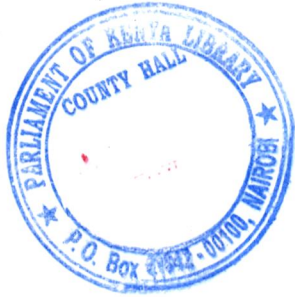


REPUBLIC OF KENYA



11TH PARLIAMENT – THIRD SESSION - 2015

REPORT OF THE JOINT COMMITTEE OF THE
DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND
NATIONAL SECURITY OF THE NATIONAL ASSEMBLY AND THE
STANDING COMMITTEE ON NATIONAL SECURITY & FOREIGN
RELATIONS OF THE SENATE
ON
THE VETTING OF MR. JOSEPH KIPCHIRCHIR BOINNET - NOMINEE
FOR APPOINTMENT TO THE POSITION OF THE INSPECTOR-
GENERAL OF THE NATIONAL POLICE SERVICE

CLERK'S CHAMBERS,
PARLIAMENT BUILDINGS,
NAIROBI

MARCH, 2015

Table of Contents

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|--|----|
| PREFACE..... | 2 |
| EXECUTIVE SUMMARY | 3 |
| ACKNOWLEDGEMENT | 4 |
| CHAPTER ONE: BACKGROUND | 7 |
| CHAPTER TWO: LEGAL FRAMEWORK FOR APPOINTMENT TO THE OFFICE OF THE INSPECTOR- GENERAL OF THE NATIONAL POLICE SERVICE. | 8 |
| 2.1 Functions and Powers of the Inspector- General of the National Police Service..... | 8 |
| 2.1.1 The functions of the Inspector-General | 8 |
| 2.1.2 The Powers of the Inspector General..... | 9 |
| 2.2 Qualifications for Appointment to the Office of the Inspector General | 9 |
| 2.3 Procedure for Appointment of the Inspector -General of the National Police Service..... | 10 |
| 2.4 Submission of the name of the Nominee by the President..... | 10 |
| CHAPTER THREE: VETTING PROCESS | 12 |
| 3.1 Message from His Excellency the President | 12 |
| 3.2 Clearance Requirements | 12 |
| 3.3 Notification to the Nominee | 12 |
| 3.4 Notification to the Public | 12 |
| 3.5 Committee Meetings..... | 13 |
| CHAPTER FOUR: SUBMISSIONS | 14 |
| 4.1 Memorandum from Mr. Nyakina Wycliffe Gisebe..... | 14 |
| 4.2 Submission from Mr. Jason Kamweru | 14 |
| CHAPTER FIVE: VETTING OF MR. JOSEPH KIPCHIRCHIR BOINETT. | 15 |
| CHAPTER SIX: COMMITTEE'S OBSERVATIONS | 19 |
| CHAPTER SEVEN: COMMITTEE'S RECOMMENDATION | 20 |
| ANNEXURES | 21 |

PREFACE

Mr. Speaker, Sir,

On 17th February, 2015, pursuant to Standing Orders 41(1) and 42(1) of the Senate and National Assembly respectively, the Speakers of the National Assembly and the Senate conveyed a message to both Houses from H.E. the President that Mr. Joseph Kipchichir Boinett had been nominated to serve in the position of the Inspector-General of the National Police Service. Article 245 (2) (a) confers upon the President the power to nominate and subject to approval by Parliament, appoint the Inspector General.

The name of the nominee and his curriculum vitae was thereafter forwarded to the Joint Committee on Administration and National Security of the National Assembly and the Standing Committee on National Security and Foreign Relations of the Senate to conduct the approval hearings.

Mr. Speaker, Sir, the following are the Members of the joint Committee:

| | |
|---|--|
| The Hon. Asman Kamama, MP, Co- Chairperson | Sen. Mohammed Yusuf Haji, Co- Chairperson |
| The Hon. Alois M. Lentoimaga, MP | Sen. Fatuma Dullo |
| The Hon. Ababu Namwamba, MP | Sen. Kembi Gitura |
| The Hon. Joseph Lekuton, MP | Sen. Moses Wetangula |
| The Hon. Alice Wahome, MP | Sen. James Orengo |
| The Hon. Zakayo K. Cheruiyot, MP | Sen. G. G. Kariuki |
| The Hon. Timothy W. Wetangula, MP | Sen. Hargura Godana |
| The Hon. Patrick Ole Ntutu, MP | Sen. Sonko Mbuvi |
| The Hon. Ali Isaack Shaaban, MP | Sen. Elizabeth Ongoro |
| The Hon. Samuel Moroto, MP | |
| The Hon. Humphrey Njuguna, MP | |
| The Hon. Francis K. Mwangangi, MP | |
| The Hon. Rashid J. Bedzimba, MP | |
| The Hon. David Gikaria, MP | |
| The Hon. Mohamed Shidiye, MP | |
| The Hon. Jane Machira, MP | |
| The Hon. Ibrahim Abdi Saney, MP | |
| The Hon. Joseph O. Ndiege, MP | |
| The Hon. (Maj. Rtd.) John K. Waluke, MP | |
| The Hon. Wanjiku Muhia, MP | |
| The Hon. Akuja Protus Ewesit, MP | |
| The Hon. Joseph M. Kahangara, MP | |
| The Hon. Ahmed Abdikadir Ore, MP | |
| The Hon. Regina Nthambi Muia, MP | |
| The Hon. Grace Kiptui, MP | |
| The Hon. George Theuri, MP | |
| The Hon. James Bett, MP | |
| The Hon. Benard Shinali, MP | |

EXECUTIVE SUMMARY

Mr. Speaker,

Article 245 (1) & 245(2)(a) of the Constitution provides that there is established the Office of the Inspector General, which is an office in the National Police Service. The Inspector General shall be appointed by the President, with the approval of Parliament. The Inspector General shall exercise independent command over the National Police Service, and perform any other functions prescribed by national legislation.

Mr. Speaker, Sir,

After receiving the name of the nominee for the position of the Inspector General on February 1, 2015 the Speakers of both Houses directed that the vetting of the nominee for appointment to the position of Inspector General of Police shall be conducted jointly by both Houses and in particular the Departmental Committee on Administration and National Security of the National Assembly and Standing Committee on National Security & Foreign Relations of the Senate.

The Joint Committee held two preliminary sittings on Wednesday 18th February 2015 and Wednesday 25th February, 2015 to prepare for the vetting and consider memoranda from the members of the public.

The Joint Committee complied with the Constitutional and legal requirements and established procedures for vetting. It ensured public participation and openness in carrying out the proceedings. Notifications inviting the public to submit memoranda were placed in the mainstream print media on 18th February 2015 in tandem with the law.

On 25th February 2015, the Committee considered two memorandums in which one was recommending the appointment of the nominee and the other one was contesting his appointment.

The Joint Committee conducted the vetting exercise on 26th February 2015 and in conducting the vetting exercise, the joint Committee relied on the provisions of the Constitution, the Public Appointments (Parliamentary Approval) Act No. 33 of 2011), the Standing Orders of the respective Houses and the National Police Service Act 2012.

Mr. Speaker, Sir,

The Committee made several observations during the vetting exercise, key among them being the fact that Article 245(2)(a) of the Constitution read together with section 12(1) and section 12(2) of the National Police Service Act, 2011 (as amended by the National Police Service (Amendment) Act, 2014 and the Security Laws (Amendment) Act, 2014), gave the President discretion in the exercise of nomination for appointment of a candidate to the post of the Inspector-General of the National Police Service.

The Joint Committee's recommendation was solely based on the evidence and information from the proceedings of the Committee during the vetting exercise. The Joint Committee recommended that, having considered the suitability, capacity and integrity of the nominee, and pursuant to Article 245(2)(a) of the Constitution and Section 8 (2) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Joseph Kipchirchir Boinett to the position of the Inspector-General of the National Police Service.

ACKNOWLEDGEMENT

Mr. Speaker,

The Joint Committee wishes to thank the Offices of the Speakers and the Clerks of both Houses of Parliament for the logistical support accorded to it during the vetting exercise. The Committee is also grateful to the media for their live coverage of the proceedings of the Committee, thus enhancing accountability and transparency of the vetting exercise.

Mr. Speaker,

On behalf of the Committee, and pursuant to Article 245(2)(a) of the Constitution, Section 8(1) of the Schedule to the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, it is my pleasant duty to table the Report of the Joint Departmental Committee on Administration and National Security of the National Assembly and Senate Standing Committee on National Security & Foreign Relations, on the vetting of the nomination of Mr. Joseph Kipchirchir Boinett to the position of the Inspector General of Police for debate and adoption by Parliament.

Signed: 

Sen. Mohammed Yusuf Haji

Chairperson, Standing Committee on National Security & Foreign Relations of the Senate

Date: Tuesday 3rd March 2015.....

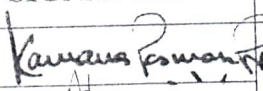


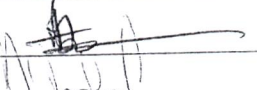
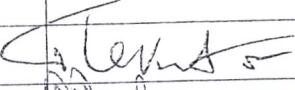

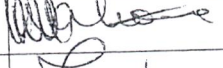
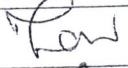

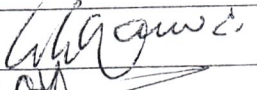
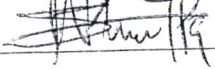

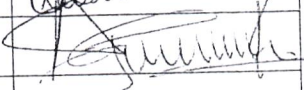
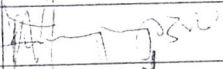


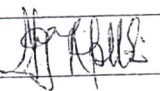
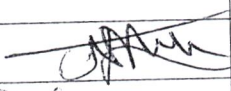
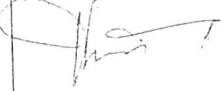
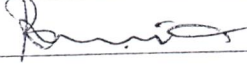
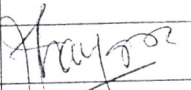
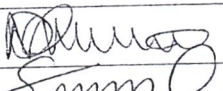
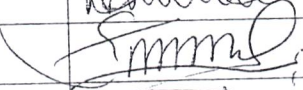
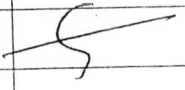
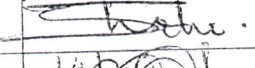


Signed: 

Hon. Asman Kamama, MP

Chairperson, Departmental Committee on Administration and National Security of the National Assembly

Date: Tuesday 3rd March 2015.....

ADOPTION OF THE REPORT

| | NAME OF MEMBER | SIGNATURE | NAME OF SENATOR | SIGNATURE |
|-----|---------------------------------|---|-----------------------|---|
| 1. | Hon. Asman Kamama |  | Sen. Mohammed Yusuf |  |
| 2. | Hon. Alois M. Lentoimaga |  | Haji | |
| 3. | Hon. Ababu Namwamba | | Sen. Fatuma Dullo |  |
| 4. | Hon. Joseph Lekuton |  | Sen. Kembu Gitura |  |
| 5. | Hon. Alice Wahome |  | Sen. Moses Wetangula | |
| 6. | Hon. Zakayo K. Cheruiyot |  | Sen. James Orengo | |
| 7. | Hon. Timothy W Wetangula |  | Sen. G. G. Kariuki |  |
| 8. | Hon. Patrick Ole Ntutu |  | Sen. Hargura Godana |  |
| 9. | Hon. Ali Isaack Shaaban | | Sen. Sonko Mbuvi |  |
| 10. | Hon. Samuel Moroto | | Sen. Elizabeth Ongoro | |
| 11. | Hon. Humphrey Njuguna | | | |
| 12. | Hon. Francis K. Mwangangi |  | | |
| 13. | Hon. Rashid J. Bedzimba |  | | |
| 14. | Hon. David Gikaria |  | | |
| 15. | Hon. Mohamed Shidiye | | | |
| 16. | Hon. Jane Machira |  | | |
| 17. | Hon. Ibrahim Abdi Saney | | | |
| 18. | Hon. Joseph O. Ndiege |  | | |
| 19. | Hon. (Maj. Rtd.) John K. Waluke |  | | |
| 20. | Hon. Wanjiku Muhia |  | | |
| 21. | Hon. Akuja Protus Ewesit | | | |
| 22. | Hon. Joseph M. Kahangara |  | | |
| 23. | Hon. Ahmed Abdikadir Ore | | | |
| 24. | Hon. Regina Nthambi Muia |  | | |
| 25. | Hon. Grace Kiptui |  | |  |
| 26. | Hon. George Theuri |  | | |
| 27. | Hon. James Bett |  | | |
| 28. | Hon. Benard Shinali |  | | |

CHAPTER ONE: BACKGROUND

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

Article 245(1) of the Constitution provides for the establishment of the Office of Inspector-General of the National Police Service. The appointment of the Inspector-General of Police is contained in Article 245(2)(a) of the Constitution. The said Article provides for the appointment of the Inspector-General with the approval of Parliament.

The office of the Inspector-General of the National Police Service fell vacant after the immediate former holder Mr. David Kimaiyo, resigned on 2nd December, 2014 and tendered his resignation to His Excellency the President.

On 11th February 2015, His Excellency the President pursuant to Article 245 (2) (a) of the Constitution as read with Section 12 (2) of the National Police Service Act 2011 as amended by the Security Laws (Amendment) Act, 2014 vide his letter Ref. OP.CAB.1/32/10A nominated Mr. Joseph Kipchirchir Boinett to the position of the Inspector-General of the National Police Service.

On 17th February, 2015, pursuant to Standing Orders 41 (1) & 42 (1) the Speakers of the Senate and the National Assembly respectively conveyed a message to both Houses from H.E. the President that Mr. Joseph Kipchichir Boinett had been nominated to serve in the position of the Inspector General National Police Service.

The procedure of engagement for the Joint Committee was set out in recognition of the Standing Orders of both Houses and the requirements of the Public Appointments (Parliamentary Approval) Act, 2011 and it was resolved that the approval hearing shall proceed as follows-

- (i) The vetting process will therefore, be conducted by the Standing Committee on National Security and Foreign Relations of the Senate and the Departmental Committee on Administration and National Security of the National Assembly;
- (ii) **That**, the Chairpersons of the two committees will Co-Chair the joint sittings and the Secretariat will comprise officers of the two Houses;
- (iii) **That**, the quorum of the joint sittings will be the respective quorums of each of the committees as stipulated by the respective Standing Orders;
- (iv) **That**, as contemplated under Rule 9(6) of the Joint Rules, unless a decision is reached by consensus, any vote to be taken in the joint sitting of the committees shall be by separate Houses. This will ensure that the numerical difference of the individual members representing the Houses in the joint sittings has no effect on the decisions of the joint sittings of the Committees; and
- (v) **That**, the Committees shall, having conducted the vetting hearings, submit a Joint Report to the respective Houses in the manner contemplated by paragraph (7) of Joint Rule 9.

CHAPTER TWO: LEGAL FRAMEWORK FOR APPOINTMENT TO THE OFFICE OF THE INSPECTOR- GENERAL OF THE NATIONAL POLICE SERVICE.

Articles 245(1) and 245(2)(a) of the Constitution of Kenya, 2010 provides for the establishment of the office of the Inspector-General of the National Police Service, who shall be appointed by the President with the approval of Parliament.

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

2.1 Functions and Powers of the Inspector- General of the National Police Service

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

2.1.1 Section 10 (1): The functions of the Inspector-General shall be to-

- (a) implement policy decisions;
- (b) audit of police operations and functioning;
- (c) co-ordinate all police operations;
- (d) advise the Government on policing matters and services;
- (e) prepare budgetary estimates and develop a policing plan before the end of each financial year, setting out the priorities and objectives of the service and the justification thereof;
- (f) determine the establishment and maintenance of police stations, posts, outposts, units or unit bases in the county and determine the boundaries of the police stations, outposts or unit bases;
- (g) determine the distribution and deployment of officers in the Service and recommend to the Commission and the County Policing Authorities;
- (h) organize the Service at national level into various formations, units or components;
- (i) recommend the establishment of, manage and maintain training institutions, centers or places for the training of officers joining the service and other officers;
- (j) commission research and benchmark against best practices;
- (k) issue guidelines on community policing and ensure co-operation between the Service and the communities it serves in combating crime;
- (l) provide the command structure and system of the Service for the efficient administration of the Service nationally;
- (m) subject to the Constitution and this Act. or any written law, cooperate with and implement the decisions of the Independent Policing Oversight Authority;

- (n) designate any police station, post, outpost, unit or unit base as a place of custody;
- (o) promote co-operation with international police agencies;
- (p) establish and devolve the services of the Internal Affairs Units that are able and equipped to conduct investigations into police misconduct in a fair and effective manner and report directly to the Inspector-General;
- (q) monitor the implementation of policy, operations and directions of the Service;
- (r) issue and document Service Standing Orders;
- (s) cooperate with other public or private bodies to provide reliable police statistics on crime rates, detection rate, public confidence in the police, number of complaints against the police, as well as personnel statistics;
- (t) act on the recommendations of the Independent Policing Oversight Authority, including compensation to victims of police misconduct; and
- (u) perform any other lawful act on behalf of the Service.

2.1.2 Section 10 (4): The Powers of the Inspector General

- (a) have all the necessary powers for the performance of such functions; and
- (b) uphold the national values, principles and objects set out in Articles 10, 232 and 244 of the Constitution.

2.2 Qualifications for Appointment to the Office of the Inspector General

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

Section 11(1)

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

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

Section 11(3)

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

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

2.3 Procedure for Appointment of the Inspector -General of the National Police Service

Section 12 of the National Police Service, Act No. 11 of 2011 as amended by section 11 of the National Police Service (Amendment), Act No. 11 of 2014 and section 86 of the Security Laws (Amendment) Act No. 19 of 2014 provides for the procedure for the appointment of the Inspector-General of the National Police Service. The Security laws (Amendment) Act, 2014 amended section 12(2) of the National Police Service Act and deleted sections 12(3),12(4),12(5) and 12(6).

Section 12(1)

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

Section 12(2)

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

Section 12(7)

If Parliament approves the nominee, the President shall, within seven days after receiving the notification to that effect, by notice in the Gazette appoint the nominee as the Inspector-General of the National Police Service.

Section 12(8)

Where Parliament rejects the nominee submitted by the President, the Speaker of the National Assembly shall communicate its decision to the President and request for a fresh nominee.

2.4 Submission of the name of the Nominee by the President

After the President submits to Parliament the name of the nominee for the position of the Inspector-General of Police, Parliament is then guided by the Public Appointments (Parliamentary Approval) Act and the Standing Orders of both Houses. Sections 5, 7 and 8 of the Public Appointments (Parliamentary Approval) Act provides that-

Section 5

- (1) An appointing authority shall, upon nominating a person for an appointment to which this Act applies, notify the relevant House of Parliament accordingly.
- (2) A notification under subsection (1) shall be—
 - (a) in writing;
 - (b) be lodged with the Clerk of the relevant House of Parliament.
- (3) A notification of appointment shall be accompanied by information concerning the nominee, having regard to the issues mentioned in section 7.
- (4) For purposes of this Act, a notification of nomination shall be deemed to be duly given on the day on which it complies fully with subsections (2) and (3).

Section 7

The issues for consideration by the relevant House of Parliament in relation to any nomination shall be:-

- (a) the procedure used to arrive at the nominee;
- (b) any constitutional or statutory requirements relating to the office in question; and
- (c) the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is being made.

Section 8

- (1) Unless otherwise provided in any law, a Committee shall consider a nomination and table its report in the relevant House for debate and decision made within fourteen days from the date on which the notification of nomination was given in accordance with section 5.
- (2) At the conclusion of an approval hearing, the Committee shall prepare its report on the suitability of the candidate to be appointed to the office to which the candidate has been nominated and shall include in the report, such recommendations as the Committee may consider necessary.

CHAPTER THREE: VETTING PROCESS

3.1 Message from His Excellency the President

On 17th February, 2015, pursuant to Standing Orders 41(1) and 42(2) the Speakers of the Senate and the National Assembly respectively conveyed a message to both Houses from H.E. the President that Mr. Joseph Kipchichir Boinett had been nominated to serve in the position of the Inspector General National Police Service. Article 245 (2) (a) confers upon the President the power to nominate and subject to approval by Parliament, appoint the Inspector General.

The name of the nominee and his curriculum vitae was thereafter forwarded to the Joint Committee on Administration and National Security of the National Assembly and the Standing Committee on National Security and Foreign Relations of the Senate to conduct approval hearings.

3.2 Clearance Requirements

Following the receipt of the communication from the Speakers of both the National Assembly and the Senate to the Joint Committees, the Clerks wrote several letters to relevant institution seeking information on the nominee as listed below;

| | INSTITUTION NAME | DATE SENT | PURPOSE OF THE LETTER |
|---|--|------------|---------------------------------------|
| 1 | Ethics & Anti-Corruption Commission –E.A.C.C | 18.02.2015 | Integrity of Nominee |
| 2 | Kenya Revenue Authority – K.R.A. | 18.02.2015 | Tax compliance by the Nominee |
| 3 | Higher Education Loans Board – H.E.L.B | 18.02.2015 | Loans owed by the Nominee |
| 4 | Credit Reference Bureau – C.R.B | 18.02.2015 | Credit worthiness of Nominee |
| 5 | Criminal Investigations Department | 18.02.2015 | Certificate of Good Conduct |
| 6 | Commission for University Education - C.U.E | 27.02.2015 | Authenticity of Academic Certificates |

The nominee was also required to present his certificates, letters of clearance and compliance from the above organizations.

3.3 Notification to the Nominee

On 18th February, 2015, the Clerks of the National Assembly and the Senate, pursuant to Section 6(3) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), notified the nominee of the time and place for holding the approval hearing.

3.4 Notification to the Public

On 18th February, 2015, the Committee, through the Clerks of both Houses, placed a notification in the print media informing the general public of the intention of Parliament to conduct an approval hearing, as provided for by Article 118 (1) and (2) of the Constitution, Standing order 198 (1) of the National Assembly, Standing order 202 (1) of the Senate and Section 6(4) of the Public Appointments

(Parliamentary Approval) Act, 2011, which allow public participation in Committee proceedings. The notification gave provision for the submission of memoranda, on the suitability or otherwise of the nominee, by Tuesday, 24 February, 2015, at 5.00pm.

Section 6(9) of the Public Appointments (Parliamentary Approval) Act No. 33 of 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”*.

3.5 Committee Meetings

In execution of its mandate, the Committee had 5 meetings i.e two pre vetting meetings to prepare for the vetting exercise on 18th and 25th February 2015, carried out the vetting exercise on Thursday 26th February, 2015 and two meetings to prepare the report on the vetting exercise and adoption of the report on Monday 2nd and Tuesday 3rd March 2015 respectively.

CHAPTER FOUR: SUBMISSIONS

At the close of business on Tuesday, 24th February, 2015, the Joint Committee through the Office of the Clerk of the National Assembly was in receipt of two submissions in respect of the nomination of Mr. Joseph Kipchirchir Boinett as the Inspector - General of the National Police Service. These were from:-

- (a) Mr. Wycliffe Nyakina Gisebe, National Identity Card No. 13569487, Tel. No: 0722 916 397; and
- (b) Mr. Jason Kamweru, P.O. Box 7805-00100, Nairobi. Tel. No: 0719 816 288

4.1 Memorandum from Mr. Nyakina Wycliffe Gisebe

The memorandum was a written statement on oath (affidavit) by Nyakina Wycliffe Gisebe (the Deponent) contesting the appointment of Mr. Joseph Kipchirchir Boinett as the nominee to the position of Inspector General- National Police Service.

The memorandum sought to draw the attention of the Joint Committee to the following issues:

- (a) That where Mr. Joseph Kipchirchir Boinett is appointed as the Inspector General of Police, he will be in command of his seniors, who possess more experience in terms of their experience: contrary to the values and principles of public service requiring fair competition and merit as the basis for appointment contained under Article 232(g)(h) & (i). (paragraph 8)
- (b) That the President's nomination of Mr. Joseph Kipchirchir Boinett is a violation of Article 246(3)(a) of the Constitution, which places the role of conducting **recruitment and appointment** of members of the National Police Service in the hands of the National Police Service Commission. (paragraph 17)

The memorandum recommended that:

- (a) the Joint Committee rejects the nomination of Mr. Joseph Kipchirchir Boinett and
- (b) the recruitment and appointment of the Inspector General of Police be conducted afresh under Articles 10, 27, 47, 73, 75, 232, 245 and 246 of the Constitution and section 14 (a) of the National Police Service Commission (Act).

4.2 Submission from Mr. Jason Kamweru

The letter was a written statement supporting the appointment of Mr. Joseph Kipchirchir Boinett as the Inspector General of Police.

The letter states that:-

- (a) the author knows the Nominee personally and worked with the Nominee for three (3) years between 2005 and 2008 in Zimbabwe where the nominee was stationed as an officer at the Kenyan High Commission;
- (b) the nominee is a person who possesses qualities of integrity and patriotism; and
- (c) the author recommends the nominee for appointment as the Inspector General of Police.

CHAPTER FIVE: VETTING OF MR. JOSEPH KIPCHIRCHIR BOINETT.

On Thursday 26th February 2015, Mr. Joseph Kipchirchir Boinett appeared before the Joint Committee on Administration and National Security of the National Assembly and the National Security and Foreign Relations of the Senate for the approval hearing for the position of Inspector-General of the National Police Service. In conducting the Approval hearing, the Joint Committee was guided by the Constitution, the National Police Service Act, 2011, the Public Appointments (Parliamentary Approval) Act No. 33 of 2011 and the Standing Orders of the respective Houses.

The Committee also considered the following in vetting the nominee:

- a. Academic qualifications
- b. Employment record and work experience
- c. Professional association
- d. Public office, political activities and affiliations
- e. Potential conflict of interest
- f. Suitability to the position
- g. Tax compliance
- h. Integrity

Personal Background

The nominee was born in Keiyo in 1962 and is married with four children.

Educational Background

He holds two Master of Arts degrees in Security Policy from Australian National University, Canberra and in Diplomatic Studies from University of Westminster United Kingdom; a Bachelor of Arts degree in International Studies and Diplomacy from Washington International University.

Professional Courses

The nominee attended the following Professional courses-

1. Basic Intelligence Officers' Course at the DSI School, Nairobi, 1986
2. Counter Intelligence/ Counter Espionage Course, DSI School, Nairobi, 1987
3. SIS Course, London UK, 1993
4. External Intelligence Operations, ("L") Course, 1996
5. Intelligence Operations Management Course, 2004
6. Management of the Analytic Processes Course offered by Herman Kent School of Analysis (CIA University), NIA, Nairobi, 2010

Other Related Professional Courses

The nominee attended the following courses-

1. Diplomacy Course for Kenyan Diplomats, Beijing-China.
2. Senior Mission Course at the International Peace Support Training Centre, Nairobi.
3. Strategic Leadership Development Programme at the Kenya School of Government.
4. Police Higher Training Course at the Kenya Police College.
5. Direct Entry Inspector of Police Course at the Kenya Police College.

Professional Experience

1. He has thirty one years experience working in the Public Service security sector.
2. He is currently serving as the Assistant Director National Intelligence Service.
3. He was seconded by the External division of the National Intelligence Service to serve as the Deputy Chief of Protocol in Ministry of Foreign Affairs between 2009 and 2012.
4. He served as a Principal Analyst in the Analysis & Production Division of the National Intelligence Service between 2008 and 2009.
5. He also served at the Head Quarters of the External division of the National Intelligence Service between 2004 and 2008.
6. He served as a station officer in the External division of the National Intelligence Service between 2003 and 2004 based in Harare, Zimbabwe.
7. He also served in the Chief Liaison Office of the External division of the National Intelligence Service a between 2001 and 2003.
8. He served in the External division of the National Intelligence Service as a station officer based in Rome between 1996 and 2001.
9. He has also worked in the Directorate of Security Intelligence (DSI) between 1986 and 1996.
10. He served as a Cadet inspector in the Kenya Police between 1984 and 1986.

KEY ISSUES ARISING FROM THE VETTING PROCESS

The nominee informed the Committee of the following key issues which he would deal with, if appointed to the position of Inspector-General of the National Police Service –

1. Personal Plan and Vision

The nominee stated that his objective would be to provide collaborative leadership and engage in meaningful dialogue with National Security Agencies, create partnership with the Kenyan people and revamp the police reform processes, to enhance security. He further stated that he would also engage the relevant agencies to access necessary resources to acquire modern equipment, including aircrafts for the National Police Service.

2. Corruption

On corruption, he stated that he would revitalize the Internal Affairs Unit within the National Police Service to act as the police of the police in curbing corruption within the Service. He also promised to work closely with the Ethics and Anti –Corruption Commission and the Independent Police Oversight Authority in investigating and taking action on corrupt police officers. He further pointed out that he would use the experience he had acquired during the course of diplomatic service and extensive travel in many countries such as Singapore, Malaysia and China to tackle corruption in the National Police Service.

3. Measures to Improve Security

The nominee stated that he would enhance the capacity of police officers through the acquisition of equipment such as armoured personnel carriers, police aircrafts; relevant training for officers and ensuring that the digitalization process of the police command and control system was fast tracked to enhance communication. He further stated that he would improve the terms and conditions for police officers to avoid high turnover within the Service. The nominee also promised to firmly deal with the problem of re-emergence of outlawed criminal groups and use a people centred approach and alternative dispute resolution mechanisms to tackle the perennial problem of cattle rustling.

On the issue of police outposts in remote areas that have few police officers, the nominee promised to rationalize the posting of police officers and institute measures to ensure that police officers have the right training and equipment to effectively serve in all stations in the Country. He stated that he would get rid of the culture where postings to hardship areas are conducted as punishment to officers.

4. Coordination Among Security Organs and Agencies

The nominee acknowledged that there was ineffective sharing of intelligence between the National Intelligence Service and the National Police Service. He pointed out that having served in both agencies, he would serve as an interlinkage, to improve the working relationship of the two organs and streamline the sharing of intelligence and initiation of

timely measures to thwart security threats. He emphasized on the need to inculcate intelligence led policing to avoid the police being a reactive Service.

On the police command structure in the Counties, the nominee stated that he would apply the law to create a command structure that efficiently serves the citizens.

5. Previous Experience in Security Sector

The nominee observed that having served in the Police service, the National Intelligence Service and the Diplomatic Service, he would seek to utilize the local, regional and international experience to improve service delivery in the National Police Service.

6. Command and Control

The nominee appreciated the existence of the problem between the Regular Police and Administration Police over their mandate and stated that he would ensure collaboration of the two, without encroaching on each other's mandate. He further stated that he would approach the Joint Committee in the event of any gap in legislation.

7. Police Brutality

The Nominee appreciated that the law was clear on demonstrations and confirmed that the Police are allowed to use force proportionate to a threat faced during demonstrations but this should not be equated as an authorization of the use of brutality by police. He stated that the law should be enforced against protestors who use violence against the police and vice versa.

8. Education

Upon inquiry, the nominee informed the Committee that he had obtained an online degree in International Studies and Diplomacy from Washington University. He opted for this mode of study as he was stationed in Italy.

CHAPTER SIX: COMMITTEE'S OBSERVATIONS

After conducting the vetting exercise, the Committee made the following observations-

1. On the Memorandum by Nyakina Wycliffe Gisebe ,the Committee observed that Article 245(2)(a)of the Constitution read with sections 12(1) and 12(2) (as amended), of the National Police Service Act, 2011, gave the president discretion in the exercise of nomination for appointment of a candidate to the post of the Inspector-General of the National Police Service.
2. There was no evidence to suggest that the President did not take into consideration, and observe the provisions of Article 232(g),(h)and (i) of the Constitution (providing for fair competition and merit as the basis for appointment in public service), in exercising his powers of discretion, before nominating the candidate to the position of Inspector General of the National Police Service.
3. The National Police Service Commission's role of recruitment preceding the appointment of the Inspector-General of the National Police Service was scrapped of by an amendment to -
 - a) Section 12(1) of the National Police Service Act by section 11 of the National Police Service (Amendment) Act, 2014 and
 - b) Section 12(2) of the National Police Service Act by section 86 of the Security Laws (Amendment) Act, 2014.
4. The Nominee was cleared by the Credit Reference Bureau, the Higher Education Loans Board, Directorate of Criminal Investigations, Kenya Revenue Authority and the Ethics and Anti-Corruption Commission, therefore making him fit to hold public office as per the requirements of Chapter Six of the Constitution.
5. The Nominee had the necessary experience and qualifications to hold the office of th Inspector-General of the National Police Service as per the requirements of the National Police Service, Act No. 11 of 2011.
6. The Nominee demonstrated considerable knowledge of topical issues in the Security sector, having worked in the Police, Intelligence and Diplomatic sectors.
7. That Washington International University is recognized by UNESCO despite not being recognized in its country of origin. This observation was made upon clarification from the Chief Executive Officer of the Commission for University Education.

CHAPTER SEVEN: COMMITTEE'S RECOMMENDATION

The Committee made the following recommendation:

That, having considered the suitability, capacity and integrity of the nominee, and pursuant to Article 245(2) of the Constitution and Section 8 (2) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Joseph Kipchirchir Boinett to the position of the Inspector-General of the -National Police Service.

ANNEXURES

1. Notification from the President
2. Communication from the Chair
3. Minutes of the Committee's sittings
4. Committee's workplan
5. Correspondence
6. Nominee's Curriculum Vitae
7. Notifications to the Public
8. Notification to the Nominee
9. Memorandum
10. Questions used during the Approval Hearing

MINUTES OF THE 1ST JOINT SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY OF THE NATIONAL ASSEMBLY AND THE STANDING COMMITTEE ON NATIONAL SECURITY AND FOREIGN RELATIONS OF THE SENATE HELD ON WEDNESDAY 18TH FEBRUARY 2015 IN THE MINI CHAMBER, COUNTY HALL, PARLIAMENT BUILDINGS AT 9.30 A.M.

PRESENT

NATIONAL ASSEMBLY

1. Hon. Asman Kamama, MP – Co- Chairman
2. Hon. Alois Lentoimaga, MP
3. Hon. Grace Kiptui, MP
4. Hon. Joseph Lekuton, MP
5. Hon. George Theuri, MP
6. Hon. Mohamed Shidiye, MP
7. Hon. Protus Akuja Ewesit, MP
8. Hon. David Gikaria, MP
9. Hon. Ahmed Abdikadir Ore, MP
10. Hon. Zakayo Cheruiyot, MP
11. Hon. Patrick Ole Ntutu, MP
12. Hon. Benard Shinali, MP
13. Hon. Francis Mwangangi, MP
14. Hon. Joseph Ndiege, MP
15. Hon. Ibrahim Abdi Saney, MP
16. Hon. (Maj. Rtd.) J. K. Waluke, MP
17. Hon. Regina Nthambi Muia, MP

SENATE

1. Sen. Yussuf Haji, MP Co - Chairman
2. Sen. Dullo Fatuma Adan, MP
3. Sen. Kembi Gitura, MP
4. Sen. (Eng.) Hargura Godana, MP

ABSENT WITH APOLOGY

NATIONAL ASSEMBLY

1. Hon. Ababu Namwamba, MP
2. Hon. James Bett, MP
3. Hon. Shaaban Ali Isaack, MP
4. Hon. Timothy Wetangula, MP
5. Hon. Jane Machira, MP
6. Hon. Joseph Kahangara, MP
7. Hon. Alice Wahome, MP
8. Hon. Humphrey Njuguna, MP
9. Hon. Rashid Bedzimba, MP

SENATE

1. Sen. Moses Wetangula, MP
2. Sen. G. G. Kariuki, MP
3. Sen. Elizabeth Ongoro, MP
4. Sen. James Orengo, MP
5. Sen. Sonko Mbuvi, MP

IN ATTENDANCE NATIONAL ASSEMBLY

1. Ms. Florence Abonyo - Director Committee Services,
2. Mr. Leonard Machira - First Clerk Assistant,
3. Ms. Hellen Lokwang - Third Clerk Assistant,
4. Mr. Mohamed N. Boru - Third Clerk Assistant,
5. Mr. Sydney Lugaga - Legal Counsel II
6. Mr. Eugene Apaa - Research and Policy Analyst III

IN ATTENDANCE - SENATE

1. Mr. Njenga Njuguna - Director Committee Services,
2. Mr. Boniface Lenairoshi - Principal Clerk Assistant,
3. Ms. Josephine Kusinyi - Senior Legal Counsel
4. Mr. Joseph Kariuki - Second Clerk Assistant,

MIN.NO. 01/NSFR/ANS/2015 - PRELIMINARIES

The meeting was called to order at ten o'clock, with a prayer by Boniface Lenairoshi. The agenda of the meeting was adopted having been proposed by Hon. George Theuri, MP and seconded by Sen. Dullo Fatuma Adan.

The Members briefly deliberated on the applicable provisions of the Standing Orders on the procedure to be followed in a Joint sitting of a National Assembly Departmental Committee and a Senate Standing Committee. They noted that the joint sitting was unprecedented and that the Standing Orders of both Houses did not expressly provide for the procedure to be followed in the joint sitting. The Members agreed to adhere to the directives given by the Speakers of the two Houses on the matter as follows:

- (i) That, the Chairpersons of the two respective Committees would Co- Chair the joint sittings and the Secretariat will comprise officers of the two Houses;
- (ii) That, the quorum of the joint sitting would be the quorum of each of the Committees as stipulated by the respective Standing Orders;
- (iii) That ,unless a decision was reached by consensus, any vote to be taken in the joint sitting of the Committees shall be by separate Houses;

- (iv) That, the Committee shall, having conducted the vetting hearings, submit a Joint Report to the respective Houses in the manner contemplated by paragraph (7) of Joint Rule 9.

MIN.NO. 02/NSFR/ANS/2015 - PREPARATIONS FOR THE VETTING OF THE NOMINEE FOR THE POSTION OF INSPECTOR GENERAL OF POLICE

The Joint Committee was briefed on the vetting programme as follows:

| DATE | ACTIVITY | TIMELINES |
|---|---|---|
| Tuesday 17 th February, 2015 | Communication on the nomination by the Houses | |
| Wednesday 18 th February, 2015 | Advertisements for submission of memoranda & Notification to the public for vetting | 1 st Day |
| Tuesday 24 th February, 2015 | Deadline for submission of memoranda | 7 th Day |
| Wednesday 25 th February, 2015- 10:00 am | Meeting to consider the memoranda and the questionnaire | 8 th Day |
| Thursday 26 th February, 2015- 9:30 am | Vetting of the nominee | 9 th Day |
| Friday 27 th Feb to Monday 2 nd March, 2015 | Report Writing | 10 th – 13 th Day |
| Tuesday 3 rd March, 2015 | Tabling of the Joint Report | 14 th Day |

The following issues emerged from the brief and subsequent discussion:

- (i) Members noted that the Curriculum Vitae of the nominee availed to the Joint Committee contained inadequate details and therefore they mandated the

Secretariat to request the nominee to submit a detailed Curriculum Vita to facilitate the vetting exercise.


- (ii) The Committee was informed that an advert inviting the public to submit memoranda regarding the vetting of the nominee and a notification on the date and venue for the vetting exercise appeared in both the Standard and Nation Newspapers on **Wednesday 18th February, 2015.**
- (iii) The Committee resolved to hold a report writing retreat at Boma Hotel on **Friday 27th February to Monday 2nd March, 2015.**
- (iv) The Committee mandated the Secretariat to write to the Ethics and Anti-Corruption Commission, High Education Loans Board, Credit Reference Bureau Africa Limited Criminal Investigation Department and the Kenya Revenue Authority to seek for any information touching on the integrity and record of the nominee that the agencies may have to assist the Committee undertake its mandate more effectively.

MIN.NO.03/NSFR /ANS/2015 – ANY OTHER BUSINESS

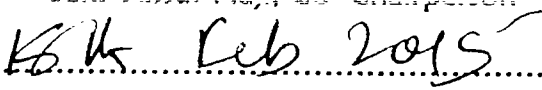
The meeting was informed that the Departmental Committee on Administration and National Security had received a petition on the vetting of the nominee before the communication on the nomination was made in the two Houses. The Joint Committee resolved that the petition was submitted before the matter was referred to the joint Committee and recommended that the petitioner may resubmit a memorandum within the deadline provided in the advert for submission of memoranda.

MIN.NO. 04/NSFR /ANS/2015 - ADJOURNMENT

There being no other business the meeting was adjourned at 11.15 am and the next meeting will be held on Wednesday, 25th February, 2015 at 10.00 a.m.

Signed.....

Sen. Yussuf Haji, Co- Chairperson

Date.....

Signed.....Asman Kamama.....

Hon. Asman Kamama, MP -Co-Chairperson

Date.....18/02/2015.....

MINUTES OF THE 2ND JOINT SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY OF THE NATIONAL ASSEMBLY AND THE SENATE STANDING COMMITTEE ON NATIONAL SECURITY AND FOREIGN RELATIONS HELD ON WEDNESDAY 25TH FEBRUARY 2015 IN THE MINI CHAMBER, COUNTY HALL, PARLIAMENT BUILDINGS AT 10.00 A.M.

PRESENT

NATIONAL ASSEMBLY

1. Hon. Asman Kamama, MP – Co-Chairperson
2. Hon. Alois Lentoimaga, MP
3. Hon. Alice Wahome, MP
4. Hon. Joseph Lekuton, MP
5. Hon. Mohamed Shidiye, MP
6. Hon. Joseph Kahangara, MP
7. Hon. Zakayo Cheruiyot, MP
8. Hon. James Bett, MP
9. Hon. Patrick Ole Ntutu, MP
10. Hon. Shaaban Ali Isaack, MP
11. Hon. Grace Kiptui, MP
12. Hon. Samuel Moroto, MP
13. Hon. Benard Shinali, MP
14. Hon. Humphrey Njuguna, MP
15. Hon. Francis Mwangangi, MP
16. Hon. Rashid Bedzimba, MP
17. Hon. Ibrahim Abdi Saney, MP
18. Hon. Joseph Ndiege, MP
19. Hon. Regina Nthambi Muia, MP
20. Hon. Protus Akuja Ewesit, MP
21. Hon. Ahmed Abdikadir Ore, MP
22. Hon. David Gikaria, MP

SENATE

1. Sen. Mohamed Yusuf Haji, MP –Co-Chairperson
2. Sen. Dullo Fatuma Adan, MP
3. Sen. (Eng.) Hargura Godana, MP
4. Sen. Elizabeth Ongoro Masha, MP
5. Sen. G. G. Kariuki, MP
6. Sen. Mike Mbuvi Sonko, MP
7. Sen. Kembi Gitura, MP

23. Hon. Timothy W. Wetangula, MP

24. Hon. Wanjiku Muhia, MP

25. Hon. George Theuri, MP

ABSENT WITH APOLOGY

NATIONAL ASSEMBLY

1. Hon. Ababu Namwamba, MP

2. Hon. Jane Machira, MP

3. Hon. (Maj. Rtd.) John K. Waluke, MP

SENATE

1. Sen. Moses Wetangula, MP

2. Sen. James Orengo, MP

IN ATTENDANCE

NATIONAL ASSEMBLY

- | | | |
|------------------------|---|---------------------------------|
| 1. Mr. Leonard Machira | - | First Assistant |
| 2. Ms. Hellen Lokwang | - | Third Clerk Assistant |
| 3. Mr. Mohamed N. Boru | - | Third Clerk Assistant |
| 4. Mr. Sidney Lugaga | - | Legal Counsel II |
| 5. Mr. Eugene Akaa | - | Research and Policy Analyst III |

IN ATTENDANCE

SENATE

- | | | |
|----------------------------|---|---------------------------|
| 1. Mr. Boniface Lenairoshi | - | Principal Clerk Assistant |
| 2. Mr. Joseph Kariuki | - | Second Clerk Assistant |
| 3. Ms. Beatrice Kapei | - | Legal Counsel II |

MIN. NO.05 /NSFR/ANS /2015 _____ PRELIMINARIES

The meeting was called to order at thirty minutes past ten o'clock with a word of prayer. The agenda of the meeting was adopted having been proposed Hon. Alois Lentoimaga and seconded by Sen. Fatuma Dullo.

MIN. NO.06 /NSFR/ANS /2015 _____ CONFIRMATION OF THE PREVIOUS MEETING MINUTES

The minutes were confirmed as a true record by Hon. Patrick Ole Ntutu and was seconded by Sen. Fatuma Dullo.

MIN. NO.07/NSFR/ANS /2015 MATTERS ARISING FROM THE MINUTES.

1. The Members resolved that the joint vetting committee reports on Sunday March 1st, 2015 at the Boma Hotel Nairobi in readiness for the report writing session on Monday 2nd March, 2015.
2. The secretariat was tasked to make the program and circulate it to members before the retreat.
3. The Secretariat reported on the letters sent to relevant institutions seeking information on compliance and clearance of the nominee to be vetted.

MIN. NO.08/NSFR/ANS /2015 CONSIDERATION OF SUBMISSIONS

The Chairman invited the legal counsel Mr. Sydney Lugaga to take the members through the two submissions concerning the nominee for the position of the Inspector General of the police. The following issues emerged from the presentation:

The memorandum was a written statement on oath (affidavit) by Nyakina Wycliffe Gisebe (the Deponent) contesting the appointment of Joseph Kipchirchir Boinett.

Issues

The memorandum sought to draw the attention of the Joint Committee to the following issues:

That where Mr. Boinett is appointed as the Inspector General of Police, he will be in command of his seniors, who possess more experience in terms of their experience: contrary to the values and principles of public service requiring fair competition and merit as the basis for appointment contained under Article 232(g)(h) & (i). (paragraph 8)

- i. That the President's nomination of Mr. Boinett is a violation of the Article 246(3)(a) of the Constitution, which places the role of conducting recruitment and appointment of members of the National Police Service in the hands of the national Police Service Commission. (paragraph 17)

The memorandum recommended that:

- i. the Joint Committee rejects the nomination of Joseph Kipchirchir Boinett and
- ii. the recruitment and appointment of the Inspector General of Police be conducted afresh under Articles 10, 27, 47, 73 , 75, 232, 245 and 246 of the Constitution and section 14 (a) of the National Police Service Commission (Act).

Letter from Jason Kamweru

The letter was a written statement supporting the appointment of Joseph Kipchirchir Boinett as the Inspector General of Police.

Contents

The letter states that—

- i. the author knows the Nominee personally and worked with the Nominee for three (3) years between 2008 and 2009 in Zimbabwe where the Nominee was stationed as an officer at the Kenyan High Commission;
- ii. the Nominee is a person who possesses qualities of integrity and patriotism; and
- iii. The author recommends the Nominee for appointment as the Inspector General of Police.

MIN.NO.09/NSFR/ANS/2015 CONSIDERATION OF THE VETTING QUESTIONNAIRE.

The members agreed that the vetting questionnaire was to be used as a guide and that any member having supplementary questions should ask the nominee.

The questions in the questionnaire were to be shared among the members who would each have a question to ask the nominee and the secretariat was to make a schedule of the same.

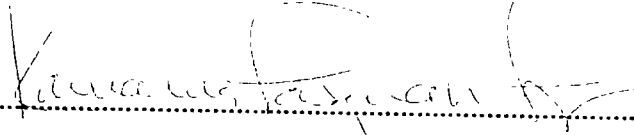
MIN. NO.10 /NSFR/ANS /2015 ADJOURNMENT AND DATE OF NEXT MEETING.

There being no other business, the meeting was adjourned at 1216hrs.The date of the next meeting was set for Thursday, February 26th 2015 at County Hall, first floor, old conference room.

SIGNED:.....

 CO-CHAIRPERSON

DATE:.....
 2nd March 2015

SIGNED:.....

 CO-CHAIRPERSON

DATE:.....
 2/3/2015

MINUTES OF THE 3RD JOINT SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY OF THE NATIONAL ASSEMBLY AND THE SENATE STANDING COMMITTEE ON NATIONAL SECURITY AND FOREIGN RELATIONS HELD ON THURSDAY 26TH FEBRUARY 2015 IN THE MINI CHAMBER, COUNTY HALL, PARLIAMENT BUILDINGS AT 10.00 A.M.

PRESENT

NATIONAL ASSEMBLY

1. Hon. Asman Kamama, MP
Co-Chairperson
2. Hon. Alois Lentoimaga, MP
3. Hon. Wanjiku Muhia, MP
4. Hon. Grace Kiptui, MP
5. Hon. Joseph Lekuton, MP
6. Hon. Samuel Moroto, MP
7. Hon. George Theuri, MP
8. Hon. Mohamed Shidiye, MP
9. Hon. Protus Akuja Ewesit, MP
10. Hon. David Gikaria, MP
11. Hon. Ahmed Abdikadir Ore, MP
12. Hon. Zakayo Cheruiyot, MP
13. Hon. Benard Shinali, MP
14. Hon. Francis Mwangangi, MP
15. Hon. Joseph Ndiege, MP
16. Hon. Ibrahim Abdi Saney, MP
17. Hon. (Maj. Rtd.) J. K. Waluke, MP
18. Hon. Regina Nthambi Muia, MP
19. Hon. James Bett, MP

SENATE

1. Sen. Mohammed Yusuf Haji, MP
Co-Chairperson
2. Sen. Dullo Fatuma Adan, MP
3. Sen. Kembi Gitura, MP
4. Sen. (Eng.) Hargura Godana, MP
5. Sen. Sonko Mbuvi, MP
6. Sen. G G Kariuki, MP
7. Sen. Elizabeth Ongoro, MP

20. Hon. Shaaban Ali Isaack, MP
21. Hon. Timothy Wetangula, MP
22. Hon. Jane Machira, MP
23. Hon. Joseph Kahangara, MP
24. Hon. Alice Wahome, MP
25. Hon. Humphrey Njuguna, MP
26. Hon. Rashid Bedzimba, MP

ABSENT WITH APOLOGY

- | | |
|-------------------------------|--------------------------|
| 1. Hon. Ababu Namwamba, MP | 1. Sen. Moses Wetangula, |
| 2. Hon. Patrick Ole Ntutu, MP | 2. Sen. James Orengo |

IN ATTENDANCE NATIONAL ASSEMBLY

- | | | |
|------------------------|---|-------------------------------------|
| 1. Mr. Nicholas Emejen | - | Deputy Director, Committee Services |
| 2. Mr. Leonard Machira | - | Third Clerk Assistant, |
| 3. Ms. Hellen Lokwang | - | Third Clerk Assistant, |
| 4. Mr. Mohamed N. Boru | - | Third Clerk Assistant, |
| 5. Mr. Sidney Lugaga | - | Legal Counsel II |
| 6. Mr. Eugene Apaa | - | Research and Policy Analyst III |

IN ATTENDANCE - SENATE

- | | | |
|----------------------------|---|------------------------------|
| 1. Mr. Njenga Njuguna | - | Director Committee Services, |
| 2. Mr. Boniface Lenairoshi | - | Principal Clerk Assistant, |
| 3. Ms. Beatrice Kapei | - | Legal Counsel II |
| 4. Mr. Joseph Kariuki | - | Clerk Assistant |

MIN.NO.11 /NSFR/ANS/2015 - PRELIMINARIES

The meeting was called to order at ten o'clock with a prayer by Sen. Fatuma Dullo. The agenda of the meeting was adopted having been proposed by Hon. Mohamed Shidiye, MP and seconded by Sen. Godana Hargura.

An oath was administered to the nominee for the position of the Inspector General of the National Police Service by Mr. Boniface Lenairoshi before the vetting exercise began.

MIN.NO.12 /NSFR /ANS/2015 - VETTING OF THE NOMINEE FOR THE POSTION OF INSPECTOR GENERAL OF THE NATIONAL POLICE SERVICE

The Joint Committee was briefed on the nominee's background, academic qualifications, employment record, compliance with statutory requirements, integrity and suitability for the position as follows:

(a) Background

The nominee was born in Elgeyo Marakwet County in 1963. He attended Arap Moi Primary School and Kipkabus Secondary School.

(b) Professional Experience

The nominee joined the National Police Force in 1984 having been impressed by the standing of security officers in society. He was trained as a cadet for nine months before being posted to Muranga Police Station as the Officer In-Charge of petty crime.

(c) Clearance Certificates

Mr. Boinett is tax compliant and he had a certificate from the Kenya Revenue Authority to that effect. He also produced a clearance certificate from the Higher Education Loans Board and he had not been a beneficiary of the fund. He had requested for a clearance certificate from the Ethics and Anti-Corruption Commission which the Commission forwarded to Parliament.

(d) Nominee's service in National Police Service, National Intelligence Service and Diplomatic Community

The nominee emphasized that he was equal to the task of being the Inspector General if cleared by the Committee. He cited the fact that the nomination was made in consideration of his attributes, academic and professional training as well as his experience in the security sector. The nominee stated that he had served for fifteen years in the then Police Force and served for sixteen years in the Intelligence service. His postings in the Intelligence Service were served in both Kenya and abroad including stints in Harare and Rome. The nominee cited his service in diplomatic intelligence as having exposed him to working with and understanding people from different cultures and his experience in

different jurisdictions would serve him well if he was to be confirmed as the next Inspector General.

(e) Nominee's understanding of the mandate of the Inspector General

The nominee stated his understanding of the core duties of the Inspector General as being in command of the National Police Service, implementing policies set by the National Security Council and the Cabinet Secretary and auditing police operations to ensure compliance with law. He also mentioned organizing police into various formations, structures and units, cooperating with the National Police Service Commission with regards to human resource functions and implementation of community policing as some of the core duties of the Inspector General.

(f) Respect for Human rights

Mr. Boinett stressed his intention to ensure policing is done within the law if confirmed as the next Inspector General. He also confirmed that he intends to respect and coordinate with both levels of government and ensuring human rights are respected.

(g) Personal Plan and Vision

The nominee confirmed that the National Police Service was not delivering to the satisfaction of Kenyans. He attributed this to poor working conditions and some officers operating outside the provisions of law. Mr. Boinett stated his plans to revamp and re-energize the police reform process to provide people centered policing to Kenyans. He plans to do this by exercising collaborative leadership within the Service to incorporate ideas of police from all ranks on how to conduct better policing, engaging with the other organs of security in the country and partnering with the Kenyan people to safeguard the country. The nominee also stated his intentions to see to it that terms and conditions for police officers are improved.

(h) Plan to curb corruption

Mr. Boinett confirmed his intention to confront the entrenched culture of impunity, abuse and corruption among police regardless of the consequences. To address corruption, the nominee declared his intention to revamp the Internal Affairs Unit of the Police and the Independent Policing Oversight Authority and stamp out the vice.

(i) Utilization of resources

The efforts of the government to improve the working conditioned of the Police were acknowledged by the nominee. He stated his intention to ensure that resources provided are utilized in an efficient manner to avoid wastage.

(j) **Police officers working in hardship areas**

The nominee confirmed his intention to ensure officers working in hardship areas have the necessary training and tools to serve in such areas. He stated his plan to ensure officers serve in such areas for set durations and get rid of the culture where postings to hardship areas are conducted as punishment to officers.

(k) **County Policing Authority**

The nominee would fast-track the formation of County Policing Authorities if confirmed as the new Inspector General, to enable police undertake their mandate more effectively.

(l) **Sharing of intelligence**

The nominee stated his experience as a police officer and an intelligence officer would be useful in addressing the perceived breakdown in intelligence between the National Police Service and the National Intelligence Service. He attributed such breakdown to suspicion and lack of understanding of roles between the two institutions. He promised to inculcate intelligence-led policing to avoid police being reactive.

(m) **Coordination among security organs**

The nominee confirmed his intention to ensure compliance with the law to address command and control glitches within the Service. He acknowledged the existence of the problem but stated that the law was clear on the mandate of the Service and he would ensure collaboration between the Regular Police and the Administration Police without encroaching on each other's mandate. If confirmed, the nominee stated his intention to approach the Committee to address any gap in legislation with regards to command and control.

(n) **Police brutality**

Mr. Boinett emphasized that demonstrations are provided for in law. He confirmed that police are allowed to use force proportionate to any threat faced during demonstrations but this did not mean use of brutality by police. He stated that the law must be enforced against protestors who use violence against the police as well as police who use brutality against protestors.

(o) **Police Reforms**

The nominee stated his intention to have the Ransley recommendations on police reform implemented.

(p) **Nominee's bachelors degree education**

The nominee confirmed that he undertook his undergraduate degree online from the Washington International University while serving as an Intelligence Officer. He undertook his Masters degree fulltime at the Westminster University in London.

The Co-Chairpersons thanked the nominee for answering the vetting questions put to him in a candid manner. He stated the task ahead was herculean for the nominee if confirmed as the next Inspector General of Police. The Co-Chairman cited challenges such as lack of clear command, lethargy among police officers, corruption, acting on intelligence and the terror threat as some of the urgent matters that need addressing.

The Co-Chairpersons stated that the joint Committee would deliberate on the suitability of the nominee to serve as the next Inspector General before submitting reports to both houses of Parliament. The process would lead to the confirmation or rejection of the nominee to the position.

The Co-Chairpersons also confirmed that the Committee would confirm the validity of the nominee's academic certificates during deliberations on the nominee's suitability.

MIN.NO.13/NSFR /ANS/2015 – ANY OTHER BUSINESS

The joint Committee was informed that there would be a retreat to draft the report on the suitability of the nominee to serve as the next Inspector General. The retreat would be held at Boma Hotel, Nairobi, from Sunday March 1st, 2015 to Tuesday March 3rd, 2015.

MIN.NO.14/NSFR /ANS/2015 - ADJOURNMENT

There being no other business the meeting was adjourned at 2.15 pm.

Signed.....

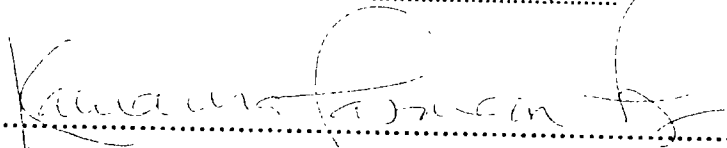


Sen. Mohammed Yussuf Haji, Co- Chairperson

Date.....

2nd March 2015

Signed.....



Hon. Asman Kamama, MP -Co-Chairperson

Date.....

2 | 3 | 2015

MINUTES OF THE 4TH JOINT SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY OF THE NATIONAL ASSEMBLY AND THE SENATE STANDING COMMITTEE ON NATIONAL SECURITY AND FOREIGN RELATIONS HELD ON MONDAY 2ND MARCH, 2015 IN THE BOARD ROOM, BOMA HOTEL AT 9.30 A.M.

PRESENT

NATIONAL ASSEMBLY

1. Hon. Asman Kamama, MP – Co-Chairperson
2. Hon. Alois Lentoimaga, MP
3. Hon. Patrick Ole Ntutu, MP
4. Hon. Grace Kiptui, MP
5. Hon. Joseph Lekuton, MP
6. Hon. Samuel Moroto, MP
7. Hon. George Theuri, MP
8. Hon. Mohamed Shidiye, MP
9. Hon. Protus Akuja Ewesit, MP
10. Hon. David Gikaria, MP
11. Hon. Ahmed Abdikadir Ore, MP
12. Hon. Zakayo Cheruiyot, MP
13. Hon. Benard Shinali, MP
14. Hon. Francis Mwangangi, MP
15. Hon. Joseph Ndiege, MP
16. Hon. Ibrahim Abdi Saney, MP
17. Hon. (Maj. Rtd.) J. K. Waluke, MP
18. Hon. Regina Nthambi Muia, MP
19. Hon. James Bett, MP
20. Hon. Shaaban Ali Isaack, MP
21. Hon. Timothy Wetangula, MP
22. Hon. Jane Machira, MP
23. Hon. Joseph Kahangara, MP
24. Hon. Alice Wahome, MP
25. Hon. Humphrey Njuguna, MP

SENATE

1. Sen. Yusuf Haji, Co-Chairperson
2. Sen. Dullo Fatuma Adan
3. Sen. Kembi Gitura
4. Sen. (Eng.) Hargura Godana
5. Sen. Sonko Mbuvi
6. Sen. G G Kariuki
7. Sen. Elizabeth Ongoro

ABSENT WITH APOLOGY

- | | |
|-----------------------------|-------------------------|
| 1. Hon. Ababu Namwamba, MP | 1. Sen. Moses Wetangula |
| 2. Hon. Rashid Bedzimba, MP | 2. Sen. James Orengo |
| 3. Hon Wanjiku Muhia, MP | |

IN ATTENDANCE NATIONAL ASSEMBLY

- | | | |
|------------------------|---|---------------------------------|
| 1. Mr. Leonard Machira | - | First Clerk Assistant |
| 2. Mr. Mohamed N. Boru | - | Third Clerk Assistant |
| 3. Ms. Hellen Lokwang | - | Third Clerk Assistant, |
| 4. Mr. Sydney Lugaga | - | Legal Counsel II |
| 5. Mr. Eugene Apaa | - | Research and Policy Analyst III |
| 6. Mr. Abdi Salat | - | Sergeant-at-Arms |

IN ATTENDANCE - SENATE

- | | | |
|----------------------------|---|----------------------------|
| 1. Mr. Boniface Lenairoshi | - | Principal Clerk Assistant, |
| 2. Ms. Josephine Kusinyi | - | Senior Legal Counsel |
| 3. Mr. Joseph Kariuki | - | Clerk Assistant |

MIN.NO. 15/NSFR/ANS/2015 - PRELIMINARIES

The meeting was called to order at forty five minutes past nine o'clock with a prayer by Hon. Humphrey Njuguna, MP. The agenda of the meeting was adopted having been proposed by Hon. Joseph Ndiege, MP and seconded by Sen. G.G Kariuki.

MIN.NO. 16/NSFR/ANS/2015 - CONFIRMATION OF MINUTES

The minutes of the second sitting were confirmed as a true record of the proceedings having been proposed by Hon. Joseph Kahangara and seconded by Sen. Fatuma Dullo. The minutes were confirmed subject to inclusion of the following issues raised in the memorandum by Nyakina Gisebe:

- (i) The Committee observed that Article 245(2)(a) of the Constitution read with sections 12(1) and 12(2) (as amended), of the National Police Service Act, 2011, gave the president discretion in the exercise of nomination for appointment of a candidate to the post of the Inspector-General of the National Police Service.

- (ii) There was no evidence to suggest that the President did not take into consideration, and observe the provisions of Article 232(g),(h) and (i) of the Constitution (providing for fair competition and merit as the basis for appointment in public service), in exercising his powers of discretion, before nominating the candidate to the position of Inspector General of the National Police Service.
- (iii) The National Police Service Commission's role of recruitment preceding the appointment of the Inspector-General of the National Police Service was scrapped of by an amendment to -
 - a) Section 12(1) of the National Police Service Act by section 11 of the National Police Service (Amendment) Act, 2014 and
 - b) Section 12(2) of the National Police Service Act by section 86 of the Security Laws (Amendment) Act, 2014.

The minutes of the third sitting were also confirmed as a true record of the proceedings having been proposed by Hon. Timothy Wanyonyi Wetangula, MP and seconded by Sen. Godana Hargura.

MIN.NO. 17/NSFR /ANS/2015 – CONSIDERATION OF FIRST DRAFT OF THE REPORT

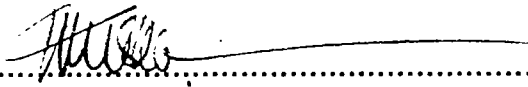
The joint Committee was taken through the first draft of the report by Mr. Boniface Lenairoshi. The Committee raised the following matters regarding the draft report:

- (i) There was a clarification that the nominee did not indicate in his curriculum vitae that he attended St. Paul's University. A member of the joint Committee had raised the matter during the vetting exercise, noting that the nominee had attended the said university which was allegedly not accredited by the Commission for University Education.
- (ii) The procedure for the appointment of the Inspector General of the National Police Service provided was within the law with regards to the timelines to be considered when a vacancy occurs in the office of the Inspector General. Section 12 (1) of the National Police Service Act providing that the appointment be done within fourteen days after the vacancy occurs was enacted after the resignation of the previous Inspector General and the timelines did not apply in this case.
- (iii) The annexure should include the questions asked during the vetting exercise.
- (iv) The procedure used to set up the joint committee was in order as pronounced by the two Speakers of Parliament.
- (v) The Committee amended the title of Chapter 5 to read "vetting" instead of "approval hearing".

The Committee resolved to adjourn until 3.00 pm to seek consensus on whether to reject or approve the nominee.

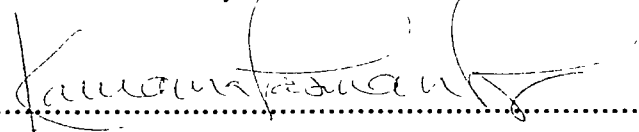
MIN.NO. 18/NSFR /ANS/2015 - ADJOURNMENT

There meeting was adjourned at 11.45am.

Signed.....

Sen. Mohamed Yussuf Haji, Co- Chairperson

Date.....3rd March 2015

Signed.....

Hon. Asman Kamama, MP -Co-Chairperson

Date.....3 | 3 | 2015

MINUTES OF THE 5th JOINT SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY OF THE NATIONAL ASSEMBLY AND THE SENATE STANDING COMMITTEE ON NATIONAL SECURITY AND FOREIGN RELATIONS HELD ON MONDAY, 2ND MARCH, 2015 AT 3:30 P.M IN THE BONDENI CONFERENCE ROOM, BOMA HOTEL

NATIONAL ASSEMBLY

1. Hon. Asman Kamama, MP –
Co-Chairperson
2. Hon. Alois Lentoimaga, MP
3. Hon. Patrick Ole Ntutu, MP
4. Hon. Grace Kiptui, MP
5. Hon. Joseph Lekuton, MP
6. Hon. Samuel Moroto, MP
7. Hon. George Theuri, MP
8. Hon. Mohamed Shidiye, MP
9. Hon. Protus Akuja Ewesit, MP
10. Hon. David Gikaria, MP
11. Hon. Ahmed Abdikadir Ore, MP
12. Hon. Zakayo Cheruiyot, MP
13. Hon. Benard Shinali, MP
14. Hon. Francis Mwangangi, MP
15. Hon. Joseph Ndiege, MP
16. Hon. Ibrahim Abdi Saney, MP
17. Hon. (Maj. Rtd.) J. K. Waluke, MP
18. Hon. Regina Nthambi Muia, MP
19. Hon. James Bett, MP
20. Hon. Shaaban Ali Isaack, MP
21. Hon. Timothy Wetangula, MP
22. Hon. Jane Machira, MP
23. Hon. Joseph Kahangara, MP
24. Hon. Alice Wahome, MP
25. Hon. Humphrey Njuguna, MP

SENATE

1. Sen. Mohammed Yusuf Haji,
Co-Chairperson
2. Sen. Dullo Fatuma Adan
3. Sen. Kembi Gitura
4. Sen. (Eng.) Hargura Godana
5. Sen. Sonko Mbuvi
6. Sen. G G Kariuki
7. Sen. Elizabeth Ongoro

ABSENT WITH APOLOGY

- | | |
|-----------------------------|-------------------------|
| 1. Hon. Ababu Namwamba, MP | 1. Sen. Moses Wetangula |
| 2. Hon. Rashid Bedzimba, MP | 2. Sen. James Orengo |
| 3. Hon. Wanjiku Muhia, MP | |

IN ATTENDANCE NATIONAL ASSEMBLY

- | | | |
|------------------------|---|---------------------------------|
| 1. Mr. Leonard Machira | - | First Clerk Assistant |
| 2. Mr. Mohamed N. Boru | - | Third Clerk Assistant |
| 3. Ms. Hellen Lokwang | - | Third Clerk Assistant, |
| 4. Mr. Sydney Lugaga | - | Legal Counsel II |
| 5. Mr. Eugene Apaa | - | Research and Policy Analyst III |
| 6. Mr. Abdi Salat | - | Sergeant-at-Arms |

IN ATTENDANCE - SENATE

- | | | |
|----------------------------|---|----------------------------|
| 1. Mr. Boniface Lenairoshi | - | Principal Clerk Assistant, |
| 2. Ms. Josephine Kusinyi | - | Senior Legal Counsel |
| 3. Mr. Joseph Kariuki | - | Second Clerk Assistant |

MIN. NO.19/NSFR/ANS/2015 PRELIMINARIES

The meeting was called to order at thirty minutes past three o'clock with a word of prayer. The Chairman welcomed the members. The Agenda of the meeting was adopted having been proposed by Hon. Zakayo Cheruiyot M.P and seconded by Sen. Hargura Godana. M.P

MIN.NO.20/NSFR/ANS/2015 CONSIDERATION OF THE INSPECTOR GENERAL NOMINEE VETTING REPORT .

The Chairman led the members through chapter seven of the report on the recommendation of the nominee to the position of Inspector General of the National Police Service. He noted that certain concerns had been raised touching on the validity of the Bachelors degree certificate of the nominee and invited Members to share their views on the same. The following issues emerged from the discussion:

1. The Commission on University Education had been contacted on 26th February, 2015 by the secretariat to verify the validity of the undergraduate degree certificate of the nominee. The committee was waiting for feedback from the Commission.
2. It was imperative that the Bachelors degree be from an accredited university recognized in Kenya in order to qualify the recognition of the nominee's Masters degrees.

3. A member alluded that an undergraduate degree certificate was not very essential, as some professional cadres such as national administrators would be permitted to enroll for a masters degree, by having a diploma and the value of their professional experience converted under a recognized point system.
4. It was observed that some successful career persons were not degree holders, thus the degree emphasis was not a major determinant of performance.
5. It was noted by a Member that the integrity of the nominee would be put in doubt if the undergraduate certificate was found to be invalid. However another member felt that it was not an integrity issue.
6. The transcript of the nominee raised further doubt to the extent that the nominee had had exemptions from his high school. It was observed that some educational systems especially in Europe, permitted such exemptions.
7. The members were asked to consider the professional certification the nominee had acquired which could amount to an equivalent of a degree.
8. It was noted that the joint vetting had a mandate to work within the confines of the Constitution that only gave a minimum of a degree from recognized institution as part of the basic criteria for the nominee of the inspector General position.

Members agreed to take a thirty minutes break at thirty minutes past four in the evening. Thus resume at five o'clock.

MIN. NO.21 /NSFR/ANS /2015 ADJOURNMENT AND DATE OF NEXT MEETING.

The meeting reconvened at fifteen minutes to six o'clock. The meeting was however adjourned to the following day March 3rd ,2015 at 9a.m at the same venue, Boma Hotel Bondeni Conference room.

SIGNED:.....


CO-CHAIRPERSON

DATE: 3rd March 2015

SIGNED:.....

[Handwritten signature]

CO-CHAIRPERSON

DATE:.....

3 | 3 | 2014

MINUTES OF THE 6TH JOINT SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY OF THE NATIONAL ASSEMBLY AND THE SENATE STANDING COMMITTEE ON NATIONAL SECURITY AND FOREIGN RELATIONS HELD ON TUESDAY 3RD MARCH, 2015 IN THE BONDENI CONFERENCE ROOM, BOMA HOTEL AT 10.00 A.M.

PRESENT

NATIONAL ASSEMBLY

1. Hon. Asman Kamama, MP
Co-Chairperson
2. Hon. Alois Lentoimaga, MP
3. Hon. Patrick Ole Ntutu, MP
4. Hon. Grace Kiptui, MP
5. Hon. Joseph Lekuton, MP
6. Hon. Samuel Moroto, MP
7. Hon. George Theuri, MP
8. Hon. Mohamed Shidiye, MP
9. Hon. Protus Akuja Ewesit, MP
10. Hon. David Gikaria, MP
11. Hon. Ahmed Abdikadir Ore, MP
12. Hon. Zakayo Cheruiyot, MP
13. Hon. Rashid Bedzimba, MP
14. Hon. Francis Mwangangi, MP
15. Hon. Joseph Ndiege, MP
16. Hon. Ibrahim Abdi Saney, MP
17. Hon. (Maj. Rtd.) J. K. Waluke, MP
18. Hon. Regina Nthambi Muia, MP
19. Hon. James Bett, MP
20. Hon. Shaaban Ali Isaack, MP
21. Hon. Timothy Wetangula, MP
22. Hon. Jane Machira, MP
23. Hon. Joseph Kahangara, MP
24. Hon. Alice Wahome, MP
25. Hon. Humphrey Njuguna, MP
26. Hon. Wanjiku Muhia, MP
27. Hon. Benard Shinali, MP

SENATE

1. Sen. Mohammed Yusuf Haji,
Co-Chairperson
2. Sen. Dullo Fatuma Adan
3. Sen. Kembi Gitura
4. Sen. (Eng.) Hargura Godana
5. Sen. Sonko Mbuvi
6. Sen. G G Kariuki

ABSENT WITH APOLOGY

- | | |
|----------------------------|--------------------------|
| 1. Hon. Ababu Namwamba, MP | 1. Sen. Moses Wetangula |
| | 2. Sen. James Orengo |
| | 3. Sen. Elizabeth Ongoro |

IN ATTENDANCE NATIONAL ASSEMBLY

- | | | |
|------------------------|---|---------------------------------|
| 1. Mr. Leonard Machira | - | First Clerk Assistant |
| 2. Mr. Mohamed N. Boru | - | Third Clerk Assistant |
| 3. Ms. Hellen Lokwang | - | Third Clerk Assistant |
| 4. Mr. Sydney Lugaga | - | Legal Counsel II |
| 5. Mr. Eugene Apaa | - | Research and Policy Analyst III |
| 6. Mr. Abdi Salat | - | Sergeant-at-Arms |

IN ATTENDANCE - SENATE

- | | | |
|----------------------------|---|----------------------------|
| 1. Mr. Boniface Lenairoshi | - | Principal Clerk Assistant, |
| 2. Ms. Josephine Kusinyi | - | Senior Legal Counsel |
| 3. Mr. Joseph Kariuki | - | Clerk Assistant |

IN ATTENDANCE

- | | | |
|---------------------|---|--|
| Prof. David K. Some | - | Chief Executive Officer, Commission for University Education |
|---------------------|---|--|

MIN.NO. 22/NSFR/ANS/2015 - PRELIMINARIES

The meeting was called to order at fifteen minutes past ten o'clock with a prayer by Sen. Fatuma Dullo. The agenda of the meeting was adopted having been proposed by Hon. Patrick Ole Ntutu, MP and seconded by Sen. Fatuma Dullo.

MIN.NO. 23/NSFR/ANS/2015 - CONFIRMATION OF MINUTES

The minutes of the fourth sitting were confirmed as a true record of the proceedings having been proposed by Hon. Alois Lentoimaga and seconded by Sen. Kembi Gitura.

The minutes of the fifth sitting were also confirmed as a true record of the proceedings having been proposed by Hon. Mohamed Shidiye, MP and seconded by Sen. Fatuma Dullo.

MIN.NO. 24/NSFR /ANS/2015 – MATTERS ARISING

The following matters arose out of the Minutes of the fifth sitting:

- The letter to the Commission on University Education seeking to establish the validity of the nominee's Bachelors degree was written on 27th February, 2015 and not 26th February, 2015 under Minute number 20 (1).

- Minute number 20 (2) be expunged as the matter was a repetition of Minute number 20 (8)
- Minute number 20 (4) be expunged from the Minutes of the fifth sitting.
- Minute number 20 (7) be expunged from the Minutes of the fifth sitting.
- Minute number 20 (8) be amended to refer to The National Police Service Act and not the Constitution of Kenya.

MIN.NO. 25/NSFR /ANS/2015 – ADOPTION OF THE REPORT ON THE VETTING OF THE NOMINEE FOR THE POSITION OF INSPECTOR GENERAL OF THE NATIONAL POLICE SERVICE

The Chairperson confirmed that the Committee was in receipt of a letter from the Commission for University Education regarding the validity of the nominee's academic qualifications. The Committee had also invited the Chief Executive Officer of the Commission to expound on the nominee's academic qualifications.

The Committee was taken through the letter from the Commission for University Education regarding the validity of the nominee's academic qualifications. The letter noted that the Australian National University and the University of Westminster are recognized in their respective home countries of Australia and the United Kingdom respectively. The foreign qualifications are therefore recognized in Kenya by convention as they are recognized in their countries of operation.

The letter however noted that Washington International University is not recognized by the Council for Higher Education Accreditation (CHEA) which is the American equivalent of the Commission of University Education. The University is also not recognized by the Distance Education and Training Council (DTEC) in the USA which is the body responsible for accreditation of institutions in the country.

The CEO of the Commission for University Education was invited to clarify on matters raised in the letter. An oath was administered to the CEO by Mr. Boniface Lenairoshi. The CEO clarified that:

- Section 5 (1) (g) of the Universities Act provides for the function of the Commission to recognize and equate degrees. Recognition is done through a reciprocal protocol. If the University is recognized in the country of origin, Kenya recognizes it and vice versa. Equation is done by looking at the time and qualifications of the University and equating it to qualifications in Kenya. The letter from Parliament sought to find out about the recognition of Washington International University in Kenya.
- An indication that a university is not recognized is written in block letters (**NOT**) as per protocol.
- The network of international recognition is paperless and all the information is found on websites.
- Authentication of certificates of academic qualification can only be done by the issuing institution and not the Commission for University Education.
- Washington International University is recognized by UNESCO despite not being recognized in its country of origin. The Statutes Law Miscellaneous Amendment Act of

2014 made amendments to the Universities Act in November 2014 and provided for the following new sub-section as a function of the Commission for University Education:

(c) promote, advance, publicize and set standards relevant in the quality of university education including the promotion and support of internationally recognized standards

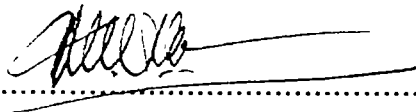
This new sub-section provides that the Commission can promote and support internationally recognized standards. Taking cognizance of this, the recognition of academic qualifications from Washington International University by UNESCO falls under internationally recognized standards and can therefore be recognized in Kenya.

- You can acquire a Masters degree without an undergraduate degree. A person with a CPA (K) can be admitted to undertake a Masters in Finance in Universities in the United Kingdom. The decision to admit a student based on qualifications is a reserve of the respective University's senate.
- Work experience can be converted to credit hours when considering qualifications for admittance to undertake a certain course.

The Committee resolved by consensus to approve the nomination and subsequent appointment of Mr. Joseph Kipchirchir Boinett to the position of the Inspector-General of the National Police Service.

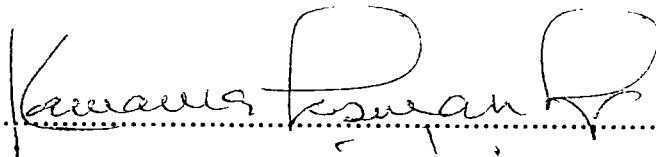
MIN.NO. 26/NSFR /ANS/2015 - ADJOURNMENT

There meeting was adjourned at 1.10pm.

SIGNED.....

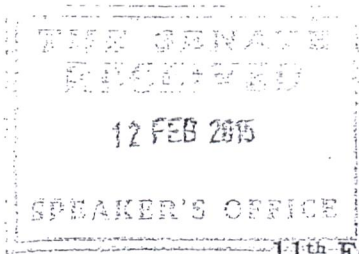
SEN. MOHAMMED YUSSUF HAJI, CO - CHAIRPERSON

DATE..... 3rd March 2015

SIGNED.....

HON. ASMAN KAMAMA, MP, CO - CHAIRPERSON

DATE..... 3 / 3 / 2015



STATEHOUSE
P.O. Box 40530,
NAIROBI, KENYA

OP.CAB.1/32/10A

11th February, 2015

Hon. Ekwere Ethuro, EGH
Speaker of the Senate
Parliament Buildings
NAIROBI

① DLS
Pls note
Wahome
12/2/15

APPOINTMENT OF INSPECTOR GENERAL OF POLICE

Pursuant to Article 245 (2) (a) of the Constitution of Kenya, 2010, as read with Section 12 (2) of the National Police Service Act, 11A of 2011 as amended in the Security Laws (Amendment) Act, 2014, I have nominated the following for appointment as the Inspector General of Police:-

Joseph Kipchirchir Boinett

The purpose of this letter is to request you to submit the name to the National Assembly for approval.

The C.V. for the nominee is enclosed.

UHURU KENYATTA, CGH
PRESIDENT



(2) Mr. Wahome

ROM :

FAX NO. :

31 Dec. 2014 04:25 P 1

EMPLOYEE DETAILS

P/F No: 84023810
 Name: JOSEPH KIECHIRCHIR BOINETT
 Marital Status: Married
 AGE: 52
 Home District: KEIYO
 First joined Public Service: 10/03/1984

CURRENT EMPLOYER: NIS (ANALYSIS & PRODUCTION DIVISION)

ACADEMIC QUALIFICATION

| Course Name Grade | Specialty | Institution |
|-----------------------------|-----------------------------|--------------------------|
| MAST OF NAT SECURITY POLICY | SECURITY POLICY | AUSTRALIAN NAT. UNIV |
| MASTER OF ARTS | DIPLOMATIC STUDIES | UNIV. OF WESTMINIST (UK) |
| BACHELOR OF ARTS | INTERN. STUDIES & DIPLOMACY | WASHINGTON INTERN. UNIV |
| INTERNATIONAL STUDIES | 21ST CENTURY DIPLOMACY | UNIV. OF MALTA |

PROFESSIONAL COURSES

| Course Name | Institution |
|--|-----------------------------|
| SENIOR MISSION LEADERS COURSE | INTER. PEACE SUPPORT CENTRE |
| STRATEGIC LEADERSHIP DEVELOPMENT PROGRAMME | KENYA INST. OF ADMIN. |

DEPLOYMENT

| Date | Div. | Section | Level/DESIGNATION |
|-------------|----------------|---|-------------------|
| | A & P | Graduated in 17 th Dec 2014 | |
| 07/02/2014 | ADMINISTRATION | ADMIN ROOM (on training) | 12 PIO |
| 30/07/2012 | EXTERNAL | MIN. OF FOREIGN AFFAIRS (Dep Chief of Protocol) | 12 PIO |
| 12/01/2009 | A & P | PRINCIPAL ANALYST | 12 PIO |
| 14/11/2008 | EXTERNAL | Head Quarters | 12 PIO |
| 29/12/2004 | EXTERNAL | HARARE, STATION OFFICER | 11 APIO |
| 01/06/2003 | EXTERNAL | Chief Liaison Office | 11 APIO |
| 1996 - 2001 | EXTERNAL | Station Officer, Rome | 11 APIO |
| 1993 -1995 | EXTERNAL | KENYA AIRWAYS (ON SECONDMENT) | 11 APIO |

PRIOR ENGAGEMENT

July, 1986 - 1999 DIRECTORATE OF SECURITY INTELLIGENCE (DSI)
 Oct 1984 - July 1986 Kenya Police, General Duties
 10th March 1984 Cadet Inspector, Kenya Police Force



NATIONAL ASSEMBLY
RECEIVED
05 JAN 2015
SPEAKER'S OFFICE
P. O. Box 41842, NAIROBI

STATE HOUSE
P.O. Box 40530,
NAIROBI, KENYA

OP.CAB.1/32/10A

31st December, 2014

Mr. Justin B. N. Muturi, EGH, MP
Speaker of the National Assembly
Parliament Buildings
NAIROBI

*Noted. CNA to submit
motion the relevant
process*
[Signature]
SNA
20/1/15

APPOINTMENT OF INSPECTOR GENERAL OF POLICE

Pursuant to Article 245 (2) (a) of the Constitution of Kenya, 2010, as read with Section 12 (2) of the National Police Service Act, 11A of 2011 as amended in the Security Laws (Amendment) Act, 2014, I have nominated the following for appointment as the Inspector General of Police:-

Joseph Kipchirchir Boinett

The purpose of this letter is to request you to submit the name to the National Assembly for approval.

The C.V. for the nominee is enclosed.

[Handwritten Signature]

**UHURU KENYATTA, CGH
PRESIDENT**

Encl.

D/LCP
pse process
CNA
21/1/15

NATIONAL ASSEMBLY
RECEIVED
21 JAN 2015
CLERK'S OFFICE
P. O. Box 41842, NAIROBI

EMPLOYEE DETAILS

P/F No: 84023810
 Name: JOSEPH KIPCHIRCHIR BOINETT
 Marital Status: Married
 AGE: 52
 Home District: KEIYO
 First joined Public Service: 10/03/1984
 CURRENT EMPLOYER: NIS (ANALYSIS & PRODUCTION DIVISION)

ACADEMIC QUALIFICATION

| Course Name | Specialty | Institution |
|--------------------------------|-----------------------------|--------------------------|
| MASTER OF NAT' SECURITY POLICY | SECURITY POLICY | AUSTRALIAN NAT. UNIV |
| MASTER OF ARTS | DIPLOMATIC STUDIES | UNIV. OF WESTMINIST (UK) |
| BACHELOR OF ARTS | INTERV. STUDIES & DIPLOMACY | WASHINGTON INTERN. UNIV |
| INTERNATIONAL STUDIES | 21ST CENTURY DIPLOMACY | UNIV. OF MALTA |

PROFESSIONAL COURSES

| Course Name | Institution |
|--|-----------------------------|
| SENIOR MISSION LEADERS COURSE | INTER. PEACE SUPPORT CENTRE |
| STRATEGIC LEADERSHIP DEVELOPMENT PROGRAMME | KENYA INST. OF ADMIN. |

DEPLOYMENT

| Date | Div. | Section | Level/DESIGNATION |
|-------------|----------------|---|-------------------|
| | A & P | Graduated in 17 th Dec 2014 | |
| 07/02/2014 | ADMINISTRATION | ADMIN POOL (on training) | 12 PIO |
| 30/07/2012 | EXTERNAL | MIN. OF FOREIGN AFFAIRS (Dep Chief of Protocol) | 12 PIO |
| 12/01/2009 | A & P | PRINCIPAL ANALYST | 12 PIC |
| 14/11/2008 | EXTERNAL | Head Quarters | 12 PIC |
| 29/12/2004 | EXTERNAL | HARAPE, STATION OFFICER | 11 APIO |
| 01/06/2003 | EXTERNAL | Chief Liaison Office | 11 APIO |
| 1996 - 2001 | EXTERNAL | Station Officer, Fome | 11 APIO |
| 1993 -1995 | EXTERNAL | KENYA AIRWAYS (ON SECONDMENT) | 11 APIO |

ERIOR ENGAGEMENT

| | |
|-----------------------------|--|
| July, 1986 - 1999 | DIRECTORATE OF SECURITY INTELLIGENCE (DSI) |
| Oct 1984 - July 1986 | Kenya Police, General Duties |
| 10 th March 1984 | Cadet Inspector, Kenya Police Force |

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT-(THIRD SESSION)
THE SENATE
MESSAGES

MESSAGE FROM H.E. THE PRESIDENT
(No. 1 of 2015)

NOMINATION OF JOSEPH KIPCHIRCHIR BOINETT FOR APPOINTMENT TO
THE POSITION OF INSPECTOR GENERAL OF POLICE

Honourable Senators,

Pursuant to the provisions of Standing Order 41(1) of the Senate, I wish to convey a Message from H.E. the President asking Parliament to approve one, Joseph Kipchirchir Boinett for appointment as the Inspector-General of Police. In the Message, H.E. the President conveys that, in exercise of powers vested in him under Article 245(2)(a) of the Constitution and section 12(2) of the National Police Service Act (No. 11A of 2011) as amended by the Security Laws (Amendment) Act, 2014, he nominates **Joseph Kipchirchir Boinett** for appointment to the position of the Inspector General of Police.

Honourable Senators, Article 245(2)(a) of the Constitution states-

“The Inspector-General is appointed by the President with the Approval of Parliament.”

Further, section 12 of the National Police Service Act (No. 11A of 2011) as amended by section 11 of the National Police Service (Amendment) Act 2014 and further amendment by section 86 of the Security Laws (Amendment) Act 2014 states, and I quote:

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

(2) The President shall, within fourteen days after a vacancy occurs in the office of the Inspector-General, nominate a person for appointment

as an Inspector-General and submit the name of the nominee to Parliament'

Honourable Senators,

You may recall that the approval of appointment of the immediate former Inspector-General of Police was granted by the National Assembly acting as Parliament as contemplated under paragraph 11 of the sixth schedule to the Constitution.

I wish, therefore, to note that this is the first time that the two Houses of Parliament are required to approve the appointment of a candidate to a public office and therefore, as you can expect in such situation, there are grey areas or uncharted waters with respect to processes. However, as Senators are aware, the Houses of Parliament are not helpless as the Speakers are empowered to deal with such scenarios.

Consequently, in order for Parliament to effectively conduct the vetting process, the Speaker of the National Assembly and I have consulted on the best way of facilitating Parliament to discharge this important duty. In the interest of economy, efficiency and cognizant of the Standing Orders of both Houses and the requirements of the Public Appointments (Parliamentary Approval) Act, 2011 we have agreed to proceed as follows-

- (i) That, the vetting of the nominee for appointment as Inspector-General of Police shall be conducted jointly by the Committees of the two Houses mandated to deal with matters of national security. The vetting process will therefore, be conducted by the Standing Committee on National Security and Foreign Relations of the Senate and the Departmental Committee on Administration and National Security of the National Assembly;
- (ii) That, the Chairpersons of the two committees will Co-Chair the joint sittings and the Secretariat will comprise officers of the two Houses;
- (iii) That, the quorum of the joint sittings will be the respective quorums of each of the committees as stipulated by the respective Standing Orders;
- (iv) That, as contemplated under Rule 9(6) of the Joint Rules, unless a decision is reached by consensus, any vote to be taken in the joint sitting of the committees shall be by separate Houses. This will ensure that the numerical difference of the individual members representing the Houses in the joint sittings has no effect on the decisions of the joint sittings of the Committees; and
- (v) That, the Committees shall, having conducted the vetting hearings, submit a Joint Report to the respective Houses in the manner contemplated by paragraph (7) of Joint Rule 9.

Honourable Senators,

Section 8 (1) of the Public Appointments (Parliamentary Approval) Act, 2011 states-

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

Section 9 of the Act further states-

“If, after expiry of the period for consideration specified in section 8, Parliament has neither approved nor rejected a nomination of a candidate, the candidate shall be deemed to have been approved.”

In this regard, the period on the matter that is now before Parliament starts running tomorrow, and in order to facilitate the commencement of deliberations, the first sitting will be held in the **Main Committee Room in County Hall on Wednesday, February 18, 2015 at 9.30 a.m.** They should Table the joint Report on or before Thursday, February 26, 2015 to enable the Houses of Parliament to dispose of the report in good time.

This Message therefore, together with the résumé of the nominee stands committed to the Standing Committee on National Security and Foreign Relations of the Senate sitting jointly with the Departmental Committee on Administration and National Security of the National Assembly.

I thank you.

SEN. EKWEE ETHURO, EGH, MP
SPEAKER OF THE SENATE
February 17, 2015

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT-(THIRD SESSION)
THE NATIONAL ASSEMBLY
MESSAGES

MESSAGE FROM H.E. THE PRESIDENT
(No. 3 of 2015)

NOMINATION OF JOSEPH KIPCHIRCHIR BOINETT FOR APPOINTMENT TO THE
POSITION OF INSPECTOR GENERAL OF POLICE

Honourable Members,

Pursuant to the provisions of Standing Orders 42(1) of the National Assembly Standing Orders, I wish to convey a Message from H.E. The President asking Parliament to approve one Joseph Kipchirchir Boinett for appointment as the Inspector-General of Police. In the Message, H.E. the President conveys that, in exercise of powers vested in him under Article 245(2)(a) of the Constitution and section 12(2) of the National Police Service Act (No. 11A of 2011) as amended by the Security Laws (Amendment) Act, 2014, he nominates Joseph Kipchirchir Boinett for appointment to the position of the Inspector General of Police.

Honourable Members, Article 245(2)(a) of the Constitution states that- "*The Inspector-General is Appointed by the President with the Approval of Parliament*". Further, section 12 of the National Police Service Act (No. 11A of 2011) as amended by section 11 of the National Police Service (Amendment) Act 2104 and further amendment by section 86 of the Security Laws (Amendment) Act 2014 reads, and I quote-

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

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

Honourable Members, You may recall that the approval of appointment of the immediate former Inspector-General of Police was granted by the National Assembly acting as both Houses as contemplated by Paragraph 11 of the Sixth Schedule to the Constitution. I wish therefore to note that, this is the first instance that the two Houses of Parliament are required to approve the appointment of a candidate to a public office. In this regard, a couple of unprecedented aspects with regard to the process would be expected to arise. However, as Members are aware, Parliament is not helpless as the two Speakers are well empowered to deal with such scenarios. Consequently, and in order for Parliament to effectively conduct the vetting process, the Speaker of the Senate and I have consulted on the most judicious manner of facilitating Parliament to discharge this important task. In the interest of economy of time and resources, the requirements of the Public Appointments (Parliamentary Approval) Act, 2011, the Standing Orders of both Houses and the practices of Parliament, we have agreed as follows-

- (i) **THAT**, the vetting of the nominee for appointment as Inspector-General of Police shall be conducted jointly by the Committees of the two Houses mandated to deal with matters of national security. The vetting process will therefore be conducted by the Departmental Committee on Administration and National Security of the National Assembly sitting jointly with the Standing Committee on National Security and Foreign Relations of the Senate;
- (ii) **THAT**, the Chairpersons of the two respective committees will Co-Chair the joint sittings and the Secretariat will comprise officers of the two Houses;
- (iii) **THAT**, the quorum of the joint sittings will be the respective quorums of each of the committees as stipulated by the respective Standing Orders;
- (iv) **THAT**, as contemplated under rule 9(6) of the Joint Rules, unless a decision is reached by consensus, any vote to be taken in the joint sitting of the committees shall be by separate Houses. This will ensure that the numerical difference of the individual Members representing the Houses in the joint sittings has no effect on the decisions of the joint sittings of the Committees;

- (v) THAT, the Committees shall, having conducted the vetting hearings, submit a Joint Report to the respective Houses in the manner contemplated by paragraph (7) of Joint Rule 9.

Honourable Members, section 8 (1) of the Public Appointments (Parliamentary Approval) Act, 2011 states, and I quote-

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

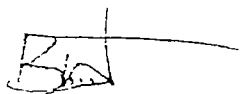
Further, section 9 of the said law states that-

“If after the expiry of the period for consideration specified in section 8, Parliament has neither approved nor rejected a nomination of a candidate, the candidate shall be deemed to have been approved”

In this regard, the period on the matter that is now before Parliament starts running from tomorrow, Wednesday, February 18, 2015. In order to facilitate the commencement of the deliberations, the first joint sitting of the Committees will be held tomorrow, Wednesday, February 18, 2015 at 9.30 am at the Mini-Chamber, County Hall in Parliament Building. It is also advisable that the concerned Committees expeditiously proceed to jointly notify the nominee and the public and conduct the joint sittings so as to conclude the exercise timeously. The Committees should Table the joint Report on or before Thursday, February 26, 2015 to enable the Houses of Parliament to consider the Report in good time.

This Message therefore, together with the résumé of the nominee, stands committed to the Departmental Committee on Administration and National Security of the National Assembly sitting jointly with the Standing Committee on National Security and Foreign Relations of the Senate.

I thank you!



THE HON. JUSTIN MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

February 17, 2015

VETTING PROGRAMME OF THE NOMINEE FOR THE POSITION OF INSPECTOR
GENERAL OF POLICE

| DATE | ACTIVITY | TIMELINES |
|---|---|---|
| Tuesday 17 th February, 2015 | Communication on the nomination by the Houses | |
| Wednesday 18 th February, 2015 | Advertisements for submission of memoranda & Notification to the public for vetting | 1 st Day |
| Tuesday 24 th February, 2015 | Deadline for submission of memoranda | 7 th Day |
| Wednesday 25 th February, 2015- 10:00 am | Meeting to consider the memoranda and the questionnaire | 8 th Day |
| Thursday 26 th February, 2015- 9:30 am | Vetting of the nominee | 9 th Day |
| Friday 27 th Feb to Monday 2 nd March, 2015 | Report Writing | 10 th – 13 th Day |
| Tuesday 3 rd March, 2015 | Tabling of the Joint Report | 14 th Day |

REPUBLIC OF KENYA



Telegraphic Address
'Bunge', Nairobi
Telephone +254 20 2221291
Fax: +254 20 2243694
E-mail: clerk@parliament.go.ke

CLERK'S CHAMBERS
National Assembly
Parliament Buildings
PO Box 41842-00100
NAIROBI, Kenya

PARLIAMENT OF KENYA

18th February, 2015

Mr. Joseph Kipchirchir Boinett
P O Box 30091-00100
NIS Headquarters off Thika Road
NAIROBI

I Certify Peter Kipkoo
ID No 21173068
19/02/2015

Dear *Mr. Boinett*

INVITATION FOR VETTING THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION & NATIONAL SECURITY OF THE NATIONAL ASSEMBLY AND STANDING COMMITTEE ON NATIONAL SECURITY & FOREIGN RELATIONS OF THE SENATE

Following your nomination by H. E. the President for appointment as the Inspector General National Police Service, the Departmental Committee on Administration and National Security of the National Assembly and the Senate Standing Committee on National Security & Foreign Relations hereby invites you for vetting pursuant to Article 245(2) of the Constitution and section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, on **Thursday, 26th February, 2015** in the Mini Chamber, County Hall, Parliament Buildings at 10:00 am.

Kindly fill the attached questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the undersigned on or before **Tuesday 24th February, 2015**, at 12:00 noon. You are required to bring with you originals of your National Identity Card, academic and professional certificates and any other documents and testimonials. In addition you should bring letters/ certificates of clearance from:-

- i. The Ethic and Anti-Corruption Commission
- ii. The Kenya Revenue Authority Tax compliance certificate
- iii. The Higher Education Loans Board
- iv. The Criminal Investigation Department ; and
- v. Any of the Credit Reference Bureaus.

Yours

Justin N. Bundi
JUSTIN N. BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

J. M. Nyegenye
J. M. NYEGENYE, CBS
CLERK OF THE SENATE

CRN No. 8082811

Date of issue: 07 Jan 2015

S/No. 3090

TransUnion® CRB Certificate

We hereby confirm, having searched Credit Reference Bureau Africa records, that;

JOSEPH KIPCHIRCHIR BOINET

of National ID No 6991339

Has a Credit Report with status as:

No adverse listing Paid Paying Not paid

This Certificate has been issued without any alteration or erasure. The validity of the information on this certificate is as at the date of issue.

TRANSUNION

Prosperity House,
Westlands Road, Off Museum Hill
P. O. Box 46406 - 00100

Nairobi

TransUnion Authorised Signatory: +254203751799/3715603/2/4/
Mobile: 0722205072/07242253296



TransUnion Authorised Signatory

J29567A07N {FC035174-B22B-4D45-8997-7F59F7937C1E8}

The conclusions herein are based on information obtained from public record and other third-party sources. TransUnion makes no representation as to the accuracy of this information and shall not be liable for any loss, damage or claim whatsoever, howsoever arising following the use of or reliance upon the opinions expressed herein.

HIGHER EDUCATION LOANS BOARD

Serial No: 38819



Compliance Certificate

This is to confirm that;
JOSEPH KIPCHIRCHIR BOINET

Holder of National IDNo: 6991339 is not a beneficiary of the University Loans Scheme.

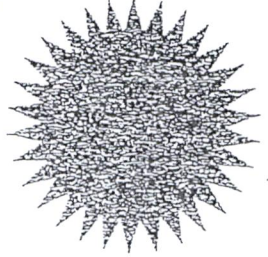
Signed by: Head Of Operations

Caveat

- a) 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.
- b) To confirm genuineness and validity of the certificate use the HELB checker available at : <http://www.helib.co.ke> or contact our office.

Date of Issue:08-01-2015

Manager, Loan Repayment and Recovery



This certificate is valid until: January 2016

REPUBLIC OF KENYA



Telegraphic Address
'Burige', Nairobi
Telephone +254 20 2221291
Fax: +254 20 2243694
E-mail: clerk@parliament.go.ke

CLERK'S CHAMBERS
National Assembly
Parliament Buildings
PO Box 41842-00100
NAIROBI, Kenya

PARLIAMENT OF KENYA

18th February, 2015

Francis Ndegwa Muhoro ndc(K), SDCP I
Director Criminal Investigation Department
Mazigira Complex
Kiambu Road Opp. Forestry Department
Headquarters, Karura
NAIROBI

Dear

RE: VETTING OF NOMINEE TO THE POSITION OF INSPECTOR-GENERAL OF POLICE

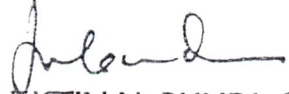
The Departmental Committee on Administration and National Security of the National Assembly and the Standing Committee on National Security & Foreign Relations of the Senate are Mandated by the Standing Orders, among others, to consider, for approval by Parliament, appointments to the public service.


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

The Committees will be conducting the vetting of Joseph Kipchirchir Boinett, the nominee for appointment to serve as the Inspector General National Police Service, prior to approval by the Parliament, on **Thursday, 26th February, 2015**.

It is therefore to request you to provide any information touching on the integrity of the said nominee that may be in possession of the Department. Such information will assist the Committee undertake its mandate more effectively. Kindly forward the requested information by **Tuesday, 24th February, 2015**.

Yours


JUSTIN N. BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY


J.M. NYEGENYE, CBS
CLERK OF THE SENATE

NATIONAL POLICE SERVICE

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



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

DIRECTORATE OF CRIMINAL INVESTIGATIONS

CID/SEC/6/7/2/VOL.I/116

25th February 2015

Mr. Justin N. Bundi,
Clerk of the National Assembly,
Parliament Buildings,
P. O. Box 41842-00100,
NAIROBI.

VETTING OF NOMINEE TO THE POSITION OF INSPECTOR GENERAL OF POLICE

Reference is made to your letter dated 18/2/2015 in respect of the above matter.

This is to confirm that we do not have any criminal records against Mr. Joseph Kipchirchir Boinett. He has already been issued with a police clearance certificate.


NDEGWA MUHORO, CBS, 'ndc' (K)
DIRECTOR OF CRIMINAL INVESTIGATIONS

REPUBLIC OF KENYA



CLERK'S CHAMBERS
National Assembly
Parliament Buildings
PO Box 41842-00100
NAIROBI, Kenya

Telegraphic Address
'Bunge', Nairobi
Telephone +254 20 2221291
Fax: +254 20 2243694
E-mail: clerk@parliament.go.ke

PARLIAMENT OF KENYA

February 18, 2015

Mr. Wachira Ndege
Chief Executive Officer
Credit Reference Bureau Africa Limited
CRB Centre, Prosperity House
Westlands Road, Off Museum Hill, Westlands
NAIROBI

Dear Mr. Ndege

RE: VETTING OF NOMINEE TO THE POSITION OF INSPECTOR-GENERAL OF THE NATIONAL POLICE SERVICE

The Departmental Committee on Administration and National Security of the National Assembly and the Standing Committee on National Security & Foreign Relations of the Senate are mandated by the Standing Orders, among others, to consider, for approval by Parliament, appointments to the public service.

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

The Committees will be conducting the vetting of Joseph Kipchirchir Boinett, the nominee for appointment to serve as the Inspector-General of the National Police Service, prior to approval by the Parliament, on Thursday, 26th February, 2015.

This is to request you to provide a report on credit information on the said nominee. Such information will assist the Committee undertake its mandate more effectively. Kindly forward the requested information by Tuesday, 24th February, 2015.

Yours

JUSTIN N. BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

J.M. NYEGENYE, CBS
CLERK OF THE SENATE

② MACHIRA
pls deaf
FA
23/2

201/10

TransUnion

① D/committee

February 23, 2015

Justin N. Bundi, CBS
Clerk of The National Assembly
Clerk's Chambers
Parliament Buildings
P.O Box 41842-00100,
Nairobi, Kenya

Advance copy via email

Dear Sir,

RE: VETTING OF NOMINEE TO THE POSITION OF INSPECTOR- GENERAL OF THE NATIONAL POLICE SERVICE

We refer to your letter dated 18th February 2015, regarding the above captioned matter.

We advise that under the Banking (Credit Reference Bureau) Regulations, 2013 a bureau is required to protect the confidentiality of customer information and only release such information to the customer concerned or to the Central Bank of Kenya or as authorized in writing by the customer concerned or as required by Law.

We propose that the Committee requests Mr. Joseph Kipchirchir Boinett to visit our offices with his identification documents or get in touch with the Customer Service Supervisor-Beatrice Mwangi on 020-2021299/85, 0724-253296 or on email at bmwangi@transunion.co.ke.

Yours faithfully,



Steven Kamau
Group Business Development Manager

REPUBLIC OF KENYA



CLERK'S CHAMBERS
National Assembly
Parliament Buildings
PO Box 41842-00100
NAIROBI, Kenya

Graphic Address
Nairobi
Telephone +254 20 2221291
Fax: +254 20 2243694
Email: clerk@parliament.go.ke

PARLIAMENT OF KENYA

18th February , 2015

Mr. John Njiraini, MBS
Commissioner General
Kenya Revenue Authority
PO Box 62345 – 00200
NAIROBI

Dear Mr. Njiraini

VETTING OF NOMINEE TO THE POSITION OF THE INSPECTOR-GENERAL OF POLICE

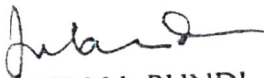
The Departmental Committee on Administration and National Security of the National Assembly and the Senate Standing Committee on National Security & Foreign Relations are mandated by the Standing Orders, among others, to consider, for approval by Parliament, appointments to the public service.

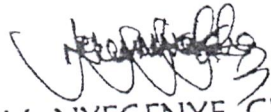
Article 124(4) of the Constitution provides that, "when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

The Committees will be conducting the vetting of Joseph Kipchirchir Boinett (PIN No. A001426908R), the nominee for appointment to serve as the Inspector-General of the National Police Service, prior to approval by Parliament, on Thursday, 26th February, 2015.

This is to request you to provide a report on tax compliance by the nominee. Such information will assist the Committee undertake its mandate more effectively. Kindly forward the information by Tuesday, 24th February, 2015.

Yours


JUSTIN N. BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY


J.M. NYEGENYE, CBS
CLERK OF THE SENATE



KENYA REVENUE
AUTHORITY

23rd February, 2015

Ref: CDT/MST/HQ/73

Clerk
The Senate
Parliament Buildings
P.O Box 41842-00100
NAIROBI

**VETTING OF NOMINEE TO THE POSITION OF THE INSPECTOR GENERAL
OF POLICE**

Refer to your letter dated 18th February, 2015.

We wish to confirm that Mr. Joseph Kipkebirchir Boinett of ID No 6991339
and PIN No. A001426908R is tax Compliant.

Alice A. Owuor, CGW.
COMMISSIONER OF DOMESTIC TAXES
MEDIUM AND SMALL TAXPAYERS

Times Tower Building
Haile Selassie Avenue, P.O. Box 48240-00100 Tel: 310900 Fax: 316872

SGS



ISO 9001:2008 CERTIFIED

REPUBLIC OF KENYA



Telegraphic Address
"Bunge", Nairobi
Telephone +254 20 2221291
Fax: +254 20 2243694
E-mail: clerk@parliament.go.ke

CLERK'S CHAMBERS
National Assembly
Parliament Buildings
PO Box 41842-00100
NAIROBI, Kenya

PARLIAMENT OF KENYA

18th February , 2015

Charles M. Ringera
Chief Executive
Higher Education Loans Board
Anniversary Towers, 18th Floor
University way
NAIROBI

Dear *Mr. Ringera*

RE: VETTING OF NOMINEE TO THE POSITION OF INSPECTOR-GENERAL OF POLICE

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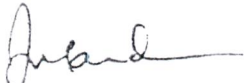
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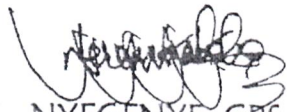
Article 124(4) of the Constitution provides that, "*when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House*".

The Committees will be conducting the vetting of **Joseph Kipchirchir Boinett**, the nominee for appointment to serve as the Inspector- General of the National Police Service, prior to approval by Parliament, on **Thursday, 26th February, 2015**.

This is therefore to request you to provide a report on re-payments of any loans that may have been advanced by the Board to the said nominee. Such information will assist the Committee undertake its mandate more effectively. Kindly forward the information by **Tuesday, 24th February, 2015**.

Yours


JUSTIN N. BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY


J.M. NYEGENYE, CBS
CLERK OF THE SENATE

1732



EB

HIGHER EDUCATION LOANS BOARD

Tel: 0711052000, 2278000, 0722205292, 0733205292,
0704333035, 0704 333036, 0737205292, 0754556899
Fax: 2252330
E-mail: ceo@helb.co.ke
Website: www.helb.co.ke

Anniversary Towers
18th Floor, University Way
P.O Box 69489-00400
Nairobi, Kenya

① D/loan fees

HELB/RD/56592/POV/163

② MAETHIRA
plu deaf
FA 24/2

23rd February, 2015

Mr. Justin N. Bandi
Clark, National Assembly,
P.O Box 41342-00100
NAIROBI

Dear Justin,

CLEARANCE OF NOMINEE TO THE POSITION OF INSPECTOR GENERAL OF POLICE

We acknowledge with thanks the receipt of your letter regarding the clearance of nominee to the position of Inspector-General of Police.

Please find a list confirming the loan status of the applicant with the board.

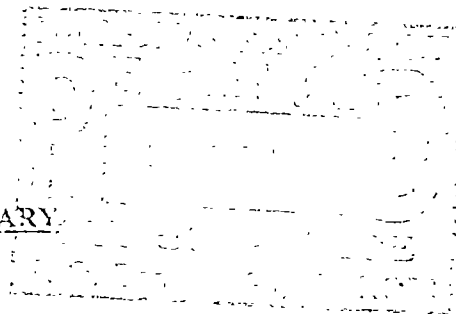
| S/NO | NAME | ID NO. | STATUS | YEAR OF COMPLETION |
|------|----------------------------|---------|-----------------|--------------------|
| 1 | Joseph Kapchirchir Boinett | 6991339 | Non-Beneficiary | N/A |

We urge you to encourage the applicants to seek their compliance certificates 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 Sincerely

CHARLES M. RINGERA
CHIEF EXECUTIVE OFFICER & BOARD SECRETARY



REPUBLIC OF KENYA



Telegraphic Address
"Bunge", Nairobi
Telephone +254 20 2221291
Fax: +254 20 2243694
E-mail: clerk@parliament.go.ke

CLERK'S CHAMBERS
National Assembly
Parliament Buildings
PO Box 41842-00100
NAIROBI, Kenya

PARLIAMENT OF KENYA

February 18, 2015

Mr. Halakhe D. Waqo, ACI Arb
Secretary/Chief Executive Officer
Ethics and Anti-Corruption Commission
Valley Rd./Milimani Rd.
P O Box 61130 – 00200
NAIROBI

Dear *Mr. Halakhe,*

RE: VETTING OF NOMINEE TO THE POSITION OF INSPECTOR-GENERAL OF THE NATIONAL POLICE SERVICE

The Departmental Committee on Administration and National Security of the National Assembly and the Standing Committee on National Security & Foreign Relations of the Senate are mandated by the Standing Orders, among others, to consider, for approval by Parliament, appointments to the public service.

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

The Committees will be conducting the vetting of the nominee for appointment to serve as Inspector General of the National Police Service, prior to approval by Parliament, on **Thursday, 26th February, 2015**.

This is therefore to request you to provide any information touching on the integrity of the said nominee if it may be in possession of the Commission. Such information will assist the Committee undertake its mandate more effectively. Kindly forward the requested information by **Tuesday, 24th February, 2015**.

Yours

Handwritten signature of Justin N. Bundi in black ink.

JUSTIN N. BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

Handwritten signature of J. M. Nyegenye in black ink.

J. M. NYEGENYE, CBS
CLERK OF THE SENATE



ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd. /Milimani Rd. Junction) P.O. Box 61130 -00200, NAIROBI, Kenya
TEL.: 254 (020) 2717318/ 310722, MOBILE: 0729 888881/2/3
Fax: 254 (020) 2719757 Email: eacc@integrity.go.ke Website: www.eacc.go.ke

When replying please quote:

D/Committee

Our ref. EACC. 6/42 Vol. XX (94)

24th February, 2015

Mr. Justin N. Bundi, CBS,
Clerk of the National Assembly,
P. O. Box 41842-00100,
NAIROBI

Dear Sir,

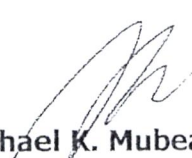
VETTING OF THE NOMINEE TO THE POSITION OF INSPECTOR-GENERAL OF THE NATIONAL POLICE SERVICE

Your letter dated **18th February, 2015** on the above matter is acknowledged.

We confirm that we have no outstanding issues or ongoing investigation against **Mr. Joseph Kipchirchir Boinett** who has been nominated for the post of Inspector-General of the National Police Service.

Please note that absence of records in our database is not a guarantee of absolute integrity of the nominee.

Yours faithfully,


Michael K. Mubea
Deputy Secretary/CEO – Technical Services
For: Secretary/Chief Executive Officer



REPUBLIC OF KENYA



Telegraphic Address
'Parliament', Nairobi
Telephone 2848000
Fax: 2243694
E-mail: cSenate@parliament.go.ke

The Senate
Clerk's Chambers
Parliament Buildings
P. O. Box 41842 00100
NAIROBI, Kenya

PARLIAMENT
OFFICE OF THE CLERK OF THE SENATE

Our Ref: SEN/NSFR/CORR/2014 (109)

Date 27th November, 2014

Prof. David K. Some,
Chief Executive Officer/Secretary,
Commission for Higher Education,
NAIROBI.

Dear Sir,



E: VETTING OF THE NOMINEE TO THE POSITION OF THE INSPECTOR GENERAL OF POLICE - MR. JOSEPH KIPCHIRCHIR BOINETT.

The Departmental Committee of the National Assembly on Administration and National Security and the Senate Standing Committee on National Security and Foreign Relations is in the process of vetting Mr. Joseph Kipchirchir Boinett ID No. 6991339 to the position of the Inspector General of Police.

In this regard, the Committee is in receipt of his academic transcripts among other testimonials and is requesting your good office to confirm the credibility of the following institutions of higher learning and the authenticity of the certificates attached herein;-

- a) Australian National University, Canberra,
- b) University of Westminster, London and
- c) Washington International University.

The joint Committee is scheduled to present its report on the suitability of Mr. Joseph Kipchirchir Boinett to the Senate and the National Assembly on Tuesday, 3rd March 2014 for consideration.

The purpose of this letter is to request your office for the aforementioned information to be submitted to Parliament on or before Monday, 2nd March 2015.

Mr. Boniface L. Lenairoshi, Principal Clerk Assistant (Cell Number 0722258582, Email btajewa@gmail.com) is the Clerk to the Committee and is responsible for all the arrangements relating to this matter.

Thank you for your continued support and cooperation.

Yours Truly,

J.M. NYEGENYE, CBS,
CLERK OF THE SENATE.



THE AUSTRALIAN NATIONAL UNIVERSITY

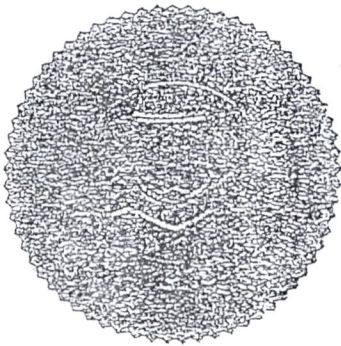
THIS IS TO CERTIFY THAT
FOLLOWING THE COMPLETION OF
AN APPROVED PROGRAM OF STUDY

Joseph Kipchirchir Boinnet

HAS BEEN AWARDED THE DEGREE OF

Master of
National Security Policy

GIVEN UNDER THE SEAL OF THE AUSTRALIAN NATIONAL UNIVERSITY
ON THE SEVENTEENTH DAY OF DECEMBER 2014



Chancellor

Vice - Chancellor



NAME

JOSEPH KIPCHIRCHIR BOINNET

STUDENT No.

5528587

AWARD AND PROGRAM SUMMARY

DESCRIPTION

STATUS

DATE

MASTER OF NATIONAL SECURITY POLICY

AWARDED

17 DECEMBER 2014

ENROLMENT DETAILS

COURSE CODE COURSE TITLE

UNITS EARNED

MARK

GRADE

POSTGRADUATE

78 MASTER OF NATIONAL SECURITY POLICY

2014 FIRST SEMESTER

| | | | | |
|----------|--|---|----|----|
| NSPO8007 | NATIONAL SECURITY: CONCEPTS AND CHALLENGES | 6 | 70 | D |
| NSPO8015 | ASIAN REGIONALISM AND SECURITY: IMPLICATIONS FOR AUSTRALIA | 6 | 60 | CR |
| NSPO8018 | THE EVOLUTION OF NATIONAL SECURITY POLICY SINCE 1945 | 6 | 70 | D |
| POGO8045 | INTERNATIONAL POLICY MAKING IN THE SHADOW OF THE FUTURE | 6 | 61 | CR |

SECOND SEMESTER

| | | | | |
|----------|---|---|----|----|
| NSPO8004 | NATIONAL SECURITY LEADERSHIP AND RISK MANAGEMENT | 6 | 67 | CR |
| NSPO8006 | NATIONAL SECURITY POLICYMAKING | 6 | 66 | CR |
| NSPO8010 | CIVIL-MILITARY RELATIONS | 6 | 68 | CR |
| NSPO8016 | GOVERNANCE, STATE WEAKNESS AND HUMAN SECURITY IN ASIA | 6 | 65 | CR |

total number of courses printed on academic transcript: 8

Entries below this line are NOT VALID

Certified Correct (see reverse side for gradings)

page 1 of 1



THE UNIVERSITY OF WESTMINSTER

hereby certifies that the degree of

MASTER OF ARTS

in Diplomatic Studies

With Distinction

has been awarded to

JOSEPH KIPCHIRCHIR BOINETT

J. M. C. [Signature]

Alan Thomas [Signature]

Chairman of the Court

27.3.2003

Date

THE UNIVERSITY OF WESTMINSTER

Transcript of credits awarded to JOSEPH KIPCHIRCHIR BOINETT
 ID No. 01255845D
 Qualification: PG DIP/MA DIPLOMATIC STS (FT)
 Course Code: 8730
 Mode of Study: FULL TIME
 Awarding Institution: University of Westminster
 Language(s) of Instruction: ENGLISH.

DoB: 29/01/62
 Hesa No. 0110882558452
 Level of Qualification: M
 Pathway 8730 PG DIPLOMA DIPLOMATIC ST

Teaching Institution: University of Westminster
 Language(s) of Assessment: ENGLISH.

MR JOSEPH KIPCHIRCHIR BOINETT
 PO BOX 180
 AINABKOI
 KENYA
 AFRICA

RECORD OF LEARNING AND ACHIEVEMENT

| Level | Module code and title | Credits | Session/ Semester | Status/ Result | Attempt | Mark |
|-------|---|---------|----------------------|-------------------|---------|------|
| 1 | IMDS701 MANAGEMENT | 15.0 | 2002/1 | PASSED | 1 | 64 |
| 1 | IMDS702 FOREIGN POLICY ANALYSIS | 15.0 | 2002/1 | PASSED | 1 | 72 |
| 1 | IMDS703 DIPLOMACY | 30.0 | 2002/1 | PASSED | 1 | 74 |
| 2 | IMDS709 DISSERTATION | 15.0 | 2002/1 | PASSED | 1 | 68 |
| 2 | IMDS715 CONFLICT RESOLUTION AND CRISIS MANAGEMENT | 15.0 | 2001/2 | PASSED | 1 | 68 |

Credit value of modules attempted (Level 7) 120.0
 Credit value of modules passed (Level 7) 120.0

AWARDED: MA in Diplomatic Studies with Distinction on 27 Mar 2003

Date of issue: 29/03/03



Washington International University



To all to whom these letters shall come, Greetings.
The Directors of the University on the recommendation of the Faculty
and by virtue of the Authority in them vested have conferred

Kipchirchir Joseph Bonnet

who has satisfactorily pursued the Accelerated Program Studies and satisfied
the requirements for the Degree of

Bachelor of Arts in International Studies and Diplomacy

with all the rights, privileges and honors thereunto appertaining

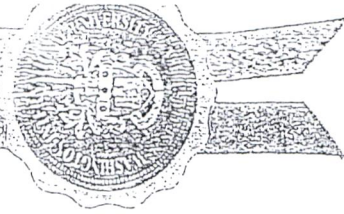
Given on the 31st day of January,

in the year two thousand and one.

President

Dean

Joseph A. D.





TRANSCRIPT

Student Name: Kipchirchir Joseph Boinet

Student Address: Rome, Italy

Student Number: 1405-A

Date of Graduation: January 31, 2001

Degree Granted: Bachelor Arts in International Studies and Diplomacy

ACADEMIC PROGRAM ADVISOR

Professor Dennis Stiles

DEGREE PROGRAM:

(Reading assignments and/or research project or thesis/dissertation)

Book Report: Translated by George Bull, The Prince, grade B (credits 10)

Book Report: Krasner, Stephen D., Editor, International Regimes, grade A (credits 10)

Book Report: Demko, Wood, Reordering the World, grade A (credits 10)

Research Report: "Regional Economic Integration: Africa's Experience," grade B, (credit 15)

ADVANCED CREDIT STANDING/TRANSFER

Candidate allowed to transfer credit for high school diploma, trade school certificate, PolyTech school certificate, independent reading, and 15 years of work experience to a value of 75 academic credits.

Total academic credits earned: 120 Grade point average: 3.5

Registrar

NOT OFFICIAL UNLESS





Commission for University Education

Office of Chief Executive

Our Ref: CUE/10/9 VOL. 14/29

Date 27th February, 2015

J.M. Nyegenye, CBS,

Clerk of the Senate,

Senate of the Republic of Kenya,

Clerk Chambers,

Parliament Buildings,

P. O. Box 41842 00100,

NAIROBI.

Dear

Mr. Nyegenye,

**RE: AUTHENTICATION OF INSTITUTIONS OF HIGHER EDUCATION/
QUALIFICATIONS FOR MR. JOSEPH KIPCHIRCHIR BOINETT**

Thank you for your letter dated 27th November, 2014, and received at the Commission for University Education on 27th February, 2015 making specific requests on authentication of institutions of higher learning and recognition of foreign qualifications.

Your office made a request for confirmation of the credibility of three foreign institutions of higher learning namely: Australian National University, Canberra; University of Westminster, London; and Washington International University, USA.

Secondly, your office requested for authentication of the three degree qualifications, awarded to Mr. Joseph Kipchirchir Boinnet ID No. 6991339 namely:

- a) Degree of Master of National Security Policy awarded by the Australian National University, of Australia;
- b) Degree of Master of Arts in Diplomatic Studies awarded by The University of Westminster, of the United Kingdom; and
- c) Degree of Bachelor of Arts in International Studies and Diplomacy awarded by Washington International University, of the United States of America; respectively.



The Commission for University Education would like to state that recognition of foreign qualifications in Kenya is by Convention, if a University is recognized in the country of operation.

- a) The Australian National University is a recognized university in Australia and by protocol in Kenya;
- b) University of Westminster, UK is also a recognized university in the UK and by protocol in Kenya; however,
- c) Washington International University, of USA, is **NOT** recognized by the Council for Higher Education Accreditation (CHEA) (CUE equivalent) in the USA (See <http://www.chea.org/search/actionInst.asp>), and the Distance Education and Training Council (DETC) in the USA. DETC is the body responsible for the accreditation of institutions in the United States of America that offer degree programmes primarily by distance learning education method: (See <http://www.detc.org/an>)

The Authentication of academic qualifications from foreign Universities lies with the University awarding the qualification.

Further to this, recognition and equation of foreign qualifications requires submission of certified copies of certificates and transcripts by the individual applying to the Commission in accordance with the Universities Standards, and Guidelines, 2014.

With best regards.

Yours

Sincerely

David K. Some

PROF. DAVID K. SOME

COMMISSION SECRETARY/CHIEF EXECUTIVE OFFICER

JOSEPH KIPCHIRCHIR BOINNET
CURRICULUM VITAE

20TH FEBRUARY 2015

PERSONAL DETAILS

NAME: Joseph Kipchirchir Boinnet

DATE AND PLACE OF BIRTH: 29th November 1962,
Elgeiyo/Marakwet County, Kenya.

POSTAL ADDRESS: P.O. Box 8283, 0100 GPO NAIROBI, or P.O. Box
4700 ELDORET.

PHONE NUMBERS: 020-2673992. Mobile: 0715-167146.

EMAIL: kjboinnet@gmail.com

NATIONALITY: Kenyan

ID No: 6991339

PASSPORT NO: D001623

MARITAL STATUS: Married with four (4) children

RELIGIOUS AFFILIATION: Christian (Protestant) - Baptist/AIC.

CURRENT POSITION/STATION: Assistant Director of Intelligence,
Director-General's Office

CAREER OBJECTIVES

To exploit and apply to the fullest, my training and experience in the Police, intelligence and diplomacy in the service of our country, so as to promote peaceful co-existence and understanding amongst all our communities, as well as promote our national ideals and values.

EDUCATION

- M.A. (National Security Policy), Australian National University, Canberra, Australia (2014)
- M.A. (Diplomatic Studies) University of Westminster, London, UK. (2003)
- B.A.(International Studies and Diplomacy) Washington I. University, Virginia, USA. (2001) (online study)

- 'A' Levels – 2 Principal and 2 Subsidiary Passes - Baringo High School (1981).
- "O" Level – Division II – Kipkabus Secondary School (1979)
- CPE –(A-,B+,B) – Arap Moi Primary School, Ainabkoi (1975)

TECHNICAL SKILLS AND KNOWLEDGE

Proficient in Microsoft Office applications (Word, PowerPoint, Excel, Outlook and Access)

PROFESSIONAL INTELLIGENCE COURSES ATTENDED

- Basic Intelligence Officers' Course, DSI School, Nairobi (1986)
- Counter Intelligence/Counter Espionage Course ,DSI School, Nairobi (1987)
- SIS Course –London,UK(1993)
- External Intelligence Operations - ("L") Course (1996)
- Intelligence Operations Management Course (2004)
- Management of the Analytic Processes Course – offered by Herman Kent School of Analysis (CIA University), NIA, Nairobi,2010)

OTHER RELATED PROFESSIONAL COURSES

- Diplomacy Course for Kenyan Diplomats, Beijing-China, September, 2013.
- Senior Mission Leaders' Course-International Peace Support Training Centre, Nairobi, February 2013.
- Strategic Leadership Development Programme(SLDP) Course – Kenya Institute of Administration (KIA),July 2011
- 21st Century Diplomacy - Certificate Course-DiploFoundation (affiliated to the University of Malta), (online course) - October 2009. Term Paper presented on "*Regional Economic Integration Efforts in East Africa: successes and challenges ahead*"
- Police Higher Training Course (HTC) – (*for promotion to the rank of Superintendent of Police*) –Kenya Police College (1990).
- Direct Entry Inspector of Police Course (DEIP) –Kenya Police College (1984.)

WORK EXPERIENCE

KENYA POLICE – (GENERAL DUTIES) SEPTEMBER 1984 –JULY 1987

- September 1984 to August 1986: served as a Police Inspector at Muranga, Ol Kalou, and Kipipiri Police Stations.

Duties: Crime prevention and investigations in various Police Station sections such as Petty Crime, Crime Section, and Officer- in- Charge (Kipipiri Police Station-December 1986-April 1987).

DIRECTORATE OF SECURITY INTELLIGENCE (DSI) AUGUST 1987 -1996

- August 1986: joined the then Directorate of Security Intelligence (DSI) as a Handler (Case Officer).
- August 1986 – August 1987: Handler – Ol Kalou and Kinangop Divisions in Nyandarua District.
- August 1987 – September 1991: Desk Officer- Central Province DSI Headquarters, Nyeri.
- September 1991 – October 1992: Deputy District Security Intelligence Officer, Kiambu
- October 1992 – August 1994: Acting Deputy Head, 'Y' Group DSI headquarters, Nyati House.
- September 1994 – April 1995 : Senior Security Officer –Kenya Airways(*On Secondment*)
- May 1995 –October 1996: Section Head - Nairobi Area DSI Headquarters, Nyayo House.
- November 1996 –June 2001 –Second Secretary, Rome, Italy
- July 2001-December 2005 –NSIS Headquarters as Assistant Principal Intelligence Officer, External Division
- December 2005-November 2008 –First Secretary, Kenya Embassy, Harare, Zimbabwe
- December 2008 –June 2012- Principal Intelligence Officer, Analysis and Production Division, NIS
- June 2012 –December 2013-Deputy Director of Foreign Service, Ministry of Foreign Affairs and International Trade, Protocol Directorate(*On secondment*)

- January 2013 –December 2014 –Principal Intelligence Officer – Director General’s Pool
- December 2014 – to date –Assistant Director of Intelligence-DG’s Office

JULY 1999 – TO DATE

NATIONAL INTELLIGENCE SERVICE (NIS)

- July 1999 – June 2001: Station Officer, Rome- Italy.

Duties: Collection of intelligence of national security and economic interest to Kenya.

- June 2001 –October 2004 –Deputy Chief Liaison Officer-(D/CLO)- External Division

Duties: Assist the Chief Liaison Officer (CLO) in managing the external liaison arrangements between the Service and other friendly intelligence services.

- December 2004 –November 2008 –Station Officer, Harare – Zimbabwe.

Duties: Collection of intelligence of national security and economic interest to Kenya in Zimbabwe, Mozambique, Lesotho and Swaziland.

- February 2009 –December 2010. Deputy Head of Economics Sub/Division-Analysis and Production (A&P) Division, NSIS headquarters, Nairobi.

Duties: Assist the Assistant Director in the efficient management of the Sub/Division in the collation and analysis of economic intelligence and production of various intelligence products

- January 2011 – August 2012, Deputy Head of Foreign and Diplomacy Sub/Division, Analysis and Production Division,

Duties: Assist the Assistant Director in the management of the sub-division in the collation and analysis of foreign intelligence and production of various intelligence products.

DIPLOMATIC SERVICE AND MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE

NOVEMBER 1996 – JUNE 2001, ROME, ITALY

Second Secretary (Agriculture) and Alternate Permanent Representative of Kenya to UN Agencies in Rome, Italy, namely: (Food and Agriculture Organization (FAO), World Food Programme (WFP), and International Fund for Agriculture and Development (IFAD).

Duties:

- Principal assistant to the Agriculture Attaché in management of the Kenya Mission to the UN Agencies which entailed preparation of papers and articulation of country position on various issues; representing Kenya at all relevant meetings of the various organs of IFAD, FAO and WFP, and providing support to Kenya's delegations, including those led by Ministers, from headquarters to such meetings.
- Assigned as the officer in charge of World Food Programme (WFP) Desk by H.E. the Ambassador, which entailed attending all relevant meetings, preparing country position papers as well as maintaining contact with the officers responsible for WFP operations in Kenya. Consequently, applied and obtained the Mission's accreditation on Observer Status to the WFP Executive Board (1997-2000)
- Represent the Mission in all Africa Group Meetings as well other related Diplomatic functions.
- Member of the Kenya delegation to numerous FAO Committee meetings and Annual Conferences, IFAD Governing Council, as well as WFP Executive Board meetings. (1997-2001)

**DECEMBER 2004 – NOVEMBER 2008, KENYA EMBASSY,
HARARE-ZIMBABWE,**

First Secretary - Kenya Embassy, Harare-Zimbabwe, which then had representational functions as High Commission of Kenya to the Republic of Mozambique, the Kingdom of Lesotho and the Kingdom of Swaziland.

Duties:

- Responsible for all consular functions in the Mission that included the provision of Visas to foreigners wishing to visit Kenya, as well as provision of Consular services to Kenyans resident in Zimbabwe, Mozambique, Swaziland and Lesotho. This entailed processing of applications for new /renewal of passports, processing documents such as Birth Certificates and assisting Kenyans in distress.
- Housing Officer in charge of maintenance of all Mission properties as well as rented premises.

Major Achievements:

In collaboration with H.E. the Ambassador, implemented the Government's foreign policy objective of reaching to Kenyans in Diaspora by spearheading the creation of the Kenyans in Zimbabwe Association, Kenyans in Mozambique Association as well as visiting and strengthening Kenyan Society in Lesotho and the Kenyan Association in Swaziland. Organized successful elections of officials to run the said associations and represented the Mission in many of their official functions. These associations provided opportune platforms to forge unity between the Mission and Kenyans in Diaspora for the purposes of furthering, protecting and projecting Kenya's national interests.

In 2007, under the direction of H.E. the Ambassador played an active role in organizing the inaugural Regional Kenyan Ambassadors/Heads of Mission Conference for Southern Africa at Victoria Falls, Zimbabwe whose resolutions were submitted to Ministry headquarters and as the region's input towards the formulation of the new foreign policy.

AUGUST 2012 – DECEMBER 2013 MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE HEADQUARTERS

OFFICIAL DESIGNATION – DEPUTY DIRECTOR OF FOREIGN SERVICE (*MINISTER – COUNSELLOR*) - PROTOCOL DIRECTORATE

KEY DUTIES

Responsible to the Chief of Protocol for:

- **Diplomatic Security, Movement and Clearance** that include; security and welfare of diplomatic corps (in liaison with Diplomatic Police) issue of Diplomatic IDs and clearance of civil, military aircraft and vessels, as well as obtaining clearances for Kenyan VIP aircraft/vessels on missions abroad.
- **State and Protocol Ceremonies** in respect of coordinating, as advised, some outgoing visits by Head of State and incoming visits by Heads of State/governments, and making appointments for visiting dignitaries including VIP courtesies of all classes.
- **Consular matters;** including approvals and facilitation of Visa applications for Kenya government officials travelling on official business abroad, and processing passport applications for Diplomatic passports.

OTHER INTERESTS/HOBBIES

- Small scale farming- maize and dairy
- Member – A.I.C Langata-(Nairobi), Local Church Council
- Reading – nonfiction – mainly motivational books, biographies of notable persons, writings on foreign policy, international security, and history of diplomacy.
- Watching documentaries on TV.
- Hiking.

REFEREES

1. MR.KINUTHIA WAMWANGI,

Chairman,
Transition Authority,

P.O. Box 10736

0100 GPO

NAIROBI

Email:kwamwangi@yahoo.com

kwamwangi@algorec.or.ke>

Tel: 0724020718.

2. AMB.SOLOMON MAINA,EBS

Ambassador,

Kenya Embassy to Japan

3-24-3-Yakumo, Meguro-Ku

TOKYO

Japan

Tel:03-372344888

Cell: +8170-1486791

Email:skmaina@yahoo.com

3. MR.ALEXANDER MUTESHI, EBS

Director of Intelligence,

NIS Headquarters,

P.O. Box 30091 – 00100

NAIROBI

Tel: 0722868449

REPUBLIC OF KENYA



PARLIAMENT OF KENYA

In the Matter of the Approval by Parliament of the person nominated for appointment to the position of Inspector-General of Police

SUBMISSION OF MEMORANDA

Article 24(2)(a) of the Constitution provides that: **"the Inspector-General is appointed by the President with the approval of Parliament"**. Further, Section 12 of the National Police Act (No. 11A of 2011) provides that the Inspector-General of the Service shall be appointed by the President with the approval of Parliament. Pursuant to the said Article of the Constitution and the provisions of the Act, **Mr. Joseph Kipchirchir Boinett** has been nominated for appointment to the position of Inspector-General of Police.

Following the receipt of the nomination from H.E the President, the following two committees of Parliament are mandated to jointly vet, consider his suitability for appointment and submit their Joint report to the respective Houses for approval.

Departmental Committee on Administration and National Security of the National Assembly.

Standing Committee on National Security and Foreign Relations of the Senate.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the said Committees now invite interested members of the public to submit any representations by written statement on oath (affidavit), that they may have on the suitability or otherwise of the nominee for appointment to the position of Inspector-General. The representations may be forwarded to the **Clerk of the National Assembly or Clerk of the Senate, P.O. Box 41842-00100, Nairobi**; hand-delivered to the **Offices of the Clerks, Main Parliament Buildings, Nairobi**; or emailed to **clerk@parliament.go.ke** or **csenate@parliament.go.ke**; to be received on or before **Tuesday 24th February, 2015 at 5.00 pm.**

JUSTIN BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

JEREMIAH NYEGENYE, CBS
CLERK OF THE SENATE

REPUBLIC OF KENYA



PARLIAMENT OF KENYA

NOTIFICATION OF VETTING BY THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION & NATIONAL SECURITY OF THE NATIONAL ASSEMBLY AND STANDING COMMITTEE ON NATIONAL SECURITY & FOREIGN RELATIONS OF THE SENATE

Pursuant to Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, Parliament hereby informs Members of the public that the Departmental Committee on Administration & National Security of the National Assembly and Standing Committee on National Security & Foreign Relations of the Senate will be vetting **Mr. Joseph Kipchirchir Boinett** who has been nominated for appointment to the position of Inspector-General of Police on **Thursday 26th February, 2015 in the Mini Chamber, County Hall, Parliament Buildings at 10.00 a.m.** This meeting shall be open to the public.

The nominee should bring with him his original academic and professional certificates, National Identity Card and other relevant documents and testimonials. In addition, the nominee should bring letters/certificates of clearance/compliance from: -

- i. The Ethics and Anti-Corruption Commission;
- ii. The Kenya Revenue Authority Tax compliance Certificate;
- iii. The Higher Education Loans Board;
- iv. The Criminal Investigations Department; and
- v. Any of the Credit Reference Bureaus.

JUSTIN BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

JEREMIAH NYEGENYE, CBS
CLERK OF THE SENATE

① D/Committee

② MAHARA
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FA
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Jason Kamweru
P.O. Box 7805
00100
Nairobi
Tel. 0713816288
20 February 2015

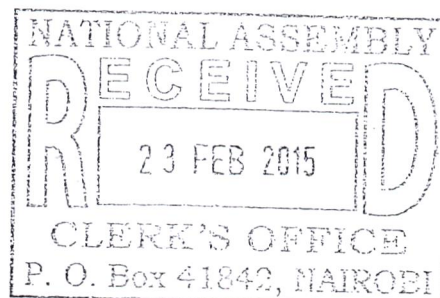
The Clerk of Parliament
Parliament Building
Nairobi

Dear Clerk of Parliament

RE: Vetting of Inspector-General of Police

Further to your invitation to the public to present information that could help the relevant vetting committee of Parliament on the appointment of the Inspector General of Police (IG), I wish to submit the following:

1. My name is Jason Kamweru, currently working as a Public Debt Management expert with the African Development Bank
2. I have known Mr. Joseph Boinnet personally and professionally, having lived with him in Zimbabwe from 2005 to 2008, where he was working in the Kenya High Commission, and I with the Commonwealth Secretariat as a regional public debt management advise in charge of eight countries in Eastern and Southern Africa. We have remained good friends since.
3. Having known Mr. Boinnet over the last ten years, I can attest that he is a hardworking, honest, reliable and disciplined individual. During the time he was in charge of consular affairs at the Kenya High Commission in Zimbabwe, he assisted many Kenyans in need, including going out of his way to assist those who required visas to travel to other countries, such as South Africa. He was always ready to put in a good word to his counterparts in other embassies and high commissions, if he assessed and satisfied himself that the applicant had valid and genuine reasons to travel to these countries. I witnessed on many occasions Mr. Boinnet using his personal resources to assist stranded Kenyans who turned up at the Kenya High Commission.
4. Mr. Boinnet served all who needed assistance without prejudice and was always polite and civil. As a result, he was one of the most respected diplomats in the High Commission by the Kenyan community and citizens of other countries, especially those from East Africa.



5. I want to cite events that made me have exceptional respect for Mr. Boinnet. In 2007, after the PEV broke out, the Kenyan community in Zimbabwe became deeply divided along ethnic lines. Almost all embassy officials were supporting one side or the other depending on their ethnicity. It did not help matters that the then High Commissioner failed to show leadership and openly displayed his bias to one camp. Given the mood in the country, it was expected that Mr. Boinnet, being a Kalenjin, would be biased and stand in solidarity with his people and defend the events unfolding in the Rift Valley. Mr. Boinnet remained the voice of reason throughout the crisis and was deeply affected by the violence. He invited me, a Kikuyu, on many occasions, and we had lengthy discussions and I can attest he showed genuine concern and anger at the violence that was unfolding in the country. This made me have extraordinary respect for Mr. Boinnet.
6. In my view, the most important qualities that a candidate for the position of IG requires are integrity and patriotism. I can attest that Mr. Boinnet has clearly demonstrated that he has these qualities.
7. My plea to the committee is to recommend Mr. Joseph K. Boinnet for appointment as the Inspector General of Police.

Respectfully yours.


Jason Kamweru

② MAENRA
Pls deaf
FA 24/2

① D/Committees

REPUBLIC OF KENYA
IN THE PARLIAMENT OF KENYA AT NAIROBI

THE SENATE'S STANDING COMMITTEE ON NATIONAL SECURITY
AND FOREIGN RELATIONS

AND

THE NATIONAL ASSEMBLY'S DEPARTMENTAL COMMITTEE ON
ADMINISTRATION AND NATIONAL SECURITY

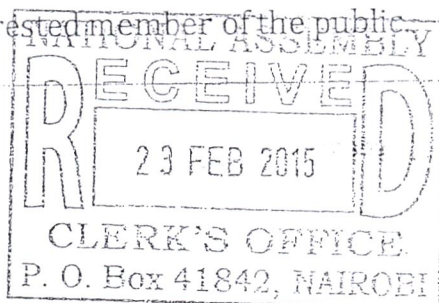
IN THE MATTER OF: THE SCHEDULED APPROVAL HEARINGS FOR JOSEPH KIPCHIRCHIR BOINETT WHO HAS BEEN NOMINATED BY H. E. THE PRESIDENT FOR APPOINTMENT AS THE INSPECTOR GENERAL OF THE NATIONAL POLICE SERVICE

IN THE MATTER OF: ARTICLES 10, 27, 47, 73, 75, 232, 245, AND 246 OF THE CONSTITUTION OF KENYA, IN SECTION 14(A) OF THE NATIONAL POLICE SERVICE ACT 2012; AND SECTION 6(9) OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT 2011

AFFIDAVIT

I, NYAKINA WYCLIFE GISEBE, of National Identity Card Number 13569487; Mobile Phone Number 0722 916 397, a citizen of Kenya resident in Nairobi City County, do hereby solemnly make oath and state as follows:

1. THAT I am an adult male of sound mind, aware of the matters in issue and hence competent to swear this affidavit on my own behalf as an interested member of the public



2. **THAT** I am a Human Resource expert, and the Secretary General of the Association of Human Resource Practitioners of Kenya.
3. **THAT** I swear this Affidavit in good faith pursuant to the advertorial the Parliament of Kenya published on Page 44 of the Daily Nation newspaper, on Wednesday, February 18, 2015, inviting interested members of the public to submit, by 5.00 pm on Tuesday, 24th February, 2015, any representations by written statement on oath (affidavit) on the suitability or otherwise of the nominee for appointment to the position of the Inspector General of the National police Service (hereinafter, the IG).
4. **THAT** I swear this affidavit to oppose H. E. the President's irregular nomination of **Mr Joseph Kipchirchir Boinett**, for Parliament's approval for appointment as the IG.
5. **THAT** I recognise that the National Police Service is the centre pole of the nation as regards enforcing law and order to protect lives and property.
6. **THAT** I am concerned that the recruitment and appointment of the all-important Inspector General of the National Police Service is **NOT** being done strictly according to the law.
7. **THAT** I am disturbed that His Excellency the President has, in breach of the National Police Service Act 2012, and of the Constitution of Kenya, secretly and singlehandedly nominated

Mr. Joseph Kipchirchir Boinett to be vetted by Parliament for appointment, upon approval, as the Inspector General of Police.

8. **THAT** I have investigated and confirmed that H. E. the President's irregular nomination of the relatively junior Mr. Boinett for the Inspector General's position will catapult him to the apex of the National Police Service, where he will be in command of his seniors.
9. **THAT** I am alarmed that the security of the aforesaid Republic will be compromised under Mr. Boinett's command because, being a disciplined force where seniority is paramount, a revolt in the rank and file of the National Police Service will naturally ensue to reject the imposition at the apex of the service of a junior officer who, to make matters worse, had left the police many years ago and joined the National Intelligence Service;
10. **THAT** I am fearful that the irregular nomination of Mr. Boinett has taken away the independence and the security of tenure of the IG.
11. **THAT** I am disgusted that the constitutional obligation on the National Police Service Commission to recruit and appoint persons to hold or act in offices in the National Police Service has effectively been rubbished by the unconstitutional actions and/or omissions of H. E. the President.
12. **THAT** Kenya is a constitutional democracy, where the sovereign people have made the Constitution the supreme law.

13. THAT the Constitution prescribes the values and principles of governance and, frequently, the procedures in accordance with which power must be exercised.
14. THAT every person, including His Excellency the President, is bound to perform their functions in accordance with the Constitution.
15. THAT Article 4(2) of the Constitution declares that *“The Republic of Kenya shall be a multi-party democratic State founded on the national values and principles of governance referred to in Article 10.”*
16. THAT Article 10 declares that the national values and principles of governance which bind all State organs, State officers, public officers and all persons, include patriotism, national unity, the rule of law, democracy and participation of the people, equity, social justice, inclusiveness, equality, human rights, non-discrimination, good governance, integrity, transparency and accountability.
17. THAT whereas Article 145(2)(a) states that *“The Inspector General is appointed by the President with the approval of Parliament;”* Article 246(3)(a) qualifies it further by stating that *“The [National Police Service] Commission **shall recruit and appoint** persons to hold or act in offices in the service, **confirm appointments, and determine promotions and transfers within the National Police Service.**”*

18. THAT whereas on the one hand “**appointment**” is a shared function between the President and the Commission, on the other hand, “**recruitment**” is the exclusive function of the Commission.
19. THAT recruitment involves identifying individuals who are suitable for appointment, usually through the advertising of vacancies for interested candidates to apply; conducting interviews with the participation of the people; and shortlisting eligible candidates who can then be nominated for appointment.
20. THAT as a Human Resource professional, I understand a **nomination**, under the National Police Service Act and the Constitution to be the action of suggesting or proposing a person by name, from a list of eligible candidates already recruited by the police Service Commission, as a candidate for an office in the service.
21. THAT the President’s nomination of Mr. Boinett without his being recruited by the Commission is a gross violation of Article 246(3)(a).
22. THAT Article 245(2)(b) states that “*The Inspector General shall exercise independent command over the National Police Service, and perform any other functions prescribed by national legislation.*”
23. THAT unless the appointment of the Inspector General is itself independent and seen to be independent, there is no way the

product on an illegal process can be independent under the law.

24. THAT Article 246(2)(b) lists the Inspector-General of the National Police Service as a member of the National Police Service Commission which is an Independent Commission.
25. THAT it will be a violation of Article 248(2)(j), which declares the Commission to be independent, for the Inspector General who is not recruited and appointed through a competitive process to serve as a commissioner.
26. THAT the handpicking of Mr. Boinett as the Inspector General of Police is in violation of Article 232(g), which states that *"The values and principles of public service include— fair competition and merit as the basis of appointments and promotions."*
27. THAT the nomination of Mr. Boinett to be the Inspector General, in a process where other qualified Kenyans were not given a chance to compete is contrary to Article 27, which declares: *"(1) Every person is equal before the law and has the right to equal protection and equal benefit of the law. (2) Equality includes the full and equal enjoyment of all rights and fundamental freedoms."*
28. THAT the handpicking of Mr. Boinett to be the Inspector General of police is inconsistent with Section 14(a) of the National Police Service Act 2011, which states that:

“In the entire recruitment and appointment process of the Inspector-General or Deputy Inspector-General, the Commission, Parliament and President, as the case may be, shall— (a) comply with the values and principles set out under the Constitution, and in particular, Article 10, 27 and 232 of the Constitution.”

29. **THAT** I am reasonably apprehensive that His Excellency’s hand is being forced in the matter herein by political leaders from the community of the former Inspector General, Mr. David Kimayo, who have been loud in demanding that his replacement must be their kinsman.
30. **THAT** in the circumstances the nomination of Mr. Boinett as the Inspector General of Police amount to replacing merit with patronage, and entrenching tribalism and political chauvinism in the appointment of the inspector general of the national police service which is contrary to the law.
31. **THAT** the evident tribal considerations in his appointment, following public demands by politicians from his home region that the outgoing Inspector General be replaced by his tribesman, are inconsistent with:

Article 246(4) of the Constitution, which states that:

“The composition of the National Police Service shall reflect the regional and ethnic diversity of the people of Kenya.”

Article 232(1)(h & i) of the Constitution, which states that:

*“(h) representation of Kenya’s diverse communities; and (i) affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of--
(i) men and women; (ii) the members of all ethnic groups; and (iii) persons with disabilities.”*

Article 73(1) which states that:

“(1) Authority assigned to a State officer— (a) is a public trust to be exercised in a manner that— (i) is consistent with the purposes and objects of this Constitution; (ii) demonstrates respect for the people; (iii) brings honour to the nation and dignity to the office; and (iv) promotes public confidence in the integrity of the office; and (b) vests in the State officer the responsibility to serve the people, rather than the power to rule them.

Article 73(2) which states that:

“(2) The guiding principles of leadership and integrity include— (a) selection on the basis of personal integrity, competence and suitability, or election in free and fair elections; (b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, 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.

32. THAT I am aware that there has not been full disclosure about Mr. Boinett's academic background to show his strong educational foundation, especially at Secondary School level, for appointment as the Inspector General of Police.
33. THAT the recruitment phase gives the Commission the chance to test all requirements of suitability which candidates for the office of Inspector General must have.
34. THAT in the circumstances of the nomination of Mr. Boinett, there is no evidence of due diligence having been conducted to gauge his suitability for the job.
35. THAT the decision to handpick and nominate Mr. Boinett as the IG is not procedural, reasonable, lawful and/or fair within the meaning of Article 47(1) & (2) of the Constitution as it is devoid of due diligence. Hence, the nomination is contrary to the right to fair administrative action under article 47 of the Constitution. Similarly, the appointment of the 3rd Interested Party as the Acting IG is contrary to Article 47.
36. THAT H. E. the President's decision to secretly and singlehandedly nominate Mr. Boinett as the Inspector General, without reference to the National Police Service Commission,

and without the participation of people, offends best practice and the express and clear provisions of the Constitution, and is irregular, unreasonable, irrational, unlawful and, therefore, unconstitutional, null and void, *ab initio*.

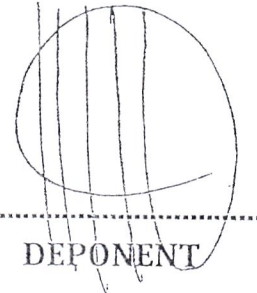
37. **THAT** the rules of natural justice require that the process of appointing the Inspector General of the National Police Service should be independent, competitive, and insulated from any possibility of compromise by the appointing authority.
38. **THAT** the time has come for the Parliament of Kenya to intervene and respect, uphold and defend the Constitution of the Republic of Kenya.
39. **THAT** I urgently demand that the recruitment and appointment of the Inspector General of the National Police Service should be done in strict adherence to the clear and elaborate recruitment and appointment procedure spelt out in the Constitution in **Articles 10, 27, 47, 73, 75, 232, 245, and 246**, and in **Section 14(a)** of the National Police Service Commission 2011 (Amended).
40. **THAT** in view of the above, and pursuant to Parliament's duty to promote and safeguard constitutionalism and the rule of law, I verily believe that it is now incumbent upon this Honourable Committee of the House to reject the nomination of Mr. Boinett, and protect both statute and the Constitution, and to leave no doubts in the minds of many that the law will henceforth be applied with certainty.

41. THAT what is deponed to herein is true to the best of my knowledge save what has been deponed to on information and belief the sources and grounds whereof have been respectively specified.

SWORN by the said **NYAKINA WYCLIFE GISEBE**
at **NAIROBI** this **19th** day of **FEBRUARY, 2015**
BEFORE ME

J. K. Bosek
Advocate
&
Commissioner for Oaths
P. Box 40499, 00100, NAIROBI

COMMISSIONER OF OATHS / MAGISTRATE



DEPONENT

DRAWN & FILED BY:

NYAKINA WYCLIFE GISEBE
Mobile Phone Number 0722 916 397
NAIROBI.

**PARLIAMENTARY APPROVAL/VETTING OF THE INSPECTOR GENERAL OF THE
NATIONAL POLICE SERVICE NOMINEE**

SOME GUIDING QUESTIONS FOR COMMITTEE MEMBERS

Introduction

1. Kindly introduce yourself, your educational background, work experience/employment record and your present/current engagement. [**Sen. Haji Yusuf**]
2. Are you tax compliant? [**Sen. Haji Yusuf**]
3. Have you cleared with the Higher Education Loans Board (HELB)?
[**Sen. Haji Yusuf**]
4. Have you been cleared by the Ethics and Anti-Corruption Commission (EACC)?
[**Sen. Haji Yusuf**]
5. Please explain to the Committee, how your educational and professional background has prepared you for the challenging tasks ahead as the Inspector General of the National Police Service? [**Hon. Asman Kamama, M.P.**]
6. Briefly tell the Committee, how the knowledge, skills and experience(s) acquired in your previous posts prepared you to understand the scope/magnitude of the task ahead and how well you would perform these tasks? [**Hon. Asman Kamama, M.P.**]
7. Please share with the Committee what duties entail the office of the Inspector General of the National Police Service and how you would carry out/perform those duties effectively? [**Hon. Asman Kamama, M.P.**]

On the Powers, functions and objectives of the Office of the Inspector General of the National Police Service

8. The Office of the Inspector General of the National Police Service has immense powers and responsibilities. What is your understanding of these statutory powers?
[**Hon. Timothy Wetangula Wanyonyi, M.P.**]
9. How would you ensure that such powers and functions are exercised in a balanced way in order to serve the interests of all Kenyans? [**Hon. Regina Nthambi, M.P.**]
10. Explain to Kenyans your personal plan, vision and commitment to revamping the ailing security sector in our country that saw the early retirement of your predecessor.
[**Sen. Elizabeth Ongoro**]

11. How would you deal with the corruption that has been alleged to be rampant in the National Police Service? **[Hon. Mohamed Shidiye, M.P]**

12. The government has in the recent past been purchasing vehicles, increasing the numbers of police officers and providing insurance for police officers among other measures to improve the working conditions for police officers. What new measures will you bring on board to ensure police officers work under acceptable conditions?

[Hon. Benard Shinali, M.P]

13. You appear not to have served in any of the hardship postings. How are you going to be able to appreciate the predicament of police officers serving in some of the high security risk areas in the country? **[Hon. Akuja Protus Ewisit, M.P]**

Establishing linkage between the Executive and the Legislature

14. How do you intend to ensure the dignity and authority of Parliament is upheld?

[Hon. Humphrey Njuguna, M.P]

Linkage between the IG's Office and the Implementation of the Constitution and other relevant laws

15. Can you share with the Committee how as the Inspector General of Police you will contribute to the effective implementation of the Constitution and other relevant Acts of Parliament? **[Sen. Dullo Fatuma]**

16. What is your take on the County Policing Authority and why has this not been set up to date? **[Hon. Alice Wahome, M.P]**

Plans for the Service

17. There is a breakdown in information sharing in intelligence within the National Police Service and between the police and other institution like NIS. How are you planning to streamline the working relationship between the police and intelligence officers?

[Hon. Shaaban Ali Isaack, M.P]

18. How are you planning to harmonize command and control within the National Police Service to avoid having parallel reporting structures? **[Hon. Rashid J. Bedzimba, M.P]**

[Supplementary Question]: Given that you will be in-charge of officers who were most recently your seniors, how do you intend to ensure that there is no insubordination in the National Police Service? **[Hon. Rashid J. Bedzimba, M.P]**

19. Police recruitment exercises have been marred by massive cases of irregularities like corruption, nepotism and favoritism. How do you plan to address this considering that the police do participate in the recruitment process?

[Hon. Alois Lentoimaga, M.P]

20. How do you plan to address the brutality shown by police officers when dealing with demonstrations and protest? **[Hon. David Gikaria, M.P]**

21. *There are instances where police in Mandera have to drive all the way to Mwingi to fuel their vehicles.* What plan do you have to ensure police vehicles are fuelled and such fuel is used efficiently? **[Hon. Joseph Lekuton, M.P]**

22. Most of the Recommendations for police reform made in the Ransley report are yet to be implemented. How do you plan to ensure the National Police Service undergoes reform as envisioned in the Ransley report? **[Sen. Kembi Gitura]**

External commitment during service in Office

23. Please tell the Committee if you have any plans, commitments or agreement to pursue outside employment? **[Sen. Sonko Mike Mbuvi]**

24. Will such engagements come with or without compensation?

[Sen. Sonko Mike Mbuvi]

Managing Potential Conflict of interest

25. Please tell the Committee, if you have any family member or other persons, parties, categories of litigation or financial arrangements that are likely to present potential conflicts of interest if you are appointed to this office? **[Hon. Wanjiku Muhia, M.P]**

26. Tell this Committee how you will resolve any potential conflict of interest including the procedure you will follow in determining these areas of concern?

[Sen. Hargura Godana]

Addressing high public expectations on impacting positive change

27. State some of your plans to rehabilitate the police image among the public who perceive the service to be a bastion of corruption and brutality.
[Sen. Kariuki Godfrey Gitahi]

28. What key strengths and values are you bringing to this Office?

[Hon. Ahmed Abdikadir Ore, M.P]

Guiding questions for Committee Members

29. What key results or deliverables can Kenyans expect to see from this Office in the short, medium and long term? [**Hon. Ibrahim Abdi Saney, M.P**]