

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 7th February, 2024

The Committee met at the County Assembly chambers at 9:00 am

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James) in Chair

PRAYER

COMMITTEE ON LABOR, SOCIAL WELFARE, JUSTICE AND LEGAL AFFAIRS

INTRODUCTION

1. Hon. Leleruk James – Chairperson and MCA Suguta MarMar Ward.
2. Hon. Lealmusia Ali – Vice Chairperson and MCA Ndoto Ward.
3. Hon. Kagiri Stephen – Nominated MCA and Member of the Committee.
4. Hon. Lemoosa Jonathan – MCA Nyiro Ward and Member.
5. Hon. Lekuchula David – MCA Lodojek Ward and Member to this Committee.
6. Mr. Leturuju Toilasy – Legal Officer
7. Mr. Lolmingani Chris – Committee Clerk

NOMINEE, CHAIRPERSON OF THE SELECTION PANEL (MS. FAITH KASONI LENKOYEYO

Chairperson, Committee on Labor, social Welfare, Justice and Legal Affairs (Hon.Leleruk James): Hon. Members, the nominee, and other Members of the public, good morning. I would like to welcome the nominee, first order. Let us start with a word of prayer.

(The nominee takes an oath)

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James):

Thank you, Welcome Ms. Faith Kasoni Lenkoyeyo. This Committee will have an hour interview with you. It will be an interactive session between you and the Members. Hon. Members and the nominee, please note that the communications are done only through the Chair Pursuant to a Standing Order No. 79. I will also wish we all observe decorum and respect as we engage each other.

Ms. Faith Kasoni Lenkoyayo, In accordance to Section 58(a) (1) of the County Governments Amendment Act, 2020 that provides that there shall arise a vacancy in the County Public Service Board, the Governor shall nominate and with the approval of the County Assembly appoint Members to a selection panel for the purpose of selecting suitable candidates for appointment as Members of the County Public Service Board.

The Selection Panel under sub section (1) shall consist of the following persons;

1. A Chairperson not being a Public Officer.
2. One person from the Private Sector.
3. An advocate of the High Court of Kenya who is a member of the Law Society of Kenya.
4. An accountant who is a member of the Institute of Certified Public Accountants of Kenya.
5. One person from an association representing workers.

It is Pursuant to this Provision that you have been nominated by His Excellency the Governor and if approved by this Committee you will be a member of the County Public Service Board recruiting panel. Consequently, in accordance to Section 7 of the Public Appointments County Assembly Approval Act 2017, the Clerk of the County Assembly of Samburu placed an advertisement on the 30th January, 2024 inviting the public to submit any memorandum by way of a written statement of oaths or affidavit, on the suitability or otherwise of each nominee in accordance with the Public Appointments, County Assembly Approval Act 2017.

The advertisement that the submissions were to be received by Tuesday 5th February, 2024, by the close of submission deadline the Committee did not receive any memorandum touching on your suitability. Now Ms. Faith Kasoni Lenkoyeyo, I therefore give you a chance to introduce yourself and tell the Committee about yourself, indicating your educational background and professional experience, welcome.

The Nominee (Ms. Faith Kasoni Lenkoyeyo): Thank you Chair, my names are Faith Kasoni Lenkoyeyio from Samburu North, Nyiro Ward and Tum Location. I work with the Presbyterian Church of East Africa, there I have worked for the last 10years as a project coordinator, have been in the community in schools and in my schooling I did a diploma in the premise Africa

2011-2012 then I proceeded to Kenya Methodist University pursuing Bachelor of science in Community Health which I graduated 2020.

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you, I now ask you another question, have you been charged in any court of law for the last three years?

The Nominee, (Ms. Faith Kasoni Lenkoyeyo): No

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Have you ever been mentioned in an investigatory report of County Assembly, parliament or any other commission of enquiry in the last three years.

The Nominee, (Ms. Faith kasoni Lenkoyeyo): No

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): I now ask the clerks to give us your original credentials for checking by members

So miss Faith, there is now some questions you will be asked by the Members and you are free to write, and if you want to answer one question at a time or you can be asked two questions and you will go brief to the question. So I think now I have one question for you.

What experience do you have in relation to Human Resource Management?

The Nominee, (Ms. Faith kasoni Lenkoyayo): In relation to human resource management, I have worked in project management, coming up with the projects policies and projects procedures and the organizations and training and coaching the staffs, interviewing the Staffs who were coming in to work in the company and also running any other issues of work which arises in the organization.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. I now open the floor for questions from the Members.

Hon. Lekuchula,

Hon. Lekuchula David: Thank you Hon. Chair, I have one question for the nominee. Madam Kasoni, how will you deal with the external pressure in the process of recruiting the Secretary to

the board knowing that it is a political office and may be you can have two or more candidates who are qualified and may be you will be having political pressure from all sides? How will you handle that?

The Nominee, (Ms. Faith kasoni Lenkoyeyo): Thank you. Mostly I will not be working alone in the panel, first I will identify the pressures and the issues arising and after knowing the problems, I will share with my colleagues and we will look the way forward on how to handle it.

Hon. Lekuchula David: Thank you Chair.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. Hon. Lemoosa, Nyiro Ward.

Thank you Chair, good morning Faith, I wish to understand how will you deal with immediate relatives applying for the position of the Secretary of the Public Service Board in case? Thank you.

The Nominee, (Ms. Faith Kasoni Lenkoyeyo): Thank you. That is a critical question and I know it might appear or it might come up. What I am going to do, first I will let my colleagues' to know that a person which have applied for the position whom we are related with and in that case, in case of any issues coming up, I will let the committee know that I will not stand on the side of the relatives and in that case, I will also let them to take charge.

Hon. Lemoosa Jonathan: Thank you Chair.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. And then, vice Chair.

Madam Faith good morning?

The Nominee, (Ms. Faith Kasoni Lenkoyeyo): Morning.

Hon. Lealmusia Ali: Thank you, I have seen you engaging in the community services especially in my Ward. My quick question is why do you think free mass of this law so it fits that we should have a Chairperson not being a public officer in the County Public Service Board selection panel in your view? And why is it that they chose someone like you who is not a public

servant and that is why you could be in this service of County Public Service Board Selection Panel?

The Nominee, (Ms. Faith Kasoni Lenkoyeyo): Thank you. The first thing the panel, what we are looking for is a neutral ground and a fair ground in the conflicts matters arising during the process and for them to choose someone who was not working for the public service to make sure that fairness have been served and there is no any favourism and the person deserving for the position which is going to be advertised is going to take it without any biasness or any discrimination and also and also the panel have trusted an independent candidate to lead the committee for fairness.

Hon. Lealmusia Ali: Thank you Chair.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Hon. Kagiri

Hon. Stephen Kagiri: Thank you Chair, Madam Faith how do you handle the external pressure in the process of recruiting the Secretary of the County Service Board. Thank you.

The Nominee, (Ms. Faith Kasoni Lenkoyeyo): Thank you. I am answering that question again because I have been already asked. So it is challenging, the external pressures;

There will not be anything happens behind the bars without the committee knowing ad there is no any hidden agendas during the process or also any forms forwarded for any unclear, anything which is not acceptable by my colleagues as we are going to work as a team, the pressure or the conflicts which will arise, we are going to tackle it together, making sure that we are neutral in dealing with them.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. Miss Faith will you rise to tell this committee, who are you going to vet if I may ask and what attributes will you bring the person that you want to vet?

The Nominee, (Ms. Faith Kasoni Lenkoyeyo): Thank you, the person I am going to look for must be a professional, the person is qualified for the work, the person must have integrity, transparency, the person must have experience in managerial roles.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. That is the end of our questions and on behalf of the committee; I will allow you to make the final remarks.

The Nominee, (Ms. Faith Kasoni Lenkoyeyo): Thank you Mr. Chair may I take this time to thank the committee for taking this time to interview me. I am grateful for this chance also want to thank God for this day for making us all to be here well and sounds and for me I am promise the committee that I am going work with my colleagues and we are going to be fair in this exercise, we are going to be neutral without taking any sides and God is going to help us to achieve this. Thank you.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. You are now free to go.

The Nominee, (Ms. Faith Kasoni Lenkoyeyo): Thank you.

NOMINEE FOR PRIVATE SECTOR (MS. EMMANUALA EKAI)

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Welcome nominee.

(Nominee takes the oath)

Chairperson, Committee on Labour, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Welcome Emmanuela.

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you, Welcome Ms. Emmanuela Ekai. This Committee will have an hour interview with you. It will be an interactive session between you and the Member. Hon. Members and the nominee, please note that the communications are done only through the Chair Pursuant to a Standing Order No. 79. I will also wish we all observe decorum and respect as we engage each other.

Ms. Emmanuela, In accordance to Section 58(a) (1) of the County Governments Amendment Act, 2020 that provides that there shall arise a vacancy in the County Public Service Board, the Governor shall nominate and with the approval of the County Assembly appoint Members to a selection panel for the purpose of selecting suitable candidates for appointment as Members of the County Public Service Board.

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recruiting panel. Consequently, in accordance to Section 7 of the Public Appointments County Assembly Approval Act 2017, the Clerk of the County Assembly of Samburu placed an advertisement on the 30th January, 2024 inviting the public to submit any memorandum by way of a written statement of oaths or affidavit, on the suitability or otherwise of each nominee in accordance with the Public Appointments, County Assembly Approval Act 2017.

The advertisement that the submissions were to be received by 5th February, 2024, by close of submission deadline the Committee did not receive any memorandum touching on your suitability for appointment. Now Ms. Emmanuela Ekai I therefore give you a chance to introduce yourself and tell the Committee about yourself, indicating your educational background and professional experience, welcome.

The Nominee, (Ms. Emmanuela Ekai): Thank you Chair, if I may be allowed I stand as I speak. My names are Emmanuela Akai Abong. Born and raised in Samburu County.

I schooled in Samburu County at Kirisia High School, I attended my primary education at Nachola and Nalinga'ngor primary schools and I late joined Kirisia for O level education and I later on joined Egerton University to undertake a certificate in Bilingual Secretarial, I late joined University of Nairobi to undertake a Diploma Project Planning and Management, later on as a continuing student at the same university undertaking a Bachelor of Arts in Gender Development course.

I have worked with different organizations, I have not worked with both the National and County Government, I have worked in the private sector, and I have been working in Non-Governmental Organizations.

In 2004, I worked with Ecumenical Trust doing community mobilization and capacity building on issues of peace in Samburu North. I later on joined the Usalama Reforms Forum where I did community mobilization, building community and police relations, working as County coordinator for Samburu but I was based in Samburu North.

I rose later to a position where I moved to Isiolo as a Program officer working on the issues of peace building now covering the Upper Eastern and some parts of Samburu County. At the

begging of this year, I joined an international organization known as Tetra Tech working on issues of peace and counter violence extremism.

Today, I represent the private sector being a business lady in Samburu and Isiolo Counties. That is what I have been doing for the last seventeen years since i have been out of school, thank you.

Chairperson, Committee on Labour, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you, Have you ever been charged in a court of law for the last three years?

The Nominee, (Ms. Emmanuela Ekai): No Chair

Chairperson, Committee on Labuor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Have you ever been adversely mentioned in the investigatory report of the County Assembly or Parliament or other Commission of inquiry in the last three years?

The Nominee, (Ms. Emmanuela Ekai): No Chair

Chairperson, Committee on Labuor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): I now ask you to forward your credentials for checking, and open the floor for the Members to ask questions.

Hon. Lealmusia Ali: Through the Chair, Good morning Madam Emmanuela, Welcome and feel free.

The Nominee, (Ms. Emmanuela Ekai): Good morning.

Hon. Lealmusia Ali: Welcome and feel free.

The Nominee, (Ms. Emmanuela Ekai): Thank you.

Hon. Lealmusia Ali: This is a political environment, how will you then handle the external pressure in the process or recruiting the Secretary of the County Public Service Board?

The Nominee, (Ms. Emmanuela Ekai): Thank you vice chair; I have had my experience in issues of peace and conflict resolution. Normally, when there is external pressure that means there is something that is not going well. I will use my experience in conflict resolution.

Actually there is something I forgot to mention to the Chair, in 2023, I was recognized as national hero on issues of national cohesion. Using the experience and the knowledge of the County being a resident here I will use the experience to counter or solve the conflicts that may arise with the position, thank you.

Hon. Lealmusia Ali: From your previous introduction, did I hear that you have been involved in peace resolutions within the upper east?

The Nominee, (Ms. Emmanuela Ekai): Yes.

Hon. Lealmusia Ali: What experience are you bringing in from such background in order for Samburu County to realize peace? Thank you.

The Nominee, (Ms. Emmanuela Ekai): Thank you vice, I have a vast of experience especially on issues of peace building. The one that I have worked with the region that I was working is actually community negotiation, community-police relations and bringing all the stake holders together, both the public and private sector must work together to realize peace. The approach should to be a harsh but soft approach bringing the affected parties and to a negotiating table to negotiate. It is a process, peace is not like something we can do in a minute or in one year and we want to see result at the of an year, it is a process that you begin by engaging one party then engage the other, identify the issues and the problems that are causing the conflicts among the conflicting parties, thank you.

Hon. Lekuchula David: Thank you Chairman, Madam Akai, I heard from your introduction that you represent the private sector. What kind of business are you doing?

The Nominee, (Ms. Emmanuela Ekai): Currently I can call myself a small business enterprise manager because I am doing a second-hand business where I sell what call *mitumba*, I sell *mitumba* to people and do online business involving selling to people the same items online.

Hon. Lemoosa Jonathan: Through the Chair. Madam Akai, what is the number of County Public Service Board Directors? Two, what is your net worth, thank you.

The Nominee, (Ms. Emmanuela Ekai): For the County Public Services Board Directors is a pass for me because am not directed to actually know the number of the County Service Board Directors.

My net worth is a million Kenyan shillings.

Hon. Lemoosa Jonathan: Thank you Chair.

Chairperson, Committee on Labuor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Madam Emmanuela, I have several questions; you said you are from a private sector

The Nominee, (Ms. Emmanuela Ekai): Yes, Chair

Chairperson, Committee on Labuor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Do you have any document showing you are working in a private sector?

The Nominee, (Ms. Emmanuela Ekai): Okay, Chair for now I did not carry any document. But I have a certificate I applied for recently when I saw the position that I am scheduled for this meeting. Unfortunately the processing has taken long before I printed the document.

Chairperson, Committee on Labuor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): And in your document you are indicating that you have a salary, where are you drawing that salary?

The Nominee, (Ms. Emmanuela Ekai): Chair, during my introduction I mentioned several organizations that I have been working with and I am currently working with an international organization known as Tetra Tech International dealing with the issues of peace and conflict resolution and counter violence extremism; that is where I draw my salary from.

Chairperson, Committee on Labuor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. Ms. Emmanuela, do you know that there is Kenya National Chamber of Commerce and Industry, do you know it is a membership registered under the private sector?

The Nominee, (Ms. Emmanuela Ekai): Yes, I do

Chairperson, Committee on Labuor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Do you know where they usually operate?

The Nominee, (Ms. Emmanuela Ekai): The national office I think operates in Nairobi and there are County offices also.

Chairperson, Committee on Labour, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. As the Chair and the Committee, we are very strict on following the laws of this Country and for a benefit of doubt; I would like you that when you get out of this House go an find where the Kenya National Chambers of Commerce so that we can support you documents, because if you say you are from the private sector and maybe there are some people who think that the owners of the private sector are not considered, that is a benefit of doubt I am giving you. You can go and register and bring the receipt or the certificate to this Committee.

The Nominee, (Ms. Emmanuela Ekai): Affirmative Chair

Chairperson, Committee on Labuor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. On behalf of the Committee, I allow you to make your final remarks before we let you out.

The Nominee, (Ms. Emmanuela Ekai): Thank you Chair, Maybe I will be standing. First of all let me appreciate almighty God for the opportunity to be identified among the many populace of Samburu County to be part of the nominees for the vetting panel.

Secondly, let me appreciate the County Governor; His Excellency Hon. Leleit for actually seeing the potential in me. Lastly, let me appreciate this Committee for finding time and or taking time to listen to me. If given the opportunity, I am looking forward to make sure that the process to be a transparent one according to the Constitution of Kenya chapter 6.

I will make sure that the process will be transparent without corruption; we will do it with integrity because I know that the trust of these people and also the trust of the people of Samburu County will be bestowed on us. That is my plea, thank you.

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you, I now thank you on behalf of the Committee for the interactive session we had together, and I want to wish you well in your endeavours, may God bless you, thank you.

You are now free to leave.

NOMINEE, ADVOCATE OF THE HIGH COURT OF KENYA, (MR. LENKIDI AHMED)

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Welcome Mr. Ahmed. Now you will take the oath of witness before the Committee. Are you a Christian or a Muslim?

The Nominee, (Mr. Lenkidi Ahmed): I am a Muslim.

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you.

(Nominee takes oath)

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. Welcome Mr. Ahmed Lenkidi. This Committee will have a one-hour interview with you. It will be an interactive session between you and the Members. Hon. Members and the nominee, please note that the communications are done only through the Chair Pursuant to a Standing Order no. 79. I also wish we all observe decorum and respect as we engage each other.

Mr. Ahmed Lenkidi, in accordance to Section 58(a)1 of the County Governments Amendment Act that provides that there shall arise a vacancy in the County Public Service Board, the Governor shall nominate and with the approval of the County Assembly appoint Members to a selection panel for the purpose of selecting suitable candidates for appointment as Members of the County Public Service Board.

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The advertisement that the submissions were to be received by 5th February 2024 by close of submission deadline the Committee did not receive any memorandum touching on your suitability. Now Mr. Ahmed Lenkidi I now give you chance to introduce yourself and tell the Committee about yourself, indicating your educational background and professional experience, welcome.

The Nominee, (Mr. Lenkidi Alfred): Thank you Hon. Chair. I am privileged to appear before you this afternoon. My names are Lenkidi Ahmed Mpapa and an advocate of the High Court of Kenya. I was born and raised in Poro Village, Samburu West in Samburu County. My education journey began at Lorrok primary school where I attended my primary school education. I proceeded to Maralal High School for my secondary school and later on joined the University of Nairobi for my undergraduate degree program. Thereafter, I proceeded and joined the Kenya School of Law where I was admitted thereafter following the conclusion of my Post Graduate Diploma from the Kenya School of Law. That is basically about my education.

I was admitted to the BAR as an advocate early 2023 and currently I am a Member of the Law Society of Kenya. I have a valid practicing license for this year and as well certificate of admission to the BAR. I also have an advanced international human rights refugee law course from the University of Pretoria in South Africa which is a virtual degree. I also have a certificate from Strathmore University on the issues of data protection course. Basically, those are my achievements so far on my Education. I am also a student of Post Graduate student also at the University of Nairobi pursuing Masters of Laws in corporate and international tax law that I just started this year.

In terms of personal attributes, I am a tenacious and detail-oriented advocate who has close attention to details. My key strengths is practicing criminal law, constitutional law and also areas of commercial law. That is where I have been practicing for the last five years, thank you.

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): I have two questions, just answer yes or no. Have you ever been charged in a court of law for the last three years?

The Nominee, (Mr. Lenkidi Ahmed): No.

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Have you ever been adversely mentioned in the investigatory report of the County Assembly or Parliament or any other Commission of enquiries in the last three years?

The Nominee, (Mr. Lenkidi Ahmed): No, I have never been mentioned.

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): We ask for your original credentials for checking. I now open the floor for Members to ask questions. You are at liberty to record and answer accordingly.

Hon. Kagiri Stephen: Through the Chair, Mr. Ahmed what will you do within seven days if this Committee approved you.

The Nominee, (Mr. Lenkidi Ahmed): If I get the blessings of this Hon. Committee, the procedure as to what I am supposed to do is guided by the County Government Act Section 58 (a) (4) whereby immediately after approval the Chair of this Selection Panel will have to convene a meeting that is five days after appointment and seven days later and in that meeting we are supposed to discuss on the modalities and how we shall be proceeding in terms of the task ahead of us.

Five days after convening that meeting we go to Sub Section (5) which essentially says that, within seven days of convening we are going to invite applications from persons who qualify for nomination by way of advertising in two newspapers of nationwide circulation. What we are going to do as a selection panel is laid down by the County Governments Act amendments 2020 and that lays the procedure and thereafter advertisement, we are also going to within seven days

of receiving of applications we consider the applications whether they comply with Provisions of the Constitution. We will sieve through those applications and thereafter to shortlist the candidates who meet the threshold that is set by the law and proceed to interview those shortlisted applicants, and after which is the last stage submit the three names of the qualified applicants for the positions.

Essentially the process that we as a selection panel within seven days just as you have asked through the Chair is laid down by the law and I have just highlighted the same I hope that is satisfactorily unless you have any further clarification you want to seek.

Hon. Lealmusia Ali: Through the Chair, Ahmed, welcome brother.

The Nominee, (Mr. Lenkidi Ahmed): Thank you bro.

Hon. Lealmusia Ali: We appreciate you and wish you all the best. My question is that we have advocates or lawyers who are not members of the LSK, is that true?

The Nominee, (Mr. Lenkidi Ahmed): Yes, it is true.

Hon. Lealmusia Ali: My question is it necessary we have an advocate of the High Court and who is also a member of the LSK in this select panel of the County Public Service Board, thank you.

The Nominee, (Mr. Lenkidi Ahmed): Thank you. That question is twofold and I will answer it in two folds; first, the Law Society of Kenya as established by the LSK Act is the regulatory body that regulates the conduct of advocates who practice in Kenya. We are all aware that there are quacks and people who masquerade as advocates and their conduct per se is not regulated by anyone if they are not under the Law Society of Kenya.

The Law Society of Kenya also has an Advocates Disciplinary Tribunal, that tribunal if an advocate has issues to do with the conduct in terms of performance of their particular functions, representation at least a client or purposes of this Act now or the purposes of this assignment.

If someone God forbid misbehaves you guys have recourse in terms of reporting, where do you report and who shall act in terms of whatever the wrongs that the advocate has done. Secondly, advocates by nature are trained professionally in terms of due diligence and cross examination in

terms of asking questions, that is what we do in our normal duties, examining witnesses and asking them key questions and that in relation to this particular role in this Committee we shall be using an advocate having a legal mind in that panel is critical to scrutinize the documents submitted by applicants and asking all the relevant questions to those candidates.

Thirdly, issues of compliance with the law, if you have a panel without an advocate, if you have a corporate body, a County Assembly without a legal mind I believe they are going to face difficulties and as such we need a legal mind for interpretation of the law.

I understand that legal text is sometimes complex and involves too much legalese will need interpretation by an advocate, that will be my response and if you need any more clarification I will provide.

Hon. Lealmusia Ali: Thank you through the Chair. My second question is this, you understand the dynamics of our Counties, we have clans within our Counties and it is just natural to consider that if a position is advertised you now understand where the external forces can come in, how then will you as an advocate ensure that we get the right candidate for this position of the secretary to the board or that matter.

The Nominee, (Mr. Lenkidi Ahmed): Thank you for the question. On issues to do with external pressure or inclusivity, for one having trained as an advocate I am already used to pressure whether external or internal pressure, first of all we represent clients in courts and in particular periods you find advanced parties approaching you with quit inviting deals. Sometimes they give you quit a lot of money than even what your client is giving you.

However, there are rules of professionalism; integrity and honesty are my guiding principles. I have a moral upbringing from my parents which I am very proud of. Previously in my conduct I have been very blunt in terms of I do not sugarcoat things, I tell the truth and also have a very strong religious background which will not allow me to bring issues of external pressure, those are the things that I can easily handle, thank you.

Hon. Lealmusia Ali: Thank you Chair.

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you.

Hon. Lemoosa Jonathan: Ahmed feel welcomed. I have two and one is what is the composition of the County Public Service Board and secondly when do we refer to when the board is not properly constituted, thank you.

The Nominee, (Mr. Lenkidi Ahmed): Thank you Hon. Lemoosa for your question, the composition of the County Public Service Board is covered under Section 58(3) of the County Government's Amendments Act 2020 and it comprises of not less than three and not more than five members and also the County Public Service Board should also have a Chairperson, a Secretary and three other members.

Hon. Lemoosa Jonathan: I was also trying to understand when do we refer that the board is not properly constituted in any matter even the Assembly, when do we say that there is no quorum but in this case when does the board is referred not properly constituted.

The Nominee, (Mr. Lenkidi Ahmed): Not properly constituted as stated in that Act is when the County Public Service Board should contain not less than three members and not more than five members, so if you have two members that is not properly constituted, if you have five members the County Public Service Board is not properly constituted.

In other scenarios, you may have a person who is not qualified as per stipulation of the law, you may have a person who is less qualified than the provisions. You see the law is very clear in terms of who should be a member of the Public Service Board. If they do not fit the criteria provided for under that particular Act then it means that if you have a person who is not qualified sitting in that particular board then the board is not properly constituted.

Committee Member, (Hon. Lemoosa Jonathan): Thank you Chair. I think he is knowledgeable.

Hon. Lekuchula David: Thank you Mr. Chairman and I welcome Mr. Ahmed Lenkidi. Last time when I was with you in Nairobi you were too young but I see now you are getting old I do not know why.

The Nominee, (Mr. Lenkidi Ahmed): True.

Hon. Lekuchula David: I have one question for the nominee. Mr. Lenkidi, if this Committee approves you, what are the attributes that you will consider when recruiting the secretary of the County Public Service Board?

The Nominee, (Mr. Lenkidi Ahmed): The considerations for recruiting a candidate still I will have to go back to the Act again and I will be guided by the County Governments Act and the Chapter six of the Constitution on Leadership and Integrity. Article 10 of the Constitution, the national values and governance, those are the values that each and every person serving in any public position should have, those are the issues of integrity and professionalism.

I will also be guided by Article 27 in terms of equality before the law and equal protection of the law, non-discrimination under the same Article 27 and also Article 232 of the Constitution where we have the values and principles that guide members serving in the public service. Those are the key things I will be looking at. Those national values include things like human dignity, rule of law, integrity, transparency and accountability.

Those are the values I will be looking in a particular candidate who applies for these particular positions. On issues of values and principles of public service I will try and get a candidate who is of high standards and professional ethics. That means that they have no previous records in terms of perhaps committing crimes, economic crimes or whatever nature of crimes to serve in that particular board. I will also look at regional balance, gender equality, non-discrimination and also persons with disability.

Hon. Lekuchula David: Thank you Chair. I send my appreciation to the nominee that we are proud of you when we see our young brothers and sisters like you who are learned friends; we want to see more like you and so I wish you all the best in your daily endeavors, thank you Chairman.

The Nominee, (Mr. Lenkidi Ahmed): Thank you.

Chairperson, Committee on Labor, Social Justice, Welfare and Legal Affairs, (Hon. Leleruk James): Thank you. On behalf of the Committee I give you the chance to give final remarks as we close the questioning.

The Nominee, (Mr. Lenkidi Ahmed): Thank you Hon. Chair. I would like to appreciate your time for interviewing me through this vetting process. I am really privileged since it is my first time today in the County Assembly of Samburu. For one reason or another I have not been able to be here before. I wish to reiterate that if given a chance if I get the blessing of this Committee I will be able to continue ensuring Samburu people all the way from *Sere Lparua* to *Ndikir e Sunoni* will be able to dine and wine in the table of justice.

I also wish to take the comments of Hon. Lekuchula that we also have a program for our colleagues as a Chairperson of the Association of Samburu Lawyers we are really pushing to have our brothers mentored through mentorship programs and to ensure that at least we have good numbers. Otherwise for those remarks I wish to thank you all and wish you well in your roles serving the people of Samburu County, thank you.

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. As the Chairman and on behalf of the Committee would like to thank you for the session we have had together and want to wish you all the best endeavors and may God bless you. You are now free to leave. Thank you.

The Nominee, (Mr. Lenkidi Ahmed): Thank you Hon. Chair and have a good day.

NOMINEE FOR ACCOUNTANCY, MEMBER OF THE INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS OF KENYA (ICPAK) (MR. LELERUK BERNARD)

Chairperson Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Welcome Mr. Bernard.

(Nominee takes oath)

Chairperson Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you any media personnel?

Welcome, Mr. Benard Leleruk the Committee will have a one-hour interview with you, and this will be an interactive session between you and the Members. Hon. Members and the Nominee, please note that all communication shall be done only through the Chair Pursuant to our Standing Order No. 79.

I also wish that we all observe decorum and respect as we engage each other. Mr. Bernard Leleruk, in accordance with section 58 (a)/1 of the County Government Amendment Act 2020 that provides that if there shall a rise a vacancy in the County Public Service Board, the Governor shall nominate and with the approval of the County Assembly appoint Members to the selection panel for the purpose of selecting suitable candidates for appointment as member County Public Service Board.

The Section Panel Sub section 1 shall consist of the following persons;

1. A chairperson not being a public officer.
2. One person from the private sector.
3. An advocate of the advocate of High Court of Kenya who is a member of the Law Society of Kenya.
4. An accountant who is a Member of the Institute of Certified Public Accountants of Kenya (ICPAK).

5. One person from an association representing workers.

It is Pursuant to this provision that you have been nominated by H.E. the Governor and if approved by this Committee you will be a member of the County Public Service Board selection panel.

Consequently, in accordance to section 7 of the Public Appointments County Assembly Approval Act 2017, the Clerk of County Assembly of Samburu placed an advertisement on 30th January 2024 inviting the public to submit any memoranda by way of written statements on oath or affidavit on suitability or otherwise of each nominee in accordance with the Public Appointments County Assembly Approval Act 2017.

The advertisement submissions were to be received by 5th February 2024 and by close of submission dateline the committee did not receive any memoranda touching on your suitability. Mr. Bernard Leleruk, I now therefore give you a chance to introduce yourself and tell the committee about yourself indicating your educational background and professional experience, welcome.

The Nominee, (Mr. Leleruk Bernard): Thank you Mr. Chair and the Committee. As I said I am Bernard Leleruk, I was born in Samburu North, a place called Ngilai some years back. I schooled there in Baragoi primary, I was a little bit of a pastoralist so I came to Maralal. I attended Milimani primary, and St. Paul's primary thereafter and I finished at Baragoi primary that is in the year 2003.

I joined Maralal High School where I completed my O-level in the year 2007. Around 2009 I joined Maasai Mara University to pursue my undergraduate and I completed at the year 2013. Thereafter, I tarmacked for a while before I got employed at the Mighty County Assembly of Samburu at the year 2014.

I served as County Assembly in the position of accountant from 2014 to date. So right now I am a senior accountant having registered with ICPAK, as a member of ICPAK, thank you

Chairperson Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you, have you ever been charged in a court of law in the last 3 years?

The Nominee, (Mr. Leleruk Bernard): I have never been charged in a court of law any other period.

Chairperson Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Have you ever been adversely mentioned in an investigatory report of County Assembly, Parliament, or any other Commission inquiry the last 3 years?

The Nominee, (Mr. Leleruk Bernard): I was never mentioned anywhere or appeared anywhere in court

Chairperson Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you, now I will ask for your original credentials for checking and I also open the floor for the Members to ask for questions if any.

Hon. Lealmusia Ali: Through the Chair, good morning Members and Mr. Bernard. I have one quick question for you Why do you think it is necessary to have an accountant in the public service select panel?

Mr. Leleruk Bernard: Thank you, Member, Hon. Ali Lealmusia I think it is necessary to have an accountant because, you know in Public Service we have something that is called PFM so an accountant or finance officer ensures that there is adherence to the PFM Act in accordance to the Kenyan Constitution. So I think it is prudent to have someone who has experience or who is a member of KASNEB sit in this selection panel, thank you.

Hon. Lealmusia Ali: Good. My second question is in your view, why do you think that it is necessary to have a Vice Chair under the law who is not a public servant?

The Nominee, (Mr. Leleruk Bernard): Thank you Hon. Member. I think there is a need to have a Chair you said Vice Chair not ... just repeat it kindly

Hon. Lealmusia Ali: I was asking in your view; why do you think it is necessary to have a Vice Chair under the law who is not a public servant.

The Nominee, (Mr. Leleruk Bernard): thank you Hon. Member, I think it is necessary not to have someone from the selection panel from the private sector. You know we have the public sector and we also have we private sector. So, in the private sector, there are so many things

that maybe people in the private sector do not understand more like the business community, that is one of the things that maybe we in the public do not understand. Those dynamics of life that go on actually outside the public sector, that people in the public sector does not understand a person from the private sector can bring that expertise to this Board so that it can guide us to select or to have a suitable candidate for County Public Secretary.

Hon. Lealmusia Ali: Thank you chair.

Chairperson Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Any other Member with a question?

Hon. Lekuchula David: Thank you Chair, I have one question for the nominee from his introduction I heard him saying he was a little bit pastoralist can you elaborate on that? Before you came to Samburu Central.

The Nominee, (Mr. Leleruk Bernard): Ok Hon. David, I said I was born in Baragoi and raised in Maralal, so what I meant by being a pastoralist. I actually attended seven schools. You understand the clashes that were going on actually in the early 90s in places like El'barta plain so because of that we migrated to this far end a place called Lemisigiyo in Maralal.

I said I was born in Ngilai, I attended Ngilai Nursery up to class 2 after that I came to Milimani, I migrated with my mom and went to a place called Lemisigiyo. I also went to Lemisigiyo Primary after some time because I had the privilege I was given something called CCF I went to Baragoi again where I was born so after that I went to Baragoi Ngilai again.

We had some clashes and we had to come back again, you know I was a little bit of a *Mamma's* boy I had to come back and they had to chase me to and finish at Baragoi primary. Migrating from one school to another is what I call pastoralist. I was a pastoralist not in terms of cows/cattle but in terms of schooling, thank you.

Hon. Lekuchula David: Thank you very much so I hope now you have settled in Milimani

(Laughter)

The Nominee, (Mr. Leleruk Bernard): Thank you I have settled now in a place called Milimani Yamo and I was studying there, I think I have settled now and am no longer a pastoralist.

Hon. Lekuchula David: Thank you chair.

Chairperson Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Hon. Lemoosa

Hon. Lemoosa Jonathan: Through the chair, Bernard I would want to understand sometimes in such vetting people ask all, those who vet ask, what is your worth? What is the relevance of such in a process of vetting to your understanding?

The Nominee, (Mr. Leleruk Bernard): To my understanding when someone asks about my Net worth, it is all about public servant working in public offices because you see corruption nowadays is a rampant thing so maybe they wanted to ascertain my net worth during this period, I will be in this panel let us say in 1 month or even 1 week so that maybe when people start to apply, you know I might be tempted to be given some coins or bribed.

Maybe next year you might wonder when you see my net worth maybe 15 million or something, the next year when you give me that form to declare my wealth it would be 100 million, 200 million and you start thinking maybe what this guy got, while I got some proceeds, corruption proceeds from maybe the members or the people who are applying for the position of County Secretary.

I think that is the main reason why the government is asking for the net worth of persons or any other person when actually in the selection panel. Thank you.

Hon. Lemoosa Jonathan: Thank you Chair I think well put and very knowledgeable, thank you.

Chairperson, Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you I have one question what is the general procedure for nominating a Secretary to the County Service Board? Under the County Government Act.

The Nominee, (Mr. Leleruk Bernard): In section 58 Amendment 2020, it says the Governor has a mandate of selecting or appointing five people one person who is a Chair, a person, from the private sector, an accountant, an advocate, and the workers' union.

The Governor will submit the names to the Assembly as he has done now and the Assembly could or might not approve the names, so if the Assembly or the selection panel of the County Assembly approves the names it will go to the Governor. The work starts immediately after seven days, the Chair will convene a meeting for the selection panel and the recruitment process will start immediately actually five days or something the process will start for selecting a new Secretary to the Board.

I think that is the process and after 14 days when the selection panel gets the suitability of finding or getting 2 individuals they will send the names of those two individuals to the Governor and maybe the Governor will approve one individual from there and send it back to the Assembly for approval and after that, if there is no any objection and the Assembly approves then we call it a shot and the person will get a job, Thank you.

Chairperson Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you I think on behalf of the Committee that is the close of the question time and I will allow you to make your final remarks.

The Nominee, (Mr. Leleruk Bernard): Thank you House, the Hon. Members and my colleagues' staff, and the general public for this great opportunity to give me time actually for interviewing me. I will work with dedication without any bias. I will ensure that the process is smooth. We will select the most suitable for this post and I know you will not regret maybe us doing this job, thank you.

Chairperson Committee on Labor, Social Welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you and I would like now on behalf of the Committee, thank you for the interactive session that we had together and I want to wish you all the best in your endeavors. Thank you and you are now free to go.

The Nominee, (Mr. Leleruk Bernard): Thank you.

NOMINEE FOR WORKERS ASSOCIATION REPERESENTATIVE (MS. HALIMA GUYO GALGIDHELE)

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Welcome Halima, we will start with the oath of witness. Are you a Christian or a Muslim?

The Nominee, (Ms. Halima Guyo Galgidhele): Christian.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Okay.

(Nominee takes the oath)

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Welcome Ms. Halima Guyo Galgidhele, this Committee will have an hour interview with you. It will be a very interactive session between you and the Members. Hon. Members and the nominee, please note all communications are done only through the Chair Pursuant to a Standing Order no. 79. I also wish we all observe decorum and respect as we engage each other.

Ms. Halima Guyo Galgidhele, in accordance to Section 58(a)/1 of the County Governments Amendment Act that provides that there shall arise a vacancy in the County Public Service Board, the Governor shall nominate and with the approval of the County Assembly appoint Members to a selection panel for the purpose of selecting suitable candidates for appointment as Members of the County Public Service Board.

The Selection Panel under sub section 1 shall consist of the following persons:

1. Chairperson not being a Public Officer.
2. One person from the Private Sector.
3. An advocate of the High Court of Kenya who is a member of the Law Society of Kenya.
4. An accountant who is a member of the Institute of Certified Public Accountants of Kenya.
5. One person from an association representing workers.

It is Pursuant to this Provision that you have been nominated by His Excellency the Governor and if approved by this Committee you will be a member of the County Public Service Board recruiting panel. Consequently, in accordance to Section 7 of the Public Appointments County Assembly Approval Act 2017, the clerk of the County Assembly of Samburu placed an advertisement on the 30th January 2024 inviting the public to submit any memorandum by way of a written statement of oaths or affidavit, on the suitability or otherwise of each nominee in accordance with the Public Appointments, County Assembly Approval Act 2017.

The advertisement that the submissions were to be received by 5th February 2024 by close of submission deadline the Committee did not receive any memorandum touching on your suitability for appointment. Now Ms. Halima Guyo Galgidhele I now give you chance to introduce yourself and tell the Committee about yourself, indicating your educational background and professional experience, welcome.

The Nominee, (Ms. Halima Guyo Galgidhele): Thank you Hon. Leleruk, the Chair of this Committee, my names are Halima Guyo Galgidhele, I am a lady who is married to one Francis Letoluai, I am a nurse by profession, a Kenyan registered nurse community health nurse.

I started working in the year 2001 in the public service of Ministry of Health. My education background is that I went to Primary school, secondary and then to college as you can see in my certificates, they are attached here to the questioner and I have been representing the health workers for a very long time now since 2017 as the union branch secretary of Samburu chapter, I have been representing also in another perspective of Afya Sacco Society, I have been elected also as the secretary of the branch representing the cooperative society in Samburu County.

I have been also elected in the National Association of Kenya in the capacity of the branch secretary and I have been championing the rights of Health workers and patients all along of which I think you bear witnesses of it.

I am honest individual, outgoing, a go getter, a waver also understanding, flexible and I have the knowledge of the matter that is beforehand in matters of representation. Basically, that is simply what I can say about myself.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. Have you ever been charged in the court of law for the last three years?

The Nominee, (Ms. Halima Guyo Galgidhele): No, your honor.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Have you ever been mentioned in an investigatory report of County Assembly, parliament or any other commission of enquiry in the last three years.

The Nominee, (Ms. Halima Guyo Galgidhele): Not at all.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): I will now ask the clerks to give us your original credentials for checking. I would like now to welcome Members, be ready for any questions from Members of this Committee, feel free to answer them and if you can write then answer, it is okay. Now I pen the floor for the question time.

Vice Chairperson of the Committee, (Hon. Lealmusia Ali): Through the chair, Halima good morning, welcome and relax.

The Nominee, (Ms. Halima Guyo Galgidhele): Thank you.

Hon. Lealmusia Ali: We are just taking you through this interview for some few minutes, kindly bear with us and just feel free.

Firstly, apparently you are a unionist; you fight for the rights of the health workers as you have just indicated. Now, I am imagining that now you are coming to a political environment and with that kind of environment, what you will do if your immediate relative applies for the position of secretary of the County public service board having in mind that you fight for the plight of other union workers.

The Nominee, (Ms. Halima Guyo Galgidhele): In that case your honor, I will be guided by the stipulated laws of employment of the public service board and as a team worker because I believe I will not be working alone, I will have a team of Members which the chair earlier alluded that there will be a chairperson of private sector, and advocate of High court, accountant and with that team work, if my relative happens to apply and gets short listed, I think that will be

a conflict of interest and I will give other Members to make decisions on my behalf because as a public servant you have to be transparent, accountable and I have to also be fair to others and if my family member happens to be the best, then his right will not be denied.

Hon. Lealmusia Ali: Good. Thank you. Another question, I know you were brought up in a different County but coincidentally, you got married on this other end here. What then will you do if there is external pressure to ask you to vote otherwise, how will you handle this situation.

The Nominee, (Ms. Halima Guyo Galgidhele): As a public officer, I am used to such kind of pressure and I will do it soberly, confidently and stand for the right of the right candidate.

Hon. Lealmusia Ali: Thank you Chair.

Hon. Kagiri Stephen: Through the chair, Madam Halima, what will be your major input to ensure that they get the right person to spearhead the responsibilities of the public service board?

The Nominee, (Ms. Halima Guyo Galgidhele): My responsibility Hon. Kagiri, I think for one to qualify for a certain position now for the CEO or Secretary or the member, one has to have qualifications and they will lay down responsibilities and academic qualification for any position that will be advertised and so I will go by the rules and regulations that are laid down and follow the team. Together we will select the best candidate for that position.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Madam Halima, I just have one question for you; will you follow the law or the stipulated procedure of selecting maybe a public secretary or you will follow what the politician will tell you.

The Nominee, (Ms. Halima Guyo Galgidhele): You honor, chair Leleruk, I think it is very clear, for anyone who wants to hold a public office, you have to follow the laid down rules and regulations particular of that institution. So, my job will be to, not would be, I have to be transparent and honest and treat everyone equally despite of their political background.

I have been championing for that right, I have been an activist for human right also, so I think the right candidate will receive the right treatment.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you. We are now closing the question time and on behalf of the committee, I will now allow you to make your final remarks.

The Nominee, (Ms. Halima Guyo Galgidhele): First and foremost, I would like to thank the Almighty God for this far, because I know many were to be chosen but my name found favor in the eyes of God and the eyes of our able Governor and I would like to thank this County for also honoring me as one of their own and also to thank this Honorable House for having their time to go through my reputation and ask me questions and to gauge my knowledge.

All in all, I hope I have given satisfactory answer to all your questions and I am looking forward to work to make Samburu a better County that it is and we hope to get the best candidate for our public service board. Thank you.

Chairperson, Committee on Labor, Social welfare, Justice and Legal Affairs, (Hon. Leleruk James): Thank you, I now thank you on behalf of the committee for the interactive session that we had together and I want wish you well in all your endeavors may God bless you. Thank you.