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REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – SECOND SESSION – 2023

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

REPORT ON THE APPROVAL HEARING OF HON. SHADRACK JOHN MOSE,  
NOMINEE FOR APPOINTMENT AS SOLICITOR-GENERAL OF THE REPUBLIC  
OF KENYA

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 01 MAR 2023	DAY: Wednesday
TABLED BY:	CHAIR, Justice & Legal Affairs Hon. George Munigara, MP
CLERK-AT-THE-TABLE:	Miniam Moko

CLERK'S CHAMBERS

DIRECTORATE OF DEPARTMENTAL COMMITTEES

PARLIAMENT BUILDINGS

NAIROBI

MARCH, 2023

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## LIST OF ABBREVIATIONS AND ACRONYMS

H.E.	-	His Excellency
KRA	-	Kenya Revenue Authority
EACC	-	Ethics and Anti-Corruption Commission
DCI	-	Directorate of Criminal Investigations
HELB	-	Higher Education Loans Board
ORPP	-	Office of the Registrar of Political Parties
PAPAA	-	Public Appointments (Parliamentary Approval) Act
UDA	-	United Democratic Alliance
ODM	-	Orange Democratic Movement
DAP-K	-	Democratic Action Party - Kenya
PSC	-	Public Service Commission

## **ANNEXURES**

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## CHAIRPERSON'S FOREWORD

This report contains the proceedings of the Departmental Committee on Justice and Legal Affairs during the approval hearing of Hon. Shadrack John Mose, nominee for appointment as the Solicitor-General as forwarded by H.E. the President and communicated to the House by the Speaker on Tuesday, 14<sup>th</sup> February 2023.

In the exercise of his powers conferred by Section 9 (1) of the Attorney-General Act, 2012 as read together with Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act 2011, H.E. the President notified the National Assembly of the nomination of Hon. Shadrack John Mose as Solicitor-General, vide a letter dated 25<sup>th</sup> January, 2023. The Rt. Hon Speaker vide a communication made on Tuesday, 14<sup>th</sup> February, 2023 conveyed to the House the Message from H.E. the President and subsequently referred the name of the nominee, his *Curriculum Vitae*, and the Report of the Public Service Commission on the nominee's recruitment to the Departmental Committee on Justice and Legal Affairs for approval hearing. While referring the matter to the Committee, the Speaker directed that the Committee undertakes the vetting exercise within twenty-eight (28) days pursuant to Section 8 of the Public Appointments (Parliamentary Approval) Act, 2011. The Rt. Hon. Speaker further directed the Clerk of the National Assembly to notify the nominee and the general public of the time and place of holding the approval hearing, by placing advertisements in two newspapers of nationwide circulation and the Parliamentary Website.

In compliance with Article 118 (b) of the Constitution and Section 6 (4) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly placed an advertisement in the print media on Thursday, 16<sup>th</sup> February, 2023 informing the public of the nomination, date, time and place of the approval hearing. He invited the public to submit memoranda by way of written statements on oath (*affidavit*) on the suitability of the nominee in conformity with section 6 (9) of the Public Appointments (Parliamentary Approval) Act, 2011. The memoranda were to be received on or before Wednesday, 22<sup>nd</sup> February 2023 at 5.00 p.m. (East African Time). By the close of the submission deadline, the Committee had not received any memorandum against the nominee's suitability.

The Clerk of the National Assembly also wrote to the Kenya Revenue Authority (KRA), Ethics and Anti-Corruption Commission (EACC), Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and Office of the Registrar of Political Parties (ORPP) seeking references and background checks relating to the suitability of the nominee.

The nominee appeared before the Committee on Thursday, 23<sup>rd</sup> February, 2023 for the approval hearing. The Committee examined his suitability based on the criteria set out in section 7 of the Public Appointments (Parliamentary Approval) Act, 2011. In addition, the Committee examined his academic credentials, relevant experience, knowledge of sector issues and on leadership and integrity. The Committee paid due regard to the procedure used to arrive at the nominee, the constitutional or statutory requirements relating to the office in question and the suitability of the

nominee for the appointment proposed having regard to whether the nominees' abilities, experience and qualities meet the needs of the State Department.

### **Committee Recommendation**

The Committee, having held the approval hearing of the nominee regarding his suitability, observed that due process was followed on the recruitment process as provided for under Section 9 of the Attorney-General Act, 2012 and Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011. The Committee, therefore, recommends that the National Assembly **APPROVES** the nomination of Hon. Shadrack John Mose for appointment as Solicitor-General.

### **Acknowledgements**

The Committee registers its appreciation to the Office of the Speaker, Office of the Clerk of the National Assembly, Office of the Director of Departmental Committees and the Committee Secretariat for the logistical support extended during the approval hearing process.

In addition, the Committee thanks the nominee for his cooperation during the Parliamentary approval hearing process. Finally, the Committee appreciates KRA, EACC, DCI, HELB and ORPP for providing references and background checks relating to the suitability of the nominee.

I acknowledge and appreciate Members of the Committee for their patience, sacrifice and commitment which enabled the Committee to complete the task within the required timelines.

On behalf of the Departmental Committee on Justice and Legal Affairs, and pursuant to Section 9 of the Office of Attorney-General Act, 2012, Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011 and provisions of Standing Orders 45 (1), it is my pleasure to present the Report of the Committee on the Approval Hearing of Hon. Shadrack John Mose, Nominee for Appointment as Solicitor-General for debate and adoption by the House.

**Hon. Murugara George Gitonga, MP**  
**Chairperson, Departmental Committee on Justice and Legal Affairs**

# 1 PREFACE

## 1.1 Establishment and Mandate of the Committee

1. The Departmental Committee on Justice and Legal Affairs is one of twenty departmental committees of the National Assembly established under **Standing Order 216** whose mandate pursuant to the **Standing Order 216 (5)** is as follows:

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

## 1.2 Mandate of the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider<sup>1</sup>:-
  - a) The Judiciary;
  - b) Tribunals;
  - c) Access to Justice;
  - d) Public prosecutions;
  - e) Ethics, Integrity and Anti-corruption;
  - f) Correctional services;
  - g) Community service orders and witness protection;
  - h) Constitutional Affairs;
  - i) Sovereign immunity;
  - j) Elections including referenda;
  - k) Human rights;
  - l) Political parties;
  - m) The State Law Office' including insolvency, law reform, public trusteeship, marriages and legal education.
3. In executing its mandate, the Committee oversees the following Ministries/Departments:
  - a) State Department of Correctional Services
  - b) State Law Office and Department of Justice
  - c) The Judiciary
  - d) Judicial Service Commission
  - e) Office of the Director of Public Prosecutions
  - f) Ethics and Anti-Corruption Commission
  - g) Independent Electoral and Boundaries Commission
  - h) Commission on Administrative Justice

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<sup>1</sup> National Assembly Standing Orders

- i) Office of the Registrar of Political Parties
- j) Witness Protection Agency
- k) Kenya National Commission on Human Rights
- l) Kenya Law Reform Commission
- m) Council of Legal Education

### 1.3 Committee Membership

4. The Departmental Committee on Justice and Legal Affairs was constituted by the House on 27<sup>th</sup> October, 2022 and comprises the following Members:

#### **Chairperson**

Hon. Murugara George Gitonga, MP  
Tharaka Constituency

#### **UDA Party**

#### **Vice-Chairperson**

Hon. Mutuse Eckomas Mwengi, OGW, MP  
Kibwezi West Constituency

#### **MCCP Party**

#### **Members**

Hon. Maalim Farah, MP  
Dadaab Constituency  
**WDM-K**

Hon. Francis Kajwang' Tom Joseph, MP  
Ruaraka Constituency  
**ODM Party**

Hon. Junet Mohamed, MP  
Suna East  
**ODM Party**

Hon. (Dr.) Otiende Amollo, SC, MP  
Rarieda Constituency  
**ODM Party**

Hon Onyiego Silvanus Osoro, MP  
South Mugirango  
**UDA Party**

Hon. Muchira Michael Mwangi, MP  
Ol Jorok  
**UDA Party**

Hon. Makali John Okwisia, MP  
Kanduyi Constituency  
**FORD-Kenya**

Hon. Muriu Wakili Edward, MP  
Gatanga Constituency  
**UDA Party**

Hon. Maina Jane Njeri, MP  
Kirinyaga (CWR)  
**UDA Party**

Hon. Gichohi Kaguchia John Philip, MP  
Murukweini Constituency  
**UDA Party**

Hon. Mogaka Stephen M, MP  
West Mugirango Constituency  
**Jubilee Party**

Hon. Mohamed Aden Daudi, MP  
Wajir East Constituency  
**Jubilee Party**

Hon. Siyad Amina Udgoon, MP  
Garissa Township  
**Jubilee Party**

#### 1.4 Committee Secretariat

5. The Committee is well-resourced and facilitated by the following staff:

Mr. Douglas Katho  
**Clerk Assistant II/Head of Secretariat**

Mr. Ronald Walala  
**Senior Legal Counsel**

Ms. Jael Ayiego Kilaka  
**Clerk Assistant III**

Mr. Stanley Lagat  
**Serjeant-At-Arms**

Ms. Vivienne Ogega  
**Research Officer III**

Ms. Winnie Kiziah  
**Media Relations Officer II**

Mr. Alvin Ochieng'  
**Research Officer III**

Mr. Omar Abdirahim  
**Fiscal Analyst II**

Mr. Anthony Kariuki  
**Serjeant-At-Arms**

Mr. Clive Onyancha  
**Hansard Reporter III**

Mr. Peter Mutethia  
**Audio Recording Officer**

## 2 BACKGROUND INFORMATION

### 2.1 Legal Framework

6. Article 9 of the Office of Attorney-General Act, 2012 provides for the procedure and qualifications for the appointment of a Solicitor-General as well as the roles of the Office. It expressly provides that:

9. (1) *There shall be a Solicitor-General who shall be appointed by the President with the approval of the National Assembly.*
- (2) *The President shall nominate a person for appointment as a Solicitor-General from among persons recommended by the Public Service Commission.*
- (3) *A person shall be qualified for appointment to the office of Solicitor-General if the person—*
  - (a) *is qualified to hold the office of judge of a superior court under the Constitution; and*
  - (b) *meets the requirements of Chapter Six of the Constitution.*
- (4) *The Solicitor-General shall assist the Attorney-General in the performance of the duties of the Attorney-General.*
- (5) *The Solicitor-General shall carry out any function, discharge any duty and exercise any power as may be directed by the Attorney-General and shall—*
  - (a) *organise, co-ordinate and manage the administrative and the legal functions of the Office;*
  - (b) *assist the Attorney-General in the performance of his duties as the principal legal advisor to the Government;*
  - (c) *conduct, or assign and supervise all court cases, including appeals or petitions on behalf of the Attorney-General; and*
  - (d) *subject to Article 234 of the Constitution, be responsible for the discipline of State Counsel and other members of staff of the Office.*
- (6) *In the performance of the functions and the exercise of the powers of the Solicitor-General, the Solicitor-General shall be responsible for —*

- a) *organizing and coordinating the administrative and legal functions of the Office;*
- b) *formulating and ensuring implementation of development strategies for Government Legal Services;*
- c) *undertaking duties of alternate Chairperson of the Disciplinary Tribunal;*
- d) *performing duties of alternate Chairperson of the College of Arms;*
- e) *performing duties as a member of the Council of Legal Education;*
- f) *coordinating the attachment of candidates for pupillage in the Office; and*
- g) *performing such other duties as may be conferred by law or otherwise assigned to the Solicitor-General by the Attorney-General.*

7. In light of this, H.E. the President nominated Hon. Shadrack John Mose for appointment as Solicitor-General.
8. The Departmental Committee on Justice and Legal Affairs was assigned the role of conducting the approval hearing of the aforesaid nominee.
9. The Committee was guided by the following provisions of the Constitution and statutes in executing its assignment:
  - i. Article 10 of the Constitution on the national values and principles of governance;
  - ii. Chapter 6 of the Constitution on leadership and integrity;
  - iii. Article 77 of the Constitution on restriction on activities of State Officers;
  - iv. Article 78 of the Constitution on dual citizenship;
  - v. Article 118 of the Constitution on public participation;
  - vi. Article 124(4) of the Constitution on consideration of persons for appointment to public office;
  - vii. Article 166 of the Constitution on qualifications for appointment as a judge of a superior court;
  - viii. Article 232 of the Constitution on values and principles of public service;
  - ix. The Public Appointments (Parliamentary Approval) Act (No. 33 of 2011);
  - x. The Leadership and Integrity Act (Cap. 182);

- xi. The Office of Attorney-General Act (No.49 of 2012); and
- xii. The Public Officer Ethics Act (Cap. 183).

## **2.2 Notification of Nomination**

10. Pursuant to Section 9 of the Office of Attorney-General Act (No.49 of 2012), the Public Service Commission invited applications from suitably qualified persons for the position of Solicitor-General. The advertisement was published in the print media, and on the Public Service Commission's Website on 1<sup>st</sup> November 2022 with a closing date of 14<sup>th</sup> November 2022. A total of eighteen (18) applications were made, of which eight (8) candidates were shortlisted and interviews were conducted on the 13<sup>th</sup> and 14<sup>th</sup> of December, 2023.
11. Consequently, a list of the successful applicants was transmitted to H.E. the President by the Public Service Commission and on 25<sup>th</sup> January, 2023 H.E. the President nominated Hon. Shadrack John Mose for appointment as Solicitor-General.
12. The Public Service Commission vide its Report RefNo. PSC.SEC.93/71 Vol.VI (32) dated 16<sup>th</sup> December, 2023 noted that it adhered to all provisions of the Constitution in the process of advertising, shortlisting and interviewing the candidates including, merit, gender, ethnic and regional balance.

## **2.3 Message from H.E. the President**

13. H.E. the President on 25<sup>th</sup> January, 2023 communicated the name of the nominee for appointment to the position of Solicitor-General to the Speaker of the National Assembly for approval by the House pursuant to Section 9 of the Attorney-General Act, 2012.
14. The Rt. Hon. Speaker in his Communication issued on Tuesday 14<sup>th</sup> February 2023 and pursuant to Standing Order No. 42 referred the name of the nominee to the Departmental Committee on Justice and Legal Affairs to conduct approval hearings and report within twenty-eight (28) days.

## **2.4 Notification to the House and Referral to the Departmental Committee on Justice and Legal Affairs**

15. Pursuant to the provisions of Standing Order 42(1), the Speaker, vide Communication No. 004 of 2023 dated **Tuesday, 14<sup>th</sup> February 2023**, informed the House of the Message from H.E. the President regarding the nomination of the Solicitor-General for approval by the National Assembly.
16. Pursuant to section 8(1) of the Public Appointment (Parliamentary Approval) Act, 2011 and Standing Order 45(1), the name and curriculum vitae of the nominee were referred to the Departmental Committee on Justice and Legal Affairs for approval hearing and reporting to the House on or before Thursday 9<sup>th</sup> March, 2023.
17. While referring the matter to the Committee, the Speaker directed that the Committee undertakes the approval process within twenty-eight (28) days pursuant to Section 8 of the Public Appointments Parliamentary Approval Act, 2011. The Speaker further directed the Clerk of the National Assembly to notify the nominee and the general public of the time and place of holding the approval hearing.

## **2.5 Notification to the Public**

18. Article 118 of the Constitution provides that Parliament shall facilitate public participation and involvement in the legislative business and other business of Parliament and its Committees.
19. Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011 provides that the clerk shall notify the public of the time and place for holding an approval hearing at least seven days before the hearing.
20. Further, Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 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 candidate has been nominated”*.

21. Pursuant to Article 118 of the Constitution as read together with Section 6(4) of the Act, the Clerk of the National Assembly placed an advertisement in the print media on **Thursday, 16<sup>th</sup> February, 2023** inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of the nominee in conformity with Section 6(9) of the Act. The advertisement indicated that the submissions were to be received by **Wednesday, 22<sup>nd</sup> February, 2023 at 5.00 pm (East African Time)**. At the close of the submission deadline, the Committee had not received any memorandum for or against the suitability of the nominee.
22. Further, pursuant to Article 118 of the Constitution, Section 6(4) of the Public Appointment (Parliamentary Approval) Act, 2011 and provisions of Standing Order 45(3), the Clerk of the National Assembly notified the general public that the approval hearing of the nominee would be conducted on **Thursday, 23<sup>rd</sup> February, 2023**.

#### **2.6 Notification to the Nominee**

23. The Clerk of the National Assembly vide the advertisement placed in the print media and letter Ref. NA/DDC/JLAC/VETT/2023/005 dated 20<sup>th</sup> February, 2023 invited the nominee for the approval hearing in accordance with Section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011.

#### **2.7 Clearance and Compliance Requirements**

24. On 15<sup>th</sup> February, 2023, the Clerk of the National Assembly vide letter Ref No. NA/DDC/JLAC/VETT/2023/006 wrote to the Directorate of Criminal Investigations (DCI) requesting a report concerning the nominee's criminal records.
25. On 20<sup>th</sup> February, 2023, the Clerk of the National Assembly vide letters of Ref No. NA/DDC/JLAC/VETT/2023/007, NA/DDC/JLAC/VETT/2023/008, NA/DDC/JLAC/VETT/2023/009, NA/DDC/JLAC/VETT/2023/010 wrote to HELB, EACC, ORPP and KRA requesting for reports with respect to the nominee on the following matters:
- a) Higher education loan repayments;
  - b) Ethics and integrity;
  - c) Political party affiliations; and

d) Tax compliance.

26. The following institutions wrote back to the National Assembly clearing the nominee: KRA vide letter Ref No. KRA/5/1002/5 (8557) dated 22<sup>nd</sup> February, 2023; DCI vide letter Ref No. DCI/SEC/6/7/2/A/VOL. XII/49 dated 22<sup>nd</sup> February, 2023; ORPP vide letter Ref No. RPP/ORG/34 VOL. VI (53) dated 21<sup>st</sup> February, 2023; EACC vide letter Ref No. EACC/7/10/5 VOL XXII (67\_ dated 22<sup>nd</sup> February, 2023 and HELB vide letter Ref No. HELB/RR/112009/22/211 dated 28<sup>th</sup> February, 2023.

## 2.8 Issues for Consideration during the Approval Hearings

27. Section 6(7) and (8) of the Public Appointment (Parliamentary Approval) Act, 2011 provides that:

*(7) An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background.*

*(8) The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate.*

28. In addition, Section 7 of the Act stipulates the issues for consideration as:

*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 appointments proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which the nomination is being made.*

29. While conducting the approval hearing, the Committee was guided by the provisions of Section 6(7) and (8) and Section 7 of the Public Appointments (Parliamentary Approval) Act, 2011.

### **a) Procedure for Nomination**

30. Section 9(1) and (2) of the Office of the Attorney-General Act, 2012 confers upon the President the power to nominate a person for appointment from a list of persons recommended by the Public Service Commission.
31. Section 5(1) of the Public Appointment (Parliamentary Approval) Act, 2011 further requires that the appointing authority, upon nominating a person for appointment, notifies the relevant House of Parliament.
32. In light of this, pursuant to Sections 9(1) and (2) of the Office of the Attorney-General Act, 2012 as read together with Section 5(1) of the Public Appointments (Parliamentary Approval) Act, 2011, the President notified the National Assembly of the nomination of Hon. Shadrack John Mose for appointment to the Office of Solicitor-General.

**b) Constitutional and Statutory Requirements**

33. The Committee was guided by the following provisions of law which act as a guide on the requirements for appointment to the State Office:

*i. National Values and Principles of Governance*

34. Article 10 of the Constitution provides for the national values and principles of governance which State Officers must abide by in discharging their mandate. They 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. Conduct of State Officers*

35. Article 77 of the Constitution outlines that a full-time State officer must not participate in any other gainful employment and that any appointed State officer must not hold office in a political party.

36. Moreover, the Constitution under Article 78 further stipulates that a State officer must not hold dual citizenship but instead shall be a citizen of Kenya only.
37. Article 232 provides for the values and principles of public service as: 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 policy-making; 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, members of all ethnic groups and persons with disabilities.
38. The Public Officer Ethics Act, Cap 183 outlines the obligations of a public officer as: professionalism; carrying out duties in accordance with the law; prohibition from unjust enrichment; avoiding conflict of interest; not using the office as an avenue for soliciting or collecting harambees; not acting for foreigners; care of property; political neutrality, not practising nepotism or favouritism; giving impartial advice; conducting private affairs in a way that maintains public confidence; bar from sexual harassment; submission of a declaration of income, assets and liabilities once every two years.

*iii. Qualifications for Appointment as Solicitor-General*

39. Section 9(3)(a) of the Office of the Attorney-General Act, 2012 provides that a person shall be qualified for appointment to the office of the Solicitor-General if the person is qualified to hold the office of a judge of a superior court under the Constitution.
40. In light of this, the Committee was guided by Article 166 of the Constitution which stipulates as follows:

*Appointment of Chief Justice, Deputy Chief Justice and other judges.*

*166. (1) The President shall appoint—*

- (a) *the Chief Justice and the Deputy Chief Justice, in accordance with the recommendation of the Judicial Service Commission, and subject to the approval of the National Assembly; and*
- (b) *all other judges, in accordance with the recommendation of the Judicial Service Commission.*
- (2) *Each judge of a superior court shall be appointed from among persons who—*
- (a) *hold a law degree from a recognized university or are advocates of the High Court of Kenya, or possess an equivalent qualification in a common law jurisdiction;*
- (b) *possess the experience required under clause (3) to (6) as applicable, irrespective of whether that experience was gained in Kenya or in another Commonwealth common-law jurisdiction; and*
- (c) *have a high moral character, integrity and impartiality.*
- (3) *The Chief Justice and other judges of the Supreme Court shall be appointed from among persons who have—*
- (a) *at least fifteen years' experience as a superior court judge; or*
- (b) *at least fifteen years' experience as a distinguished academic, judicial officer, legal practitioner or such experience in other relevant legal field; or*
- (c) *held the qualifications specified in paragraph (a) and (b) for a period amounting, in the aggregate, to fifteen years;*
- (4) *Each judge of the Court of Appeal shall be appointed from among persons who have—*
- (a) *at least ten years' experience as a superior court judge; or*
- (b) *at least ten years' experience as a distinguished academic or legal practitioner or such experience in other relevant legal field; or*
- (c) *held the qualifications mentioned in paragraphs (a) and (b) for a period amounting, in the aggregate, to ten years.*
- (5) *Each judge of the High Court shall be appointed from among persons who have—*

*(a) at least ten years' experience as a superior court judge or professionally qualified magistrate; or*

*(b) at least ten years' experience as a distinguished academic or legal practitioner or such experience in other relevant legal field; or*

*(c) held the qualifications specified in paragraphs (a) and (b) for a period amounting, in the aggregate, to ten years.*

**iv. Leadership and Integrity**

41. The Committee, in determining the suitability of the nominee, was also guided by Section 9(3)(b) of the Office of the Attorney-General Act, 2012 as read with the provisions on leadership and integrity as stipulated under Chapter Six of the Constitution and the Leadership and Integrity Act, 2012. In particular, Article 73(2) of the Constitution provides that the guiding principles of leadership and integrity include:

- a) selection based on 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, favouritism, other improper motives or corrupt practices;
- c) selfless service based solely on the public interest, demonstrated by —
  - i. honesty in the execution of public duties; and
  - ii. the declaration of any personal interest that may conflict with public duties;
- d) accountability to the public for decisions and actions; and
- e) discipline and commitment in service to the people.

42. Article 75 of the Constitution requires a State Officer, whether in public or private life to behave in a manner that avoids conflict between personal interest and public official duties. This Article further prohibits a State Officer who has been removed from office under it from holding any other State Office.

43. Article 77(1) of the Constitution prohibits a full-time State Officer from participating in any other gainful employment.

44. Article 77(2) of the Constitution prohibits an appointed State officer from holding office in a political party. Article 78 of the Constitution disqualifies persons who are not Kenyan Citizens from appointment as State Officers. Further, a State Officer is barred from holding dual citizenship.

45. In addition, the Committee considered Section 10 of the Leadership and Integrity Act, 2012 in particular which provides that –

*A State officer shall, to the best of their ability—*

*(a) carry out the duties of the office efficiently and honestly;*

*(b) carry out the duties in a transparent and accountable manner;*

*(c) keep accurate records and documents relating to the functions of the office; and*

*(d) report truthfully on all matters of the organization which they represent.*

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

46. The suitability of the nominee was assessed after scrutiny of his background, academic credentials and professional qualifications, work and professional experience, personal integrity as well as his performance during the approval hearing conducted on Thursday, 23<sup>rd</sup> February, 2023.

### **3 APPROVAL HEARING**

47. The Committee conducted an approval hearing for the nominee on **Thursday 23<sup>rd</sup> February, 2023** and was guided by, among others, the Office of Attorney-General Act, 2012, the Public Appointments (Parliamentary Approval) Act, 2011 and the National Assembly Standing Orders.

#### **3.1 Approval Hearing of Mr. Shadrack John Mose – Nominee for Solicitor-General**

48. Hon. Shadrack John Mose appeared before the Committee and was orally interviewed by the Committee to examine his suitability or otherwise. The Committee noted the following:

##### *Personal Background*

49. The nominee is a male Kenyan citizen of Identification Card Number 8532233 and does not hold any other citizenship. He was born on 12<sup>th</sup> June, 1967 in Nyamira County.

##### *Academic and Professional Qualifications*

50. The nominee holds a Bachelor's Degree in Law (LL.B) from The University of Nairobi and a Post Graduate Diploma from the Kenya School of Law. He is a notary public, commissioner for oaths, certified public secretary and has over thirty years of experience as a legal practitioner.

##### *Work and Professional Experience*

51. The nominee has worked all his career life in the following capacities:

- a) as a Member of the Parliament for Kitutu Masaba Constituency from 2017 to 2022;
- b) as Managing Partner of Mose, Mose & Milimo Advocates from 2007 to 2017;
- c) as Managing Partner of Mose & Mose Advocates from 1996 to 2007;
- d) as Associate Advocate at Esmail & Esmail Advocates from August 1994 to December 1995;
- e) as Associate Advocate at Khamati Minishi & Co. Advocates from August 1992 to June 1994.

### ***Professional Associations***

52. The nominee submitted that he is a member of the Law Society of Kenya and the Institute of Certified Secretaries of Kenya.

### ***Public Office, Political Activities and Affiliations***

53. The nominee submitted that he has never been an official of any political party but had been a member of the United Democratic Alliance.

### ***Potential Conflict of Interest***

54. The nominee stated that he is the managing partner in the firm of Mose, Mose & Mose Advocates but if approved, he would tender his resignation as a partner in the firm.

### ***Sources of Income and Networth***

55. The nominee estimated his net worth to be Kshs. 250 Million with the sources of income being rental income, parcels of land and shares in the lawfirm. Concerning his current sources of income, the nominee submitted that his current annual income included salary from the Parliamentary Service Commission and a share of profits from Mose, Mose & Mose Advocates of Kshs. 13.5 Million and Kshs. 5.7 Million respectively.

### ***Pro-bono/Charity Work***

56. The nominee is involved in charity work through the support of street children in Keroka Town with basic needs. He also submitted that he had previously been engaged in pro-bono legal work in Kiambu Civil Case CMCC No. 213 of 2017 and Kibera Criminal Case No. 2564 of 2021 in which he represented parties in the cases.

### ***Integrity***

57. The nominee demonstrated integrity in public service. He has neither been charged in a court of law nor mentioned in any investigatory reports of Parliament or any Commission of Inquiry

in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

### **3.2 General and Sector-Specific Questions to Hon. Shadrack John Mose**

58. The Committee posed several questions to the nominee on his knowledge of the Office of Solicitor-General. The nominee responded as follows: -

#### ***On Government losing high profile cases***

59. The nominee stated that as an assistant to the Attorney-General, he would advocate for the State Law Office to be well equipped through additional funding from Parliament to ensure technical training and capacity-building for the State Counsels to motivate them to work well and effectively deal with complex cases. He emphasized there was a need for continuous and rigorous training of State Counsels both locally and internationally.

60. Noting that the terms of service for State Counsel at the Office are way below most of the other officers in the justice sector, he added that improving their terms of service would help the office retain its best talent.

#### ***On the massive failure of Advocates' Training Programme (ATP) students occasioned by the disharmony between the Kenya School of Law (KSL) and the Council of Legal Education (CLE)***

61. The nominee informed the Committee that there were two task forces set up by the former Attorney-General in 2016 seeking to harmonize the working of the two institutions and that he would assist the Attorney-General in the implementation of the recommendations of the task force, particularly, decentralization of the Kenya School of Law.

#### ***On the stringent qualifications of LL.B holders to join the Advocates' Training Programme in KSL***

62. The nominee informed the Committee that there were two pending Bills seeking to address this issue and asked that Parliament consider them. He further proposed that a mechanism be introduced whereby aspiring Advocates, upon enrolling to undertake undergraduate studies in

law are given a clear picture of what to expect throughout the entire journey up until they are admitted as advocates.

***On un-honoured judgements against the Government***

63. The nominee reiterated that court decrees should be honoured. He underscored the need to come up with innovative ways of addressing the issue such as employing post-judgement negotiations since some of the payments had increased significantly due to interest on the awarded damages.

***On fair recruitment of pupils to the State Law Office***

64. The nominee intimated that it was his earnest desire to allow young lawyers to advance their careers. He also stated that, as an ardent defender of the Constitution, he would uphold, respect and defend the Constitution by adhering to Article 232 on the values and principles of public service to afford all aspiring candidates an equal opportunity for appointment as pupils. He added that he would ensure that pupils are recruited on a merit basis and in a manner that takes into account ethnic and regional balance.

***On his mission and vision for the Office of Solicitor-General***

65. The nominee affirmed that he was aware that the role of the Solicitor-General is to deputize Attorney-General and assist him in discharging his mandate as the principal legal advisor to the government. He further stated that another role was to conduct and supervise cases on behalf of the government.

66. He informed the Committee that his vision for the State Law Office is that it emulates a premier legal firm that can respond promptly to issues. He stated that, if approved, he would ask the government to allocate more funds to the Office to allow it to effectively discharge its mandate.

67. Furthermore, the nominee reiterated that he would improve the terms and conditions of service for State Counsels and hold them to account to ensure that the government zealously defends all its matters in court.

68. He also stated that it was his vision to increase the presence of the State Law Office in all regions by increasing the number of offices across the country as well as through the digitization of services to emulate the Business Registration Service (BRS).

***On whether there exists a vacancy in the Office of the Solicitor-General***

69. The nominee confirmed to the Committee that there was an advertisement by the Public Service Commission inviting applications for the position and that, in his view, that amounted to there being a vacancy in the office.

***On the term of office of the Office of Solicitor-General***

70. The nominee noted that the term of office was five years as stipulated in the advertisement.

***On the relevance of the Office of Solicitor-General in light of the 2010 Constitution***

71. The nominee stated that Section 9 of the Office of Attorney-General Act, 2012 as read with Article 156 of the Constitution of Kenya spells out the roles and functions of the office.

***On how to handle a difference of opinion between the Office of Solicitor-General and Attorney-General***

72. The nominee stated that as an assistant to the Attorney-General, there is a clear demarcation of roles between the two offices. He further emphasized that he would foster good relations to allow him to work well with the Attorney-General.

***On impartiality having been a UDA candidate in the 2022 General Election***

73. The nominee noted that he is an Advocate with over thirty years of experience and that he cherishes fidelity to the rule of law and thus, would serve all Kenyans irrespective of their political affiliations. He added that in his long legal career there have never been complaints regarding his professionalism and that it would be his greatest pride to serve all Kenyans with distinction.

***On the curtailment of career progression for officers in the State Law Office***

*Report of the Departmental Committee on Justice and Legal Affairs on the Approval Hearing of the Nominee for Appointment as Solicitor-General*

74. The nominee stated that the position of Solicitor-General had been advertised and was open to all including those working at the State Law Office. He added that the recruitment process was competitive.

***On the misuse of the State Law Office to sanitize illegal payment of pending bills***

75. The nominee noted that, if approved, he would espouse the greatest level of integrity as an accounting officer and that if any State Counsel is found to have engaged in unprofessional conduct, he would ensure that the Counsel is dealt with accordingly.

***On why he deems himself fit for the position***

76. The nominee informed the Committee that he had a vast experience in different areas and had acquired in-depth knowledge in the legal field having practised law for over thirty years.

***On reclaiming the glamour of the Office of Attorney-General***

77. The nominee stated that the office is as good as the office bearer and that through continuous capacity building and training, the office would be equipped with a rich human resource which is vital to restoring the honour of the office.

#### **4 COMMITTEE OBSERVATIONS AND FINDINGS**

78. Pursuant to Section 6(7) and (8) and Section 7 of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee made the following observations with regard to the following issues for consideration:

##### **4.1 Procedure for Nomination**

79. Pursuant to Section 9 (2) of the Office of the Attorney-General Act, 2012, the Committee observed that the procedure used to arrive at the nominee was lawful and in compliance with the values and principles of public service under Article 232(1)(g) and (h) of the Constitution.

80. Further, the Committee found that the nominee was recommended to the President for appointment as required by the law.

##### **4.2 Constitutional and Statutory Requirements**

81. The Committee found as follows:

- a) That the nominee is a Kenyan citizen and is not a citizen of any other country and therefore meets the requirement of Article 78(1) of the Constitution;
- b) That the nominee, being an Advocate of the High Court with over thirty years of experience, meets the requirements of Section 9 of the Office of the Attorney-General Act, 2012 as read with Article 166 of the Constitution;
- c) That the nominee demonstrated an aspiration for integrity in public service and thus meets the requirements of Chapter Six of the Constitution on leadership and integrity;
- d) The nominee, having being cleared by KRA, HELB, EACC, DCI, ORPP, with regard to tax compliance, higher education loan repayments, ethics and integrity, criminal records and political party affiliations has met the statutory requirements for appointment to the Office.

**4.3 Suitability of the nominee for the proposed appointment having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which the nomination is made**

82. The suitability of the nominee was assessed after scrutiny of his background, academic credentials and professional qualifications, work and professional experience, personal integrity as well as his performance during the approval hearing conducted on Thursday, 23<sup>rd</sup> February, 2023 and the Committee observed that:

a) The nominee exhibited a clear understanding of the role of the Solicitor-General within the Office of the Attorney-General which includes:

- i. organising, co-ordinating and managing the administrative and the legal functions of the Office;
- ii. assisting the Attorney-General in the provisions of legal to the Government;
- iii. conducting, or assigning and supervising all court cases on behalf of the Attorney-General;
- iv. being responsible for the discipline of State Counsel and other members of staff of the Office;
- v. formulating and ensuring implementation of development strategies for Government Legal Services;
- vi. undertaking duties as an alternate chairperson of the Disciplinary Tribunal established under the Advocates Act;
- vii. performing duties of alternate Chairperson of the College of Arms;
- viii. performing duties as a member of the Council of Legal Education; and
- ix. coordinating the attachment of candidates for pupillage in the Office.

b) The nominee possesses relevant experience for the position of Solicitor-General of the Republic of Kenya. The nominee has practised law for over thirty years during which he has mentored pupils under the Advocates Training Programme and maintained a perfect disciplinary record. He has also been a legislator for five years and served as a member of the House Business Committee and the Departmental Committee on

Transport, Public Works and Housing. A background in law and experience in public service are critical tools for any person discharging the role of Solicitor-General.

- c) The nominee exhibited a comprehensive grasp of the challenges currently affecting the State Law Office, including retention of staff, congestion, overall motivation, remuneration, capacitation and lack of decentralization. He identified adequate budgetary support as one of the key solutions that may restore the office to its high standing within the justice sector.

## 5 COMMITTEE RECOMMENDATIONS

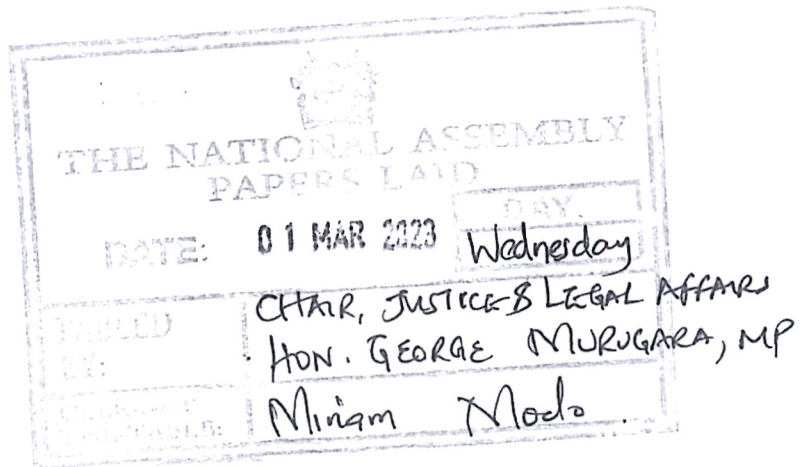
83. Having considered the suitability, capacity and integrity of the nominee, and pursuant to Section 9 of the Office of Attorney-General Act, 2012 and Section 8(2) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee recommends that the National Assembly **APPROVES** the appointment of **Hon. Shadrack John Mose** to the position of Solicitor-General of the Republic of Kenya.

SIGNED.......... DATE..... 1. 3. 2023 .....

**HON. MURUGARA GEORGE GITONGA, MP**

**CHAIRPERSON**

**DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**



# ANNEXURES

# **ANNEXURE 1: ADOPTION LIST**



THE NATIONAL ASSEMBLY

13<sup>TH</sup> PARLIAMENT

JUSTICE AND LEGAL AFFAIRS COMMITTEE

ADOPTION SCHEDULE

**AGENDA:** Adoption of the Report for the Approval Hearing (Vetting) of the Nominee for Appointment to the Position of Solicitor-General for the Republic of Kenya

No.	HON MEMBER	SIGNATURE
1.	HON. MURUGARA GEORGE GITONGA, MP – <i>Chairperson</i>	
2.	HON. MUTUSE ECKOMAS MWENGI, MP – <i>Vice Chairperson</i>	
3.	HON. MAALIM FARAH, MP	
4.	HON. FRANCIS KAJWANG' TOM JOSEPH, MP	
5.	HON. JUNET MOHAMED, CBS, MP	
6.	HON. ONYIEGO SILVANUS OSORO, MP	
7.	HON. (DR.) OTIENDE AMOLLO, SC, MP	
8.	HON. MUCHIRA MICHAEL MWANGI, MP	
9.	HON. MAKALI JOHN OKWISIA, MP	
10.	HON. MURIU WAKILI EDWARD, MP	
11.	HON. MAINA JANE NJERI, MP	
12.	HON. GICHOHI KAGUCHIA JOHN PHILIP, MP	
13.	HON. MOGAKA STEPHEN M, MP	
14.	HON. MOHAMED ADEN DAUDI, MP	
15.	HON. SIYAD AMINA UDGOON, MP	

**Submitted by:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Clerk Assistant**

**Approved by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DIRECTOR – DEPARTMENTAL COMMITTEES**

## **ANNEXURE 2: MINUTES**



**REPUBLIC OF KENYA**

**THE NATIONAL ASSEMBLY**

**THIRTEENTH PARLIAMENT - FIRST SESSION - 2023**

**DIRECTORATE OF DEPARTMENTAL COMMITTEES**

**DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

**MINUTES OF THE 23<sup>RD</sup> SITTING OF THE JUSTICE AND LEGAL AFFAIRS  
COMMITTEE HELD ON WEDNESDAY 1<sup>ST</sup> MARCH, 2023 AT 8.30 A.M. AT HILTON  
GARDEN INN**

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**PRESENT**

**Members**

- |  |                     |
|--|---------------------|
| 1. Hon. Murugara George Gitonga, MP      | - Chairperson       |
| 2. Hon. Mutuse Eckomas Mwengi, OGW, MP   | - Vice- Chairperson |
| 3. Hon. Francis Kajwang' Tom Joseph, MP  |                     |
| 4. Hon. Onyiego Silvanus Osoro, CBS, MP  |                     |
| 5. Hon. Gichohi Kaguchia John Philip, MP |                     |
| 6. Hon. Muriu Wakili Edward, MP          |                     |
| 7. Hon. Mohamed Aden Daudi, MP           |                     |
| 8. Hon. Mogaka Stephen M, MP             |                     |
| 9. Hon. Makali John Okwisia, MP          |                     |
| 10. Hon. Muchira Michael Mwangi, MP      |                     |
| 11. Hon. Siyad Amina Udgoon, MP          |                     |
| 12. Hon. Maina Jane Njeri, MP            |                     |

**ABSENT**

1. Hon. Maalim Farah, MP
2. Hon. Junet Mohamed, CBS, MP
3. Hon. (Dr.) Otiende Amollo, SC, MP

**JLAC COMMITTEE SECRETARIAT**

- |                           |   |                               |
|---------------------------|---|-------------------------------|
| 1. Mr. Douglas Katho      | - | Clerk Assistant II            |
| 2. Mr. Ronald Walala      | - | Senior Legal Counsel          |
| 3. Mr. Abdirahim Omar     | - | Fiscal Analyst II             |
| 4. Ms. Jael Ayiego Kilaka | - | Clerk Assistant III           |
| 5. Ms. Vivienne Ogega     | - | Research Officer III          |
| 6. Ms. Jully Faith        | - | Public Communications Officer |

7. Mr. Peter Mutethia - Audio Officer III  
8. Mr. Stanely Lagat - Serjeant-At-Arms

#### **AGENDA**

1. Prayers
2. Preliminaries
3. Matters arising
4. **Adoption of the Report on the Approval Hearing (Vetting) of the Nominee for the Appointment to the Position of the Solicitor General of the Republic of Kenya**
5. Any Other Business
6. Adjournment/ Date of the Next Meeting

#### **MIN. NO/DC/JLAC/2023/111: PRELIMINARIES**

The meeting was called to order at thirty minutes past eight o'clock by the Chairperson followed by a word of prayer from the Vice chairperson and thereafter Members of the Committee introduced themselves.

#### **MIN.NO/DC/JLAC/2023/112: ADOPTION OF THE AGENDA**

The agenda was adopted having been proposed by Hon. Mutuse Eckomas Mwengi, MP and seconded by Hon. Mohamed Aden Daudi, M.P.

#### **MIN.NO/DC/JLAC/2023/113: CONFIRMATION OF MINUTES**

The agenda was deferred.

#### **MIN. NO/DC/JLAC/2023/114: ADOPTION OF REPORT APPROVAL HEARING FOR THE PERSON NOMINATED FOR THE POSITION OF THE SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA.**

The Committee considered and unanimously adopted its report on the approval hearing of the Hon. Shadrack John Mose for the position of the Solicitor-General of the Republic of Kenya with the recommendation that the House approves the appointment of the nominee.

The adoption of the Report was proposed by Hon. Mutuse Eckomas Mwengi, MP and seconded by Hon. Mohamed Aden Daudi, MP

#### **MIN.NO/DC/JLAC/2023/115: ADJOURNMENT**

There being no other business, the meeting was adjourned at nine o'clock and the next meeting shall be held on notice.

SIGNED: .....  ..... DATE: 01.03.2023  
(CHAIRPERSON: HON. MURUGARA GEORGE GITONGA, MP)



**REPUBLIC OF KENYA**

**THE NATIONAL ASSEMBLY**

**THIRTEENTH PARLIAMENT - FIRST SESSION - 2023**

**DIRECTORATE OF DEPARTMENTAL COMMITTEES**

**DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

**MINUTES OF THE 19<sup>TH</sup> SITTING OF THE JUSTICE AND LEGAL AFFAIRS  
COMMITTEE HELD ON MONDAY 27<sup>TH</sup> FEBRUARY, 2023 AT 10.00 A.M. AT HILTON  
GARDEN INN**

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**PRESENT**

**Members**

- |  |                     |
|--|---------------------|
| 1. Hon. Murugara George Gitonga, MP      | - Chairperson       |
| 2. Hon. Mutuse Eckomas Mwengi, OGW, MP   | - Vice- Chairperson |
| 3. Hon. Francis Kajwang' Tom Joseph, MP  |                     |
| 4. Hon. Onyiego Silvanus Osoro, CBS, MP  |                     |
| 5. Hon. Gichohi Kaguchia John Philip, MP |                     |
| 6. Hon. Muriu Wakili Edward, MP          |                     |
| 7. Hon. Mohamed Aden Daudi, MP           |                     |
| 8. Hon. Mogaka Stephen M, MP             |                     |
| 9. Hon. Makali John Okwisia, MP          |                     |
| 10. Hon. Muchira Michael Mwangi, MP      |                     |
| 11. Hon. Maina Jane Njeri, MP            |                     |

**ABSENT**

1. Hon. Maalim Farah, MP
2. Hon. Junet Mohamed, CBS, MP
3. Hon. (Dr.) Otiende Amollo, SC, MP
4. Hon. Siyad Amina Udgoon, MP

**JLAC COMMITTEE SECRETARIAT**

- |                           |   |                               |
|---------------------------|---|-------------------------------|
| 1. Mr. Douglas Katho      | - | Clerk Assistant II            |
| 2. Mr. Denis Abisai       | - |                               |
| 3. Mr. Ronald Walala      | - | Senior Legal Counsel          |
| 4. Mr. Abdirahim Omar     | - | Fiscal Analyst II             |
| 5. Ms. Jael Ayiego Kilaka | - | Clerk Assistant III           |
| 6. Ms. Vivienne Ogega     | - | Research Officer III          |
| 7. Ms. Jully Faith        | - | Public Communications Officer |

8. Mr. Peter Mutethia - Audio Officer III  
9. Mr. Stanely Lagat - Serjeant-At-Arms

#### **AGENDA**

1. Prayers
2. Preliminaries
3. Matters arising
4. **Consideration of the Report on the Approval Hearing (Vetting) of the Nominee for the Appointment to the Position of the Solicitor General of the Republic of Kenya**
5. Any Other Business
6. Adjournment/ Date of the Next Meeting

#### **MIN. NO/DC/JLAC/2023/096: PRELIMINARIES**

The meeting was called to order at thirty minutes past eight o'clock by the Chairperson followed by a word of prayer from the Vice chairperson and thereafter Members of the Committee introduced themselves.

#### **MIN.NO/DC/JLAC/2023/097: ADOPTION OF THE AGENDA**

The agenda was adopted having been proposed by Hon. Mutuse Eckomas Mwangi, MP and seconded by Hon. Aden Daud, M.P.

#### **MIN.NO/DC/JLAC/2023/098: CONFIRMATION OF MINUTES**

The agenda was deferred.

#### **MIN. NO/DC/JLAC/2023/099: CONSIDERATION OF THE REPORT ON THE APPROVAL HEARING (VETTING) OF THE NOMINEE FOR THE APPOINTMENT TO THE POSITION OF THE SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA**

The Committee considered its report on the appointment of the nominee for the position of the Solicitor-General of the Republic of Kenya.

The suitability of the nominee was assessed after scrutiny of his background, academic credentials and professional qualifications, work and professional experience, personal integrity as well as his performance during the approval hearing conducted on Thursday, 23<sup>rd</sup> February, 2023 and the Committee observed that:

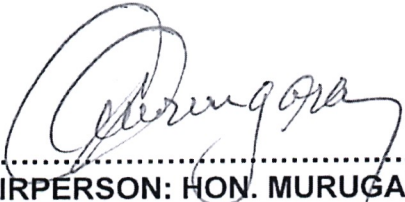
- (1) The nominee exhibited a clear understanding of the role of the Solicitor-General within the Office of the Attorney-General which includes:
  - (a) organising, co-ordinating and managing the administrative and the legal functions of the Office;
  - (b) assisting the Attorney-General in the provisions of legal to the Government;
  - (c) conducting, or assigning and supervising all court cases on behalf of the Attorney-General;

- (d) being responsible for the discipline of State Counsel and other members of staff of the Office;
  - (e) formulating and ensuring implementation of development strategies for Government Legal Services;
  - (f) undertaking duties as an alternate chairperson of the Disciplinary Tribunal established under the Advocates Act;
  - (g) performing duties of alternate Chairperson of the College of Arms;
  - (h) performing duties as a member of the Council of Legal Education; and
  - (i) coordinating the attachment of candidates for pupillage in the Office.
- (2) The nominee possesses relevant experience for the position of Solicitor-General of the Republic of Kenya. The nominee has practised law for over thirty years during which he has mentored pupils under the Advocates Training Programme and maintained a perfect disciplinary record. He has also been a legislator for five years and served as a member of the House Business Committee and the Departmental Committee on Transport, Public Works and Housing. A background in law and experience in public service are critical tools for any person discharging the role of Solicitor-General.
- (3) The nominee exhibited a comprehensive grasp of the challenges currently affecting the State Law Office, including retention of staff, congestion, overall motivation, remuneration, capacitation and lack of decentralization. He identified adequate budgetary support as one of the key solutions that may restore the office to its high standing within the justice sector.

The Committee deferred the adoption of the report until the Report of the Selection Panel of the Public Service Commission was availed.

**MIN.NO/DC/JLAC/2023/100: ADJOURNMENT**

There being no other business, the meeting was adjourned at nine o'clock and the next meeting shall be held on notice.

SIGNED: .....  ..... DATE: 01.03.2023  
(CHAIRPERSON: HON. MURUGARA GEORGE GITONGA, MP)



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - SECOND SESSION - 2023

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

MINUTES OF THE 18<sup>TH</sup> SITTING OF THE JUSTICE AND LEGAL AFFAIRS  
COMMITTEE HELD ON THURSDAY, 23<sup>RD</sup> FEBRUARY, 2023 AT 10.00 A.M. IN THE  
MINI CHAMBERS, MAIN PARLIAMENT BUILDINGS.

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**PRESENT**

**Members**

- |   |                    |
|---|--------------------|
| 1. Hon. Murugara George Gitonga, M.P.     | - Chairperson      |
| 2. Hon. Mutuse Eckomas Mwengi, M.P.       | -Vice- Chairperson |
| 3. Hon. Maalim Farah, M.P.                |                    |
| 4. Hon. Francis Kajwang' Tom Joseph, M.P. |                    |
| 5. Hon. (Dr.) Otiende Amollo, SC, M.P.    |                    |
| 6. Hon. Onyiego Silvanus Osoro, CBS, M.P. |                    |
| 7. Hon. Muchira Michael Mwangi, MP        |                    |
| 8. Hon. Makali John Okwisia, M.P.         |                    |
| 9. Hon. Mogaka Stephen M, M.P.            |                    |
| 10. Hon. Gichohi Kaguchia John Philip, MP |                    |
| 11. Hon. Mohamed Aden Daudi, M.P.         |                    |

**ABSENT WITH APOLOGY**

1. Hon. Junet Mohamed, M.P.
2. Hon. Maina Jane Njeri, M.P.
3. Hon. Muriu Wakili Edward, M.P.
4. Hon. Siyad Amina Udgoon, M.P.

**SECRETARIAT**

- |                           |                                  |
|---------------------------|----------------------------------|
| 1. Mr. Douglas Katho      | - Clerk Assistant II             |
| 2. Mr. Dennis Abisai      | - Deputy Director Legal Services |
| 3. Mr. Ronald Walala      | - Senior Legal Counsel           |
| 4. Mr. Abdirahim Omar     | - Fiscal Analyst II              |
| 5. Ms. Jael Ayiego Kilaka | - Clerk Assistant III            |
| 6. Mr. Alvin Ochieng'     | - Research Officer III           |
| 7. Ms. Vivienne Ogega     | - Research Officer III           |

- |                       |   |                               |
|-----------------------|---|-------------------------------|
| 8. Mr. Peter Mutethia | - | Audio Officer                 |
| 9. Ms. Faith Jully    | - | Public Communications Officer |
| 10. Ms. Winnie Kiziah | - | Media Relations Officer       |
| 11. Ms. Fridah Ngari  | - | Media Relations Officer       |

**IN ATTENDANCE**

- |                            |   |                                    |
|----------------------------|---|------------------------------------|
| 1. Hon. Shadrack John Mose | - | Nominee                            |
| 2. Mr. Victor Nyabuti,     | - | Personal Researcher to the nominee |
| 3. Mr. Elijah Ongeri       | - | Personal Assistant to the nominee  |

**AGENDA**

1. Prayers
2. Preliminaries
3. Confirmation of Minutes
4. Matters arising
5. **Approval hearing (Vetting) of the Nominee for appointment of the position of Solicitor General of the Republic of Kenya**
6. Any Other Business
7. Adjournment/ Date of the Next Meeting

**MIN. NO/DC/JLAC/2023/091 PRELIMINARIES**

The meeting was called to order at ten minutes past ten o'clock followed by a word of prayer by the Chairperson and thereafter Members of the Committee introduced themselves.

**MIN.NO/DC/JLAC/2023/092 ADOPTION OF THE AGENDA**

The Chairperson Informed Members that the main agenda was to conduct approval hearing for the person nominated for the position of the Solicitor-General of the Republic of Kenya. He further informed the meeting that there were no memoranda received contesting the suitability of the nominees.

The agenda was adopted having been proposed by Hon. Mohamed Aden Daudi M.P, and seconded by Hon. Gichohi Kaguchia John Philip, M.P.

**MIN. NO/DC/JLAC/2023/093 CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING**

The agenda was deferred.

**MIN.NO/DC/JLAC/2023/094 APPROVAL HEARING FOR THE PERSON NOMINATED FOR THE POSITION OF THE SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA**

The Hon. Shadrack John Mose, the nominee for the position of the Solicitor-General of the Republic of Kenya appeared before the Committee and submitted as follows;

- a. **On personal background**, the nominee stated that he was a male adult, a Kenyan citizen born in Nyamira County and residing in Nairobi County.
- b. **On Education qualifications**, the nominee stated that he was an advocate of the High Court of Kenya and holds a Post-Graduate Diploma in Law from Kenya School of Law; and a Bachelor of Laws Degree (LLB)(Hons) from the University of Nairobi
- c. **On Experience and employment record**, the nominee stated that he has over 29 years' experience in legal practice and served as the Member of the National Assembly for Kitutu Masaba Constituency: 2017-2022: Managing Partner Mose, Mose & Millimo Advocates: 2007-2017: Managing Partner Mose and Mose Advocates: 1996-2007: Associate Advocate, Esmail & Esmail Advocates: August 1994 - December 1995: Associate Advocate, Khamati Minishi & Co.: August 1992 – June 1994.
- d. **On professional and relevant skills**, he indicated that he has developed and maintained a strong working relationship with colleagues, judges and corporate clients in variety of sectors ranging from banking, manufacturing and state corporations. He stated that his reputation as a diligent and thorough advocate is one of the strengths, he would bring to the State Law Office as this would aid in management of the Office. He also stated that his adverse record has afforded him a well-rounded skill set, including first-rate leadership skills, organizational skills, financial management skills and strategic people management skills that will position him to excel as Solicitor-General
- e. **On relevant experience and exposure**, he informed the meeting that he has vast experiences and exposure in various areas of practice including complex commercial litigation encompassing tax law, banking law, insurance law, constitutional law, conveyancing, criminal law, employment law and public international law among other. He stated that his dedication to justice and commitment to provide quality representation would use to reform the State Law Office if appointed as he has actively participated in pro bono briefs over the years.
- f. **On why the government loses landmark cases**, the nominee stipulated that the government wins or loses cases depending on the merits of the case. The nominee stated the need to equip the State Law office with resources so as to retain State Counsels by securing financing through budget allocation. The nominee also stated the need for intergovernmental state agencies to consult with the State Law Office when making critical decisions to avoid breach of contract which in return leads to the government paying a lot of fees.
- g. **On lack of Office Space in the State Law Office**, the nominee stated the need to automate the State Law Office. Most services offered by the Office are document-heavy hence occupy much space that would have been occupied by staff. The nominee also stated the need to digitalize customer service so as people do not have to physically visit the Office.
- h. **On how the nominee would address the massive failure at the Kenya School of law and high examination fees by the Council of Legal Education**, the nominee stated the need to decentralize the Kenya School of Law in order to harmonize the

content and structure of the curriculum. This would also reduce the congestion at the institution. The bar exam is administered by Council of Legal Education. The Council does not offer legal training.

- i. **On why the government does not obey Court decrees**, the nominee stated that Court decrees are to be honoured. He also stated the need to establish and embrace post judgement negotiations.
- j. **On the issue of understaffing at the State Law Office**, the nominee pointed out the need to decentralize the State Law Office. He stated that currently the State Law Office is only represented in thirteen regions in the Country and there is need to increase the presence of the office in number in the thirteen regions and also in line with devolution so as to have the office in all the forty-seven counties.
- k. **On the roles of the Solicitor-General**, the nominee pointed out the roles of the Solicitor-General are articulated in Section 9 of the Office of the Attorney-General Act, 2012 and Article 234 of the Constitution of Kenya 2010 to include: assist the Attorney-General in the performance of the duties of the Attorney-General; carry out any function, discharge any duty and exercise any power as may be directed by the Attorney-General; organize, co-ordinate and manage the administrative and the legal functions of the Office; assist the Attorney-General in the performance of his duties as the principal legal advisor to the Government; conduct, or assign and supervise all court cases, including appeals or petitions on behalf of the Attorney-General; and responsible for the discipline of State Counsel and other members of staff of the Office.
- l. **On whether there is a vacancy for the position of Solicitor-General**, he stated there was a vacancy in the State Law Office for the Position of Solicitor-General. The vacancy was advertised in newspapers of general circulation and the nominee applied as he met the qualifications stipulated in The Office of the Attorney-General Act. He stated that he underwent an interview by the Public Service Commission and was nominated by the President of the Republic of Kenya in accordance with Section 9(2) of the Office of the Attorney-General Act, 2012.
- m. **On what is the term of service for the position of Solicitor-General**, the nominee stated the term of service to be five (5) years.
- n. **On whether there is a likelihood of different opinions between the Attorney-General and the Solicitor-General**, the nominee stated that the two positions play different roles as stipulated in the Constitution of Kenya 2010 and the Office of the Attorney-General Act 2012 hence he does not foresee an incidence of conflict arising. He further stated that they must work in consultation for the betterment of the State Law Office.
- o. **On whether the nominee had been nominated by a partisan political party**, the nominee pointed out that he has over twenty-nine years' experience in legal practice hence professional independency and fidelity are virtues he stands by to ensure delivery of justice.

- p. **On why the nominee feels he is the best candidate for appointment for the position of the Solicitor-General of the Republic of Kenya**, the nominee stated that he is an Advocate of the High Court of Kenya with over twenty-nine years' experience and has practiced from informative stages of the legal profession. He also stated that from his experience as a legislator he has gained vast experience in public policy and legislative processes

**MIN. NO/DC/JLAC/2023/095:**

**ADJOURNMENT**

There being no other business to transact, the meeting was adjourned at 12:00 pm and the next meeting shall be held on notice.

SIGNED: .....



DATE: .....

01.03.2023

(CHAIRPERSON: HON. MURUGARA GEORGE GITONGA, MP)



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - SECOND SESSION - 2023

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

MINUTES OF THE 17<sup>TH</sup> SITTING OF THE JUSTICE AND LEGAL AFFAIRS  
COMMITTEE HELD ON THURSDAY, 23<sup>RD</sup> FEBRUARY, 2023 AT 9.00 A.M. IN THE  
MINI CHAMBERS, MAIN PARLIAMENT BUILDINGS.

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**PRESENT**

**Members**

1. Hon. Murugara George Gitonga, M.P. - Chairperson
2. Hon. Mutuse Eckomas Mwengi, M.P. - Vice-Chairperson
3. Hon. Maalim Farah, M.P.
4. Hon. Francis Kajwang' Tom Joseph, M.P.
5. Hon. (Dr.) Otiende Amollo, SC, M.P.
6. Hon. Onyiego Silvanus Osoro, CBS, M.P.
7. Hon. Muchira Michael Mwangi, MP
8. Hon. Makali John Okwisia, M.P.
9. Hon. Mogaka Stephen M, M.P.
10. Hon. Gichohi Kaguchia John Philip, MP
11. Hon. Mohamed Aden Daudi, M.P.

**ABSENT WITH APOLOGY**

1. Hon. Junet Mohamed, M.P.
2. Hon. Maina Jane Njeri, M.P.
3. Hon. Muriu Wakili Edward, M.P.
4. Hon. Siyad Amina Udgoon, M.P.

**SECRETARIAT**

1. Mr. Douglas Katho - Clerk Assistant II
2. Mr. Dennis Abisai - Deputy Director Legal Services
3. Mr. Ronald Walala - Senior Legal Counsel
4. Mr. Abdirahim Omar - Fiscal Analyst II
5. Ms. Jael Ayiego Kilaka - Clerk Assistant III
6. Mr. Alvin Ochieng' - Research Officer III
7. Ms. Vivienne Ogega - Research Officer III
8. Mr. Peter Mutethia - Audio Officer

## **AGENDA**

1. Prayers
2. Preliminaries
3. Confirmation of Minutes
4. Matters arising
5. **Pre-vetting in preparation for the Approval hearing (Vetting) of the Nominee for appointment of the position of Solicitor-General of the Republic of Kenya**
6. Any Other Business
7. Adjournment/ Date of the Next Meeting

### **MIN. NO/DC/JLAC/2023/085      PRELIMINARIES**

The meeting was called to order at ten minutes past nine o'clock followed by a word of prayer by the Chairperson.

### **MIN.NO/DC/JLAC/2023/086      ADOPTION OF THE AGENDA**

The agenda was adopted having been proposed by Hon. Mohamed Aden Daudi M.P, and seconded by Hon. Gichohi Kaguchia John Philip, M.P.

### **MIN. NO/DC/JLAC/2023/087      CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING**

The agenda was deferred.

### **MIN. NO/DC/JLAC/2023/088      PRE-VETTING IN PREPARATION FOR THE APPROVAL HEARING (VETTING) OF THE NOMINEE FOR APPOINTMENT FOR THE POSITION OF THE SOLICITOR GENERAL FOR THE REPUBLIC OF KENYA**

The Committee was informed that Parliament had not receive any Memorandum from the public on the Nominee for appointment as Solicitor-General of the Republic of Kenya.

The Committee was further appraised on the curriculum vitae of the nominee, the questionnaire to be filled by the nominee and the vetting sequence to be followed when undertaking the approval hearing.

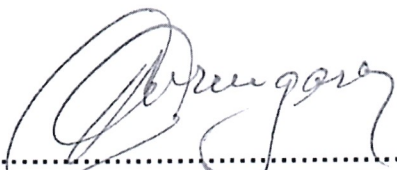
### **MIN. NO/DC-JLAC/2023/089      ANY OTHER BUSINESS**

1. The Committee Members were notified of an invitation by National Gender and Equality Commission (NGEC) to High Level Convening of Members of the National Assembly on the passage of the two-thirds Gender Bill on Tuesday, 28<sup>th</sup> February, 2023 at the Sarova New Stanley's Hotel from 9:00 a.m. to 1:00 p.m. The Committee resolved that a few members who will be available shall represent the Committee.
2. The Committee was also notified of an invitation by the Commission on Administrative Justice to engaging in a meeting with the visiting Malawian Ombudsman on 28<sup>th</sup>

February 2023 at 11:00 a.m. The Committee resolved that who will be available shall represent the Committee.

**MIN. NO/DC-JLAC/2023/090      ADJOURNMENT**

There being no other business, the meeting was adjourned at forty-five minutes past nine o'clock. The next meeting will be held on notice.

SIGNED:  DATE: 01.03.2023  
(CHAIRPERSON: HON. MURUGARA GEORGE GITONGA, MP)

**ANNEXURE 3: REPORT OF THE  
PUBLIC SERVICE COMMISSION  
ON THE RECRUITMENT OF  
PERSONS RECOMMENDED FOR  
APPOINTMENT TO THE POSITION  
OF SOLICITOR-GENERAL**

CONFIDENTIAL

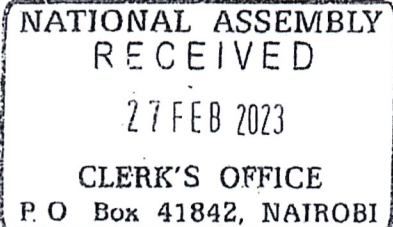


Office of the Chairperson

Ref. No. PSC.SEC.93/71 Vol.VI(32)

16<sup>th</sup> December, 2022

H.E. Hon. William Samoei Ruto, PhD, CGH  
President of The Republic of Kenya and  
Commander-in-Chief of the Defence Forces  
State House  
NAIROBI.



Your Excellency,

**RECRUITMENT OF PERSONS RECOMMENDED FOR  
APPOINTMENT TO THE POSITION OF SOLICITOR-GENERAL - THE  
STATE LAW OFFICE**

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I have the honour to inform you that, pursuant to Section 9 of the Office of Attorney-General Act No.49 of 2012 the Public Service Commission invited applications for the position of Solicitor-General in the print media and the Commission's website on 1<sup>st</sup> November, 2022.

The advertisement closed on 14<sup>th</sup> November 2022, with a total of Eighteen (18) applications. Eight (8) candidates were shortlisted on 30<sup>th</sup> November, 2022. The interviews for the shortlisted candidates were conducted on 13<sup>th</sup> and 14<sup>th</sup> December, 2022.

Your Excellency,

The whole process of advertising, shortlisting and interviewing adhered to all the provisions of the Constitution of Kenya 2010, including inter alia, merit, gender and ethnic and regional diversity of all the peoples of Kenya.



## SELECTION BOARD REPORT FOR THE ADVERTISED POSITION OF SOLICITOR-GENERAL IN THE OFFICE OF ATTORNEY GENERAL

### 1. Declaration of Vacancy

Section 9 of the Office of Attorney-General Act No.49 of 2012 requires the Public Service Commission to recommend to the President persons to be nominated for appointment to the Office of Solicitor General.

Pursuant to these provisions, the Commission invited applications from suitably qualified persons for the position of Solicitor-General in the print media and the Commission's website on 1<sup>st</sup> November, 2022.

### 2. Applicants

By the closure of the advert on 14<sup>th</sup> November, 2022 the position had attracted a total of eighteen (18) applications as indicated below:

S/No.	Name	Gender	ID/No.	County
1.	Marykaren Kigen Sorobit	Female	9841163	Uasin Gishu
2.	Stanley Kerandi Manduku	Male	13450351	Nakuru
3.	Shadrack John Mose	Male	8532233	Nyamira
4.	Paul Musili Wambua	Male	0670193	Kitui
5.	Beatrice Adhiambo Akuno	Female	22517406	Homa Bay
6.	Nelson Andayi Havi	Male	14679138	Kakamega
7.	Nyambega Mose	Male	10020693	Kisii
8.	Walubengo Waningilo	Male	7893551	Trans Nzoia
9.	Kenneth Kibiwott Mutai	Male	24134622	Uasin Gishu
10.	Paul Lilan	Male	9871696	Nandi
11.	Joel Kipkirui Koskei	Male	8072474	Bomet
12.	Vincent Mudogo Chahale	Male	14596522	Kakamega
13.	Stephen Ochieng Mallowah	Male	9089073	Siaya
14.	Victor Aminga Nyabuti	Male	32000598	Nyamira
15.	Beatrice Mugeni Meso	Female	9229250	Busia
16.	Stephen Odhiambo Anditi	Male	22853238	Nairobi
17.	Francis Nyaga Njanja	Male	10864175	Kirinyaga
18.	George Kithi	Male	14498372	Kilifi

Ngomonge T/A Dollar Auctions raised a complaint against Mr. George Kithi on his suitability for the position for failure to pay the auctioneers and to obey the court order. The matter was brought to the attention of the candidate who, however, insisted that he obeyed the court order.

## 7. Interviews

Interviews for the position were conducted at the Public Service Commission on 13<sup>th</sup> and 14<sup>th</sup> December 2022 at Commission House. As per the requirements of the advert, the candidates presented original copies of academic and professional certificates and statutory clearances.

## 8. Recommendation

Upon concluding the competitive recruitment process and based on the outcome of the interviews, the Panel recommends that the Commission:

- (i) Considers the report of the Interview panel, and
- (ii) Submit to His Excellency the President the following three (3) candidates in order of merit for appointment decision in accordance with the provisions of the of Attorney-General Act, 2012.

S/NO	NAME	ID NO.	GENDER	COUNTY
1	Shadrack John Mose	8532233	Male	Nyamira
2	B eatrice Mugeni Meso	9089073	Female	Busia
3	George Kithi	14498372	Male	Kilifi

### Approval by the Commission

This report was discussed and approved by the Commission during the 2739<sup>th</sup> meeting held on 16<sup>th</sup> December, 2022.

The recommendation was submitted to H.E the President vide letter Ref. No. PSC.SEC.93/71 Vol.VI(32) of 16<sup>th</sup> December, 2022.

**ANNEXURE 4: MESSAGE FROM  
H.E. THE PRESIDENT  
NOMINATING THE  
NOMINEE, MR. SHADRACK  
JOHN MOSE, AS SOLICITOR-  
GENERAL**



EXECUTIVE OFFICE OF THE PRESIDENT  
CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE

CNA  
Request Communication  
to the House for the 14th  
Feb 2023.  
SNA.  
26/1/23

Telegraphic Address  
Telephone: +254-20-227436  
When replying please quote

SECRET

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

Ref No. OP/CAB.26/4A VOL.1/(62)  
and date

25<sup>th</sup> January 2023

**Hon. Moses F. M. Wetangula, EGH**  
Speaker  
The National Assembly  
Parliament of Kenya  
Parliament Building  
**NAIROBI**

NATIONAL ASSEMBLY  
RECEIVED  
26 JAN 2023  
SPEAKER'S OFFICE  
P. O. Box 41342, NAIROBI.

Dear *Speaker*

**TRANSMITTAL**

**NOMINATION OF THE SOLICITOR-GENERAL OF THE GOVERNMENT OF KENYA**

It is most graciously notified that **His Excellency Hon. William Samoei Ruto PhD., 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 nominated **Mr. Shadrack John Mose**, for appointment as the Solicitor-General.

This transmittal for parliamentary approval is made in accordance with Section 9(1) of the **Office of the Attorney-General Act (No. 49 of 2012)** as read together 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, together with the Nominee's Curriculum Vitae and Testimonials as well as the report of the Public Service Commission on the recruitment.

In recognition of the unique role of the State Law Office in our Governance structure, and mindful of the mandate of the Solicitor General as the Deputy to the Principal Legal Adviser to the Government, the National Assembly is most kindly requested to consider the nomination on a priority basis.

NATIONAL ASSEMBLY  
RECEIVED  
26 JAN 2023  
CLERK'S OFFICE  
P. O. Box 41012, NAIROBI

Yours *Sincerely*

*Felix K. Koskei*  
**FELIX K. KOSKEI**  
**CHIEF OF STAFF &**  
**HEAD OF THE PUBLIC SERVICE**



**ANNEXURE 5:  
COMMUNICATION  
FROM THE SPEAKER**



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (SECOND SESSION)

THE NATIONAL ASSEMBLY

-----  
MESSAGES

MESSAGE FROM THE PRESIDENT

\_\_\_\_\_  
(No. 004 of 2023) \_\_\_\_\_

*Douglas Katho*  
*to brief committee*  
*and facilitate*  
*Public Participation*  
*19/11/23*

**ON NOMINATION OF A PERSON FOR APPOINTMENT AS THE  
SOLICITOR-GENERAL OF THE GOVERNMENT OF KENYA**

**Honourable Members,**

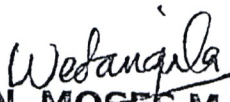
1. Pursuant to the provisions of Standing Order No. 42, I wish to report to the House that I have received a Message from His Excellency the President regarding the nomination of a person for appointment as the Solicitor-General of the Government of Kenya.
2. In the Message, His Excellency the President conveys that, in exercise of powers conferred by section 9(1) of the Office of the Attorney-General Act, 2012, as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, the President has nominated **Hon. Shadrack John Mose** for appointment as the Solicitor-General, having received the report of the Public Service Commission on the recruitment of the Solicitor-General. The President now seeks the approval of the nominee by this House.

3. In accordance with the provisions of Standing Order 45, I hereby refer the Message from H.E. the President, together with the *Curriculum Vitae* and the report of the Public Service Commission, to the **Departmental Committee on Justice & Legal Affairs** for consideration.

**Honourable Members,**

4. Section 8 of the Public Appointments (Parliamentary Approval) Act, 2012 provides that, unless otherwise provided in law, the Committee to which such nomination is referred shall consider the matter and table a report in the House **within twenty-eight (28) days**. In this regard, the Committee is expected to immediately commence the approval process, notify the nominee and the general public of the time and place for holding the approval hearings, and thereafter, upon conclusion of the hearings, table its report **on or before Thursday, March 9, 2023**, to enable the House to consider the matter within the statutory timelines.

**I thank you!**

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

Tuesday, February 14, 2023

**ANNEXURE 6:  
ADVERTISEMENT  
NOTIFYING THE PUBLIC  
OF THE APPROVAL  
HEARING**

THE NATIONAL ASSEMBLY  
**13<sup>TH</sup> PARLIAMENT (SECOND SESSION - 2023)**  
**DEPARTMENTAL COMMITTEE ON JUSTICE  
AND LEGAL AFFAIRS**

In the matter of Approval by the National Assembly of a Nominee  
for Appointment as the Solicitor-General,  
Office of the Attorney-General and Department of Justice of Justice

**NOTIFICATION TO THE PUBLIC AND  
SUBMISSION OF MEMORANDA**

**Nomination of the Nominee**

Pursuant to the provisions of Section 9(1) of the Office of the Attorney-General Act (No. 49 of 2012) as read together with the procedure set out in Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), 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 the Solicitor-General, Office of the Attorney-General and Department of Justice.

In exercise of the said powers, H.E. the President has nominated Hon. Shadrack John Mose, for approval by the National Assembly for appointment as the Solicitor-General, Office of the Attorney-General and Department of Justice.

**Committal of the Nominee to the National Assembly for vetting**

Following receipt of the nomination from H.E. the President on 14<sup>th</sup> February 2023, the Speaker of the National Assembly communicated the nomination to the House and forwarded the name, together with the nominee's curriculum vitae and testimonials, as well as the Public Service Commission's report on the recruitment to the Departmental Committee on Justice and Legal Affairs to conduct approval hearings and report back to the House within twenty-one (21) days in line with the provisions of National Assembly Standing Order 45(1).

**Notification of Approval Hearings**

Pursuant to Article 118(1)(b) of the Constitution and Section 6(4) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the public is hereby notified that the Departmental Committee on Justice and Legal Affairs shall conduct approval hearing of the nominee for approval by the National Assembly for appointment as the Solicitor-General on **Thursday 23<sup>rd</sup> February 2023 at 10.00 am in the Mini Chamber, County Hall, Parliament Buildings.**

The nominee is required to appear for the approval hearing with his original national identity card, academic and professional certificates, as well as any other relevant testimonial. The nominee is further required to obtain and appear with letters or certificates on his status with the following institutions: -

1. **Ethics and Anti-Corruption Commission (EACC);**
2. **Kenya Revenue Authority (KRA);**
3. **Higher Education Loans Board.**
4. **Directorate of Criminal Investigations (DCI); and,**
5. **Office of the Registrar of Political Parties (ORPP).**

**Public Participation and Submission of Memoranda**

The Committee is required under Article 118(1)(b) of the Constitution to involve the public in the approval hearings of the nominee. Section (6)(9) of the Public Appointments (Parliamentary Approval) Act provides that any person contesting the suitability of a nominee for appointment to an office may, before the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability.

**NOW THEREFORE**, in compliance with Article 118(1)(b) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, the Departmental Committee on Justice and Legal Affairs invites the public to submit representations (sworn statements (affidavit) with supporting evidence) they may have on the suitability or otherwise of the candidate for appointment to the office he has been nominated.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; or hand-delivered to the Office of the Clerk, Main Parliament Building, Nairobi; or emailed to [cna@parliament.go.ke](mailto:cna@parliament.go.ke) to be received on or before Wednesday 22<sup>nd</sup> February, 2023 by 5.00 pm.

SAMUEL NJOROGÉ  
**CLERK OF THE NATIONAL ASSEMBLY**

16<sup>th</sup> February, 2023

**ANNEXURE 7: LETTER  
FROM THE CLERK OF  
THE NATIONAL  
ASSEMBLY INVITING  
THE NOMINEE FOR  
THE APPROVAL  
HEARING**



THE NATIONAL ASSEMBLY  
OFFICE OF THE CLERK

P. O. Box 41842-00100  
Nairobi, Kenya  
Main Parliament Buildings

Telephone: +254202848000 ext. 3300  
Email: [cna@parliament.go.ke](mailto:cna@parliament.go.ke)  
[www.parliament.go.ke/the-national-assembly](http://www.parliament.go.ke/the-national-assembly)

When replying, please quote

REF: NA/DDC/JLAC/VETT/2023/005

20<sup>th</sup> February, 2023

Hon. Shadrack John Mose  
**NAIROBI**

Dear *Hon Mose*

**RE: INVITATION FOR APPROVAL HEARING BY THE DEPARTMENTAL  
COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

Following your nomination for appointment to the position of the Solicitor-General of the Republic of Kenya, the Departmental Committee on Justice and Legal Affairs of the National Assembly hereby invites you for approval hearing pursuant to section 6(3) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) on Thursday, February 23, 2023 at 10.00 am in the Mini-Chamber, 1<sup>st</sup> Floor, County Hall, Parliament Buildings.

Kindly fill the attached questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it on or before Wednesday, February 23, 2023. You are required to appear for the hearing with the originals of your national identity card, academic and professional certificates and any other relevant documents and testimonials. In addition, you should appear with letters or certificates of clearance from the following institutions:-

- i. Ethics and Anti-Corruption Commission
- ii. Kenya Revenue Authority
- iii. Higher Education Loans Board
- iv. Directorate of Criminal Investigations
- v. Office of the Registrar of Political Parties

The officers responsible for facilitating this matter are Mr. Douglas Katho, Clerk Assistant who may be contacted on tel. no. 0722333145 or email: [douglas.katho@parliament.go.ke](mailto:douglas.katho@parliament.go.ke), Mr. Clive Onyancha, Committee Clerk, tel. no. 0725993500 or email: [clive.onyancha@parliament.go.ke](mailto:clive.onyancha@parliament.go.ke) or Ms. Jael Ayiege Kilaka, Clerk Assistant, tel. no. 0725385945 or email: [jael.kilaka@parliament.go.ke](mailto:jael.kilaka@parliament.go.ke).

Yours

JEREMIAH NDOMBI, MBS  
**For: CLERK OF THE NATIONAL ASSEMBLY**

**ANNEXURE 8: LETTERS  
FROM THE CLERK OF  
THE NATIONAL  
ASSEMBLY TO KRA,  
EACC, DCI, HELB AND  
ORPP REQUESTING  
INFORMATION ON  
THE NOMINEE**



**THE NATIONAL ASSEMBLY  
OFFICE OF THE CLERK**

P. O. Box 41842-00100  
Nairobi, Kenya  
Main Parliament Buildings

Telephone: +254202848000 ext. 3300  
Email: [cna@parliament.go.ke](mailto:cna@parliament.go.ke)  
[www.parliament.go.ke/the-national-assembly](http://www.parliament.go.ke/the-national-assembly)

When replying, please quote

REF: NA/DDC/JLAC/VETT/2023/ (010)

20<sup>th</sup> February 2023

**Mr. Githii Mburu**  
Commissioner General, Kenya Revenue Authority  
Times Towers, 30<sup>th</sup> Floor  
Haile Selassie Avenue  
**NAIROBI**

Dear **Mr Mburu**

**RE: REQUEST FOR INFORMATION ON HON. SHADRACK JOHN MOSE, ID.  
NO. 8532233, NOMINEE FOR APPROVAL FOR APPOINTMENT AS THE  
SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA**

Article 124(4) of the Constitution of Kenya provides that when a House of Parliament considers any appointment for which its approval is required under the constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

National Assembly Standing 216(5)(f) mandates Departmental Committees of the House to vet and report on appointments where the constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)".

The Departmental Committee on Justice and Legal Affairs will conduct the approval hearing of **Hon. Shadrack John Mose** for approval by the National Assembly for appointment as the Solicitor-General of the Republic of Kenya on **Thursday, 23<sup>rd</sup> February 2023**.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee is mandated to consider whether the nominee meets all constitutional and statutory requirements relating to the office in question.

The purpose of this letter is to request for information from your office regarding the nominee's tax compliance. The information shall be used by the Committee in considering issues on the suitability of the nominee for appointment to office. Owing to the short timeline within which the Committee is required to conduct the approval hearing and report to the House, it will be appreciated if the information requested is received by **Wednesday, 22<sup>nd</sup> February, 2023**.

The officers responsible for facilitating this matter are **Mr. Douglas Katho**, Clerk Assistant who may be contacted on tel. no. **0722333145** or email: [douglas.katho@parliament.go.ke](mailto:douglas.katho@parliament.go.ke),

Mr. Clive Onyancha, Committee Clerk on tel. no. 0725993500 or email: [clive.onyancha@parliament.go.ke](mailto:clive.onyancha@parliament.go.ke) or Ms. Jael Ayiego Kilaka, Clerk Assistant on tel. no. 0725385945 or email: [jael.kilaka@parliament.go.ke](mailto:jael.kilaka@parliament.go.ke).

Yours



**JEREMIAH NDOMBI, MBS**

**For: CLERK OF THE NATIONAL ASSEMBLY**



THE NATIONAL ASSEMBLY  
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[www.parliament.go.ke/the-national-assembly](http://www.parliament.go.ke/the-national-assembly)

When replying, please quote

REF: NA/DDC/JLAC/VETT/2023/ (008)

20<sup>th</sup> February 2023

Mr. Twalib Abdallah Mbarak, CBS  
Secretary/Chief Executive Officer  
Ethics & Anti-Corruption Commission  
Integrity Centre, Milimani/Valley Road Junction,  
**NAIROBI**

Dear Mr. Mbarak

**RE: REQUEST FOR INFORMATION ON HON. SHADRACK JOHN MOSE, ID. NO. 8532233, NOMINEE FOR APPROVAL FOR APPOINTMENT AS THE SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA**

Article 124(4) of the Constitution of Kenya provides that when a House of Parliament considers any appointment for which its approval is required under the constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

National Assembly Standing 216(5)(f) mandates Departmental Committees of the House to vet and report on appointments where the constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)".

The Departmental Committee on Justice and Legal Affairs will conduct the approval hearing of Hon. Shadrack John Mose for approval by the National Assembly for appointment as the Solicitor-General of the Republic of Kenya on Thursday, 23<sup>rd</sup> February 2023.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee is mandated to consider whether the nominee meets all constitutional and statutory requirements relating to the office in question.

The purpose of this letter is to request you to provide a report on the nominee's ethics and integrity. The information shall be used by the Committee in considering issues on the suitability of the nominee for appointment to office. Owing to the short timeline within which the Committee is required to conduct the approval hearing and report to the House, it will be appreciated if the information requested is received by Wednesday, 22<sup>nd</sup> February, 2023.

The officers responsible for facilitating this matter are Mr. Douglas Katho, Clerk Assistant who may be contacted on tel. no. 0722333145 or email: [douglas.katho@parliament.go.ke](mailto:douglas.katho@parliament.go.ke).

Mr. Clive Onyancha, Committee Clerk on tel. no. 0725993500 or email: [clive.onyancha@parliament.go.ke](mailto:clive.onyancha@parliament.go.ke) or Ms. Jael Ayiego Kilaka, Clerk Assistant on tel. no. 0725385945 or email: [jael.kilaka@parliament.go.ke](mailto:jael.kilaka@parliament.go.ke).

Yours



**JEREMIAH NDOMBI, MBS**

**For: CLERK OF THE NATIONAL ASSEMBLY**



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[www.parliament.go.ke/the-national-assembly](http://www.parliament.go.ke/the-national-assembly)

When replying, please quote

REF: NA/DDC/JLAC/VETT/2023/ (006)  
2023

15<sup>th</sup> February

Mr. Amin. Mohamed  
Director of Criminal Investigation Department  
Mazigira Complex  
Kiambu Road Opp. Forestry Department  
Headquarters, Karura  
**NAIROBI**

Dear Mr Mohamed

**RE: REQUEST FOR INFORMATION ON HON. SHADRACK JOHN MOSE, ID. NO. 8532233, NOMINEE FOR APPROVAL FOR APPOINTMENT AS THE SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA**

Article 124(4) of the Constitution of Kenya provides that when a House of Parliament considers any appointment for which its approval is required under the constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

National Assembly Standing 216(5)(f) mandates Departmental Committees of the House to vet and report on appointments where the constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)".

The Departmental Committee on Justice and Legal Affairs will conduct the approval hearing of Hon. Shadrack John Mose for approval by the National Assembly for appointment as the Solicitor-General of the Republic of Kenya on Thursday, 23<sup>rd</sup> February, 2023.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee is mandated to consider whether the nominee meets all constitutional and statutory requirements relating to the office in question.

The purpose of this letter is to request for information from your office regarding the nominee's criminal record. The information shall be used by the Committee in considering issues on the suitability of the nominee for appointment to office. Owing to the short timeline within which the Committee is required to conduct the approval hearing and report to the House, it will be appreciated if the information requested is received by Wednesday, 22<sup>nd</sup> February, 2023.

The officers responsible for facilitating this matter are Mr. Douglas Katho, Clerk Assistant who may be contacted on tel. no. 0722333145 or email: [douglas.katho@parliament.go.ke](mailto:douglas.katho@parliament.go.ke),

Mr. Clive Onyancha, Committee Clerk on tel. no. 0725993500 or email: [clive.onyancha@parliament.go.ke](mailto:clive.onyancha@parliament.go.ke) or Ms. Jael Ayiego Kilaka, Clerk Assistant on tel. no. 0725385945 or email: [jael.kilaka@parliament.go.ke](mailto:jael.kilaka@parliament.go.ke).

Yours



JEREMIAH NDOMBI, MBS

For: CLERK OF THE NATIONAL ASSEMBLY



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When replying, please quote

REF: NA/DDC/JLAC/VEIT/2023/ (007)

20<sup>th</sup> February, 2023

Mr. Charles M. Ringera  
Chief Executive Officer  
Higher Education Loans Board  
Anniversary Towers, 18<sup>th</sup> Floor  
**NAIROBI**

Dear Mr. Ringera

**RE: REQUEST FOR INFORMATION ON HON. SHADRACK JOHN MOSE, ID. NO. 8532233, NOMINEE FOR APPROVAL FOR APPOINTMENT AS THE SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA**

Article 124(4) of the Constitution of Kenya provides that when a House of Parliament considers any appointment for which its approval is required under the constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

National Assembly Standing 216(5)(f) mandates Departmental Committees of the House to vet and report on appointments where the constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)".

The Departmental Committee on Justice and Legal Affairs will conduct the approval hearing of Hon. Shadrack John Mose for approval by the National Assembly for appointment as the Solicitor-General of the Republic of Kenya on Thursday, 23<sup>rd</sup> February 2023.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee is mandated to consider whether the nominee meets all constitutional and statutory requirements relating to the office in question.

The purpose of this letter is to request you to provide a report on repayment of loans that the Board may have advanced to the nominee. The information shall be used by the Committee in considering issues on the suitability of the nominee for appointment to office. Owing to the short timeline within which the Committee is required to conduct the approval hearing and report to the House, it will be appreciated if the information requested is received by Wednesday, 22<sup>nd</sup> February, 2023.

The officers responsible for facilitating this matter are Mr. Douglas Katho, Clerk Assistant who may be contacted on tel. no. 0722333145 or email: [douglas.katho@parliament.go.ke](mailto:douglas.katho@parliament.go.ke),

Mr. Clive Onyancha, Committee Clerk on tel. no. 0725993500 or email: clive.onyancha@parliament.go.ke or Ms. Jael Ayiego Kilaka, Clerk Assistant on tel. no. 0725385945 or email: jael.kilaka@parliament.go.ke.

Yours



**JEREMIAH NDOMBI, MBS**

**For: CLERK OF THE NATIONAL ASSEMBLY**



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When replying, please quote

REF: NA/DDC/JLAC/VETT/2023/ (009)

20<sup>th</sup> February 2023

Mrs. Anne Nderitu  
Registrar of Political Parties  
Lions Place, 1<sup>st</sup> Floor, Waiyaki Way, Westlands  
**NAIROBI**

Dear Mrs. Nderitu

**RE: REQUEST FOR INFORMATION ON HON. SHADRACK JOHN MOSE, ID. NO. 8532233, NOMINEE FOR APPROVAL FOR APPOINTMENT AS THE SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA**

Article 124(4) of the Constitution of Kenya provides that when a House of Parliament considers any appointment for which its approval is required under the constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

National Assembly Standing 216(5)(f) mandates Departmental Committees of the House to vet and report on appointments where the constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)".

The Departmental Committee on Justice and Legal Affairs will conduct the approval hearing of **Hon. Shadrack John Mose** for approval by the National Assembly for appointment as the Solicitor-General of the Republic of Kenya on **Thursday, 23<sup>rd</sup> February, 2023**.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee is mandated to consider whether the nominee meets all constitutional and statutory requirements relating to the office in question.

Taking into consideration Article 77(2) which prohibits an appointed State Officer from holding office in a political party, the Committee requests you to provide information on whether the nominee holds office in any political party in Kenya. The information shall be used by the Committee in considering issues on the suitability of the nominee for appointment to office. Owing to the short timeline within which the Committee is required to conduct the approval hearing and report to the House, it will be appreciated if the information requested is received by **Wednesday, 22<sup>nd</sup> February, 2023**.

The officers responsible for facilitating this matter are **Mr. Douglas Katho, Clerk Assistant** who may be contacted on tel. no. **0722333145** or email: [douglas.katho@parliament.go.ke](mailto:douglas.katho@parliament.go.ke),

Mr. Clive Onyancha, Committee Clerk on tel. no. 0725993500 or email: [clive.onyancha@parliament.go.ke](mailto:clive.onyancha@parliament.go.ke) or Ms. Jael Ayiego Kilaka, Clerk Assistant on tel. no. 0725385945 or email: [jael.kilaka@parliament.go.ke](mailto:jael.kilaka@parliament.go.ke).

Yours



**JEREMIAH NDOMBI, MBS**

**For: CLERK OF THE NATIONAL ASSEMBLY**

**ANNEXURE 9: LETTERS  
OF CLEARANCE FROM  
EACC, KRA, DCI, ORPP  
AND HELB**



**KENYA REVENUE  
AUTHORITY**

ISO 9001:2015 CERTIFIED

**Office of the Commissioner General**

**KRA/5/1002/5(8557)**

**22<sup>nd</sup> February 2023**

Mr. Samuel Njoroge  
Clerk of the National Assembly  
P. O. Box 41842-00100  
Parliament Buildings  
**Nairobi**

Dear *Clerk,*

**REQUEST FOR INFORMATION ON HON. SHADRACK JOHN MOSE, ID/NO.  
8532233 - NOMINEE FOR APPROVAL FOR APPOINTMENT AS THE SOLICITOR-  
GENERAL OF THE REPUBLIC OF KENYA**

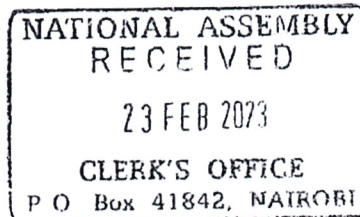
We refer to your letter Ref: NA/DDC/JLAC/VETT/2023/ (010) dated 20<sup>th</sup> February 2023 requesting Kenya Revenue Authority for the tax status report for the above candidate.

The compliance status of the candidate for the position of Solicitor General of the Republic of Kenya is as follows:

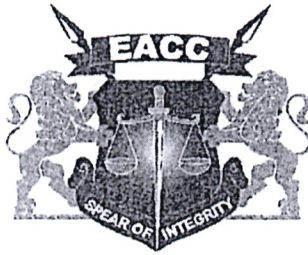
No	Name	ID No.	PIN	Status
1	Hon. Shadrack John Mose	8532233	A001566975M	Compliant

Yours sincerely,

**FCPA Githii Mburu, MGH, CBS  
COMMISSIONER GENERAL**



***Tulipe Ushuru, Tujitegemee!***



**ETHICS AND ANTI-CORRUPTION COMMISSION**

**INTEGRITY CENTRE** (Jakaya Kikwete/Valley Road Junction) P.O. Box 61130 – 00200, NAIROBI, Kenya  
TEL.: 254 (020) 4997000, MOBILE: 0709 781000; 0730 997000  
FAX: 254 (020) 2240954 EMAIL: [eacc@integrity.go.ke](mailto:eacc@integrity.go.ke) WEBSITE: [www.eacc.go.ke](http://www.eacc.go.ke)

When replying please quote:

**Our Ref: EACC.7/10/5 VOL XXII (67)**

**22<sup>nd</sup> February 2023**

**Mr. Samuel Njoroge**

The Clerk of the National Assembly  
Main Parliament Buildings  
P O Box 41842 – 00100

**NAIROBI**

Dear

*W Njoroge*

**RE: REQUEST FOR INFORMATION ON HON. SHADRACK JOHN MOSE, ID. NO. 8532233, NOMINEE FOR APPROVAL FOR APPOINTMENT AS THE SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA**

Your letter referenced NA/DDC/JLAC/VETT/2023/ (008) dated 20<sup>th</sup> February 2023 on the subject matter refers.

Please note that the Commission has not undertaken any investigations pursuant to its mandate nor has it recommended prosecution against **Hon. Shadrack John Mose** of **ID No. 8532233**.

The information provided herein is based on records available as of **22<sup>nd</sup> February 2023**.

Yours

*Sincerely*  
*[Signature]*

**Twalib Mbarak, CBS**  
**SECRETARY/CHIEF EXECUTIVE OFFICER**  
EKC/RK

# NATIONAL POLICE SERVICE

Telegrams: "CRIMINAL" Nairobi  
Email: director@cid.go.ke  
Tel: 020343312, 0202603724.



MAZINGIRA HOUSE  
KIAMBU ROAD  
P.O. Box 30036-00100  
NAIROBI.

## DIRECTORATE OF CRIMINAL INVESTIGATIONS

DCI/SEC/6/7/2/A/VOL.XII/49

22<sup>nd</sup> February, 2023

The Clerk  
National Assembly  
P O Box 41842-00100,  
**NAIROBI**

Attn: Mr. Jeremiah Ndombi, MBS

**REQUEST FOR INFORMATION ON HON. SHADRACK JOHN MOSE, ID. NO. 8532233, NOMINEE FOR APPROVAL FOR APPOINTMENT AS THE SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA**

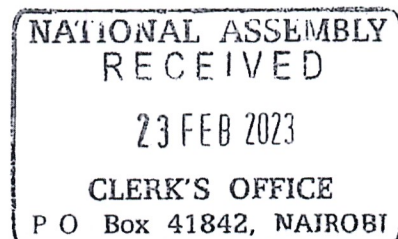
Reference is made to your letter NA/DDC/JLAC/VETT/2023/(006) dated 15<sup>th</sup> February, 2023 on the above subject matter.

We write to confirm that the below listed person applied for Police Clearance Certificate on the indicated date and was genuinely issued as follows:

S/NO.	NAME	ID NO.	DCI REF.NO	DATE OF ISSUE
1.	Shadrack John Mose	8532233	PCC-30TLJVAJ	03/11/22

It is deemed that as at the date of issuance of the police clearance certificate to the applicant, there were negative results from both our nominal index and criminal database.

Mohamed I. Amin, EBS, OGW, "ndc" (K)  
**DIRECTOR CRIMINAL INVESTIGATIONS**





# HIGHER EDUCATION LOANS BOARD

Tel: 0711052000  
E-mail: [contactcentre@helb.co.ke](mailto:contactcentre@helb.co.ke)  
Website: [www.helb.co.ke](http://www.helb.co.ke)

Anniversary Towers  
University Way  
P.O Box 69489-00400  
Nairobi, Kenya

HELB/RR/112009/22/211

28<sup>th</sup> February 2022

Samuel Njoroge, MBS  
Clerk Of National Assembly  
Parliament Buildings  
P.O Box 41842-00100  
**NAIROBI**

Dear 

**VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA.**

We acknowledge with thanks receipt of your letter referenced **NA/DDC/JLAC/VETT/2023/(007)** dated 20<sup>th</sup> February 2023 requesting the Higher Education Loans Board to provide a report on repayment of HELB loans that may have been advanced to **Hon. Shadrack John Mose** for purposes of vetting.

The Higher Education Loans Board wishes to inform you that **Hon. Shadrack John Mose (ID No. 8532233)** was a beneficiary of the **GOK/HELB Loans Scheme** and was issued with a two clearance certificates', **Cert Ref No.30006** on the 8<sup>th</sup> of Sept 2011 and **Cert. No.02373** on the 8<sup>th</sup> of March 2017.

We kindly urge you to continue encouraging applicants to seek their compliance certificate from the Board as part of testimonials and conformity to Chapter six of the Constitution of Kenya.

We wish to thank you most sincerely for allowing us to provide you this information as this kind of collaboration goes a long way in assisting HELB finance needy Kenyans pursuing higher education now and in the future.

Yours 

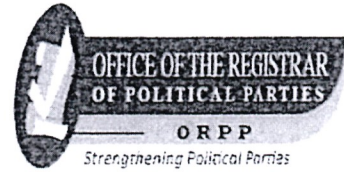
**CHARLES M. RINGERA**  
**CHIEF EXECUTIVE OFFICER**

CC: Jeremiah Ndombi, MBS



REPUBLIC OF KENYA

Telephone: +254(0)204022000  
Mobile: 0772281357  
Email: [info@orpp.or.ke](mailto:info@orpp.or.ke)  
Website: [www.orpp.or.ke](http://www.orpp.or.ke)  
When replying please quote



Lion Place, 1<sup>st</sup> & 4<sup>th</sup> Floor  
Off Waiyaki Way  
P.O. Box 1131-00606  
Sarit Centre, Nairobi.

Ref: RPP/ORG/34 VOL. VI (53)

Date: 21<sup>st</sup> February, 2023

Clerk of the National Assembly  
Clerk's Chambers  
Parliament Buildings  
P.O. Box 41842-00100  
NAIROBI

*Directorate  
Commus*

Attn: Jeremiah Ndombi, MBS

Dear Sir,

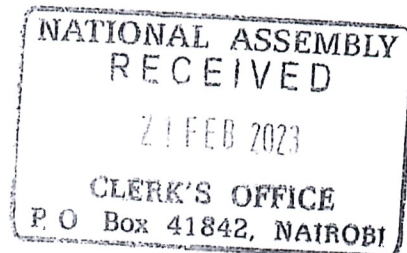
RE: REQUEST FOR INFORMATION ON HON. SHADRACK JOHN MOSE, ID NO. 8532233,  
NOMINEE FOR APPROVAL FOR APPOINTMENT AS THE SOLICITOR-GENERAL OF THE  
REPUBLIC OF KENYA

Reference is made to your letter Ref. NA/DDC/JLAC/VETT/2023/(009) dated 20<sup>th</sup> February, 2023  
on the above subject matter.

Pursuant to Article 77 (2) and according to the records held by this Office as at 21<sup>st</sup> February, 2023,  
Hon. Shadrack John Mose of ID No. 8532233 is NOT an official of any registered political party.

Yours faithfully,

CPA Florence Birya – ARPP  
For: Registrar of Political Parties/CEO



@ORPPKenya

[www.orpp.or.ke](http://www.orpp.or.ke)

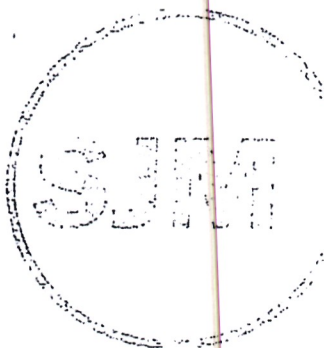
*D. Kathu*



ORPPKenya

*Pls deal  
22/02/23*

**ANNEXURE 10:**  
***CURRICULUM VITAE* OF**  
**THE NOMINEE**



# SHADRACK JOHN MOSE

ADVOCATE OF THE HIGH COURT OF KENYA | NOTARY  
PUBLIC | COMMISSIONER FOR OATHS

## CONTACTS

TEL: +254 721 631 201  
EMAIL: sjmose12@gmail.com  
P.O BOX 9403-00100,  
NAIROBI, KENYA

## QUALIFICATIONS

### Professional Qualifications

- ❖ Advocate of the High Court of Kenya with over 29 years of active practice
- ❖ Commissioner for Oaths
- ❖ Notary Public
- ❖ Certified Public Secretary

### Professional Associations

- ❖ Law Society of Kenya
- ❖ Institute of Certified Public Secretaries of Kenya

### Languages

- ❖ English
- ❖ Kiswahili
- ❖ Kisii

## CAREER PROFILE

I am an Advocate of the High Court of Kenya with over twenty-nine years' experience in legal practice and a dedicated public servant who served as the Member of the National Assembly for Kitutu Masaba Constituency between the years 2017 and 2022. Currently, I am the Managing partner at M/s. Mose, Mose and Mose Advocates.

In the course of my legal practice, I have been engaged in various areas of practice including complex commercial litigation encompassing tax law, banking law, insurance law, constitutional law, conveyancing, criminal law, employment law and public international law among others. My dedication to justice and commitment to providing quality representation to every client has also seen me engage actively in pro bono briefs for many Kenyans in various matters over the years.

I have also developed and maintained a strong working relationship with colleagues, judges, and corporate clients in a variety of sectors ranging from banking, manufacturing, state corporations among others while establishing a reputation for myself as a diligent and thorough advocate.

My desire and passion for public service led me to contest for a parliamentary seat and I was elected as the Member of Parliament for Kitutu Masaba Constituency from 2017 to 2022 in the 12<sup>th</sup> Parliament of Kenya where I was extremely honoured to serve my constituents.

As a Member of the National Assembly, I served as a member of the House Business Committee and the Departmental Committee on Transport, Infrastructure, Public Works, Housing, Urban Development, Shipping and Maritime. On several occasions I served as the acting chairperson of the committee as well.

In this role, I gained vast experience in public policy and legislative processes while serving the people of Kenya.



## SHADRACK JOHN MOSE

ADVOCATE OF THE HIGH COURT OF KENYA | NOTARY PUBLIC |

As a dedicated public servant, I performed oversight roles in over ten State Corporations including Kenya Ports Authority, Kenya Airports Authority, Kenya Urban Roads Authority, Kenya Rural Roads Authority, National Housing Corporation and Kenya Railways Authority among others.

As a member of the National Assembly's House Business Committee, I, together with colleagues, oversaw the monitoring and implementation of the House business and programs. This included adjusting of the parliamentary calendar, implementing standing orders, making decisions and issuing directions as required by the committee. My diverse track record has afforded me a well-rounded skill set, including first-rate leadership skills, organizational skills, financial management skills and strategic people management skills that will position me to excel as the Solicitor General.

### EDUCATION

Admission as an Advocate of the High Court of Kenya  
Post-Graduate Diploma in Law, Kenya School of Law

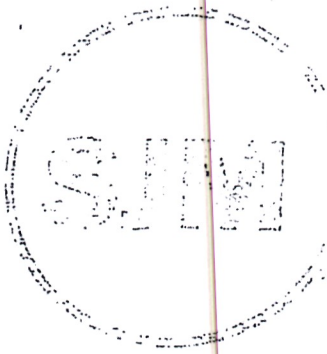
Bachelor of Laws Degree (LL.B)(Hons), University of Nairobi

### PROFESSIONAL EXPERIENCE

2017 to 2022      Member of the National Assembly,  
Parliament of Kenya  
(Kitutu Masaba Constituency)

Duties and responsibilities:

- ❖ Represented the people of Kitutu Masaba on the floor of the House



## SHADRACK JOHN MOSE

ADVOCATE OF THE HIGH COURT OF KENYA | NOTARY PUBLIC |

- ❖ Passed legislation, carried out budget allocation and oversight over public funds, officers and institutions.
- ❖ Advising and communicating the needs of my constituents to the Government;
- ❖ Deliberating on and resolving issues of concern to the people
- ❖ Promoting government policies in the community.
- ❖ Oversight of the NG-CDF fund, Kitutu Masaba Constituency
- ❖ Resource mobilization for various projects for my constituents
- ❖ Served as a member of the Departmental Committee on Transport, Infrastructure, Public Works, Housing, Urban Development, Shipping and Maritime
- ❖ Served as a member of the House Business Committee

2007 to 2017

Managing Partner

Mose, Mose & Millimo Advocates.

### Duties and responsibilities:

- ❖ Key role was oversight, management and strategic planning for the firm
- ❖ Pro-active marketing and business development of the firm
- ❖ Ensuring that the Partners and Fee Earners were effective in the delivery of the Firm's services to the firm's clients and do so profitably.
- ❖ Enhancing the firm's reputation by setting an example regarding ethics, morals, legal and professionalism
- ❖ Serving as the Head of the Corporate and Commercial Department
- ❖ Providing legal advisory services to various corporate clients such as KCB Bank Kenya Limited, Corporate Bank of Kenya, CIC Insurance Group, Kenya Tea Development Authority, National Housing



## SHADRACK JOHN MOSE

ADVOCATE OF THE HIGH COURT OF KENYA | NOTARY PUBLIC |

Corporation, National Bank of Kenya (NBK) among others.

- ❖ Providing support for negotiations with counter parties on transactional matters;
- ❖ Advising clients on various commercial transactions and drafting the relevant commercial agreements;
- ❖ Providing advice to clients on legal issues, risk and regulatory compliance and contract management strategy;
- ❖ Providing advisory and consultancy for diverse clients on complex legal issues in employment and labour laws, property law, constitutional law and public international law.
- ❖ Lead in legal services provision for cross border transactions involving complex infrastructure projects.
- ❖ Providing pro bono briefs
- ❖ Rigorous training of pupils under the Kenya School of Law, Pupillage programme

1996 to 2007

Managing Partner  
Mose and Mose Advocates.

### Duties and responsibilities:

- ❖ Serving as the Managing Partner of the firm
- ❖ Overseeing the billing and invoicing of the firm's clients
- ❖ Pro-active marketing and business development of the firm
- ❖ Serving as the Head of the Commercial Litigation department
- ❖ Responsible for implementing and managing Risk and Compliance policies of the Firm relating to Litigation matters.
- ❖ Developing appropriate legal strategy for discovery, investigation, handling and trial/hearing of cases.



## SHADRACK JOHN MOSE

ADVOCATE OF THE HIGH COURT OF KENYA | NOTARY PUBLIC |

- ❖ Attending court and, dealt with several Litigation matters involving contracts, company law, banking and insurance law, property law, criminal law, debt collection, matrimonial causes and the law of succession.
- ❖ Non-litigious matters including; conveyancing, Arbitration, formation and winding up companies, Office management and Administration among other duties.
- ❖ Lead Advocate in cross-border transactions involving complex infrastructure projects.
- ❖ Rigorous training of pupils under the Kenya School of Law, Pupillage programme

Aug 1994 - Dec 1995;

Associate Advocate,  
Esmail & Esmail Advocates

- ❖ Attending and conduct hearings at all levels of the court structure;
- ❖ Conducting legal research relating to various briefs assigned to me;
- ❖ Negotiating settlements for clients and drafting settlement agreements;
- ❖ Drafting and reviewing of documents including pleadings, notices, affidavits & correspondence
- ❖ Performing general administrative duties, such as filing
- ❖ Conducting client interviews to obtain all relevant information and documentation
- ❖ Advising clients on the status of their matters



## SHADRACK JOHN MOSE

ADVOCATE OF THE HIGH COURT OF KENYA | NOTARY PUBLIC |

Aug 1992- June 1994

Associate Advocate,  
Khamati Minishi & Co.

### Advocates

- ❖ Attending and conduct hearings at all levels of the court structure;
- ❖ Liaising with partners in respect to matters pending
- ❖ Conducting Legal Analysis and Research
- ❖ Drafting and filing court pleadings
- ❖ Providing clients with Litigation Support
- ❖ Correspondence Management
- ❖ Administrative Support

### REFEREES

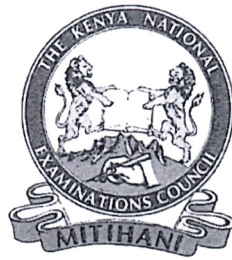
❖ Hon. Joash Nyamache Nyamoko,  
Member of Parliament,  
North Mugirango Constituency  
Tel: 0722 972 248  
P.O Box 649-00502  
NAIROBI

❖ Nelson Kuria,  
Chairman of the Board of Directors,  
CIC Insurance Group PLC,  
CIC Plaza along Mara Road, Upperhill,  
Tel: 0722 746 131  
P. O. Box 59485-00200,  
NAIROBI

❖ William Mogaka,  
Managing Partner,  
Mogaka, Omwenga & Mabeya Advocates,  
NSSF Building 2<sup>nd</sup> Floor,  
Nkurumah Road,  
Tel: 0722 412 951  
MOMBASA

**ANNEXURE 11:  
CERTIFICATES AND  
TESTIMONIALS**

# THE KENYA NATIONAL EXAMINATIONS COUNCIL



This is to certify that the candidate named below sat for the Examination for the Kenya Advanced Certificate of Education and qualified for the award of a

## KENYA ADVANCED CERTIFICATE OF EDUCATION

SUPPLEMENTARY

The candidate passed at the level shown (Principal or Subsidiary) in the subject(s) named and attained the Grade(s) as indicated.

SHADRACK JOHN MOSE

73063/666

GUSII HIGHLIGHTS HIGH SCHOOL

		Grade
GENERAL PAPER	SUBSIDIARY	
ECONOMICS	PRINCIPAL	B
CHRISTIAN REL EDUCATION	PRINCIPAL	B
GEOGRAPHY	PRINCIPAL	C
KISWAHILI	PRINCIPAL	D

SUBJECTS RECORDED FIVE

EXAMINATION OF NOVEMBER/DECEMBER 1987

Secretary  
Kenya National Examinations Council

Chairman  
Kenya National Examinations Council

A137548

(See overleaf)

# KACE

## AWARD OF CERTIFICATE

Candidates are awarded a Kenya Advanced Certificate of Education if they pass in at least one subject at Principal level, or obtain at least a subsidiary pass in a subject offered at Principal level.

The word SUPPLEMENTARY on the front of the certificate indicates that the candidate sat for the examination on a second or subsequent occasion.

The grade of pass awarded in a Kenya Advanced Certificate Principal subject is indicated by the letter A, B, C, D, or E. Grade A is the highest grade of pass, Grade E the lowest.

## SUBJECT NAMES

Any of the following subject names which may appear overleaf are in the form indicated on the right:

<i>Name of subject as it appears in the Regulations</i>	<i>Abbreviation used on the Certificate</i>
World Affairs since 1939	WORLD AFFAIRS
Theory of Government and Constitutional Development and Practice in East Africa	THEORY OF GOVT
Economic and Social History of East Africa since 1800	ECON & SOCIAL HIST

# THE KENYA NATIONAL EXAMINATIONS COUNCIL



This is to certify that the candidate named below sat for the Examination for the Kenya Certificate of Education and qualified for the award of a

## KENYA CERTIFICATE OF EDUCATION

DIVISION II

THE CANDIDATE REACHED THE GRADE SHOWN IN THE SUBJECTS NAMED

SHADRACK J ROSE

73006/024

NYALINDA BOUNDARY SCHOOL

	<u>Grade</u>
ENGLISH LANGUAGE	6
LITERATURE IN ENGLISH	6
PASISI YA KISSAKILI	3
CHRISTIAN RELIGIOUS EDUCATION	6
GEOGRAPHY	3
LUGHA YA KISSAKILI	3
MATHEMATICS	9
BIOLOGY	7

SUBJECTS NAMED EIGHT

SUBJECTS PASSED SEVEN

EXAMINATION OF NOVEMBER/DECEMBER 1984

Secretary

Kenya National Examinations Council

Chairman

Kenya National Examinations Council

O 354779

(See overleaf)

# UNIVERSITY OF NAIROBI



This is to certify that

*Shadrack John Mose*

having satisfied the requirements  
for the award of the degree of the

**BACHELOR OF LAWS**

*Second Class Honours (Lower Division)*

was admitted to the degree  
at a Congregation held at  
this University on the

**Eighth Day of September in the Year  
1992**

A large, stylized handwritten signature in black ink, likely belonging to the Vice-Chancellor.

VICE-CHANCELLOR

A smaller, stylized handwritten signature in black ink, likely belonging to the Deputy Vice-Chancellor.

DEPUTY VICE-CHANCELLOR (ACADEMIC AFFAIRS)

REPUBLIC OF KENYA

HIGH COURT OF KENYA

**CERTIFICATE OF ADMISSION**

This is to certify that ..... SHADRACK JOHN MOSE .....

.....  
having this day signed the Roll of Advocates of the High Court of Kenya is admitted to practise as an Advocate of the High Court and is entitled to practise in the Courts Subordinate thereto, as from the .....17th..... day of .....December....., 19<sup>92</sup>..

Given under my hand and the Seal of the High Court of Kenya at Nairobi.....  
this .....Seventeenth..... day of .....December.....  
in the Year of Our Lord One Thousand Nine Hundred and .....Ninety-two.....

.....  
*Chief Justice,*  
*High Court of Kenya*

Certified that the name of the said SHADRACK JOHN MOSE.....  
has this day been entered on the Roll of Advocates on payment of the prescribed fee.

Dated this .....17th..... day of .....December....., 19<sup>92</sup>..

.....  
*Dep. Registrar*



HIGH COURT OF KENYA

THE OATHS AND STATUTORY DECLARATIONS ACT, (CAP. 15)  
LAWS OF KENYA

A C O M M I S S I O N

TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING:  
BE IT KNOWN that on the sixteenth day of April,  
one thousand nine hundred and ninety-six, SHADRACK  
JOHN MOSE, an Advocate of the High Court of Kenya,  
was appointed to be a Commissioner for Oaths under  
the above mentioned Act for as long as he continues  
to practise as such Advocate and this Commission is  
not revoked.

Given under my hand and the Seal of the Court,  
this 16th day of April, 1996, at Nairobi.

*A. M. Mwan*  
CHIEF JUSTICE  
HIGH COURT OF KENYA

GOVERNMENT OF KENYA

HIGH COURT OF KENYA

CERTIFICATE OF ENROLMENT OF NOTARY PUBLIC

( Issued under section 4(1) of the Notaries Public Act).

This is to certify that SHADRACK JOHN MOSE has this day been enrolled as a Notary Public, and is hereby authorised to perform within Kenya up to 31st December, 1998, the functions and duties commonly performed by a Notary Public in the United Kingdom.

Dated at Nairobi this 16th day of March, 1998.



REGISTRAR



**REPUBLIC OF KENYA**  
**HIGH COURT OF KENYA**

**PRACTISING CERTIFICATE FOR THE YEAR 2023**

Pursuant to the Advocates Act, 1989, I hereby certify that

**SHADRACK JOHN MOSE**

is duly enrolled as an Advocate of this Court and is entitled to practice as such Advocate.

Dated this **01st Day of January 2023**.

Practice No: **LSK/2023/02270**

ADM. No: **P.105/2452/92**



**SIGNED BY: HON. ANNE A. AMADI**  
**CHIEF REGISTRAR OF THE JUDICIARY**

**CERTIFICATE NUMBER: JUD1675327285**

**DATE: 2023-02-02 11:41:25**



REPUBLIC OF KENYA  
HIGH COURT OF KENYA

**ANNUAL RENEWAL CERTIFICATE**

I hereby certify that **SHADRACK JOHN MOSE** has renewed his Certificate to practice as a Notary Public within Kenya for the current year ending **31st** day of **December 2023**.

Dated at Nairobi this **19th** day of **January, 2023**.

**P.105/2452/23**



**SIGNED BY: HON. ANNE A. AMADI**  
**CHIEF REGISTRAR OF THE JUDICIARY**

CERTIFICATE NUMBER: JUD1674143086

DATE: 2023-01-19 18:44:46



KENYA REVENUE  
AUTHORITY

## Tax Compliance Certificate

For General Tax Questions  
Contact KRA Call Centre  
Tel: +254 (020) 4999 999  
Cell: +254(0711)099 999  
Email: callcentre@kra.go.ke

[www.kra.go.ke](http://www.kra.go.ke)

Taxpayer PIN : A001566975M

Certificate Date: 24/02/2023

**Name and Address :**

Shadrack John Mose  
COMCRAFT HOUSE, NAIROBI CITY (WEST), Nairobi East District,  
PO Box:9403,  
Postal Code:00100

Certificate Number:

KRAWON1319005623



**This is to confirm that Shadrack John Mose,  
Personal Identification Number A001566975M  
has filed relevant tax returns and  
paid taxes due as provided by Law.**

**This Certificate will be valid for  
twelve (12) months up to 23/02/2024.**

**Caveat:** This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

**Disclaimer :** This certificate is system Generated and therefore does not require signature. You may confirm validity of this certificate on the iTax Portal by using the TCC Checker. This certificate confirms your compliance status for a period of five years preceding the date of issue. The certificate may however be with withdrawn on grounds of outstanding debt affecting periods prior to this.

NATIONAL POLICE SERVICE



**DIRECTORATE OF CRIMINAL INVESTIGATIONS**

DIRECTORATE OF CRIMINAL INVESTIGATIONS HEADQUARTERS  
P.O.Box 30036-00100 GPO  
NAIROBI, KENYA

Ref. No. **PCC-30TLJVA7**

Date. **3 November 2022**

**POLICE CLEARANCE CERTIFICATE**

*I hereby certify that the fingerprints recorded from*

**SHADRACK JOHN MOSE**

*holder of ID No. 8532233 have been searched in Criminal Records Office's database with/without previous record. The validity of the information on this certificate is as of the date of issue.*

**REMARKS IN CASE OF PREVIOUS RECORD**

**OFFENCE(S): NIL**

**RESULTS OF TRIAL: NIL**

**DATE: NIL**

*This Certificate has been issued without any alteration or any erasure*

**(P.M. Onyango)**

*For: Director, Directorate of Criminal Investigations  
(P.T.O)*

**NOTE:** This is a computer generated certificate, to verify the authenticity of this document, use the link <http://dci.ecitizen.go.ke/verify>, send DCI to 21546 Then Dial \*512# and select "Police Clearance"

REMARKS

- 2. OFFENCE(S): NIL  
.....  
RESULTS OF TRIAL: NIL  
.....  
DATE: NIL  
.....
- 3. OFFENCE(S): NIL  
.....  
RESULTS OF TRIAL: NIL  
.....  
DATE: NIL  
.....
- 4. OFFENCE(S): NIL  
.....  
RESULTS OF TRIAL: NIL  
.....  
DATE: NIL  
.....
- 5. OFFENCE(S): NIL  
.....  
RESULTS OF TRIAL: NIL  
.....  
DATE: NIL  
.....  
OFFENCE(S): NIL  
.....  
RESULTS OF TRIAL: NIL  
.....  
DATE: NIL  
.....
- 7. OFFENCE(S): NIL  
.....  
RESULTS OF TRIAL: NIL  
.....  
DATE: NIL  
.....

REPUBLIC OF KENYA



OFFICE OF THE ATTORNEY- GENERAL  
&  
DEPARTMENT OF JUSTICE

ACC/1/1/VOL.XV (11)

13<sup>th</sup> February, 2023

Shadrack John Mose  
P.O. Box 9403-00200  
NAIROBI

Email: [sjmose12@gmail.com](mailto:sjmose12@gmail.com)

RE: CLEARANCE CERTIFICATE – SHADRACK JOHN MOSE  
ADMISSION NUMBER - P.105/2452/92

I refer to your letter dated 13<sup>th</sup> February, 2023 on the above subject.

Please note that according to records held in this office, there is no pending complaint against advocate Shadrack John Mose.

GEORGE NYAKUNDI  
SECRETARY,  
ADVOCATES COMPLAINTS COMMISSION



Ref: P.105/2452/92

# Law Society of Kenya

Lavington, opp Valley Arcade,  
Gitanga Road  
P.O Box 72219-00200 Nairobi, Kenya  
Dropping Zone 149 – Embassy House  
Basement  
Tel: +254 709 087 000  
Email: [lsk@lsk.or.ke](mailto:lsk@lsk.or.ke)  
Website: [www.lsk.or.ke](http://www.lsk.or.ke)

## CERTIFICATE OF GOOD STANDING\*

This is to certify that

**MOSE SHADRACK JOHN**

is an Advocate of the High Court of Kenya having been admitted to the Bar on the 17<sup>th</sup> day of December 1992 and a Member of the Law Society of Kenya in good standing.

There are no complaints against him, nor does he have any past or pending causes before the Advocates Disciplinary Tribunal.

He holds a current (2023) practicing certificate and is therefore licensed to practice law.

Issued on this 13<sup>th</sup> day of February 2023

**MWATHI M. KITONGA**  
DEPUTY SECRETARY/DIRECTOR  
(COMPLIANCE AND ETHICS)



*\*This certificate is not valid without an embossed seal.*

Eric Theuri (President), Faith Odhiambo (Vice-President)  
Chrysostom Akhaabi, Kabata Mwaura, Tom K'opere (General Membership Representatives)  
Cohen Amany, Njoki Mboce, Ochieng Gor (Nairobi Representatives)  
Byron Menezes, Lindah Kiome, Michael Wabwile, Vincent Githaiga (Upcountry Representatives)  
Riziki Emukule (Coast Representative)

Certificate Serial No. 440729

# HIGHER EDUCATION LOANS BOARD



## Compliance Certificate

This is to confirm that,  
**SHADRACK JOHN MOSE**

Holder of National IDNO. 85332233 is a beneficiary and has fulfilled his/her obligation towards the University Loans scheme as provided by law

Chief Executive Officer

Chief Operations Officer

### Caveat

- This certificate is issued on the basis of information available to the Board as at the date shown above. The Board reserves the right to withdraw the certificate if new evidence materially alters the compliance status of the recipient.
- This is a system generated certificate. To confirm genuineness and validity of this certificate use the HELB checker available at : <https://studentportal.helb.co.ke> or contact our office.

Date of Issue: 27-05-2022

Valid until: 27-05-2023

Date of Issue: 2023-02-17

Serial No.: 2381386835



# CREDITINFO Clearance Certificate

This is to certify that,

**SHADRACK JOHN MOSE**

Of ID Number: 8532233

**Has no adverse listing as per information held by Creditinfo CRB Kenya Ltd**

This certificate is valid at the date of issue, changes may occur after issue date

A handwritten signature in black ink, appearing to read 'M. K. Gump'.

Chief Executive Officer



A handwritten signature in black ink, appearing to read 'M. M. M.'.

Chief Technology Officer

The Conclusion herein is based on the information obtained from public records and other third party sources. Creditinfo makes no representation as to the accuracy of this information and shall not be liable for any loss, damages or claims whatsoever arising from reliance in this certificate.



REPUBLIC OF KENYA  
PARLIAMENT

**Hon. Joash Nyamache Nyamoko, HSC., MP.**  
North Mugirango Constituency

Parliament Buildings  
P. O. Box 41842 - 00100  
Nairobi, Kenya

Tel: +254 20 2221291  
Mobile: +254 722 972 248  
E-mail: joasshh@gmail.com

7<sup>th</sup> NOVEMBER, 2022

The Secretary/ CEO,  
Public Service Commission,  
Commission House,  
P.O Box 30095-00100,  
Nairobi.

Dear Dr. Simon Rotich,

**RE: LETTER OF RECOMMENDATION FOR SHADRACK JOHN MOSE FOR THE  
POSITION OF SOLICITOR GENERAL**

The above matter refers.

I am pleased to offer my recommendation of Shadrack John Mose for the position of Solicitor General of the Republic of Kenya. I served with Shadrack Mose in the 12<sup>th</sup> Parliament of Kenya.

During our time as Members of Parliament, I came to admire Shadrack's passion for public service especially as he continued to represent members of his constituency. Some of his achievements included successfully lobbying for many areas of his constituency to get access to electricity through the rural electrification program, improving various road networks in his constituency, improvement of schools' infrastructure, awarding of bursaries and construction of the Kitutu Masaba TVET institution. The Manga Law Courts was also constructed during his tenure.

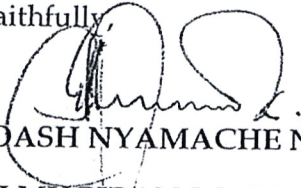
He exercised excellent financial management, public policy and leadership skills as he worked with his NG-CDF committee to ensure that there was proper allocation and accountability of funds for each project. He also ensured that there was fair and equitable distribution of resources within the Constituency prioritizing the underprivileged such as orphans, youth, persons with disability and women.

As a member of the Transport Committee, Hon Mose ensured that he exercised his oversight role well ensuring citizens of Kenya got the services as needed while holding CEOs and senior leadership of various parastatals accountable. He also ensured that bills that passed through his committee were well drafted and useful to Kenyans.

His work ethic and particularly his passion to serve the people of Kenya remains one of his greatest assets and I firmly believe that these attributes will make him a great Solicitor General. Indeed, his leadership skills, integrity, interpersonal skills and professionalism will be a great addition to this nation.

Do not hesitate to reach me in case of any further clarifications.

Yours faithfully,



HON. JOASH NYAMACHE NYAMOKO. HSC, MP,  
NORTH MUGIRANGO CONSTITUENCY.



Co-operative  
enterprises build  
a better world



7<sup>th</sup> November, 2022.

Dr. (h.c) Nelson C. Kuria, MBS, OGW, F.IoDK  
Chairman of the Board of Directors,  
CIC Insurance Group PLC,  
CIC Plaza along Mara Road, Upperhill,  
P. O. Box 59485-00200,  
NAIROBI

The Public Service Commission,  
Commission House,  
P. O. Box 30095-00100,  
NAIROBI.

Dear Sirs,

**RE: LETTER OF RECOMMENDATION FOR SHADRACK JOHN MOSE FOR THE POSITION OF SOLICITOR GENERAL**

I make reference to the above matter.

My name is Nelson C. Kuria and I am pleased to offer my recommendation for Shadrack John Mose for the position of Solicitor General of the Republic of Kenya.

Over the last twenty two years, I have known and worked with Shadrack and interacted with him professionally as his law firm, M/s. Mose, Mose & Mose Advocates, formerly known as Mose, Mose & Millimo Advocates, served and continues to serve CIC Insurance Group on its panel of advocates. His firm mainly deals with all kinds of litigation and conveyancing matters on behalf of CIC Group.

He got into our panel in the year 2000, a year before I became CEO and continued through to the time I retired in February 2015, I rejoined CIC as an Independent board member in September 2020 and became Chairman in June 2021 and found his firm still in CIC's panel of Advocates.

His remarkable work ethic and consistency over the years made me to take note of him as the Principal of the firm. He ensured that as his client, our Company's matters were dealt with speedily and that we were always well-informed on the progress of the same. He would notify the company of any challenges and promptly offer solutions on the way forward. His quality of work and responsiveness earned his firm recognition as one of the leading firms in CIC's panel of Advocates.

His entrepreneurial disposition and good leadership skills have contributed immensely to the growth of his firm from a small outfit to a large legal firm with a number of branches in some major towns in Kenya and is therefore capable of offering effective services to our branches in such towns.

## **CIC INSURANCE GROUP PLC.**

☐ CIC Plaza, Mara Road, Upperhill ☐ P.O. Box 59485-00200 Nairobi  
☎ 020 282 3000, 0703 099 120 ☉ callc@cic.co.ke ☉ www.cic.co.ke

Directors: Dr. N. Kuria (Chairman), J. Njiru (Vice Chairman), P. Nyaga (Group C.E.O),  
P. Nyigei, G. Owuor, M. Wambia, R. Githaiga, J. Mwatu, R. Kinoti, S. Kisire.

KENYA • SOUTH SUDAN • UGANDA • MALAWI | *We keep our word*

GENERAL • LIFE • HEALTH • ASSET

I have known Shadrack as a forthright, honest and dependable professional. His analytical legal mind and resourcefulness has always been demonstrated when dealing with difficult cases and professional challenges. His service has remained a great asset to the company and I firmly believe that he will be a great asset to the public service as the Solicitor General of the Republic of Kenya.

In conclusion, I would like to express my utmost support for Shadrack's application for the role of Solicitor General of the Republic of Kenya. His illustrious career in the legal profession make him the ideal candidate for this position.

Please do not hesitate to reach me in case of any further clarifications.

Thank you.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Nelson C. Kuria', with a stylized flourish at the end.

Dr. (h.c) Nelson C. Kuria, MBS, OGW, F.IoDK

# ONDIEKI WILLIAM MOGAKA ADVOCATE

P. O. Box 40418-80100  
MOMBASA

TEL: 2223641  
MOBILE: 0722412951  
EMAIL: mogakaobill@gmail.com  
P105 NO: P.105/2492/93  
MOMBASA

DATE: 08<sup>th</sup> November, 2022

The Secretary/ CEO  
The Public Service Commission, Commission House,  
P. O. Box 30095-00100,  
NAIROBI.

RE: LETTER OF RECOMMENDATION FOR SHADRACK JOHN MOSE FOR THE  
POSITION OF SOLICITOR GENERAL

---

Reference is made to the above matter.

I am pleased to offer my recommendation of Shadrack John Mose for the position of Solicitor General of the Republic of Kenya. I have known Shadrack for over thirty-five years as a friend and a colleague in the legal profession having started the legal journey with him as law students at the University of Nairobi.

Over the years, I have continued engaging with Shadrack in both a personal and professional capacity and he has remained a hardworking, diligent, firm, forthright, dependable, honest, resourceful, ethical, and energetic and result oriented person. His technical competency is commendable

When he informed me of his intention to apply for the role of Solicitor General, I knew immediately that he would serve the people of Kenya earnestly.

Over the years, he has specialized in Banking and Finance Law, Corporate and Commercial Law and Constitutional Law and has remained a respectable practitioner amongst his peers. For the legal practitioners who have encountered Shadrack in the corridors of justice, they can attest to his great legal mind, his impeccable preparation for court matters and his great advocacy skills.

I have also consulted Shadrack on various legal matters and on some occasions even requested him to collaborate with me in legal matters and as a good friend and professional, he has always been willing to assist where he could.

Indeed, he is well versed with matters law, practice and related spheres and therefore, I have no hesitation in recommending him for the position of Solicitor General of the Republic of Kenya.

I am available for any clarifications as may be required.

Yours faithfully,

  
WILLIAM MOGAKA.