.*
- (5) A Principal Secretary may resign from office by giving notice, in writing, to the President.*

The recommendation of nominees by the Public Service Commission referred to in Article 155 (3) (a) of the Constitution is to be done as contemplated in Section 47 of the Public Service Commission Act, No.10 of 2017.

The legal Counsel briefed the Committee on the public appointment and Parliamentary approval vetting on the nominees for appointment as Principal Secretaries.

The legal Counsel advised that in conducting the Parliamentary approval of the nominees, the Committee will be guided majorly by the public appointments (Parliamentary approval act, 2011 and other relevant laws including the Constitution.

And after the approval the Committee will prepare its report on the suitability of the nominee. The committee may approve or reject the nominee, as provided by section 8(2) the public appointments (Parliamentary approval) Act 2011.

MIN. NO. NA/DC-H/2022/11: PRE-VETTING BRIEFING BY RESEARCHER ON THE VETTING FOR THE NOMINEES TO THE POSITION OF PRINCIPAL SECRETARIES STATE DEPARTMENTS FOR MEDICAL SERVICES AND HEALTH STANDARDS AND PROFESSIONAL MANAGEMET

The researcher briefed as follows: that,

Pursuant to the provisions of Article 155(3) (a) of the Constitution, H.E. the President and Commander in Chief of the Defence Forces of the Republic of Kenya is empowered to nominate and with the approval of the National Assembly, appoint Principal Secretaries to State Departments. In exercise of the said powers, H.E. the President nominated fifty-one (51) persons for appointment as Principal Secretaries.

Further, pursuant to the provisions of Article 118(1) (b) of the Constitution and Section 6(4) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), adverts were placed in the print media on **04/11/2022** notifying the general public that the Departmental Committees would conduct Approval Hearings (Vetting) of the nominees for appointment to the position of Principal Secretaries from Monday, 14th November, 2022 to Friday, 18th November, 2022.

In addition, the nominees were requested to bring originals of their identity cards, academic and professional certificates and other relevant testimonials. They were also required to obtain letters/certificates of compliance from the following institutions:

- a) Ethics and Anti- Corruption Commission;
- b) Kenya Revenue Authority;
- c) Higher Education Loans Board;
- d) Directorate of Criminal Investigations: and,
- e) Office of the Registrar of Political Parties

In the execution of its mandate, the Committee on Health will conduct approval hearings for the Principal Secretary nominees in the following State Departments in the Ministry of Health-

- (a) State Department for Medical Services- Eng. Peter Tum
- (b) State Department for Health Standards and Professional Management- Dr. Josephine Mburu

The researcher gave the summary of both nominees' curriculum Vitae.

MIN. NO. NA/DC-H/2022/12: CONSIDERATION OF SCHEDULE OF FAMILIARIZATION TOURS TO SEMI –AUTONOMOUS GOVERNMENT AGENCIES (SAGAS)

Members listed government agencies based on priority to be visited before December long recess in the following order;

1. National Hospital Insurance Funds (NHIF)
2. Kenya Medical Supplies Agency (KEMSA)
3. Council of Governors(COG) in regards to Universal Health cover
4. Kenya Medical Research Institute (KEMRI)
5. Kenyatta National Hospital (KNH)
6. Kenya BIOVAX Institute
7. Kenyatta University Teaching, Referral and Research Hospital (KUTRRH)

Members agreed to utilize available time to tour the agencies in Nairobi to do visitation to the agencies.

Members also proposed that retreat for the members will be done in February, 2023 due to tight schedule and the main agenda to be discussed will be the exit report of the 12th Parliament.

MIN. NO. NA/DC-H/2022/13: ANY OTHER BUSINESS: INTRODUCTORY BRIEF ON HEALTH SECTOR ECONOMIC, EXPENDITURE ALLOCATION AND PERFORMANCE.

Fiscal analyst of the Committee took the Members through the last financial year allocation and spending and the overview of the 2022/2023 financial year estimates for the health sector (Ministry of Health).

Consolidation of social health interventions. As the country gets ready to roll out UHC, resources are still being allocated separately to fragmented state-sponsored insurance schemes (HISP programme, Linda Mama programme, Edu Afya etc). The Budget and Appropriation Committee report recommended consolidation of these schemes into one pool of resources to implement UHC. The table 4 below shows allocation to the programmes and respective targets.

State-sponsored insurance schemes allocation and targets in 2022/23 financial year

Programme/Key area of funding	Allocation 2022/23 (Kshs. Millions)	Targets 2022/23
Free Maternity Program (Linda mama programme)	4,000	1,285,720 mothers accessing healthcare services through the Linda Mama Programme

Programme/Key area of funding	Allocation 2022/23 (Kshs. Millions)	Targets 2022/23
Health Insurance Subsidy Programme	1900	<ul style="list-style-type: none"> • 72% of the Population with social Health Insurance • 253,400 Indigents accessing healthcare through HISP • 58,800 elderly & persons with severe disabilities accessing healthcare

Source: National Treasury

Leasing of Medical Equipment Services (MES) - this project's contract expires in 2022. The expiration of contractual agreements under the MES project is unclear because the contracts with various county governments end on different dates. A joint committee comprising of the council of governors and the Ministry of Health has since been formed to investigate the matter and prepare a report. The report will outline the next steps in implementing the MES project in the fiscal year 2022/23 and in the medium term. Towards this end, the Ministry has not offered a detailed implementation plan for after the project's contract period expires or instructions on how to handle other contractual obligations, such as unpaid bills. To ensure a smooth transition, it is imperative that the new issues surrounding this project are addressed.

Access of Kenyatta University medical students to KUTRRH. The university medical students currently depend on Kiambu Level 4 Hospital, Thika Level 5 hospital, Mathare National Teaching and Referral Hospital and Mama Lucy to train health professionals, a situation that is unreliable and unsustainable. This is against the MoH and Ministry of Education vision to have a hospital for this purpose so as to address teaching, research and medical services provision. Notably, the recent inspection by the East Africa Medical Board where the university was poorly rated and admission of medical students suspended.

National Referral Hospitals Registrars. The health registrars continue to draw their salaries from the counties despite working for National referral hospitals in their respective counties. There is lack of a policy framework on how to maintain the registrars in terms of remuneration for these registrars.

The rollout of UHC. Universal Health Coverage (UHC) envisaged accessibility of quality affordable healthcare by all Kenyans. It is on this account that affordable healthcare was identified as one of the government's 'big four agenda' and National Health Insurance Fund (NHIF) was identified as the best platform to implement UHC. However, four years since the unveiling of UHC, Kenyans continue to encounter high costs when accessing healthcare services. High costs are in regard to pharmaceuticals. For instance, **for every Ksh.100 spent in healthcare in Kenya, Ksh.30 is out of pocket.** NHIF (Amendment) ACT 2022 requires that all Kenyans to be registered with a health insurance. Towards this far only 50% of both formal and informal sector members are covered with NHIF.

Health projects under the sports fund- The budget allocated to the ministry of health does not provide details of the health projects which have been proposed to be funded under the sports fund in 2022/23. In 2022/23 the Fund has been allocated **Ksh.15.8 billion** and according to the fund regulations, 60% is meant to support health projects (UHC).

Pending bills. The Ministry of Health has a total of **41.8 billion** as pending bills. This amount comprises of Ksh.41.7 billion and Ksh.10million as development and recurrent pending bills respectively. Further, a total of **Ksh.41.7 billion** are pending bills carried forward from prior He also highlighted key issues in the health sector including;

MIN. NO. NA/DC-H/2022/14: ADJOURNMENT

There being no any other business, The Chairperson, adjourned the meeting at ten minutes past one o'clock and the next meeting to be held on Thursday 10th November, 2022.

Sign..... Date.....

HON. DR. ROBERT PUKOSE, M.P - CHAIRPERSON

Sharif, thorn in Pakistani government's side

...ky job He received, and complained of, several threats to his life as a result of his criticism of the new administration
 ...erment that
 ...ted him charged
 ...h sedition

IRIAN WASUNA

he impeachment of Pakistani Prime Minister Imran Khan on April 10, 2022 seemed to have turned journalist Arshad Sharif's world upside down and drawn irony to the few months of his life. He had previously claimed that the journalists critical of Mr. Khan's administration were seeking asylum. Four months after Mr. Khan's impeachment, Sharif was granted asylum because his life was threatened following his publication of stories critical of the new administration. The journalist, one of Pakistan's most respected, was seeking a safe way away from the Pakistani government that wanted him charged with sedition and shadow groups that had threatened his life. But he died a very early death nearly 10,000 kilo-

HOW WORLD MEDIA REPORTED THE KILLING



BBC - Arshad Sharif killing: Prominent Pakistani journalist shot dead in Kenya
 An investigation has begun in Kenya after well-known Pakistani journalist Arshad Sharif was shot dead on Sunday.



ALJAZEERA

Aljazeera - Outspoken Pakistani journalist Arshad Sharif killed in Kenya. The 49-year-old journalist, who fled Pakistan in August after multiple cases were filed against him for criticizing the military, was shot dead in Kenya.



Reuters - Pakistani journalist killed in police shooting in Kenya. Well-known Pakistani journalist Arshad Sharif was shot dead in Nairobi when police hunting car thieves opened fire on the vehicle he was travelling in as it drove through their roadblock without stopping, according to a Kenyan police report on Monday.



The Guardian - Pakistani journalist killed by police in Kenya 'was case of mistaken identity'. A senior Pakistani journalist living in hiding in Kenya was shot and killed by police after the car he was in sped up instead of stopping at a roadblock near Nairobi, police have said.



Daily Mail UK - Pakistani news anchor is shot dead in Kenya months after fleeing his home country. A top Pakistani news anchor was shot dead in Kenya, his wife said today, just months after he fled his home country to avoid arrest over sedition charges.

metres away from home and in a place where he thought he was safe. Police officers manning a makeshift roadblock on the Nairobi-Magadi road fired nearly 20 bullets at the pead white Toyota Landcruiser that Sharif and his brother were travelling in. One bullet went straight through his head, ending Sharif's life. Sharif, a staunch Khan supporter, believed that the impeach-

ment was instigated by some state institutions and was purely political. Almost immediately, he became a fierce critic of the new administration led by Prime Minister Shehbaz Sharif.

One month after the new government assumed power, the journalist published a story on how a high ranking official from the ruling Pakistan Muslim League (N) (PML-N) with no offi-

cial government job was carrying out state roles and intimidating civil servants. Sharif went on to pen several critical stories on the Pakistani government and reiterated governance shortfalls on his TV show.

The journalist's hard work, which resonated with thousands of Pakistanis, did not go unnoticed. He received, and complained of, several threats to his

life as a result of the stories and TV airtime he dedicated to highlighting ills within the Pakistani government.

In August, the journalist interviewed Shahbaz Gill, leader of Mr Khan's Pakistan Tehreek-e-Insaf party, on local media outlet Ary News. The interview irked the new administration, particularly because Mr Gill insinuated that junior army officers should not

follow orders from their superiors that may be against the will of the Pakistani people.

For the government, this was the last straw. It immediately took Ary News off the air and ordered the arrest of Sharif and his interviewee, Mr Gill. The two were to be charged with sedition but Sharif fled the country.

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REPUBLIC OF KENYA



PARLIAMENT

THIRTEENTH PARLIAMENT | FIRST SESSION

In the matter of the approval by Parliament of Eng. Japhet Koome Nchebere for appointment to the position of Inspector-General of the National Police Service

SUBMISSION OF MEMORANDA

Pursuant to the provisions of Article 245(2)(a) of the Constitution, section 12(2) of the National Service Act, 2011 and section 5 of the Public Appointments (Parliamentary Approval) Act, 2011, His Excellency, the President, has nominated Eng. Japhet Koome Nchebere for appointment to the position of Inspector-General of the National Police Service.

Following receipt of the nomination, the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Relations are mandated to conduct an approval hearing to consider the suitability of the nominee for appointment to office.

In accordance with section 6 (9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committees now invite interested members of the public to submit any representations, by written statements on oath (affidavits), with supporting evidence, on the suitability of the nominee for appointment to office.

The representations may be forwarded to the Clerk of the National Assembly or the Clerk of the Senate, P.O. Box 41842-00100, Nairobi; hand-delivered to the Offices of the Clerks, Main Parliament Buildings, Nairobi; or emailed to clerk.nationalassembly@parliament.go.ke and clerk.senate@parliament.go.ke; to be received on or before Thursday, 3rd November, 2022 at 5.00 pm.

SERAH KIOKO, MBS
 AG. CLERK OF THE NATIONAL ASSEMBLY

J.M. NYEGENYE, CBS
 CLERK OF THE SENATE

REPUBLIC OF KENYA



PARLIAMENT

THIRTEENTH PARLIAMENT | FIRST SESSION

NOTIFICATION OF APPROVAL HEARING FOR ENG. JAPHET KOOME NCHEBERE THE NOMINEE FOR APPOINTMENT TO THE POSITION OF INSPECTOR-GENERAL OF THE NATIONAL POLICE SERVICE

Pursuant to the provisions of Article 245 (2) (a) of the Constitution, section 12 (2) of the National Police Service Act, 2011 and section 5 of the Public Appointments (Parliamentary Approval) Act, 2011, His Excellency, the President, has nominated Eng. Japhet Koome Nchebere for appointment to the position of Inspector-General of the National Police Service.

In accordance with the provisions of Article 118 of the Constitution and section 6 (4) of the Public Appointments (Parliamentary Approval) Act, 2011, the general public is hereby notified that the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Relations shall hold an approval hearing for the said nominee on Tuesday, 8th November, 2022 in the Mini Chamber, First Floor, County Hall, Parliament Buildings at 10.00 a.m.

The nominee should bring originals of his identity card, academic and professional certificates and other relevant testimonials. In addition, the nominee is required to obtain letters/ certificates of clearance/ compliance from the following institutions-

1. The Ethics and Anti-Corruption Commission;
2. The Kenya Revenue Authority;
3. The Higher Education Loans Board;
4. The Directorate of Criminal Investigations; and
5. Any of the Credit Reference Bureaus.

SERAH KIOKO, MBS
 AG. CLERK OF THE NATIONAL ASSEMBLY

J.M. NYEGENYE, CBS
 CLERK OF THE SENATE