



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT– (FIFTH SESSION)

THE NATIONAL ASSEMBLY

COMMUNICATION FROM THE CHAIR

(No. 014 of 2026)

ON

**GUIDANCE ON COMPLAINT AGAINST THE CHAIRPERSON OF A HOUSE
COMMITTEE**

Honourable Members,

1. You will recall that during the morning sitting of today, 22nd April, 2026, I did convey to the House a matter of privilege arising from a complaint from the National Cohesion and Integration Commission as revived by a letter received from the Member for Homa Bay Town Constituency, the Hon. Peter Kaluma, MP. At the time, while noting that a question of privilege takes precedence and must be dispensed with as a matter of priority, I did allow interventions and comments from the House on the matter.
2. Arising from the invitation, several Members the Committee did comment and called into question the origin, timing and intention of the allegations while highlighting the need to conduct a fair hearing and to safeguard the dignity of the House and its Members. The Members who spoke included the Deputy Minority Whip, the Hon. Mark Mwenje, CBS, MP; the Hon. Duncan Mathenge, MP; the Hon. Daniel Karitho, MP; the Hon. (Amb.) Francis Sigei, MP; the Hon. Shadrack Mwiti, MP; and the Hon. Rebecca Tonkei, MP.

- 3. Hon. Members,** In addition, several other Members did lend their voice to the discussion, including the Majority Whip, the Hon. Sylvanus Osoro, CBS, MP; The Hon. Majimbo Kalasinga, MP, the Hon. Jared Okello; the Hon. Clive Gisairo, MP, the Hon. (Dr.) Robert Pukose, CBS, MP; the Hon. (Prof.) Phyllis Bartoo, MP; and the Hon. Dido Rasso, MP.
- 4.** The Members did note the grave nature of the allegations and the possibility of their use to tarnish the name of the Chairperson and Members generally, without proof. Notably, the Hon. Clive Gisairo, MP questioned the delay between the lodging of the complaint and its apparent revival by the Hon. Kaluma.
- 5. Hon. Members,** At the tail end of the interventions, I did allow the Hon. Jack Wamboka, MP to comment on the allegations. The Hon. Wamboka noted that the allegations were unfounded and possibly related to the robust examination of the reports and accounts of the NCIC by the Committee.
- 6.** Notably, he alleged irregular recruitment by the Commission allegedly at the behest of the outgoing Commissioners; misappropriation of funds by the Commissioners; and the persistent failure by the Commission to honour invitations to appear before the Committee as the reasons behind the complaint.
- 7. Hon. Members,** The Hon. Wamboka further queried the motive behind Hon. Kaluma's letter and was of the view that the delay in the conveyance of the complaint indicated a determination by the Hon. Speaker that it was devoid of merit. Ultimately, he maintained that the complaint ought not to have been brought to the attention of the House and urged the House to "reject" it summarily.

8. **Hon. Members,** As I proceed to guide on this matter, permit me to address a number of critical issues relating to the complaint and the ensuing interventions. **Firstly, it is incumbent upon the House to treat any question affecting its privilege with the utmost urgency, regardless of origin or its perceived motive.**
9. Any Member of this House is at liberty to raise any issue that in their view is a threat to the privilege of the House. Casting aspersions on the intention of the Hon. Kaluma without fully and transparently addressing the complaint does not advance the interests of the House. It also logically follows that a complaint of this nature, once raised, cannot be dismissed summarily. It has to be considered in accordance with the Standing Orders of the House, and its established practices, precedents and traditions.
10. **Secondly, Hon. Members,** it was urged that the Complaint conveyed did not merit being brought to the attention of the House. This view does not accord with the dictates of the Constitution on the national values and principles of governance and those on leadership and integrity. I am left to wonder where the proper place of directing the complaint received would be.
11. **Is it the view of the House that a complaint relating to the Chairperson of a Committee should have been rerouted to the Ethics and Anti-Corruption Commission, the Directorate of Criminal investigations or the Director of Public Prosecutions?** Alternatively, would it have been in order for the Speaker to feign ignorance and take no action on the matter? I hardly think so.

12. I remain of the considered view that the Constitution, the Conflict of Interest Act, 2025, relevant statutes and our Standing Orders obligate the Hon. Speaker to jealously safeguard the dignity and privilege of the House in the manner adopted this morning.

13. Thirdly, as the Chairperson of the Liaison Committee, I am aware of instances where a Committee encroaches on the mandate of another while seeking “juicier” business outside their ordinary mandate. Our Standing Orders clearly demarcate the mandate of the Public Investments Committee on Governance and Education. While reviewing the comments by the Hon. Wamboka on this matter, I was hard-pressed to locate some of the matters alluded to as giving rise to the complaint within the mandate of his Committee. Summoning of persons or entities to address a matter falling outside a Committee’s mandate may unnecessarily antagonize the said persons or entities against both the Committee and the House.

14. Fourthly, as was noted by the Deputy Minority Whip and several other Members, pursuant to Article 47 and 50 of the Constitution, the Member that is the subject of the allegations enjoys an inviolable right to a fair hearing. Any conclusion made on the basis of the allegations alone would be premature and effectively condemn the Hon. Wamboka unheard.

15. Hon. Members, permit me to remind us of the express dictates of the Constitution on the responsibilities of leadership. Article 73(1) of the Constitution provides, and I quote,—

73. (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.

16.Hon. Members, I am in agreement with the Hon. Kaluma that allegations made against the Chairperson of a Committee of the House pose a grave threat to the public trust bestowed upon this House and its Members if the same are not conclusively addressed. The public trust bestowed on us demands that we consider the issue with urgency and transparency while observing the dictates of the Constitution on fair hearing and due process.

17.As Members will recall, the House has had previous occasion to investigate grave allegations of bribery made against the Public Accounts Committee of the 11th Parliament. At the time, the House did break ranks with its Members and unanimously resolved to take the unprecedented step of disbanding the Committee and further barring specific Members who served in the Committee from being nominated to serve in the reconstituted Committee to preserve trust in the audit and oversight function.

18.Hon. Members, In the current case, as I indeed mentioned this morning, **we are faced with a novel situation in which grave allegations have been made against only one Member of the Committee who also happens to be its Chairperson.** The questions that immediately come to mind are whether allegations relating to the discharge of the functions of a Committee may be directed to a single Member, and, whether the other Members present in the proceedings either actively encouraged or condoned the conduct complained of.

19.I note that the Members of the Committee who spoke today morning did distance themselves from the allegations and called for the evidence of any impropriety to be submitted and tested. **However, it has since been brought to my attention that there are other complaints relating to the leadership of the Committee in the discharge of its mandate.** As such, the various questions surrounding the complaint can only be interrogated and addressed through a hearing.

20.Hon. Members, During the review of the Standing Orders by the 12th Parliament, the Public Investments Committee on Governance and Education was hived off from the previous singular Public Investments Committee to address a backlog of the examination of Reports from the Office of the Auditor-General. The Committee **is mandated to interrogate the reports and accounts of all public investments relating to the education, defence, governance, justice and law and order sectors.** The work of the Committee is extremely time-sensitive in light of the provisions of the Constitution requiring that Audit Reports be examined by the House the resultant reports considered within 90 days.

21. To my mind, prudence dictates that the discharge of this critical mandate should not be delayed or clouded by even a hint of impropriety in its work. In this regard, and on the basis of the complaint before the House, it would not serve the interests of the House and the work of the Committee to unnecessarily drag the rest of its members into a controversy in which they are not primary parties.

22. Pursuant to the provisions of the Parliamentary Powers and Privileges Act and the provisions of our Standing Orders, the Committee on Powers and Privileges is mandated to inquire into the conduct of any member whose conduct is alleged to constitute a breach of privilege either on its own motion or upon a complaint being made by any person. In this regard, **I am persuaded to refer the complaint to the Committee of Powers and Privileges for inquiry and reporting to the House.**

23. **Hon. Members,** Earlier in this Guidance, I did allude to consideration of a similar matter during the 11th Parliament which resulted in the disbandment of the Public Accounts Committee. At the time, for purposes of augmenting the membership of the Committee of Powers and Privileges with seasoned Members to assist in determination of the complaint, the then Speaker co-opted additional Members into the Committee.

24. Noting the weight of the allegations and their implications on the dignity of the House, I hereby co-opt the following three Members to the Committee on Powers and Privileges for the purposes of the Inquiry—

(1) The Hon. Samuel Chepkong'a, CBS, MP;

(2) The Hon. Sarah Korere, MP; and

(3)The Hon. Robert Gichimu, CBS, MP.

25. The three shall lend their unique experience to the Committee having served in leadership positions in the House as either Chairpersons, Vice-Chairpersons and members of the House Business Committee. Additionally, the Hon. Chepkong'a and the Hon. Gichimu shall extend their exceptional legal expertise to the work of the Committee.

26. **Hon. Members,** To avoid the conflict that may arise if the Rt. Hon. Speaker or any of the Members the Presidium were to chair the Committee on Powers and Privileges and thereafter preside over the consideration of its recommendations by the House, **I appoint the Hon. Samuel Chepkong'a, CBS, MP,** to chair the Committee of Powers and Privileges for the purposes of the Inquiry.

27. Noting that the House is scheduled to proceed on recess as from Thursday 30th April, 2026 and resume its sittings on Tuesday, 26th May, 2026, the Committee is expected to inquire into the matter expeditiously and **report back to the House within the next forty-five (45) days.** The Committee is directed to prioritize the consideration of the Complaint and **submit its report to the House on or before Tuesday, 9th June, 2026.**

28. **Hon. Members,** For the avoidance of doubt, the Committee on Powers and Privileges shall limit its proceedings to consideration of the Complaints received against the Chairperson or the Committee and any other relevant issue or complaint relating to the leadership of the Public Investments Committee of Governance and Education in the discharge of its mandate.

29. In order to safeguard public trust in the work of the Public Investments Committee on Governance and Education during the pendency of the

Inquiry, **I am further persuaded to suspend the Hon. Jack Wanami Wamboka, MP from chairing the Public Investments Committee on Governance and Education the during period.** For the avoidance of doubt, **the conduct of the Inquiry is not a bar to any other or further investigations into the matter by any other relevant law enforcement agencies.**

30. Hon. Members, Under our Standing Orders, the Public Investments Committee on Governance and Education is a "Watchdog Committee" whose Chairing is reserved for the Minority Party for obvious reasons. Noting that the current Vice-Chairperson was only recently sworn in as a Member of Parliament, **I further direct that the Leader of the Minority Party nominates an interim Chairperson of the Committee by mid-day tomorrow Thursday, 23rd April, 2026.** In default of the nomination, the Committee shall be at liberty to allow the Vice-Chairperson to chair its meetings or to elect an interim Chairperson from among their ranks during the pendency of the inquiry.

31. As the House awaits the Report of the Committee on Powers and Privileges, **I beseech all of us, and especially the Members of the Public Investments Committee on Governance and Education, to deeply introspect on whether we have fully lived up to our solemn duty as servants who have been called to the performance of important trusts in the Republic.**

32. The complaints received, the Inquiry and its outcome should be a clarion call for the Committee and all of us to re-evaluate and optimize the manner

in which we treat and consider the matters brought before us for consideration, including by being ready to hold our leadership to account.

33. In summary therefore, my Guidance is as follows—

- (1) THAT,** The Complaint against the Chairperson of the Public Investments Committee on Governance and Education is referred to the Committee on Powers and Privileges for inquiry and reporting to the House within the next forty-five (45) days. The Committee is directed to prioritize the consideration of the Complaint and submit its report to the House on or before **Tuesday, 9th June, 2026.**
- (2) THAT,** The Committee shall limit its proceedings to consideration of the Complaints received against the Chairperson or the Committee and any other relevant issue or complaint relating to the leadership of the Public Investments Committee on Governance and Education in the discharge of its mandate. The Inquiry is not a bar to any other or further investigations into the matter by any other relevant law enforcement agencies.
- (3) THAT,** Noting the weight of the allegations and their implications on the dignity of the House, the following three Members are hereby co-opted into the Committee on Powers and Privileges for the purposes of the Inquiry—
 - (a)** The Hon. Samuel Chepkong'a, CBS, MP;
 - (b)** The Hon. Sarah Korere, MP; and
 - (c)** The Hon. Robert Gichimu, CBS, MP.

(4) THAT, The Hon. Samuel Chepkong'a, CBS, MP, shall chair the Committee of Powers and Privileges for the purposes of the Inquiry.

(5) THAT, during the pendency of the Inquiry—

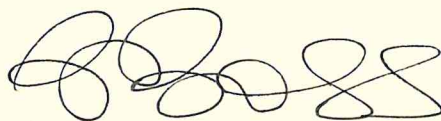
(a) The Hon. Jack Wanami Wamboka, MP, stands suspended from chairing the Public Investments Committee on Governance and Education;

(b) The Leader of the Minority Party is directed to nominate an interim Chairperson of the Committee **by mid-day tomorrow Thursday, 23rd April, 2026;** and

(c) In default of the nomination by the Minority Party, the Committee shall be at liberty to allow its Vice-Chairperson to chair its meetings or to elect an interim Chairperson from among its Members from the Minority Coalition.

The House is accordingly Guided.

I thank you!



THE HON. GLADYS BOSS, MGH, MP
DEPUTY SPEAKER OF THE NATIONAL ASSEMBLY

Wednesday, 22nd April 2026

