

Tabled by Hon Samuel cheptuong'a NM
on Tuesday 9/6/2026
PW
Pmuiga

Approved
ROSS DSA
9/06/2026.



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – FIFTH SESSION (2026)

THE NATIONAL ASSEMBLY
COMMITTEE OF POWERS AND PRIVILEGES



REPORT

**ON THE INQUIRY INTO ALLEGATIONS
AGAINST THE MEMBER FOR BUMULA
CONSTITUENCY AND CHAIRPERSON,
PUBLIC INVESTMENT COMMITTEE ON
GOVERNANCE AND EDUCATION THE HON.
JACK WANAMI WAMBOKA, CBS, MP,**

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 09 JUN 2026	DAY: TUESDAY
TABLED BY:	HON. SAMUEL CHEPTUONG'A
CLERK-AT-THE-TABLE:	P. KORANU-MUIGA

CLERK'S CHAMBERS
NATIONAL ASSEMBLY
PARLIAMENT BUILDINGS
NAIROBI

JUNE 2026

TABLE OF CONTENTS

List of Abbreviations and Acronyms	4
List of Annexures	5
Chairperson’s Foreword	7
Consideration and Adoption of the Report by the Committee	14
CHAPTER ONE: INTRODUCTION AND BACKGROUND	1
Establishment of the Committee	1
Mandate of the Committee	1
Committee Membership.....	1
Referral of the Matter to the Committee	3
Constitutional and Statutory Basis of the Inquiry	6
The Constitution of Kenya	6
The Parliamentary Powers and Privileges Act (Cap. 6)	9
Anti-Corruption and Economic Crimes Act (Cap. 65)	10
Leadership and Integrity Act (Cap. 185C)	11
Anti-Bribery Act (Cap. 79B).....	12
CHAPTER TWO	17
MEMBERS’ CONDUCT: COMPARATIVE PARLIAMENTARY OVERVIEW	17
Introduction	17
Definitions	18
Categories of Parliamentary Conduct Norms	19
General Principles of Expected Conduct of Members of Parliament	20
Specific Behavioural Expectations of Members of Parliament.....	21
Financial Misconduct and Corruption	21
Code of Conduct for Members of Parliament.....	22
Comparative Analysis across specific Jurisdictions	24

United Kingdom.....	24
Philippines.....	32
Germany.....	34
New Zealand.....	35
Australia.....	37
South Africa.....	40
CHAPTER THREE.....	43
THE INQUIRY: REFERRAL, TERMS OF REFERENCE, WITNESSES, PRIMARY DOCUMENTS & EVIDENCE ADDUCED.....	43
Referral of the Matter to the Committee - Communication from the Speaker.....	43
Letter by Rev. Samuel Kobia dated 23rd July, 2025.....	44
Terms of Reference.....	45
Witnesses.....	46
Primary documents.....	47
Exclusion of the public.....	47
Allegations against the Hon. Jack Wamboka, CBS, MP.....	48
ALLEGATION 1:.....	48
ALLEGATION 2:.....	49
ALLEGATION 3:.....	50
Preliminary Issues During Pre-Trial Conference.....	50
ORAL EVIDENCE ADDUCED BEFORE THE COMMITTEE.....	51
Appearance by the Hon Wamboka.....	68
Closing statement by Rev. Kobia.....	78
Issues for Determination.....	80
CHAPTER FOUR.....	82
ANALYSIS OF EVIDENCE, OBSERVATIONS, AND FINDINGS.....	82

<i>Oversight over Constitutional Commissions</i>	82
<i>Complaint lodged more than one year</i>	82
<i>Whether the Chairperson acted within the confines of parliamentary decorum</i>	83
<i>Manner of handling witnesses by Committees</i>	84
<i>Leadership of Committees</i>	85
<i>Investigations by other Agencies</i>	86
<i>On the introduction of new evidence</i>	86
<i>Allegations of witness interference and intimidation</i>	87
FINDINGS	93
CHAPTER FIVE	97
COMMITTEE RECOMMENDATIONS	97
ALLEGATION 1:	97
ALLEGATION 2	98
General recommendations	98
LIST OF ANNEXURES.....	101

LIST OF ABBREVIATIONS AND ACRONYMS

- CEO** - Chief Executive Officer
- CPA** - Commonwealth Parliamentary Association
- IPU** - Inter-Parliamentary Union
- MP** - Member of Parliament
- NCIC** - National Cohesion and Integration Commission
- OECD** - Organisation for Economic Co-operation and Development
- PIC G&E** - Public Investments Committee-Governance and Education

LIST OF ANNEXURES

VOLUME I

- Annexure 1: Speaker's Communications No 13 and 14 of 2026 dated 22nd April 2026
- Annexure 2: Letter from Rev. Dr. Kobia dated 23rd July 2025
- Annexure 3: Affidavits from the Hon. Jack Wanami Wamboka, MP
- Annexure 4: Affidavits from Rev. Dr. Kobia
- Annexure 5: Hansard Proceedings of the Public Investments Committee on Governance and Education of 14th February, 2024, and 25th March 2026

VOLUME II

- Annexure 6: Correspondence of the Committee of Powers and Privileges
- Annexure 7: Minutes of the Committee of Powers and Privileges
- Annexure 8: Hansard Proceedings of the Committee of Powers and Privileges

REPORT

**ON THE INQUIRY INTO ALLEGATIONS
AGAINST THE MEMBER FOR BUMULA
CONSTITUENCY AND CHAIRPERSON,
PUBLIC INVESTMENT COMMITTEE ON
GOVERNANCE AND EDUCATION THE HON.
JACK WANAMI WAMBOKA, CBS, MP,**

CHAIRPERSON'S FOREWORD

Hon. Speaker,

1. On behalf of the Members of the Committee of Powers and Privileges inquiring into alleged breach of privilege by the Hon. Jack Wanami Wamboka, CBS, MP, as the Member for Bumula Constituency and Chairperson, Public Investment Committee on Governance and Education, I am pleased to present this Report to the House.
2. On Wednesday, 22nd April 2026, the Deputy Speaker of the National Assembly, the Hon. Gladys Boss, MGH, MP, *vide* Communication No. 13 of 2026 conveyed to the House that the Office of the Speaker of the National Assembly had received a formal complaint from the then Chairperson of the National Cohesion and Integration Commission (NCIC), Rev. Dr. Samuel Kobia, CBS, raising serious allegations regarding the conduct of the Chairperson of the Public Investments Committee on Governance and Education, the Hon. Jack Wanami Wamboka, CBS, MP.
3. In the letter, Rev. Dr. Samuel Kobia, CBS, alleged that, in addition to open hostility, harassment, and demeaning treatment of NCIC Commissioners and officers by the Chairperson, the Commission had credible concerns regarding allegations that the Chairperson had demanded financial inducements as a precondition for granting audience or favourable consideration during Committee proceedings. Rev. Dr. Kobia sought the intervention of the Hon. Speaker to facilitate an impartial investigation into the allegations.
4. Consequent to the letter by Rev. Dr. Kobia, the Member for Homa Bay Town Constituency, the Hon. Peter Kaluma, CBS, MP, formally wrote to the Hon. Speaker on the matter. In his correspondence, the Hon. Kaluma stated that he had come into possession of the letter by Rev. Dr. Kobia

and urged that, unless the complaint was urgently investigated and addressed, it might "*disable the Parliament of Kenya in the discharge of its oversight mandate.*"

5. Drawing from the precedents by past Speakers and the established practice of the House, which require that any issue touching on the privilege of the House be dispensed with as a matter of priority, the Speaker noted that, whereas the Public Investments Committee on Governance and Education comprised fifteen (15) Members, the complaint was framed in fairly specific terms against only the Chairperson of the Committee. The Speaker therefore allowed intervention and comments on the matter by Members in the House before providing further guidance.
6. Subsequently, on Wednesday, 22nd April, 2026, the Deputy Speaker of the National Assembly, the Hon. Gladys Boss, MGH, MP, vide Communication No. 14 of 2026, observed that the Member who was the subject of the allegations was entitled to an inviolable right to fair hearing. The Deputy Speaker also noted that the public trust bestowed upon the House and its Members required the matter to be considered with urgency and transparency, while strictly observing the constitutional principles of fair hearing and due process.
7. Accordingly, in exercise of the powers conferred under the Parliamentary Powers and Privileges Act, Cap. 6 and the Standing Orders, the Deputy Speaker referred the complaint to the National Assembly Committee of Powers and Privileges for expeditious inquiry and directed the **Committee to report back to the House within forty-five (45) days, that is, on or before Tuesday, 9th June 2026.**

8. To carry out its mandate, the Committee analysed the letter by Rev. Kobia, submissions in the form of affidavits of both parties, and records of proceedings of the Public Investments Committee on Governance and Education. The Committee also conducted hearings, and accorded audience to the Rev. Dr. Samuel Kobia as well as the Hon. Wamboka. The hearings were conducted *in camera*, and both the complainant and the respondent were represented by counsel of their choice.
9. Having considered the Communications, the letter from Rev. Kobia dated 23rd July 2025, and in order to undertake the task, the Committee summarised its terms of reference as follows-
- (i) To inquire into whether Hon. Jack Wanami Wamboka, M.P., was culpable for harassment of Commissioners and staff of the NCIC appearing before the PIC Committee on Governance and Education, and treating them with hostility and in a demeaning manner;
 - (ii) To inquire into whether Hon. Jack Wanami Wamboka, M.P., was culpable for solicitation of financial inducement/bribe from Mr. Harrison Kariuki as a precondition for granting audience or favourable consideration before the committee;
 - (iii) To inquire into whether Hon. Jack Wanami Wamboka, M.P., was culpable for solicitation of financial inducement/bribe from Prof. John Kobia Ataya, the Vice Chancellor of Kenya Methodist University, as a precondition for granting audience or favourable consideration in a matter before the Committee;
 - (iv) To recommend to the House appropriate action against the Hon. Jack Wanami Wamboka, M.P., for -

- a. harassment of Commissioners and staff of the NCIC appearing before the PIC Committee on Governance and Education, and treating them with hostility and in a demeaning manner
 - b. solicitation of financial inducement/bribe from Mr. Harrison Kariuki as a precondition for granting audience or favourable consideration before the committee; and
 - c. solicitation of financial inducement/bribe from Prof. John Kobia Ataya, the Vice Chancellor of Kenya Methodist University, as a precondition for granting audience or favourable consideration in a matter before the Committee.
- (v) Make any other recommendations based on the inquiry.

Witnesses

10.The Committee took evidence from the following -

- (i) Rev.(Dr.) Samuel Kobia, CBS, the former Chairperson of the National Cohesion and Integration Commission (NCIC);
- (ii) The Hon. Jack Wanami Wamboka, CBS, MP, the former Chairperson of the Public Investments Committee on Governance and Education, and the Member for Bumula;

Primary documents

11.From the Speaker's Communication and letter by Rev. Dr. Samuel Kobia, the Committee deduced the following as the primary documents in the Inquiry-

- (i) The Speaker's Communications Nos. 13 and 14 of Wednesday, 26th May 2026;
- (ii) Hansard records of the House proceedings of Wednesday, 22nd April 2026;

- (iii) Letter written to the Speaker by Rev. (Dr.) Samuel Kobia, the then Chairperson of the National Cohesion and Integration Commission, dated 23rd July 2025; and
- (iv) Hansard recordings of the proceedings of the Public Investments Committee on Governance and Education of 14th February 2024;

12. The issues distilled by the committee for determination were -

- (i) Whether Hon. Wamboka was culpable for harassment of Commissioners and staff of the NCIC appearing before the PIC Committee on Governance and Education, and treating them with hostility and in a demeaning manner;
- (ii) Whether Hon. Wamboka was culpable for solicitation of financial inducement/bribe from Mr. Harrison Kariuki as a precondition for granting audience or favourable consideration before the committee;
- (iii) Whether Hon. Wamboka was culpable for solicitation of financial inducement/bribe from Prof. John Kobia Ataya, the Vice Chancellor of Kenya Methodist University, as a precondition for granting audience or favourable consideration in a matter before the Committee;

Sittings and Summary of Findings

Sittings

Hon. Speaker,

13. The Committee held a total of eight (8) Meetings and took evidence from Rev. Samuel Kobia, CBS, and the Hon. Jack Wamboka, CBS, MP, and

deliberated on the evidence adduced, considered its own Rules of procedure, and prepared its report.

Summary of Findings

14. Having taken evidence, the Committee settled on three issues for determination as enumerated on Chapter Three of this Report. A key finding of the Committee was that **harassment of Commissioners and staff appearing before the Public Investments Committee on Governance and Education, and treating them with hostility and in a demeaning manner** was fully substantiated and therefore find that conduct of Hon. Jack Wamboka, MP in breach of privilege.

15. The Committee also finds that Allegations relating to **Solicitation for financial inducement/bribe as a precondition for granting audience or favourable consideration in a matter before the Committee** is **NOT** substantiated, hence no further proceeding. In the end, the Committee made recommendations as outlined in Chapter 5 of this Report. This Report was unanimously adopted by a majority of the Members of the Committee.

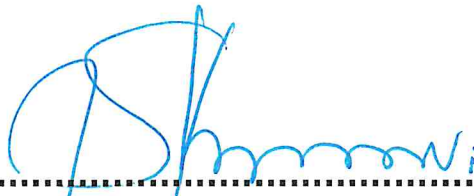
Hon. Speaker,

16. I wish to record the Committee's gratitude to the House for having entrusted the Members with the execution of this important task. The Committee is thankful to the Hon. Jack Wamboka, CBS, MP and Rev. Dr. Samuel Kobia, CBS for honouring requests to appear before the Committee. May I also thank you Hon. Speaker and the Office of the Clerk of the National Assembly for the invaluable support accorded to the Committee during the Inquiry.

Hon. Speaker,


- 17.** Finally, it is now my pleasant duty, on behalf of the Committee of Powers and Privileges, to present this Report for consideration and adoption by the House. The Committee also requests the House to make the resolutions proposed in this Report.

SIGNED:



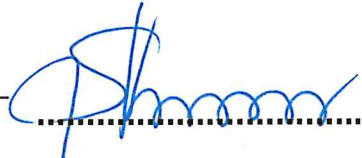



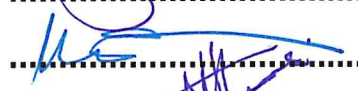


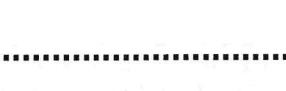
THE HON. SAMUEL CHEPKONG'A, CBS, MP
CHAIRPERSON, COMMITTEE OF POWERS AND PRIVILEGES

Date: *Tuesday, 9th June 2026*

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 09 JUN 2026	DAY: TUESDAY
TABLED BY:	HON. SAMUEL CHEPKONG'A, MP
CLERK-AT THE-TABLE:	P. KARAU-MUGA

**CONSIDERATION AND ADOPTION OF THE REPORT BY THE
COMMITTEE**

18. WE, the undersigned Members of the Committee of Powers and Privileges, having considered this Report on the inquiry into allegations against the Hon. Jack Wanami Wamboka, CBS, MP, as the Member for Bumula Constituency, and as the chairperson, Public Investment Committee on Governance and Education, do hereby confirm our agreement with the content of the Report and request the Chairperson to present the Report to the House—

- | | |
|--|--|
| 1. The Hon. Samuel Chepkong'a, CBS, MP |
 |
| Chairperson | |
| 2. The Hon. Joseph Lekuton, CBS, MP |
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| 3. The Hon. Samwel Moroto, CBS, MP |
 |
| 4. The Hon. Gonzi Rai, MGH, MP |
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| 5. The Hon. Mwangi Kiunjuri, EGH, MP | |
| 6. The Hon. David Ochieng, CBS, MP |
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| 7. The Hon. Farah Maalim, EGH, MP |
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| 8. The Hon. Shakeel Shabbir, CBS, MP |
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| 9. The Hon. Faith Gitau, CBS, MP |
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| 10. The Hon. Mishi Mboko, CBS, MP |
 |
| 11. The Hon. Sabina Chege, CBS, MP |
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| 12. The Hon. Sarah Korere, CBS, MP |
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| 13. The Hon. Robert Gichimu, CBS, MP |
 |
| 14. The Hon. Jessica Mbalu, CBS, MP |
 |
| 15. The Hon. Fabian Muli, MP | |
| 16. The Hon. Rose Museo, CBS, MP | |
| 17. The Hon. Jane Maina, MP | |

CHAPTER ONE

INTRODUCTION AND BACKGROUND

Establishment of the Committee

- 19.** The Committee of Powers and Privileges of the National Assembly is established pursuant to section 15(1)(a) of the Parliamentary Powers and Privileges Act (Cap. 6) to comprise the Speaker (Chairperson) and fourteen other members of the House appointed in accordance with the National Assembly Standing Orders.

Mandate of the Committee

- 20.** Section 15(4) of the Parliamentary Powers and Privileges Act (Cap. 6), as read with Standing Order 191 of the National Assembly Standing Orders, prescribes the mandate of the Committee as inquiring into the conduct of a member whose conduct is alleged to constitute breach of privilege. For clarity, the Committee is mandated to inquire into the conduct of a member whose conduct is alleged to constitute breach of privilege; and perform such other functions as may be specified in the aforementioned Act.

Committee Membership

- 21.** The Deputy Speaker of the National Assembly, the Hon. Gladys Boss, MGH, MP, vide Communication No. 014 of 2026 dated Wednesday, 22nd April 2026, while noting the weight of the allegations and their implications on the dignity or integrity of the House, co-opted the following three Members to the Committee on Powers and Privileges for the purposes of the Inquiry –

Report on the inquiry into allegations against the Hon. Jack Wanami Wamboka, CBS, MP, as the Member for Bumula Constituency, and as the chairperson, Public Investment Committee on Governance and Education

- (a) The Hon. Samuel Chepkong'a, CBS, MP;
- (b) The Hon. Sarah Korere, CBS, MP; and
- (c) The Hon. Robert Gichimu, CBS, MP.

22. Furthermore, to avoid the conflict that may arise if the Rt. Hon. Speaker or any of the Members of the Presidium were to chair the Committee on Powers and Privileges and thereafter preside over the consideration of its recommendations by the House, the Deputy Speaker appointed the Hon. Samuel Chepkong'a, CBS, MP to serve as the Chairperson of the Committee for purposes of the Inquiry.

23. Consequently, on 23rd April, 2026 by a way of a resolution, and pursuant to the provisions of Standing Order 175, the House appointed the Hon. Samuel Chepkong'a, CBS, MP, to chair the proceedings of the Committee of Powers and Privileges on behalf of the Hon. Speaker for the purposes of the Inquiry into the allegations levelled against the Hon. Jack Wanami Wamboka, CBS, MP, the suspended Chairperson of the Public Investments Committee on Governance and Education.

24. To this end, therefore, the membership of the Committee for purposes of the inquiry comprises –

- (1) The Hon. Samuel Chepkong'a, CBS, MP – **Chairperson**
- (2) The Hon. Samwel Moroto, CBS, MP
- (3) The Hon. Gonzi Rai, MGH, MP
- (4) The Hon. Joseph Lekuton, CBS, MP
- (5) The Hon. Mwangi Kiunjuri, EGH, MP
- (6) The Hon. David Ochieng, CBS, MP
- (7) The Hon. Farah Maalim, EGH, MP
- (8) The Hon. Shakeel Shabbir, CBS, MP
- (9) The Hon. Faith Gitau, CBS, MP

- (10) The Hon. Mishi Mboko, CBS, MP
- (11) The Hon. Sabina Chege, CBS, MP
- (12) The Hon. Sarah Korere, CBS, MP
- (13) The Hon. Robert Gichimu, CBS, MP
- (14) The Hon. Jessica Mbalu, CBS, MP
- (15) The Hon. Fabian Muli, MP
- (16) The Hon. Rose Museo, CBS, MP
- (17) The Hon. Jane Maina, MP

Referral of the Matter to the Committee

- 25.** The Committee of Powers and Privileges is mandated to inquire into the conduct of a Member whose conduct is alleged to constitute breach of privilege either on its own motion or **as a result of a complaint made by any person.**
- 26.** The Deputy Speaker of the National Assembly, the Hon. Gladys Boss, MGH, MP, vide Communication No. 13 of 2026 dated Wednesday, 22nd April 2026, **conveyed to the House that the Office of the Speaker of the National Assembly had received a formal complaint from the then Chairperson of the National Cohesion and Integration Commission (NCIC),** Rev. Dr. Samuel Kobia, CBS, raising serious allegations regarding the conduct of the Chairperson of the Public Investments Committee on Governance and Education (**PIC G&E**), Hon. Jack Wanami Wamboka, MP.
- 27.** In the letter, Rev. Kobia, CBS, alleged that, in addition to open hostility, harassment, and demeaning treatment of NCIC officers by the Chairperson, the Commission had credible concerns regarding allegations that the Chairperson had demanded financial inducements as a

precondition for granting audience or favourable consideration during Committee proceedings. Rev. Kobia sought the intervention of the Hon. Speaker to facilitate an impartial investigation into the allegations.

- 28.** Consequent to the letter by Rev. Kobia, the Member for Homa Bay Town Constituency, the Hon. Peter Kaluma, CBS, MP, formally wrote to the Hon. Speaker on the matter. In his correspondence, the Hon. Kaluma stated that he had come into possession of the letter by Rev. Kobia and urged that, unless the complaint was urgently investigated and addressed, it might *"disable the Parliament of Kenya in the discharge of its oversight mandate."*
- 29.** Drawing from the precedents by past Speakers and the established practice of the House, which requires that any issue touching on the privilege of the House be dispensed with as a matter of priority, the Speaker noted that, whereas PIC G&E comprised fifteen (15) Members, the complaint was framed in fairly specific terms against only the Chairperson of the Committee.
- 30.** The Speaker therefore allowed intervention and comments on the matter by Members in the House. Several Members subsequently contributed to the debate, raising issues peripheral to those raised in the Communication, including-
- a) that pursuant to the provisions of Article 47 of the Constitution, a fair hearing ought to be conducted by the Committee on Powers and Privileges in respect of the complaint by Rev. Kobia, against the former Chairperson of the Public Investments Committee on Governance and Education, Hon. Jack Wanami Wamboka, MP;
 - b) concerns regarding the procedures followed by constitutional commissions in appearing before Select Committees of Parliament,

particularly in accordance with the National Assembly Standing Orders, including a request that the House be furnished with documentation detailing the number of appearances made by such commissions before parliamentary committees.

- c) that the NCIC was invited to appear before the PIC G & E on three (3) separate occasions but failed to honour those invitations.
- d) In view of this non-attendance, they submitted that the allegations made by the former chairperson of the Commission ought to be strictly proved beyond reasonable doubt, given that the Commission did not avail itself before the Committee to respond to the issues raised.
- e) Members submitted that the complaint before the House ought to be referred to the appropriate Committee of the House for consideration and that such proceedings should be conducted *in camera*. This, it was argued, would ensure that evidence is properly adduced within the confines of the rules and procedures of the House and that the complainant and Hon. Wamboka are accorded a fair hearing prior to the determination of the matter by the House.

31. Subsequently, on Wednesday, 22nd April 2026, the Deputy Speaker of the National Assembly, the Hon. Gladys Boss, MGH, MP, vide Communication No. 14 of 2026, observed that the Member who was the subject of the allegations was entitled to an inviolable right to fair hearing. The Deputy Speaker also noted that the public trust bestowed upon the House and its Members required the matter to be considered with urgency and transparency, while strictly observing the constitutional principles of fair hearing and due process.

- 32.** Further, the Deputy Speaker observed that, whereas Members of the Committee who contributed to the debate distanced themselves from the allegations and called for evidence of impropriety to be submitted and tested, it had been brought to her attention that there were other complaints relating to the leadership of the Committee in the discharge of its mandate. Nonetheless, she opined that it would not serve the interests of the House or the work of the Committee to unnecessarily draw the remaining Members into a controversy in which they were not primary parties.
- 33.** Accordingly, in exercise of the powers conferred under the Parliamentary Powers and Privileges Act and the Standing Orders, the Deputy Speaker referred the complaint to the National Assembly Committee of Powers and Privileges for expeditious inquiry and directed the Committee to report back to the House within forty-five (45) days, that is, on or before Tuesday, 9th June 2026.

Constitutional and Statutory Basis of the Inquiry

The Constitution of Kenya

- 34.** The Constitution articulates the expected conduct of Members of Parliament at multiple levels. Article 73(1) of the Constitution provides that—

"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.*

35. Article 73 of the Constitution provides that authority assigned to a State Officer is a public trust to be exercised in a manner consistent with the purposes and objects of the Constitution, with the demonstration of respect for the people, the bringing of honour to the nation and dignity to the office, and the promotion of public confidence in the integrity of the office. Further, the provision requires State Officers, including Members of Parliament, to observe the principles of public service, which include selection on the basis of integrity, competence, and suitability, and accountability for decisions and actions.

36. Article 73(2) of the Constitution provides as follows –

The guiding principles of leadership and integrity include—

(a) ...;

(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.

37. Article 75(1) of the Constitution requires every State Officer to behave, whether in public and official life, in private life, or in association with other persons, in a manner that promotes public confidence in the integrity of the office. This constitutional provision is of particular significance as it explicitly extends the conduct obligations of Members of Parliament beyond the parliamentary precinct to encompass private life. The phrase *"whether in public and official life, in private life, or in association with other persons"* represents one of the broadest constitutional formulations of the conduct obligation applicable to legislators anywhere in the world, and reflects the intent of the framers of the Constitution to establish comprehensive standards of personal integrity as a condition of service in the office.

38. Article 75 of the Constitution provides as follows –

(1) A State officer shall behave, whether in public and official life, in private life, or in association with other persons, in a manner that avoids—

(a) any conflict between personal interests and public or official duties;

(b) compromising any public or official interest in favour of a personal interest; or

(c) demeaning the office the officer holds.

(2) A person who contravenes clause (1), or Article 76, 77, or 78(2)—

(a) shall be subject to the applicable disciplinary procedure for the relevant office; and

(b) may, in accordance with the disciplinary procedure referred to in paragraph (a), be dismissed or otherwise removed from office.

(3) A person who has been dismissed or otherwise removed from office for a contravention of the provisions specified in clause (2) is disqualified from holding any other State office.

The Parliamentary Powers and Privileges Act (Cap. 6)

39. Section 15 of the Act provides as follows –

The Committee of Powers and Privileges may find a Member to be in breach of privilege if the Member—

(a) contravenes sections 25, 26 or 28;

40. Section 28 (2) and (3) of the Act provides as follows –

(2) A member shall not solicit, receive or accept any fee, compensation, gift, reward, favour or benefit of any kind for the member or another person for in respect of—

(a) voting in any particular manner or not voting on a matter before Parliament;

(b) promoting or opposing anything pending before or proposed or expected to be submitted to Parliament; or

(c) making a representation to Parliament.

(3) A person who contravenes this section commits an offence.

41. Further, section 32 of the Act provides that a person convicted of an offence under the Act for which no penalty is provided shall be liable on conviction to a fine not exceeding five hundred thousand shillings or to a term of imprisonment not exceeding two years or to both.

42. The Fourth Schedule to the Act anchors the Code of Conduct for Members of Parliament, and provides, *inter alia*, as follows –

- (a) Code 3(c) provides that Members of the House shall proceed in a judicious manner when dealing with all persons in accordance with the Constitution and the laws and conventions of Parliament.
- (b) Code 5(b) provides that Members of the House shall not seek to profit or profit from membership of the House by accepting or agreeing to accept payment or other incentive or reward in return for providing parliamentary advice or services.

Anti-Corruption and Economic Crimes Act (Cap. 65)

43. Corruption is defined in section 2 of the Anti-Corruption and Economic Crimes Act as follows –

2. "corruption" means—

(a) an offence under any of the provisions of sections 39, 44, 46 and 47; (b) bribery;

(c) fraud;

(d) embezzlement or misappropriation of public funds;

(e) abuse of office;

(f) breach of trust; or

(g) an offence involving dishonesty—

(i) in connection with any tax, rate or impost levied under any Act; or

(ii) under any written law relating to the elections of persons to public office;

44. Section 46 of the Act provides that a person who uses his office to improperly confer a benefit on himself or anyone else is guilty of an offence.

- 45.** Section 47A(1) of the Act provides that a person who attempts to commit an offence involving corruption or an economic crime is guilty of an offence.
- 46.** Section 47A(2) of the Act provides that a person attempts to commit an offence of corruption or an economic crime if the person, with the intention of committing the offence, does or omits to do something designed to its fulfilment but does not fulfil the intention to such an extent as to commit the offence.

Leadership and Integrity Act (Cap. 185C)

- 47.** Section 10 of the Leadership and Integrity Act provides as follows –
- 10. A State officer shall, to the best of their ability—*
- (a) carry out the duties of the office efficiently and honestly;*
 - (b) carry out the duties in a transparent and accountable manner;*
 - (c) ...; and*
 - (d)*
- 48.** Section 11 of the Act provides as follows –
- 11. A State officer shall—*
- (a) carry out duties of the office in a manner that maintains public confidence in the integrity of the office;*
 - (b) treat members of the public and other public officers with courtesy and respect;*
 - (c) ...;*
 - (d) ...; and*
 - (e)*
- 49.** Section 34(1) of the Act provides that a State officer shall not bully any person. Section 34(2) of the Act provides that “bullying” includes repeated

offensive behaviour which is vindictive, cruel, malicious or humiliating and is intended to undermine a person.

Anti-Bribery Act (Cap. 79B)

50. Section 6(1)(a) of the Anti-Bribery Act provides that a person commits the offence of receiving a bribe *if the person requests, agrees to receive or receives a financial or other advantage intending that, in consequence, a relevant function or activity should be performed improperly whether by that person receiving the bribe or by another person.*

51. Section 7 of the Act provides as follows –

(1) For the purposes of this Act, a function or activity shall be construed to be a relevant function or activity if –

(a) it includes –

(i) any function of a public nature;

(ii) any function carried out by a State officer or public officer, pursuant to his or her duties;

(iii) ...;

(iv) ...;

(v) ...; or

(vi) ...;

(b) it meets one or more of the following conditions—

(i) that the person performing the function or activity is expected to perform it in good faith;

(ii) that the person performing the function or activity is expected to perform it impartially; or

(iii) that the person performing the function or activity is in a position of trust by virtue of performing it.

Conflict of Interest and the Conflict of Interest Act (No. 11 of 2025)

- 52.** Section 13(1) of the Conflict of Interest Act provides that a public officer shall not, directly or indirectly, use or allow any person under the officer's authority to use any information that is obtained in the course of performing official duties and is not available to the public to improperly further or seek to further the private interest of the officer or the interests of another person.
- 53.** Section 14(1) of the Act provides that a public officer shall not use his or her position to influence the decision of another person or another public officer so as to further his or her private interests or the private interests of another person.
- 54.** The management of conflicts of interest is a prevalent concern of parliamentary ethics across many jurisdictions. A conflict of interest arises when the private interests of a Member of Parliament, whether financial, personal, or political, might reasonably be expected to influence the exercise of their public responsibilities. Parliamentary codes of conduct generally distinguish between actual conflicts of interest, in which the private interest of a Member has in fact influenced their conduct, and apparent conflicts of interest, in which there is a reasonable perception that such influence may have occurred, even if it has not.
- 55.** Both categories are subject to ethical regulation, because the appearance of conflict is itself damaging to public confidence. The specific conflicts of interest prohibited by parliamentary codes include—
- (i) **voting on legislation** that would confer a direct financial benefit on the Member or their close associates;

- (ii) **participating in committee proceedings** involving matters in which the Member has a personal interest;
- (iii) **advocating for the interests of organisations** from which the Member has received donations or other benefits;
- (iv) **accepting appointments to boards** or advisory bodies of organisations that have an interest in parliamentary proceedings; and
- (v) **failing to declare interests before** participating in debates or decisions on related matters.

56. The practice in the Philippines requires Members to recuse themselves from any proceeding involving an entity in which they have a financial interest, a provision enforced by the Ethics Committee of each House.

57. In Kenya, Article 76(2) of the Constitution requires that a State Officer shall not seek or accept a benefit in circumstances that compromise the integrity of the State officer. Standing Order 90 of the National Assembly Standing Orders requires that, where a Member wishes to speak on any matter in which the Member has a personal interest, the Member first declare that interest. Personal interests includes pecuniary interest, proprietary interest, personal relationships and business relationships.

Abuse of Parliamentary Privilege and Position

58. Parliamentary privilege, the doctrine that protects Members of Parliament from legal liability for their activities in Parliament, is one of the most important features of democratic governance, ensuring that legislators can debate and vote without fear of legal reprisal. However, the abuse of parliamentary privilege, including the use of privilege to make defamatory

statements knowing that they cannot be challenged in court, or to disclose confidential information obtained in committee proceedings, is prohibited by parliamentary codes and standing orders across many parliamentary jurisdictions.

- 59.** In the UK, the House of Commons Code of Conduct provides that Members should not act in a way that brings the House into disrepute, which has been interpreted to include the abuse of privilege for improper purposes. The abuse of the Member's position to intimidate, bully, or exert improper pressure on constituents, staff, civil servants, or any other person is also prohibited.
- 60.** In several jurisdictions, including the United Kingdom and Australia, specific anti-bullying policies have been adopted following a series of complaints about the treatment of parliamentary staff. The Westminster Foundation for Democracy (2018) has identified workplace bullying and harassment as one of the most prevalent but least effectively regulated forms of parliamentary misconduct across parliamentary systems.

Conduct in Private Life

- 61.** The regulation of the private conduct of Members is one of the most sensitive areas of parliamentary ethics, raising fundamental questions about the relationship between public office and personal freedom.
- 62.** Nonetheless, parliaments maintain some form of expectation that Members' private conduct will not bring their office or the legislature into disrepute. Criminal conduct, even when entirely unrelated to the parliamentary role of a Member, is universally regarded as incompatible with continued membership of a legislature in cases of sufficient seriousness.

63. In Kenya, Article 99(1)(h) of the Constitution provides that a person is disqualified from election as a Member of Parliament if they have been found to have misused or abused a State office or public office or in any way to have contravened Chapter Six.

CHAPTER TWO

MEMBERS' CONDUCT: COMPARATIVE PARLIAMENTARY OVERVIEW

Introduction

- 64.** The conduct of elected legislators has been a subject of profound concern across democratic systems. Parliaments, as the primary legislative and representative institutions of democratic governance, are expected to operate with the highest standards of integrity, transparency, and accountability. The Members of Parliament are therefore entrusted with enormous public power, and the manner in which they exercise that power is of direct relevance to the legitimacy of democratic governance itself.
- 65.** A code of conduct for Members of Parliament constitutes one of the most important instruments through which democratic systems seek to regulate legislative behaviour, prevent abuse of office, manage conflicts of interest, and maintain public confidence in representative institutions.
- 66.** The Members occupy positions of exceptional public trust, and the standards of behaviour expected of them are correspondingly exceptional. The conduct of a Member of Parliament in a manner that brings the institution into disrepute does not merely harm the Member but also erodes the legitimacy of democratic governance itself.
- 67.** The concept of a regulated conduct for parliamentarians is rooted in the recognition that legislative power must be subject to ethical constraints that go beyond the ordinary rules applicable to ordinary citizens. A code of conduct operationalises these obligations by translating abstract ethical principles into concrete behavioural rules and institutional procedures.

Definitions

- 68.** Erskine May defines **parliamentary privilege** as "*...the sum of the peculiar rights enjoyed by each House collectively... and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the general law.*"¹
- 69.** Parliamentary privilege can be categorised in two; those extended to Members individually, and those extended to the House collectively. Each grouping can be broken down further into specific categories. The collective rights and powers of the House for purposes of this inquiry include:
- (a) **the power to discipline**, that is, the right to punish persons guilty of breaches of privilege or contempt, and the power to expel members guilty of disgraceful conduct;
 - (b) **the right to institute inquiries** and to call witnesses and demand the production of papers;
 - (c) **the right to administer oaths** to witnesses appearing before it; and
 - (d) **the right to publish papers** without recourse to the courts relating to the content.²
- 70.** On the other hand, the rights and immunities accorded to Members individually in most Commonwealth jurisdictions are the freedom of

¹ David Natzler and Mark Hutton (eds), *Erskine May's Treatise on The Law, Privileges, Proceedings and Usage of Parliament* (25th edn, LexisNexis 2019) chs 12, 15 <https://erskinemay.parliament.uk>

² Eric Janse and Jeffrey LeBlanc (eds), *House of Commons Procedure and Practice* (4th edn, House of Commons 2025) ch 3 <https://www.ourcommons.ca/procedure-and-practice-4/ch03-3-e.html>

speech and debate.³ It is generally an accepted principle in the Commonwealth that the individual Members' privileges and rights are subordinate to those of the House as a whole in order to protect the integrity of the House against any abuses or breaches by individual Members.⁴ Similarly, paragraph 11 of the House of Commons Code of Conduct, 2022, provides that:

"Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Commons as a whole or of its Members generally."

71. On the other hand, parliamentary conduct refers to the totality of behaviour engaged in by a Member of Parliament that is subject to ethical or legal regulation by reason of their status as a member of a legislature. This encompasses conduct in the chamber and committee rooms, conduct in the constituency, conduct in financial and business affairs, in relationships with staff, and third parties, and conduct in private life insofar as it bears on the capacity of the Member to discharge their public responsibilities with integrity.

Categories of Parliamentary Conduct Norms

72. Parliamentary conduct norms may generally be organised into several categories, including norms of—

- (a) process and procedure;
- (b) financial integrity;

³ *ibid*; See also United Kingdom: David Natzler and Mark Hutton (eds), *Erskine May's Treatise on The Law, Privileges, Proceedings and Usage of Parliament* (25th edn, LexisNexis 2019) ch 13, para 13.1 <https://erskinemay.parliament.uk/section/4580/introduction-to-privilege-of-freedom-of-speech/>; Australia: Harry Evans and Rosemary Laing (eds), *Odgers' Australian Senate Practice* (14th edn, Commonwealth of Australia 2016) ch 2 Commonwealth, *Parliamentary Privileges Act 1987* (Cth) ss 16; New Zealand: *Parliamentary Privilege Act 2014* (NZ) ss 6-10

⁴ *Prebble v Television New Zealand Ltd* [1995] 1 AC 321 (PC)

- (c) personal conduct;
- (d) institutional loyalty; and
- (e) public representation.

73. Norms of process and procedure govern how Members are expected to behave in the course of parliamentary activities. These include rules of debate, voting, committee conduct, and the exercise of parliamentary privilege.

74. Norms of **financial integrity** govern the financial interests of Members, their relationships with donors, sponsors, and other external partners, and their use of public resources.

75. Norms of personal conduct govern the behaviour of Members toward colleagues, staff, constituents, and the public. On the other hand, **norms of institutional loyalty** govern obligations of Members to the legislature as an institution, including the prohibition on conduct that brings the institution into disrepute.

76. Lastly, there are norms of **public representation**, which govern obligations of Members to their constituents and to the broader public interest.

77. Notably, these categories are not mutually exclusive, and many significant cases of parliamentary misconduct involve violations of norms in more than one category.

General Principles of Expected Conduct of Members of Parliament

78. The foundational principles of expected parliamentary conduct are articulated with remarkable consistency across parliamentary jurisdictions. The most wide-ranging statement of these principles

Report on the inquiry into allegations against the Hon. Jack Wanami Wamboka, CBS, MP, as the Member for Bumula Constituency, and as the chairperson, Public Investment Committee on Governance and Education

remains the *Seven Principles of Public Life* articulated by the Nolan Committee in the United Kingdom in 1995, namely: selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

- 79.** These principles have been adopted, in whole or in substantial part, by parliamentary institutions and public sector ethics frameworks in many countries, including New Zealand, Australia, South Africa, and Kenya, and they have been endorsed by international organisations including the OECD and the IPU, as a benchmark for public sector ethics.

Specific Behavioural Expectations of Members of Parliament

- 80.** In addition to these general principles, parliamentary codes of conduct across jurisdictions specify a range of particular behavioural expectations. Members are expected to attend and participate actively in the sittings of the chamber and in committee proceedings to which they are assigned, in fulfilment of their primary obligation to represent their constituents and to contribute to the legislative work of Parliament.
- 81.** Additionally, Members are expected to treat their colleagues, staff, constituents, and all who interact with the parliament with courtesy and respect. The principle of mutual respect in parliamentary proceedings is a long-established convention that is codified in the standing orders of virtually all parliamentary systems, which contain rules prohibiting offensive language, personal abuse, and the attribution of improper motives to fellow Members.

Financial Misconduct and Corruption

- 82.** Across most jurisdictions, financial misconduct constitutes the most extensively regulated category of prohibited parliamentary conduct. It is

noted **that bribery and corruption represent the most fundamental violation of parliamentary integrity.** The acceptance or solicitation of payment or other advantage in exchange for the exercise of a parliamentary function is prohibited in all jurisdictions and is typically treated as the most serious category of parliamentary misconduct.

- 83.** The United Kingdom prohibition on “paid advocacy”, first recommended by the Nolan Committee and codified in the House of Commons Code of Conduct, provides that no Member shall act as a paid advocate in any proceeding of the House. The United States Ethics in Government Act and the relevant Senate and House rules similarly prohibit the acceptance of compensation in exchange for the performance of official acts.
- 84.** The misuse of public resources, including parliamentary allowances, office budgets, and staff, is a second major category of financial misconduct. The Australian experience, particularly the Bronwyn Bishop and the broader expenses scandal of the mid-2010s, illustrated vividly the potential for systematic misuse of parliamentary entitlements.
- 85.** In the United Kingdom, the 2009 expenses scandal, in which it was revealed that hundreds of Members of Parliament had claimed expenses for items ranging from moat cleaning and duck houses to mortgage interest on properties that were then sold at profit, resulted in criminal prosecutions, numerous resignations, and a fundamental restructuring of the parliamentary expenses regime under the Independent Parliamentary Standards Authority Act, 2009.

Code of Conduct for Members of Parliament

- 86.** To manage the conduct in parliament, different jurisdictions have established codes of conducts of Members of Parliament. A code of

conduct, in the parliamentary context, is defined as a formal instrument, whether statutory, quasi-statutory, or administrative in character, that prescribes the standards of behaviour expected of Members of Parliament in the discharge of their official functions and in their public and private conduct to the extent it affects their legislative role.

- 87.** The Organisation for Economic Co-operation and Development (OECD) defines a code of conduct as "a set of standards, rules and procedures that explain how employees and stakeholders are expected to act, and how they should operate" (OECD, 2017).
- 88.** In the parliamentary setting, the term encompasses both positive obligations, such as duties of disclosure, diligence, and representation, and negative obligations, such as prohibitions on bribery, abuse of privileges, and misuse of public resources.
- 89.** The Inter-Parliamentary Union (IPU), in its report on parliamentary ethics, describes a code of conduct as an instrument that "sets out the values, principles and standards of behaviour expected of Members and seeks to maintain and strengthen the integrity and reputation of the parliament as an institution" (IPU, 2014). This definition emphasises not only the individual dimensions of parliamentary conduct but also the institutional function of ethical codes in safeguarding the legitimacy of parliament as a whole.
- 90.** Notably, it is important to distinguish a code of conduct from other instruments that regulate parliamentary behaviour. Standing Orders are the internal procedural rules of a legislature that govern its day-to-day operations, including debate, voting, committee procedures, and the management of parliamentary business. While Standing Orders may

contain provisions that bear on the conduct of Members, they are primarily procedural rather than ethical in orientation.

- 91.** On the other hand, constitutional provisions establish the **fundamental legal framework** within which parliaments operate, including qualifications for membership, grounds for disqualification, immunities and privileges, and the basic distribution of legislative power.
- 92.** A code of conduct, therefore, occupies a distinct space between these instruments. It is more detailed and behaviourally specific than constitutional provisions, while being more normatively grounded than ordinary procedural rules. It is observed that the relationship between these instruments is often complementary.
- 93.** In Kenya, for example, the Constitution establishes the overarching ethical framework for Members of Parliament through its provisions on leadership and integrity, while the Standing Orders elaborate specific procedural expectations. This layered architecture is characteristic of many democratic systems, where constitutional norms provide the foundational framework that is then elaborated through statute, internal regulation, and institutional practice.

Comparative Analysis across specific Jurisdictions

United Kingdom

- 94.** The United Kingdom has one of the oldest and most developed systems of parliamentary ethics in the world. The concept of parliamentary privilege, which protects Members of Parliament from legal liability for their activities in Parliament, has existed since the Bill of Rights, 1689. However, formal codes of conduct for Members of Parliament are a relatively recent development, having emerged in response to a series of

scandals in the 1990s that severely damaged public confidence in the House of Commons.

- 95.** In the UK House of Commons, bribery or acceptance of a bribe by an MP is considered contempt of Parliament and can be punished by the House. Contempt in this context is defined as—

*"...(an) act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence."*⁵

- 96.** Bribery cases have evolved significantly following the enactment of the Bribery Act 2010. Allegations of bribery against MPs take a dual-track approach: the House retains its power to treat bribery as contempt and deals with it through internal procedures through the Committee of Privileges, while a Member may also be prosecuted in criminal courts.⁶
- 97.** Additionally, Part D, paragraph 3 of the House of Commons Code of Conduct, 2022 provides that:

"The acceptance by a Member of a bribe to influence his or her conduct as a Member, including any fee, compensation or reward in connection with the promotion of, or opposition to, any Bill, Motion, or other matter submitted, or intended to be submitted to the House, or to any Committee of the House, is contrary to the law of Parliament."

⁵ David Natzler and Mark Hutton (eds), *Erskine May's Treatise on The Law, Privileges, Proceedings and Usage of Parliament* (25th edn, LexisNexis 2019) chs 12, 15 <https://erskinemay.parliament.uk>

⁶ Joint Committee on Parliamentary Privilege, *Parliamentary Privilege* (2013-14, HL 30, HC 100) paras 143-146; *Bribery Act 2010* c 23, ss 1-2; David Natzler and Mark Hutton (eds), *Erskine May's Treatise on The Law, Privileges, Proceedings and Usage of Parliament* (25th edn, LexisNexis 2019) para 11.18;

98. Furthermore, the Guide to the Rules relating to the Conduct of Members, 2022 outlaws taking payment in return for advocating a particular matter in the House. For instance, in its Second Report of Session 2023-24, the House of Commons Committee on Standards investigated Mr. Scott Benton, MP, on allegations of bribery arising from self-referral following a publication in The Times newspaper. It was observed that Mr. Benton made statements that he would be willing to breach and/or circumvent the House Rules for the company in return for payment.⁷ The Committee on Standards found that—

"...Mr. Benton committed a very serious breach of paragraph 11 of the Rules. His comments gave a false impression of the morality of MPs in a way which if the public were to accept them as accurate would be corrosive to respect of Parliament and undermine the foundations of [the UK's] democracy.

...A serious sanction is appropriate. We recommend that the House suspend Mr. Benton from its service for a total of 35 days with a concomitant loss of salary.⁸

Disciplinary and Penal Powers of the House

99. In exercise of its penal powers against an MP, the UK House of Commons may, among others—

- (a) suspend such member from the service of the House;
- (b) expel such member from the House;
- (c) reprimand or admonish such member by way of formal censure;

⁷ House of Commons, Committee on Standards, *Scott Benton* (Second Report of Session 2023-24, HC 413, 14 December 2023) <https://committees.parliament.uk/publications/42581/documents/211708/default/>

⁸ *ibid.*

(d) summon to the bar of the House (the railing at the rear of the chamber); or

(e) where privilege overlaps with criminal law, refer the matter for criminal prosecution.⁹

100. The establishment of the Committee on Standards in Public Life (the Nolan Committee) in 1994, following concerns about cash-for-questions and other abuses, marked a watershed in the development of parliamentary ethics in the United Kingdom.

101. The First Report of the Nolan Committee, published in 1995, articulated the "**Seven Principles of Public Life**," which have since become the foundational ethical framework not only for Members of Parliament but for all public officials in the United Kingdom.

102. The House of Commons adopted its first formal Code of Conduct in 1996, following the recommendations of the Nolan Committee. The Code has been revised several times since then, with the most recent version reflecting lessons learnt from a series of subsequent scandals, including the 2009 expenses scandal, which revealed systematic abuse of the parliamentary expenses system by Members of Parliament and resulted in prosecutions, resignations, and a fundamental reform of the expenses regime.

103. The current Code of Conduct sets out the general principles to which Members are expected to adhere, including the Nolan Principles, and specifies a number of specific obligations relating to registration and declaration of interests, the avoidance of conflicts of interest, the

⁹ House of Commons, Committee on Standards, *Sanctions in Respect of the Conduct of Members* (2019-21, HC 241); House of Commons Library, *Disciplinary and Penal Powers of the House of Commons* (Background Paper, SN06487, 28 December 2025); House of Commons, *Companion to the Standing Orders and Guide to the Proceedings of the House of Lords* (2025 edn) para 12.14-12.16

prohibition on paid advocacy, and conduct in dealings with staff, the public, and outside organisations.

104.A notable example of the UK system in operation is the case of Jack Straw and Sir Malcolm Rifkind, former Cabinet Ministers who were found by undercover journalists in 2015 to have offered to use their political positions for personal payment, in apparent violation of the prohibition on paid advocacy. The Parliamentary Commissioner for Standards investigated the matter, and both resigned from the House before the investigation was concluded. Another high-profile case was that of Owen Paterson, who in 2021 was found by the Commissioner to have engaged in an egregious and sustained breach of the rules on paid advocacy. The initial attempt by the government to avoid imposing the recommended suspension provoked a public outcry, and Paterson subsequently resigned from Parliament. United States of America Congress.

105.In the United States, Congress has developed an elaborate system of legislative ethics, reflecting both the complexity of the American political system and the recurring concerns about corruption and conflicts of interest in American political culture. The constitutional framework for congressional ethics is established by Article I of the Constitution, which grants each House of Congress the authority to "determine the Rules of its Proceedings, punish its Members for disorderly behaviour, and, with the concurrence of two-thirds, expel a Member." This provision provides the constitutional foundation for the ethics rules adopted by both the Senate and the House of Representatives.

106.In 1977, the Senate and the House of Representatives established and adopted their first Code of Official Conduct. Both codes have been substantially revised and expanded over the years. The enforcement of

congressional ethics in the Senate is the responsibility of the Select Committee on Ethics, while in the House, it is the responsibility of the Committee on Ethics, formerly known as the Committee on Standards of Official Conduct. Both committees have jurisdiction to investigate complaints against Members, conduct hearings, and recommend sanctions ranging from a formal reprimand to censure or expulsion.

107. The United States Congress's parliamentary ethics enforcement system is characterized by a split architecture that separates the preliminary investigative function from the final adjudicative function. The Ethics Committees of the Houses have jurisdiction to receive complaints, conduct investigations, and recommend disciplinary action to the full chamber. In 2008, the House of Representatives additionally established the Office of Congressional Ethics (OCE), an independent external body that introduced a degree of independence into the investigative process that internal committee structures had consistently failed to deliver.

108. The creation of the OCE was a direct response to sustained public and academic criticism of the House Ethics Committee's record of self-restraint. Multiple scholarly analyses had documented a pattern in which the Committee declined to open investigations into Members from either party under the implicit logic of mutual protection, a dynamic that had been characterised as the structural corruption inherent in legislative self-governance. The OCE operates with a board comprising private citizens rather than Members of Congress, may receive complaints from any person, and conducts a preliminary review to determine whether there is a reasonable basis to believe a violation has occurred. If so, it transmits its findings to the full Committee on Ethics, which retains the power of

final adjudication. The OCE does not itself impose sanctions and only functions as an independent filter and catalyst.

109. Investigation and Adjudication Process: When a complaint is filed with the House Ethics Committee or the OCE, the process begins with a preliminary inquiry to determine whether the subject matter falls within the jurisdiction of the Committee and whether the alleged conduct, if proven, would constitute a violation of the House's rules, the relevant statutes, or the interpretive standards of the Committee. If the preliminary inquiry finds sufficient basis, a full investigation is opened. The Member under investigation has the right to respond to allegations in writing, to present evidence, and, in formal adjudicatory proceedings, to be represented by counsel. The investigation may involve examining financial records, communications, and the testimony of witnesses.

110. Upon completing its investigation, the Committee may dismiss the matter, issue a letter of reproof to the Member, recommend a formal sanction to the full House, or refer the matter to the Department of Justice for criminal investigation. Formal sanctions available to the full House include a public reprimand, a censure, a fine, and, in the most serious cases, expulsion by a two-thirds majority.

111. A distinctive feature of the United States system is the emphasis on financial disclosure and the regulation of stock trading by Members of Congress. The Stop Trading on Congressional Knowledge (STOCK) Act of 2012 was enacted in response to reports that Members of Congress had been trading in securities based on non-public information obtained in the course of their legislative activities. The STOCK Act prohibits insider trading by Members of Congress and their staff, requires the timely public disclosure of securities transactions, and extends the insider trading

prohibitions that apply to corporate officers to Members and employees of Congress.

112.The disclosure requirements of the STOCK Act are enforced through the Ethics in Government Act, which requires Members of Congress to file annual financial disclosure statements that disclose their income, assets, liabilities, and outside positions. These statements are publicly available and are reviewed by the congressional ethics committees. Compliance with the STOCK Act has been a persistent challenge. Studies have found that many Members of Congress file late disclosures or fail to disclose transactions as required, and enforcement has been inconsistent.

113.A notable example is the case of Senator Richard Burr, who in 2020 was investigated by the Federal Bureau of Investigation following reports that he had sold millions of dollars in stock shortly before the market decline associated with the COVID-19 pandemic, apparently after receiving classified briefings on the severity of the outbreak. The investigation was eventually closed without charges, but the case focused public attention on the adequacy of the prohibitions and enforcement mechanisms.

114.Censure is a significant institutional act requiring the censured Member to stand in the well of the House while the censure resolution is read aloud. It carries considerable public stigma even though it does not affect the Member's seat. Expulsion is extremely rare and has occurred only in cases involving criminal conviction or conduct tantamount to treason.

115.In 2010, Rep. Charles Rangel of New York was censured by the full House of Representatives following an Ethics Committee investigation that found multiple violations, including failure to declare rental income from a Dominican Republic property, misuse of rent-stabilised New York apartments, failure to pay taxes, and use of congressional letterhead for

private fundraising. He was required to stand in the well of the House as the censure resolution was read, the first censure administered since 1983.

116. His case illustrated that even a senior, long-serving member is not exempt from the formal disciplinary process when evidence of misconduct is well documented. Rep. Duke Cunningham of California pleaded guilty in 2005 to conspiracy to commit bribery, mail fraud, wire fraud, and tax evasion after accepting over 2.4 million dollars in bribes from defence contractors in exchange for directing federal contracts. He was sentenced to eight years and four months in federal prison and resigned from Congress prior to sentencing. His case illustrates how criminal prosecution can operate in tandem with, and ultimately displace, the internal disciplinary process in cases of serious corruption.

Philippines

117. The 1987 Constitution of the Philippines establishes the foundational framework for legislative ethics, including provisions in Article XI on accountability of public officers. Section 1 of Article XI provides that "public office is a public trust" and that "public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives." This provision is of considerable significance as it establishes public trust as the foundational concept of Filipino public ethics.

118. The Code of Conduct and Ethical Standards for Public Officials and Employees applies to all public officials including Members of Congress and establishes a range of obligations including norms of conduct namely;

Report on the inquiry into allegations against the Hon. Jack Wanami Wamboka, CBS, MP, as the Member for Bumula Constituency, and as the chairperson, Public Investment Committee on Governance and Education

commitment to public interest, professionalism, justness and sincerity, political neutrality, responsiveness to the public, nationalism and patriotism, commitment to democracy, and simple living; mandatory disclosure of assets, liabilities, and net worth; and restrictions on outside employment and post-employment activities.

119. The Statement of Assets, Liabilities, and Net Worth (SALN) is the centrepiece of the Philippines' legislative ethics regime. All public officials, including Members of Congress, are required to file a SALN annually, disclosing their assets, liabilities, and net worth, as well as those of their spouses and children. The SALN requirement is intended to enable detection of unexplained enrichment and conflicts of interest, and non-compliance with the SALN requirement is a criminal offence. The SALN has been a focus of significant controversy in the Philippines, with several high-profile cases involving Members of Congress and other officials who were found to have filed false or incomplete SALNs.

120. A notable example is the case of Chief Justice Renato Corona, who was impeached and convicted by the Senate in 2012, in part for failing to accurately disclose his assets in his SALN. While this case involved a member of the judiciary rather than a Member of Congress, the SALN requirements applicable to Chief Justice Corona were identical to those applicable to Members of the House of Representatives and the Senate, and the case established important precedents regarding the mandatory character of the SALN disclosure obligation and the sanctions for non-compliance. The case also illustrated the role of the Senate of the Philippines as an impeachment court, a constitutional function that places Members of the Senate in a unique institutional position as both legislators and judges in the accountability process.

Germany

- 121.** The approach to parliamentary ethics in the Federal Republic of Germany is shaped by the provisions of the Basic Law (*Grundgesetz*), which establishes both the institutional framework of the Bundestag and the fundamental constitutional values that inform legislative ethics.
- 122.** The Basic Law provides that Members of the Bundestag are "representatives of the whole people, not bound by orders or instructions, responsible only to their conscience." This free mandate principle (*freies Mandat*) is a foundational feature of the German constitutional order and distinguishes the German approach from systems in which Members of Parliament are regarded as delegates of their parties or constituencies. The Rules of Procedure of the Bundestag (*Geschäftsordnung des Deutschen Bundestages*) contain provisions governing the conduct of Members in plenary sessions, committee meetings, and other parliamentary activities. However, the primary instrument for the regulation of financial interests and conflicts of interest of Members is the Rules of Conduct for Members of the German Bundestag (*Verhaltensregeln fuer Mitglieder des Deutschen Bundestages*), which are appended to the Rules of Procedure and constitute a formal code of conduct.
- 123.** The German system places considerable emphasis on transparency regarding the financial interests of Members of the Bundestag. Members are required to disclose a wide range of activities and interests, including paid employment, directorships, and consultancy work, shareholdings above certain thresholds, donations received, and income from outside activities.

124. Disclosures are published in the Official Gazette (*Bundesanzeiger*) and on the Bundestag website, and are graduated into categories indicating approximate income ranges rather than precise figures. This graduated disclosure approach represents a compromise between the imperatives of transparency and the privacy interests of members.

125. A significant example of the German ethics system in operation is the *Maskenaffaere* (mask affair) of 2021, in which several Members of the Bundestag were found to have received commissions from the procurement of protective masks during the COVID-19 pandemic. The affair resulted in the expulsion of two Members from the CDU/CSU parliamentary group, significant amendments to the disclosure requirements for Members of the Bundestag, and criminal investigations into the most egregious cases. The affair prompted the Bundestag to introduce more stringent transparency requirements and to lower the thresholds for disclosure of outside income, reflecting the broader pattern of ethics reform following high-profile scandals that characterises many parliamentary systems.

New Zealand

126. The constitutional arrangement in New Zealand is distinctive for the absence of a codified constitution, with the constitutional order resting on a combination of statutes, conventions, and common law. This characteristic shapes the approach to parliamentary ethics, which relies primarily on the Standing Orders of the House of Representatives, the Members of Parliament (Remuneration and Services) Act, 2013, and the Cabinet Manual, for Members who also hold ministerial positions.

127.The Register of Pecuniary Interests of Members of Parliament is maintained under the Standing Orders and is a central feature of the transparency framework.

128.In 1996, New Zealand adopted a formal Code of Conduct for Members of Parliament as part of its Standing Orders, reflecting the growing international consensus on the importance of formal ethical standards for legislators. The code sets out the general principles applicable to Members, including obligations of honesty, respect for the rule of law, and the proper use of public resources. The Standing Orders Committee, the committee responsible for reviewing and updating the Standing Orders, periodically reviews the Code and recommends amendments in response to emerging ethical challenges.

129.The enforcement of parliamentary ethics standards in New Zealand is primarily the responsibility of the Speaker and the Privileges Committee. The Privileges Committee has jurisdiction to investigate alleged contempts of Parliament, including conduct by Members that brings the House into disrepute, and may recommend sanctions including reprimand, suspension, or expulsion. The Speaker has broader powers to maintain order in the House and may take immediate disciplinary action in response to disorderly conduct.

130.A case in point on the conduct of Members in New Zealand is that of Hone Harawira, a Member of Parliament who in 2010 attracted criticism for taking a personal detour to Paris during an official trip at taxpayers' expense. While the matter did not result in formal disciplinary proceedings, it prompted a review of the expenses regime for Members and illustrated the reputational dimension of parliamentary ethics, as public pressure alone was sufficient to force an apology and repayment.

Report on the inquiry into allegations against the Hon. Jack Wanami Wamboka, CBS, MP, as the Member for Bumula Constituency, and as the chairperson, Public Investment Committee on Governance and Education

Australia

- 131.**The approach to parliamentary ethics in the Commonwealth of Australia is shaped by the federal structure of the Australian constitutional order, which distributes legislative power between the Commonwealth Parliament and the six State Parliaments and two Territory Legislative Assemblies.
- 132.**At the federal level, the conduct of Senators and Members of the House of Representatives is regulated by the Statements of Interest requirements under the Senate Standing Orders and the House of Representatives Standing Orders, and by the Members of Parliament (Staff) Act, 1984, which governs relationships between Members and their staff.
- 133.**Unlike the United Kingdom and some other Westminster systems, Australia does not have a single comprehensive Code of Conduct for federal Members of Parliament. Instead, the ethical framework is constructed from multiple sources, including the Standing Orders, ministerial codes that apply to those Members who hold executive positions, the entitlements framework that governs the use of parliamentary allowances and resources, and the common law principles of public office. This dispersed framework has been criticised by commentators and parliamentary reform advocates as insufficiently coherent and as lacking the clear standards and independent enforcement mechanisms that characterise best-practice parliamentary ethics systems.
- 134.**The adequacy of parliamentary ethics framework in Australia was called into question by a series of expenses-related controversies in the 2010's. Several Members of Parliament attracted public criticism and some resigned from front bench positions after it was revealed that they had

Report on the inquiry into allegations against the Hon. Jack Wanami Wamboka, CBS, MP, as the Member for Bumula Constituency, and as the chairperson, Public Investment Committee on Governance and Education

claimed parliamentary travel allowances for activities of questionable official character, including property investment activities and attendance at events organised by their political parties. These controversies led to the establishment of the Independent Parliamentary Expenses Authority (IPEA) in 2017, which took over responsibility from the Department of Finance for the administration and oversight of parliamentary expenses.

135. A particularly illustrative case is that of Bronwyn Bishop, who resigned as Speaker of the House of Representatives in 2015 after it was revealed that she had claimed parliamentary allowances to fund a helicopter flight from Melbourne to Geelong to attend a Liberal Party fundraiser, at a cost to the taxpayer of approximately AUD \$5,000. The case attracted widespread public criticism and became a benchmark for the debate about the adequacy of the parliamentary ethics framework in Australia.

136. Following the controversy, new rules were introduced requiring the publication of parliamentary expenses and establishing clearer guidelines for the types of activities for which expenses could be claimed. The case illustrates the pattern, common across many parliamentary systems, in which public scandals provide the primary impetus for ethics reform.

137. In 2023, Parliament enacted the Independent Parliamentary Standards Authority Act, 2023, which established the Independent Parliamentary Standards Authority (IPSA) as a statutory body independent of the Parliament and the Executive. IPSA is responsible for administering a Code of Conduct for Commonwealth parliamentarians that covers not only financial misconduct and conflicts of interest but also workplace conduct including bullying, harassment, and sexual harassment. This represents a significant expansion of the scope of parliamentary conduct regulation beyond its traditional focus on financial integrity, recognising that the

health of a democratic legislature depends on the conduct of its members and staff across a much broader range of interactions.

138.IPSA has authority to receive complaints from any person, including Members, staff, and visitors to Parliament House, and to conduct investigations into alleged breaches of the Code. The investigation process is conducted with procedural fairness, including notice to the respondent and an opportunity to respond. IPSA makes findings and recommendations to the relevant House, which retains final authority over sanctions. The sanctions available under the IPSA framework include a formal finding of breach, a reprimand, suspension, and referral to law enforcement authorities. The existence of IPSA as an independent body means that complaints are no longer assessed solely by committees composed of fellow parliamentarians, which has been the primary structural weakness of pure self-regulatory systems.

139.Alongside IPSA, the existing parliamentary mechanisms continue to operate in parallel for certain categories of conduct. Both the Senate and the House of Representatives have Committees of Privileges that deal with allegations of contempt of Parliament, breaches of parliamentary privilege, and certain categories of Member misconduct that fall within the traditional parliamentary self-regulatory domain.

140.Contempt of Parliament is a broad concept that includes misleading the House, obstructing parliamentary proceedings, and conduct seriously inconsistent with the dignity of the House. The criminal law, including the common law offences relating to corruption and misconduct in public office, the federal criminal code, and specific anti-corruption legislation, applies to members in the same way as to other citizens.

South Africa

- 141.** The Constitution of the Republic of South Africa, 1996, provides a robust framework for the ethical regulation of legislative conduct. Article 96 of the Constitution imposes specific obligations on members of the Cabinet and Deputy Ministers. The broader ethical framework applicable to Members of Parliament is established by Article 8 of the Constitution which provides that the Bill of Rights applies to all organs of State, and by the provisions of the Code of Ethical Conduct and Disclosure of Members' Interests for Assembly and Permanent Council Members.
- 142.** The Code of Ethical Conduct and Disclosure of Members' Interests is adopted by each House of Parliament pursuant to section 8(1) of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act 4 of 2004. The Code sets out the ethical obligations of Members of the National Assembly and the National Council of Provinces, including obligations relating to the disclosure of financial interests, the avoidance of conflicts of interest, the prohibition on the receipt of unauthorised gifts, the proper use of public resources, and conduct in dealings with the public and with public servants.
- 143.** The Joint Committee on Ethics and Members' Interests, a statutory committee of Parliament, is responsible for the administration of the Code and for the investigation of complaints against Members. The Register of Members' Interests is the primary transparency instrument of the South African system. Members of the National Assembly and the National Council of Provinces are required to register a wide range of financial interests, including shares and financial interests in companies, directorships and partnerships, remunerative work outside parliament, sponsorships, gifts and hospitality received, foreign travel and

accommodation, land and property, and memberships of organisations. The Register is publicly available on the Parliament of South Africa website.

144. It is noted that the enforcement record of the South African system has been uneven. A particularly significant example of the ethics system in operation is the case involving former President Jacob Zuma, whose conduct as a Member of the National Assembly was the subject of extensive constitutional and parliamentary scrutiny. The judgment of the Constitutional Court in *Economic Freedom Fighters v. Speaker of the National Assembly (2016)* found that the National Assembly had failed in its constitutional obligation to hold the President accountable in respect of the findings of the Public Protector in the *Nkandla* matter, in which public funds had been used for non-security upgrades to the private residence of the President. The judgment established important constitutional principles regarding the accountability obligations of Members of Parliament and the role of the National Assembly in upholding the rule of law.

145. Sanctions available through the Committee process include a formal reprimand by the House, a fine, suspension from parliamentary service without pay, in extreme cases, expulsion from Parliament.

146. The South African Parliament has rarely imposed the most severe sanctions, reflecting in part the dynamics of a legislature in which the majority party has dominated since 1994, creating structural incentives to treat misconduct by majority-party Members with restraint. This pattern has been widely noted as a limitation of the purely self-regulatory model (Calland, 2013).

- 147.** The Public Protector is a constitutional institution established as an independent watchdog with powers to investigate any conduct in State affairs and in the public administration. Unlike parliamentary ethics committees in most other systems, the Public Protector has constitutional independence and may investigate the conduct of Members of Parliament and the executive alike. The reports of the Public Protector carry significant constitutional weight.
- 148.** South African law provides a robust criminal framework for serious parliamentary misconduct. The Prevention and Combating of Corrupt Activities Act 12 of 2004 criminalises corruption, fraud, and abuse of position by public officers including Members of Parliament. The National Prosecuting Authority (NPA) is responsible for prosecuting such cases before the ordinary courts, with the Specialised Commercial Crimes Court handling complex financial misconduct matters. In extreme cases, the High Court and the Constitutional Court provide additional avenues of accountability.
- 149.** Former ANC Member of Parliament Vincent Smith was convicted in 2024 of fraud and corruption in connection with a corrupt relationship with G4S, a private prison services company. Evidence showed that Smith had received benefits from G4S while serving on the Portfolio Committee on Correctional Services, the committee responsible for oversight of the correctional services sector. His conviction illustrated the interaction between internal parliamentary accountability mechanisms, which had not addressed his conduct, and the criminal justice system, which ultimately did.

CHAPTER THREE

THE INQUIRY: REFERRAL, TERMS OF REFERENCE, WITNESSES, PRIMARY DOCUMENTS & EVIDENCE ADDUCED

Referral of the Matter to the Committee - Communication from the Speaker

- 150.**In her Communications Nos. 13 and 014 on the Guidance on Complaint Against the Chairperson of a House Committee, to the House on Wednesday, 22nd April 2026, the Deputy Speaker of the National Assembly, Hon. Gladys Boss, MGH, MP, conveyed that a formal complaint from the then Chairperson of the National Cohesion and Integration Commission (NCIC) had been received.
- 151.**Further, the House was confronted with a novel situation in which grave allegations had been made against a single Member of a Committee who also happened to be its Chairperson. She observed that the immediate questions arising were whether allegations relating to the discharge of the functions of a Committee could be directed against a single Member, and whether the other Members present during the proceedings either actively encouraged or condoned the conduct complained of.
- 152.**The Deputy Speaker further noted that Members of the Committee who contributed to the matter distanced themselves from the allegations and called for any evidence of impropriety to be submitted and subjected to due scrutiny. However, she emphasized that the work of the Committee was extremely time-sensitive and that prudence required the discharge of its critical mandate not to be delayed or clouded by even the slightest perception of impropriety.

153.In that regard, and on the basis of the complaint before the House, the Deputy Speaker opined that it would not serve the interests of the House or the work of the Committee to unnecessarily draw the remaining Members into a controversy in which they were not primary parties.

154.She therefore directed, for the avoidance of doubt, that the Committee on Powers and Privileges would limit its proceedings to consideration of the complaints received against the Member of Parliament for Bumula and the Chairperson of the Public Investment Committee on Governance and Education, and any other relevant issue or complaint relating to the leadership of the Committee in the discharge of its mandate.

Letter by Rev. Samuel Kobia dated 23rd July, 2025

155. In the letter, dated 23rd July, 2025, Rev. Kobia wrote to the Speaker of the National Assembly to formally lodge a complaint, raising serious allegations regarding the conduct of the Chairperson of the Public Investments Committee on Governance and Education and the Member for Bumula, the Hon. Jack Wanami Wamboka, CBS, MP.

156.In the letter, Rev. Kobia raised the following, in summary, –

- (i) Formally lodge a complaint regarding the conduct of the chairperson of the Public Investment Committee on Governance and education, Hon. Jack Wanami Wamboka, in relation to his engagement with the NCIC during examination of Reports and accounts of Public Investments of the Auditor General on Public Investments (FY2021/22 and 2023/2024);
- (ii) Notes that the Commission continues to uphold its constitutional duty to be accountable to Parliament....., we have experienced

- deeply troubling conduct by the said chairperson that threatens the integrity and sanctity of Parliamentary oversight;
- (iii) The Commission has credible concerns regarding allegations that the chairperson has demanded inducements – bribes- as a precondition to grant audience or favourable consideration during committee proceedings;
 - (iv) This is an alarming abuse of office, a violation of Chapter Six of the Constitution of Kenya, and a serious breach of the Leadership and Integrity Act, 2012, as well as the Public Officers' Ethics Act.
 - (v) Such actions not only erode public trust in parliamentary processes but also compromise the very purpose of legislative oversight;
 - (vi) Call upon the good office (Speaker's office) to –
 - a) Initiate a thorough and impartial investigation into the conduct of the Chairperson of the Public Audit Committee;
 - b) Ensure protection of public servants from harassment and coercion during official committee appearances;
 - c) Ensure that the values of integrity, transparency, and accountability expected of Parliamentary leadership are upheld.

Terms of Reference

157. Having considered the Communications, the letter from Rev. Kobia dated 23rd July 2025, and in order to undertake the task, the Committee summarised its terms of reference as follows-

- (i) To inquire into whether Hon. Jack Wanami Wamboka, M.P., was culpable for harassment of Commissioners and staff of the NCIC appearing before the PIC Committee on Governance and Education, and treating them with hostility and in a demeaning manner;

- (ii) To inquire into whether Hon. Jack Wanami Wamboka, M.P., was culpable for solicitation of financial inducement/bribe from Mr. Harrison Kariuki as a precondition for granting audience or favourable consideration before the committee;
- (iii) To inquire into whether Hon. Jack Wanami Wamboka, M.P., was culpable for solicitation of financial inducement/bribe from Prof. John Kobia Ataya, the Vice Chancellor of Kenya Methodist University, as a precondition for granting audience or favourable consideration in a matter before the Committee;
- (iv) To recommend to the House appropriate action against the Hon. Jack Wanami Wamboka, M.P., for -
 - a) harassment of Commissioners and staff of the NCIC appearing before the PIC Committee on Governance and Education, and treating them with hostility and in a demeaning manner
 - b) solicitation of financial inducement/bribe from Mr. Harrison Kariuki as a precondition for granting audience or favourable consideration before the committee; and
 - c) solicitation of financial inducement/bribe from Prof. John Kobia Ataya, the Vice Chancellor of Kenya Methodist University, as a precondition for granting audience or favourable consideration in a matter before the Committee.
- (vi) Make any other recommendations based on the inquiry.

Witnesses

158. The Committee took evidence from the following -

- (i) Rev.(Dr.) Samuel Kobia, CBS, the former Chairperson of the National Cohesion and Integration Commission (NCIC);

- (ii) The Hon. Jack Wanami Wamboka, CBS, MP, the former Chairperson of the Public Investments Committee on Governance and Education, and the Member for Bumula;

Primary documents

159. From the Speaker's Communication and letter by Rev. Dr. Samuel Kobia, the Committee deduced the following as the primary documents in the Inquiry-

- (i) The Speaker's Communications Nos. 13 and 14 of Wednesday, 26th May 2026;
- (ii) Hansard records of the House proceedings of Wednesday, 22nd April 2026;
- (iii) Letter written to the Speaker by Rev. (Dr.) Samuel Kobia, the then Chairperson of the National Cohesion and Integration Commission, dated 23rd July 2025; and
- (iv) Hansard recordings of the proceedings of the Public Investments Committee on Governance and Education of 14th February 2024;

Exclusion of the public

160. Owing to the nature of the Inquiry, the Committee sought the Speaker's permission to hold its sittings in camera. The Speaker granted the permission. However, the Committee, on a number of occasions, held its proceedings in public upon requests by the persons appearing before it to adduce evidence.

Allegations against the Hon. Jack Wamboka, CBS, MP

161. On 12th May 2026, the Committee considered the letter dated 23rd July 2025 and the Affidavit sworn on 7th May, 2026, both by Rev. Samuel Kobia, and outlined the allegations against Hon. Wamboka, the Member of Parliament, Bumula Constituency, and the then Chairperson of the PIC G&E, as follows –

ALLEGATION 1:

162. Harassment of Commissioners and staff appearing before the **Public Investments Committee on Governance and Education, and treating them with hostility and in a demeaning manner** contrary to Article 3(1), Article 10(1)(c) and 10(2)(b) and (c), Article 28, Article 47(1), Article 73(1)(a), Article 73(2)(b) and Article 75(1) of the Constitution, Section 16(e) and the Fourth Schedule to the Parliamentary Powers and Privileges Act (Cap. 6) and Section 11(a) and (b) and Section 34 of the Leadership and Integrity Act (Cap. 185C).

PARTICULARS OF THE ALLEGATION:

163. The Committee noted that based on the letter and affidavit by Rev. Kobia, the Hon. Wamboka was alleged that on **14th February, 2024** and **25th March, 2025**, at a meeting of the PIC G&E, held at Parliament Buildings and Holiday Inn, Two Rivers Mall, respectively, the Hon. Jack Wanami Wamboka, MP, engaged in a conduct characterised by open hostility, harassment, and demeaning treatment towards Members and officers of the NCIC appearing before the Committee, namely, Rev. Kobia and Mr. Harrison Kariuki, the acting CEO of the NCIC and the accompanying officers of the Commission, thereby subjecting such Members and officers

to an environment inconsistent with the standards of decorum, respect, and professionalism required in parliamentary proceedings, and which conduct, if established, would amount to a violation of the principles of leadership and integrity and would undermine the dignity of the House.

ALLEGATION 2:

164. Solicitation for financial inducement/bribe as a precondition for granting audience or favourable consideration in a matter before the Committee contrary to Article 73(2)(b) and Article 75(1) of the Constitution, Section 16(e) of the Parliamentary Powers and Privileges Act (Cap.6) and Section 3(2)(a), (b), (c) and (d), Section 7, Section 8, Section 10(a) and (b), Section 11(a) and (b), Section 12, Section 13(1)(a), (b), (d) and (f) and Section 24 of the Leadership and Integrity Act (Cap. 185C).

PARTICULARS OF THE ALLEGATION:

165. The Committee noted that based on the letter and affidavit by Rev. Kobia, the Hon. Wamboka is alleged that on various dates in **March and June, 2025**, within Nairobi City County, Hon. Wamboka, in his capacity as the Chairperson of the PIC G&E, solicited the amount of KES. 3 million from one Mr. Harrison Kariuki, the acting CEO of the NCIC, as a precondition for granting favourable consideration to the NCIC on a matter under consideration before the PIC G&E, which conduct, if established, would constitute improper influence and would undermine the integrity, impartiality, and credibility of parliamentary committee proceedings.

ALLEGATION 3:

166. Solicitation for financial inducement/bribe as a precondition for granting audience or favourable consideration in a matter before the Committee contrary to Article 73(2)(b) and Article 75(1) of the Constitution, Section 16(e) of the Parliamentary Powers and Privileges Act (Cap. 6) and Section 3(2)(a), (b), (c) and (d), Section 7, Section 8, Section 10(a) and (b), Section 11(a) and (b), Section 12, Section 13(1)(a), (b), (d) and (f) and Section 24 of the Leadership and Integrity Act (Cap. 185C).

PARTICULARS OF THE ALLEGATION:

167. The Committee noted that based on the letter and affidavit by Rev. Kobia, Hon. Wamboka is alleged that, **in or around June, 2025**, within Nairobi City County, Hon. Wamboka, in his capacity as the Chairperson of the PIC G&E, solicited the amount of KES. 3 million from one Prof. John Kobia Ataya, the Vice-Chancellor of the Kenya Methodist University (KeMU), as a precondition for granting favourable consideration to the University on a matter under consideration by the PIC G&E, which conduct if established, would constitute improper influence and would undermine the integrity, impartiality, and credibility of parliamentary committee proceedings.

Preliminary Issues During Pre-Trial Conference

168. Rev. Kobia and Counsel for Hon. Wamboka, appeared before the Committee on 20th May, 2026, for a pre-trial conference. During the briefing, both parties were formally apprised of the legal and regulatory frameworks governing the conduct of the inquiry hearings. The Committee informed the parties that the proceedings would be guided by

the Constitution, the Law of Evidence Act, (Cap. 80), and the National Assembly Standing Orders.

169. Furthermore, the parties were advised that the inquiry would additionally be regulated by the Committee's established Rules of Procedure.

ORAL EVIDENCE ADDUCED BEFORE THE COMMITTEE

Appearance by Rev. Kobia

170. Rev. Kobia appeared before the Committee on Tuesday, 2nd June, 2026 accompanied by his Counsel, Mr. Robin Bundi, Advocate.

171. Rev. Kobia was sworn in, and he made his submissions before the Committee, stating that he would rely on three principal documents in support of his case, namely-

- (a) a letter dated 23rd July, 2025;
- (b) Affidavit sworn on 7th May, 2025; and
- (c) Further Affidavit sworn on 20th May, 2026.

172. He informed the Committee that —

First Allegation: Harassment of Commissioners and Staff appearing before the PIC G&E, and treating them with hostility and in a demeaning manner

- (i) He submitted an official complaint vide letter dated 23rd July, 2025, addressed to the Speaker of the National Assembly. The complaint arose from his personal experience during his appearance before the PIC G&E on **14th February, 2024**;
- (ii) He had attended the meeting in his official capacity as the Chairperson of the NCIC and noted that the PIC G&E session was chaired by the Hon. Wamboka, where the NCIC had appeared upon

- invitation to respond to specific audit queries contained in the Reports of the Auditor-General for the financial years 2018/2019 and 2020/2021;
- (iii) He attended the meeting prepared to respond to the audit queries but felt that, at the commencement of the proceedings, Hon. Wamboka introduced matters that were unrelated to the purpose for which the NCIC had been invited;
 - (iv) The first issue raised by Hon. Wamboka concerned the failure by the NCIC to recruit a substantive CEO, noting that the Acting CEO had served in an acting capacity for more than six months. In response, Rev. Kobia had explained that there was a pending court case filed by the former CEO, Dr. Skitter Mbugua, seeking reinstatement. Consequently, the NCIC had sought legal advice from the Attorney-General, who advised that the recruitment process be deferred pending determination of the case;
 - (v) he was not prepared to address the matter at that time, as the issue had not been included in the invitation letter;
 - (vi) he further felt aggrieved when Hon. Wamboka remarked that *'he should take his work seriously'*, and that the remark was unexpected because his personal performance was not the subject of inquiry by the PIC G&E. In his view, the discussion had departed from the matters for which the NCIC had been invited.
 - (vii) He also felt aggrieved when Hon. Wamboka contended that NCIC should not operate as a full-time Commission and referenced a Bill that would allegedly reduce the terms of the NCIC Commissioners from a full-time basis to a part-time basis. He perceived these remarks as threatening, given the existing mandate and

- responsibilities of the Commission as per the law.
- (viii) To his knowledge, the referenced Bill before Parliament sought to strengthen the NCIC by expanding its powers and mandate rather than altering the mandate of the NCIC Commissioners from a full-time to a part-time basis. He therefore perceived the remarks by Hon. Wamboka as harassment and an implied threat to weaken the effectiveness of the Commission;
 - (ix) The recruitment of a CEO and the terms of the Commissioners were not among the matters listed in the invitation letter and were therefore not issues properly before the PIC G&E on that occasion.
 - (x) Similar conduct occurred during a subsequent meeting held on **25th March, 2025** at a hotel within the Two Rivers Mall complex where the NCIC Commissioners and staff of the NCIC arrived before the scheduled commencement time of 10.00 a.m. but were informed that the Committee lacked quorum. Further, after waiting for approximately one hour, the Commissioners decided to proceed with a previously scheduled meeting for interviews for the recruitment of the position of a CEO NCIC, and they left the Acting Chief Executive Officer and the technical team to appear before the Committee once the meeting commenced because they were the officers directly responsible for addressing the audit queries.
 - (xi) The NCIC was prepared to respond to audit queries relating to the Financial Year 2022/2023, and even if the Commissioners had remained present, the technical officers would ordinarily have provided the substantive responses.
 - (xii) The Acting CEO, who previously served as Director of Finance and was fully conversant with the audit matters under consideration and

capable of responding to the issues raised.

- (xiii) When the meeting commenced, the Acting CEO conveyed an apology to Hon. Wamboka on behalf of the NCIC Commissioners for their departure and explained that the Commissioners had left to attend interviews for the CEO position. However, Hon. Wamboka blatantly rejected the apology.
- (xiv) The rejection of the apology was accompanied by remarks suggesting that there would be consequences for the perceived "failure" by the NCIC Commissioners to remain at the venue, which he interpreted as a continuation of the pattern of harassment.
- (xv) Hon. Wamboka further remarked that the NCIC Commission was *"treading on a dangerous path"* and questioned whether the Commissioners had left because they considered the work of the Committee as unimportant. The Acting CEO repeatedly explained that the Commissioners had left for official engagements and had conveyed their apologies.
- (xvi) He further referred to proceedings captured in the **Hansard of 25th March 2025**, in which the Hon. Wamboka directed remarks towards the Acting CEO NCIC and members of the technical team in a manner that he considered unwelcome and unwarranted. In particular, a member of staff was told that her role was **merely to "take care of her boss" and that she had no business attending the meeting. Accordingly to him, such remarks amounted to harassment and contributed to an environment in which staff felt bullied** and intimidated.
- (xvii) Further, Hon. Wamboka's remarks attributed to the Chairperson, as recorded in the Hansard of 25th March 2025, were unwelcome,

degrading, and humiliating. In particular, the statement that a member of staff was present merely to **“take care of her boss” was hostile, demeaning, and sexist, noting that the officer concerned was an Advocate of the High Court of Kenya and an employee** of the NCIC.

- (xviii) After the meeting of 25th March 2025, the NCIC held an internal debriefing session during which staff members expressed feelings of intimidation, bullying, and harassment arising from the PIC G&E proceedings.
- (xix) Based on the contents of the invitation letter, the NCIC considered the officers who remained behind to be adequately qualified and competent to address all matters raised by the PIC G&E. Consequently, the absence of the NCIC Commissioners ought not to have been construed as a failure to take the work of the PIC G&E seriously, particularly since the subject matter could competently be addressed by the officers who remained present.
- (xx) Prior to his appearance before the PIC-GE, he had appeared before the Departmental Committee on National Cohesion and Equal Opportunity, chaired by Hon. Yussuf Adan Haji, MP; the Departmental Committee on Administration and Internal Security, chaired by Hon. Gabriel Tongoyo, MP; and the Senate Standing Committee on National Cohesion, Equal Opportunity and Regional Integration, chaired by Sen. Chute Mohamed Said, MP.
- (xxi) His interactions with these Committees were conducted in a respectful and professional manner, and they restricted their focus to the specific subject matters outlined in the invitation letter while appropriately exercising their oversight mandate.

(xxii) In light of his previous experiences before parliamentary committees, he was shocked and embarrassed by the demeanour exhibited by Hon. Wamboka. In his view, the conduct complained of was markedly different from that of other parliamentary committees and amounted to harassment.

Second Allegation: Solicitation for financial inducement/bribe as a precondition for granting audience or favourable consideration in a matter before the Committee

173. On the second allegation, Rev. Kobia informed the Committee that -

- (i) It was the standard practice of the NCIC to hold an internal debriefing session after appearing before a parliamentary committee, which they did following the meeting of 14th February, 2024.
- (ii) During that debriefing, the Acting CEO, Mr. Harrison Kariuki, informed the NCIC Commissioners that Hon. Wamboka had allegedly approached him through an emissary and requested Kshs. 3 million in exchange for facilitating the clearance of the report of the NCIC, and he received this information in his official capacity as the then Chairperson of NCIC, and not in his personal capacity. Therefore, he considered it part of his official responsibilities to address the matter, and the information could not be regarded as hearsay because it was communicated to him in the course of official NCIC business and in the presence of other Commissioners. Further, as the head of the NCIC charged with promoting national cohesion and peace, and being mindful of the principles of leadership and integrity under Chapter Six of the Constitution and the Leadership and Integrity Act, Cap. 184, he felt obligated to act upon the information rather than remain silent. In

- this regard, he therefore raised the complaint by way of a letter to the Speaker of the National Assembly dated 23rd July, 2025.
- (iii) He never gave the demanded bribe of Kshs. 3 million to the Hon. Wanami Wamboka, MP.
 - (iv) He was not acting on behalf of any person in lodging the complaint. Rather, he had reflected on the matter over a considerable period of time and concluded that, in his capacity as a Kenyan citizen, a leader, and a person cognisant of the collective responsibility of leaders to uphold integrity in public service, he had a duty to act whenever conduct appeared to contravene the principles of Chapter Six of the Constitution or the provisions of the Leadership and Integrity Act. As an ordained minister of the Methodist Church in Kenya, his conscience would not have been at peace had he failed to take action.
 - (v) Since the matter arose, he had experienced circumstances that he perceived as threatening and which had caused him concern for his personal safety. He had on two separate occasions been confronted by individuals unknown to him. These incidents were reported to the relevant security agencies, following which additional security measures were put in place. In his view, the former Acting CEO NCIC had been reluctant to swear an Affidavit in relation to the matter because of concerns for his own safety.

Third Allegation: Solicitation for financial inducement/bribe as a precondition for granting audience or favourable consideration in a matter before the Committee

- (i) Regarding allegation three, sometime between May and June 2025, the Vice-Chancellor of Kenya Methodist University (KeMU), Prof. John Kobia Ataya, who also serves as a Bishop of the Methodist Church in

- Kenya, raised concerns regarding an incident of alleged demand for a bribe by Hon. Wamboka.
- (ii) He received this information from the Vice-Chancellor, by virtue of the position he held as Chairperson of the Board of Trustees of KeMU.
 - (iii) During the proceedings, Counsel for Hon. Wamboka, Mr. Bryan Khaemba, raised an objection to the introduction of evidence relating to this allegation citing the provisions of Rule 6(9) of the Rules of Procedure of the Committee of Powers and Privileges, which prohibited the introduction of new evidence that did not form part of the allegations contained in the original complaint letter dated 23rd July, 2025.
 - (iv) Counsel, in his objection, argued that the complaint letter dated 23rd July, 2025 had been lodged by Rev. Kobia in his capacity as Chairperson of NCIC rather than as Chairperson of the Board of Trustees of KeMU, noting that the letter was on the NCIC letterhead. Counsel further stated that the said letter did not contain allegations relating to the solicitation of money from the Vice-Chancellor of KeMU and consequently, he objected to Allegation three and the introduction of any evidence in support of the same.
 - (v) In response, Counsel for Rev. Kobia, Mr. Robin Bundi, Advocate, submitted that the material in question had already been placed before the House at the time the allegations were framed. He noted that the relevant Affidavit had been sworn on 7th May, 2026, by Rev. Kobia and that Hon. Wamboka had already responded to the allegations. Counsel submitted that, therefore, no prejudice would be occasioned by admitting the evidence and that excluding it at that stage would unfairly prejudice the Rev. Kobia's case.

- (vi) Counsel for Hon. Wamboka submitted that the Rules of Procedure were explicit on the matter of introduction of new evidence, noting that the incident referred to in paragraph 11 of the Affidavit sworn on 7th May, 2026, by Rev. Kobia allegedly occurred in June 2025, before the formal complaint was lodged on 23rd July, 2025. Consequently, if the allegation was known to Rev. Kobia at the time of drafting the complaint, it ought to have been included in the complaint letter dated 23rd July, 2025. He submitted that a formal complaint could not subsequently be amended through an Affidavit evidence by introducing matters that predated the complaint, as doing so would undermine the Rules of Procedure of the Committee.
- (vii) The Committee sought clarification from Rev. (Dr.) Kobia regarding whether the evidence underpinning the third allegation had been brought in his capacity as Chairperson of NCIC or as Chairperson of the Board of Trustees of KeMU. In response, Rev. Kobia stated that the information had come to him in his capacity as Chairperson of the Board of Trustees of KeMU.
- (viii) However, the matter was relevant because the officials of KeMU had reported the incident to him and because it demonstrated a pattern of conduct similar to that alleged in the complaint. The incident therefore strengthened the basis upon which he had decided to write the complaint letter dated 23rd July, 2025.
- (ix) The Committee deliberated on the objection and considered the provisions of Rule 6(9) of the Rules of Procedure. Upon consideration, the **Committee upheld the objection raised and ruled that the evidence relating to the Vice-Chancellor of KeMU would not be admitted on the basis that it constituted new evidence**

that did not form part of the original complaint letter dated 23rd July, 2025

- (x) The Committee also noted the existence of a letter authored by the Vice-Chancellor of KeMU that stated that Hon. Wamboka, had never solicited Kshs.3 million from him as alleged. The Vice-Chancellor further stated that he had never communicated any such allegation to the Rev. Kobia concerning Hon. Wamboka.

Cross-Examination of Rev. Kobia

174. During cross-examination, Rev. Kobia stated that –

- (i) He has been an ordained Reverend of the Methodist Church of Kenya since 1976.
- (ii) The officers who felt that the conduct amounted to harassment were Mr. Harrison Kariuki, the Acting CEO NCIC; Ms. Annette Mbugua, Personal Assistant to the Vice-Chairperson of NCIC and an Advocate of the High Court of Kenya; and Ms. Mercy Mumbai Kiende, a Senior Accountant at the NCIC.
- (iii) Although these officers had complained, they were not called as witnesses in the inquiry before the Committee and had not sworn affidavits in support of the complaint by Rev. Kobia.
- (iv) The evidence before the Committee was based on his account as Chairperson of the NCIC and that the complaints were also known to other Commissioners, having been discussed within the NCIC.
- (v) Although he had not stated in the letter dated 23rd July, 2025 that he had been personally harassed, the allegation was contained in his Affidavits.
- (vi) Although he did not mention the name of the emissary who demanded

- for inducement from the CEO of NCIC, either in his letter or his Affidavits, the name had been mentioned during the internal debriefing meeting held at the NCIC offices.
- (vii) Referring to paragraph 5 of his Affidavit, in which he deponed that the Hon. Wamboka had improperly raised the issue of the recruitment of the Chief Executive Officer, the matter had not been specified in the invitation letter, and raising it during the meeting was therefore improper.
- (viii) Regarding the meeting held on 14th February 2025, Hon. Wamboka had requested him to address the issue of recruitment of a substantive CEO, and in response, he had advised the PIC G&E that the NCIC intended to evaluate the incumbent's performance before advertising and competitively filling the vacancy.
- (ix) He noted that Hon. Wamboka subsequently questioned why the recruitment process had not been initiated prior to the expiration of the acting tenure, remarking that the NCIC should have demonstrated better organizational planning.
- (x) He maintained that the issue of the subject of an acting CEO had initially been raised by Hon. Wamboka.
- (xi) He confirmed that Hon. Tonkei had indeed initially raised the matter by directing a question to the Acting CEO, Mr. Harrison Kariuki.
- (xii) The Acting CEO's extended tenure was administrative rather than financial, although it had been highlighted in subsequent Auditor-General's reports.
- (xiii) The demeaning conduct lay in the specific demeanour and manner in which the issue had been raised by Hon. Wamboka because Hon. Wamboka had directed him to take his work seriously, a remark he

considered humiliating and demeaning as, in his view, there had never been a time when he had failed to take his work seriously. He therefore perceived the remarks as an intentional act of harassment.

(xiv) With reference to paragraph 9 of his Affidavit, in which he deponed that the NCIC had left for a scheduled meeting prematurely due to lack of quorum, he no prior official communication had been issued regarding the unavailability of Members of the PIC G&E for the scheduled meeting. The NCIC had duly honoured the invitation and attended the venue, only to be informed upon arrival that the meeting could not proceed for want of quorum.

(xv) The rejection by Hon. Wamboka of the apology conveyed by the Acting CEO and an indication that there would be consequences substantively amounted to a threat.

(xvi) Regarding statements attributed to Hon. Nzambia, MP who had remarked in response to the Commission's apology that the Commission was ill-prepared to appear before the Committee, he confirmed that he had not lodged any complaint against the said Member;

(xvii) With respect to paragraph 10 of his Affidavit, concerning the allegation that Hon. Wamboka had solicited or received a bribe of Kshs. 3 million, **he stated that there was no evidence provided by Mr. Harrison Kariuki and the matter had not been reported to any law enforcement agency.**

(xviii) He did not possess the requisite expertise or technical know-how to respond to audit-related questions, noting that such matters fell within the mandate of the Accounting Officer, namely the CEO.

(xix) The NCIC did have a CEO, albeit in an acting capacity and therefore

- the absence of a substantive CEO was not a matter of concern to an audit Committee that was examining the reports of the Auditor-General.
- (xx) The concern about the NCIC having a CEO acting for more than six (6) months was attributable to the PIC G&E as a whole and not solely to Hon. Wamboka.
 - (xxi) His dissatisfaction arose both from the manner in which Hon. Wamboka posed the questions and further noting that the questions were outside the audit queries. The tone and nature of the questions posed to him were also demeaning.
 - (xxii) He did not lodge any formal complaint with the Directorate of Criminal Investigations (DCI) or the Ethics and Anti-Corruption Commission (EACC) and he resorted to write a complaint letter to the Speaker of the National Assembly because he was confident that the National Assembly had internal mechanisms to handle such complaints.
 - (xxiii) He was not aware that his complaint had led to Hon. Wamboka ceasing to hold the position of Chairperson of the PIC G&E and he subsequently learned of the matter through media reports.
 - (xxiv) He held no expectation that all Chairpersons must adopt a gentle demeanour, noting that different Committee Chairpersons possess different individual styles of engagement.
 - (xxv) With regard to the phrase that he found upsetting, namely, the instruction to "*take his work seriously*" he confirmed that this was an accurate account of the proceedings and further clarified that his displeasure stemmed principally from the hostile demeanour with which the remarks were delivered, compounded by what he

perceived to be the arbitrary rejection of a reasonable apology offered by the NCIC and the manner in which the matter was communicated.

(xxvi) Regarding whether he had been personally upset by the discussion by PIC G&E suggesting that NCIC Commissioners should serve on a part-time rather than full-time basis, he informed the Committee that he was simply aware that such a discourse had been initiated.

(xxvii) It was not correct that he is generally a person who became upset when strong language was used.

Re-examination of Rev. Kobia

175. During re-examination, Rev. Kobia stated that -

- (i) His understanding of harassment is that the term refers to unwanted and unwarranted remarks or conduct that can cause a person to feel demeaned or degraded, including both verbal and non-verbal visual forms.
- (ii) The issue of the Acting CEO was not a matter slated for deliberation during the meeting with the PIC G&E and was not part of the agenda, and he had not been given prior notice regarding the introduction of the same.
- (iii) He felt his professional competence had indeed been called into question.
- (iv) He clarified that he had duly attended the meeting of 25th March, 2025 and honoured the PIC G&E invitation and any apology regarding the NCIC Commissioners' schedule had been formally communicated through the Acting CEO.
- (v) He is generally a calm and composed person who is not easily

- angered, and even when provoked, he exercises self-control.
- (vi) He clarified that he had never lodged complaints of any nature against other parliamentary committees, noting that his previous interactions across Parliament had been respectful, as is expected of all parliamentary committees.
- (vii) The issue regarding the CEO had been introduced first by the Hon. Wamboka, and this sequence of events was accurately captured in the official Hansard, although he had not been afforded an adequate opportunity to produce the formal legal advisory issued by the Attorney-General.
- (viii) He believed that Parliament's internal mechanisms should be exhausted first, hence his decision to write to the Speaker of the National Assembly rather than reporting the matters to the Directorate of Criminal Investigations (DCI) or the Ethics and Anti-Corruption Commission (EACC).
- (ix) It was the prerogative of the Committee to summon other witnesses on the substance of the matters raised.

Clarification sought by the Committee

176. At the conclusion of the examination of the complainant, the Committee sought further clarification from the Rev. Kobia on various matters arising from his testimony—

- (i) **Identity of the alleged emissary:** Regarding the identity of the emissary allegedly sent by Hon. Wamboka to the Ag. CEO, Mr. Harrison Kariuki, had mentioned the name of the emissary during the debriefing meeting at the NCIC offices, although he did not mention the name before the Committee.

- (ii) **Alleged engagement with Hon. Peter Kaluma, MP:** He had not been approached by Hon. Kaluma in relation to the matter, and they had never met to discuss the matter.
- (iii) **On questions relating to the recruitment of substantive NCIC CEO:** he explained that while the legally permissible acting period was limited to six months, the NCIC had been unable to initiate the competitive recruitment process because the matter was the subject of active litigation before the courts. Further, the Attorney-General had issued an advisory directing the NCIC to await the final determination of the pending court case. Consequently, Mr. Harrison Kariuki continued to serve as the Ag. CEO beyond the six-month period prescribed under the Public Service Act and Regulations.
- (iv) **Follow-up action on his complaint letter:** He believed that he had discharged his responsibility by submitting the formal complaint to the Speaker, and he left the matter to the discretion of the Speaker and Parliament to determine the appropriate course of action, and he did not consider it necessary to pursue the matter further.
- (v) **Meaning of the word demeanour:** His understanding of the term "demeanour", is that it related to an individual's conduct and manner of interaction and it may be perceived as either positive or negative depending on the context and the individuals involved. Demeanour is as important as the content of one's speech, and there are expectations regarding acceptable conduct in parliamentary engagements.
- (vi) **The statutory status of the NCIC and its protection from**

external influence: He stated that although the NCIC is not a Chapter Fifteen Constitutional Commission, it was established by an Act of Parliament and therefore enjoys statutory protection to that extent.

(vii) **Relevance of summoning witnesses:** He stated that the need for additional witnesses would be determined by the hearing process and whether their testimony would be relevant to the proceedings before the Committee.

(viii) **Intended outcome of the complaint:** On the rationale for lodging his complaint, he affirmed that he had submitted the complaint in fulfilment of his obligations as a State officer, rather than to secure any personal benefit. He reiterated that it remained within the exclusive purview of the National Assembly to determine the appropriate action.

(ix) **Comparison of engagements with other parliamentary committees:** He stated that the demeanour of committee chairpersons could often be discerned through their conduct and body language. He further explained that NCIC regularly appeared before several committees exercising oversight over its mandate and operations, including the Departmental Committee on Administration and Internal Security which oversees NCIC because the NCIC falls under the Ministry of Interior and National Administration; the Senate Committee on National Cohesion and Integration which oversees the NCIC's activities relating to cohesion, conflict management, and

related matters in counties; and the Committee on National Cohesion and Equal Opportunity which engages the NCIC primarily on budgetary and financial matters.

- (x) He clarified that oversight is exercised in respect of the NCIC's policies, programmes, management, and utilisation of public resources and the Secretariat appears before the oversight bodies through the NCIC to account for its activities and the resources allocated to it.

Appearance by the Hon Wamboka

177. The Hon. Jack Wanami Wamboka, MP, appeared before the Committee on Tuesday, 2nd June, 2026 and was accompanied by his Counsel, Mr. Bryan Khaemba, Advocate and Mr. Nelson Havi, Advocate. He was sworn in and informed the Committee that—

- (i) is the Member of Parliament for Bumula Constituency, the former Chairperson of the PIC G&E, and now a Member of the Committee on National Cohesion and Equal Opportunity.
- (ii) became aware of the allegations against him upon receiving a copy of a letter authored by Hon. Peter Kaluma, CBS, MP, addressed to the Speaker, which referred to a complaint lodged by Rev. Kobia.
- (iii) would rely on his Replying Affidavit sworn on 15th May, 2026 and Supplementary Affidavit sworn on 28th May 2026 in response to the allegations.
- (iv) was fully aware of the allegations raised against him and was prepared to respond to them.
- (v) dismissed the allegation that the matter of recruitment of the NCIC CEO was outside the mandate of the PIC G&E and further stated that

- the issue had been flagged in the report of the Auditor-General, which the PIC G&E was mandated to examine and thus the question was relevant to the PIC G&E. The matter had also been raised by Hon. Rebecca Tonkei, MP, in the course of her duties as a Member of the Committee.
- (vi) Audit committees serve as oversight bodies and are expected to rigorously scrutinise the use of public resources including the audit query relating to allegations of the NCIC Commissioners misappropriation of funds and loss of Kshs. 132 million.
 - (vii) had questioned the assertion by Rev. Kobia that a substantive CEO could be recruited within one month, as in his considered view, such a timeline would not allow for proper advertisement, evaluation and recruitment procedures.
 - (viii) His remarks that the Rev. Kobia should "*take his work seriously,*" was made in that context of questioning the practicality of the proposed one-month recruitment timeline and there was nothing humiliating, harassing, or inappropriate in urging a public officer to treat such a matter with seriousness.
 - (ix) The Commissioners, as office holders of the Commission, bore direct responsibility for responding to issues raised by the Committee, including matters relating to the recruitment of the CEO and therefore they ought to have attended the meeting of the PIC G&E on 25th March, 2025.
 - (x) the Acting CEO was not personally implicated in the matters under review before the PIC G&E and that the responsibility to answer questions relating to governance and oversight rested with the NCIC Commissioners, and therefore there was need for the NCIC

- Commissioners to be present in the said meeting.
- (xi) explained that he declined to accept the apology conveyed by the Acting CEO, and as the Chairperson of PIC G&E, he had the discretion under the Standing Orders to accept or decline apologies, depending on the reasons advanced. His decision to decline the apology was based on procedural and substantive considerations and was not actuated in bad faith and declining an apology under such circumstances could not reasonably be construed as humiliating or offensive.
 - (xii) the NCIC , as a statutory commission, was required to account for matters raised by the Auditor-General, including concerns regarding expenditure amounting to Kshs. 132 million which directly fell in the line of utility of the NCIC Commissioners. Therefore, the NCIC Commissioners, and not the Acting CEO or other staff members, were obligated to respond to such audit queries relating to the NCIC.
 - (xiii) The NCIC Commissioners had been invited to appear before the PIC G&E on four occasions but failed to appear prompting summons to be issued against the NCIC Commissioners during a subsequent meeting, which he did not chair.
 - (xiv) he affirmed that there were parliamentary legal and procedural consequences for failing to comply with audit and oversight processes and such consequences are provided for under Standing Orders and apply irrespective of who occupies the position of the Chairperson of a parliamentary committee.
 - (xv) he denied the allegation that he sent an emissary to solicit Kshs. 3 million in exchange for a favourable outcome for the NCIC from Mr. Harrison Kariuki, the Ag CEO NCIC and further indicated that he did

not know any person alleged to have acted on his behalf as such an emissary. Further, he did not possess Mr. Harrison Kariuki's telephone number and had never personally engaged him in any matter.

(xvi) no affidavit or witness statement had been provided by Mr. Kariuki to substantiate the allegations made by Rev. Kobia.

(xvii) he had never been summoned, investigated, or recorded a statement with any police station or law enforcement agency concerning the alleged bribery claims and the allegations were unfounded, fictitious, and based on rumours, which, in his view, should not be relied upon in the proceedings.

(xviii) he defended his conduct and the manner in which the PIC G&E proceedings were conducted. His decision to exclude the Personal Assistant (PA) to the Vice Chairperson of the NCIC and the Secretary to the CEO from representing the NCIC in the PIC G&E proceedings was informed by the need to safeguard the integrity of parliamentary oversight processes as a Personal Assistant's role was to support and manage the affairs of the officer to whom they were assigned, rather than to represent an organization in parliamentary proceedings as they cannot respond to substantive audit queries involving matters such as unauthorised expenditure, overdrawn accounts, or the payment of legal fees.

(xix) none of the individuals whose dignity was allegedly violated had personally lodged a complaint or provided a statement to that effect. Neither the Vice-Chairperson of the Commission, the Acting Chief Executive Officer, nor the Personal Assistant, Ms. Annette Mbugua, had complained of mistreatment during the proceedings.

- (xx) out of the 292 institutions that had appeared before the Committee for audit scrutiny, no similar complaints had been raised against him or the PIC G&E.
- (xxi) In his view, the allegations were advanced solely by Rev. Kobia without supporting testimony from the individuals allegedly affected and those persons should have been called by the Rev. Kobia to provide direct evidence if such allegations were to be substantiated.
- (xxii) audit committees routinely deal with sensitive matters and unrestricted participation in such proceedings would undermine the effectiveness and integrity of the oversight process.
- (xxiii) all the allegations levelled against him were without merit and were part of a coordinated effort to discredit him for carrying out his oversight responsibilities as Chairperson of the PIC G&E.
- (xxiv) the proceedings had caused distress to him and his family and he urged the Committee to discourage the lodging of unsubstantiated complaints against Members of Parliament performing their constitutional and statutory duties.

Cross-examination of Hon. Wamboka

178. On cross-examination, the Hon. Wamboka stated as follows, that-

- (i) the issue relating to the recruitment of the CEO had been identified in the Report of the Auditor-General for the financial year ended 30th June 2023. The issue was captured under the "Unresolved Prior Year Matters" category, specifically regarding non-compliance with the prescribed procedures for the appointment of a substantive CEO.
- (ii) The oversight process by the audit committees is that upon submission of audit reports by the Auditor-General to the National Assembly, the reports are tabled before the House and subsequently referred to the

- relevant committee for consideration. Thereafter, the Committee Secretariat issues invitations to the concerned entities and witnesses.
- (iii) An invitation had been issued to Rev. Kobia on 31st January 2025. The invitation referenced concerns relating to the quality of the Commission's audit responses and the failure to satisfactorily address issues previously raised by the Committee.
- (iv) The issue of the tone and demeanour adopted during the proceedings arose as to whether the manner in which the proceedings were conducted and the remarks made could reasonably have been perceived as inappropriate, offensive, intimidating or demeaning by the witnesses appearing before the Committee.
- (v) The official *Hansard* record captured spoken words but did not reflect facial expressions, body language, or tonal variations. His conduct throughout the proceedings was consistent with the role of an oversight Committee Chairperson. Further, that he did not engage in any conduct that could reasonably be described as humiliating, including raising his voice or behaving in an abusive manner. The nature of audit oversight required robust engagement with entities appearing before the Committee.
- (vi) Any concerns expressed regarding the quality and adequacy of the Commission's responses to the audit queries were those of the Committee collectively and not his personal opinion.
- (vii) Rev. Kobia was present on 25th March 2026 at the venue, and he had interacted with him and other agencies that were present. Had Rev. Kobia requested to be excused from the meeting, he would have considered the request and granted it.

- (viii) The issue concerning the recruitment of the CEO was a matter falling within the responsibility of the Commissioners as a whole and not a routine administrative issue that could be addressed solely by the Secretariat. Consequently, the presence of the Commissioners at the meeting was necessary for the Committee to effectively discharge its oversight mandate.
- (ix) He did not solicit financial inducements, either directly or indirectly from Mr. Harrison Kariuki in exchange for favourable consideration of matters relating to the National Cohesion and Integration Commission. He had never received any money from Mr. Kariuki and that his interactions with Mr. Kariuki had been limited to official engagements conducted within the parliamentary oversight framework. He had never met Mr. Kariuki outside the precincts of Parliament in any personal or official capacity.

Re-examination of Hon. Wamboka

- (i) On re-examination, Hon. Wamboka maintained that NCIC did not have a CEO at the time NCIC appeared before the PIC G&E, and further that the acting CEO handled administrative issues, while matters involving the Commissioners could only be handled by the NCIC Commissioners.
- (ii) Further, the invitation letter was addressed to Rev. Kobia as the then Chairperson of NCIC and he was the one to appear and lead the NCIC during the proceedings before the PIC G&E.

Clarifications by the Committee

179. Upon conclusion of the examination, the Committee sought clarification from Hon. Wamboka on various matters as follows—

Report on the inquiry into allegations against the Hon. Jack Wanami Wamboka, CBS, MP, as the Member for Bumula Constituency, and as the chairperson, Public Investment Committee on Governance and Education

(i) lack of quorum during the meeting held on 25th March, 2025

180. The Committee was concerned with allegations of lack of quorum during the meeting held on 25th March, 2025 and drew attention to Standing Order 185, which provides that where a quorum is not attained within thirty minutes of the appointed time, a meeting of a Committee stands adjourned. Further, the Committee was concerned with the rejection of an apology tendered on behalf of witnesses who had reportedly waited for more than one hour for a meeting that, in the Committee's view, ought to have been adjourned if quorum had not been attained within the stipulated thirty minutes of the scheduled meeting.

181. Hon. Wamboka submitted that:

- (i) The Committee had attained quorum. The Committee was conducting meetings with several agencies and that witnesses were scheduled and handled on a first-come, first-serve basis and the NCIC was scheduled as the third agency in the order of appearance on that particular day.
- (ii) Another agency was still undergoing audit examination when the NCIC representatives left the venue, and that the Committee was therefore properly constituted in conducting its business at the material time.

(ii) Decision to exclude a Personal Assistant (PA) from participating in the proceedings

182. The Committee further sought clarification regarding the decision to exclude a Personal Assistant (PA) from participating in the proceedings, particularly after it emerged that the individual was an Advocate of the High Court and had assisted in preparing responses to the audit queries.

183.Hon. Wamboka stated that:

- (i) a Personal Assistant could not assume responsibility for answering matters falling within the mandate of the Commissioners.
- (ii) the individual had not been introduced to the Committee as a technical officer or subject-matter expert capable of responding to the audit issues under consideration.
- (iii) His decision was intended to preserve the integrity of parliamentary oversight proceedings by ensuring that officers directly accountable for the matters raised, namely the Commissioners, appeared before the Committee to respond to concerns regarding public expenditure and governance.

(iii) the extent of matters that fall within the jurisdiction of an audit committee

184.The Committee sought clarification on the extent of matters that fall within the jurisdiction of an audit committee

185.He stated that:

- (i) audit oversight extends beyond purely financial matters and encompasses governance-related issues identified in the audit process. He cited examples such as prolonged acting appointments, compliance with recruitment procedures, and adherence to requirements relating to diversity and ethnic balance in employment.
- (ii) such matters are properly subject to audit scrutiny and that certain governance issues require responses from the Commission itself.

(iv) the scheduling of witnesses

186.The Committee further raised concerns about the scheduling of witnesses and sought clarification on its practice of hearing entities on a first-come, first-served basis. Specifically, the Committee inquired whether the NCIC had been informed that other agencies would be heard before it, or whether it was expected to wait indefinitely despite having been assigned a specific time of 10:00am.

187.In response, Hon. Wamboka stated that:

- (i) if the Commission was unable to appear before the Committee, it ought to have formally communicated that position through a letter addressed to the Clerk of the National Assembly.
- (ii) leaving the venue without such communication to the Chairperson or the Committee and leaving staff members behind reflected a lack of seriousness in responding to the Committee's invitation.

(v) conduct towards Rev. Kobia during the proceedings

188.The Committee further sought clarification regarding Hon. Wamboka's conduct towards Rev. Kobia during the proceedings and specifically inquired whether he had engaged in any aggressive behaviour, including shouting, banging tables, or throwing objects.

189.Hon. Wamboka maintained that:

- (i) He did not engage in any such conduct.
- (ii) The Hansard does not capture tone, body language, or facial expressions
- (iii) he conducted himself appropriately and within the bounds expected of a chairperson exercising parliamentary oversight responsibilities.

Closing statement by Rev. Kobia

(i) Mandate of PIC-G&E

190.Regarding the scope of the committee's proceedings, he asserted that the Committee, in the meeting held on 14th February 2025, exceeded its established mandate as defined by Standing Order 206(3). He noted that the *Hansard* records of 14th February 2024 and 25th March 2025 confirmed that the Chairman introduced matters for which the complainant had not received prior notice.

(ii) Appearance of officers before Committees

191.Regarding the presence of the Personal Assistant at the Committee meeting, he clarified that she was delegated to represent the Commission in her capacity as an Advocate of the High Court and was a legitimate staff member of the Commission.

(iii) Allegations of harassment

192.Regarding allegations of harassment, He argued that the harassment allegation was rooted in the humiliating and demeaning conduct of Hon. Wanami Wamboka, MP, and highlighted that the Chairperson had questioned the complainant's competence and issued threats that the Commission would be cut to size.

(iv) Allegations of bribery and inducement

193.Regarding allegations of bribery and inducement, He submitted that information had come to the Complainant's attention regarding an alleged demand for KES. 3 million to be paid to Hon. Wanami Wamboka, MP in exchange for favourable consideration of matters before the Committee.

He emphasized that the evidence placed before the Committee was sufficient to establish both the allegations of harassment and the solicitation of financial inducements to the requisite standard.

(v) Threat to life and Personal safety

194. Rev. Dr. Samuel Kobia stated that he feared for his life and personal safety, and informed the Committee that he had sought and received security protection from the Inspector-General of Police. In that regard, the Rev. Dr. Samuel Kobia appreciated the gesture by the IGP upon request.

Closing remarks by Hon. Wanami Wamboka

195. The Hon. Wamboka submitted that –

- (i) it would be improper for Parliament to sit in judgment over its own proceedings or those of its committees, arguing that the present proceedings effectively amounted to Parliament adjudicating upon its own conduct.
- (ii) the allegation of solicitation of KES. 3 million was unfounded and lacking evidentiary support and that, a charge of such gravity, touching on criminal conduct and personal integrity, could not be sustained on hearsay evidence alone and urged the Committee to dismiss the allegation for want of credible and corroborative evidence.
- (iii) public officers are subject to scrutiny and rigorous oversight as an inherent aspect of public service and the questioning style, though firm and direct, was consistent with the discharge of his oversight responsibilities as Chairperson of the Committee.

(iv) a person's assertive demeanour, personality, tone or style of engagement should not, without more, be construed as harassment or form the basis for an adverse legal or parliamentary finding.

He relied on a decision of the Court of Appeal concerning the style and manner of judicial writing to submit that there was no prescribed standard governing the manner in which a Member of Parliament conducts questioning or expresses themselves during the discharge of oversight functions.

(v) he had already suffered significant consequences arising from the allegations, including the loss of his position as Chairperson of the Public Investments Committee on Governance and Education. Counsel therefore urged the Committee to dismiss both the harassment and inducement allegations for want of sufficient evidence.

(vi) He invited the Committee to consider issuing a reprimand against Rev. Kobia on the grounds that the allegations made against Hon. Wamboka were false and unsupported by the evidence placed before the Committee.

Issues for Determination

196. The Committee framed the following issues for determination:

- (iv) Whether Hon. Wamboka, was culpable for harassment of Commissioners and staff of the NCIC appearing before the PIC Committee on Governance and Education, and treating them with hostility and in a demeaning manner;
- (v) Whether Hon. Wamboka, was culpable for solicitation of financial inducement/bribe from Mr. Harrison Kariuki as a precondition for

granting audience or favourable consideration before the committee;

- (vi) Whether Hon. Wamboka, was culpable for solicitation of financial inducement/bribe from Prof. John Kobia Ataya, the Vice Chancellor of Kenya Methodist University, as a precondition for granting audience or favourable consideration in a matter before the Committee;
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CHAPTER FOUR

ANALYSIS OF EVIDENCE, OBSERVATIONS, AND FINDINGS

- 197.** The Committee has carefully considered the complaint, the affidavits filed by the parties, the documentary evidence placed before it, the Hansard records of the impugned proceedings, and the oral testimony tendered during the hearing. In analysing the evidence before it, the Committee is guided by the Constitution, the Law of Evidence Act (Cap. 80), the Standing Orders and the Rules of Procedure governing the Committee.
- 198.** On the basis of the above and of the issues for determination, the Committee analysed the evidence, made observations and findings as hereunder -

Oversight over Constitutional Commissions

- 199.** The Committee observed that Parliament exercises oversight over constitutional commissions, independent offices, and other public entities pursuant to Articles 94, 95, 125, and 229(4) and (8) of the Constitution. Further, parliamentary committees are entitled to summon witnesses and subject public officers to rigorous scrutiny in the discharge of their oversight mandate. However, the **exercise of these powers must at all times be consistent with the Constitution, the Parliamentary Powers and Privileges Act (Cap. 6), the Standing Orders, and the principles of dignity, fairness, and respect for persons appearing before Parliament.**

Complaint lodged more than one year

- 200.** The Committee observed that a contention was raised that the complaint was lodged more than a year after the events complained of and note

that while delay alone is not sufficient to defeat a complaint, particularly where allegations concern conduct affecting dignity and institutional relations, the passage of time may affect the reliability of recollection and the availability of supporting evidence. **The Committee therefore observed that the delay is a relevant, though not determinative, consideration in evaluating the allegations.**

Whether the Chairperson acted within the confines of parliamentary decorum

201. The Committee observed that during its meeting with the National Cohesion and Integration Commission (NCIC), the Chairperson introduced and pursued several issues that were not included in the formal invitation to the Commission. These matters included the recruitment of a substantive Chief Executive Officer, assertions that the NCIC should not operate as a full-time Commission, and references to a purported Bill that would allegedly convert the terms of NCIC Commissioners from full-time to part-time. The Committee further observed that these remarks were perceived by the Commission as threatening, given the statutory mandate and responsibilities conferred upon it by law.

202. Arising from these observations, the Committee finds that the Chairperson's conduct—particularly the hostile remarks directed at the Commission's leadership, including statements that the Chairperson "should take his work seriously"—amounted to behaviour bordering on harassment and undue hostility. The Committee further finds that such remarks were inappropriate, especially considering that the matters introduced and pursued were not included in the formal invitation were not the subject of the inquiry before the PIC (Governance and Education).

203.In addition, the rejection of the apology by the Chairperson, PIC - G&E with accompanying remarks suggesting that there would be consequences for the perceived "failure" by the NCIC Commissioners to remain at the venue, which he interpreted as a continuation of the pattern of harassment. Such remarks by the Chairperson, PIC, included that the NCIC Commission was "treading on a dangerous path" and questioned whether the Commissioners had left because they considered the Committee's work unimportant.

204.The Committee further observed that the proceedings captured in Hansard on 25th March 2025, in which the Hon. Wamboka made unparliamentary remarks towards the Acting CEO NCIC and members of the technical team, were unwelcome and unwarranted. In particular, a member of staff's role was merely to "take care of her boss", and she had no business attending the meeting. **Accordingly, such remarks amounted to harassment, degrading, humiliating, demeaning, and sexist, and contributed to an environment in which staff felt bullied and intimidated.**

Manner of handling witnesses by Committees

205.The Committee observed that the demeanour and disposition of committee chairpersons is often evident through their conduct during engagements with institutions appearing before them. It was further noted that the National Cohesion and Integration Commission (NCIC) routinely appears before various parliamentary committees that exercise oversight over its mandate and operations. These include the Departmental Committee on Administration and Internal Security, which oversees the NCIC as it falls under the Ministry of Interior and National

Administration; the Senate Committee on National Cohesion and Integration, which examines matters relating to cohesion, conflict management, and related county-level issues; and the Committee on National Cohesion and Equal Opportunity, which primarily engages the NCIC on budgetary and financial matters.

206. The Committee finds that the NCIC's frequent engagements with multiple parliamentary committees provide a broad platform for oversight but also expose the Commission to varying chairpersonship styles and approaches. The conduct of committee chairpersons, as observed during these interactions, significantly influence the tone, fairness, and decorum of proceedings. This variability in demeanour has a direct bearing on the quality of engagement and may affect the Commission's ability to effectively discharge its mandate during parliamentary appearances.

Leadership of Committees

207. The Committee observed that the question of whether long-serving Members of the House should be prioritised for appointment as Chairpersons of Committees raises important considerations relating to institutional memory, continuity, and the effective stewardship of the committee system. It was noted that Members with extended parliamentary experience often possess a deeper understanding of House traditions, procedural nuances, and the historical evolution of committee mandates. Such experience may enhance the quality of leadership, improve the management of committee proceedings, and strengthen the oversight function.

208. At the same time, the Committee noted that the current framework allows newly elected Members to be appointed as Chairpersons, thereby

promoting inclusivity, renewal, and the broadening of leadership opportunities across the House. This practice, while valuable, may also result in leadership gaps where newly elected Members assume chairpersonship roles without the benefit of accumulated procedural knowledge or prior committee exposure.

Investigations by other Agencies

209. The Committee notes that the mandate of the Committee of Privileges is confined strictly to inquiries relating to breaches of privilege and the code of conduct applicable to Members of Parliament. Consequently, allegations of **Solicitation for financial inducement/bribe as a precondition for granting audience or favourable consideration in a matter before the Committee by the Hon. Jack Wanami Wamboka, MP** as the Chairperson of the Public Investment Committee on Governance and Education, particularly in relation to the Committee's examination of audit, mandate of the NCIC, and recruitment of the CEO of NCIC, fall outside the scope of the Committee of Privileges. The Committee therefore recognises the necessity of subjecting such claims to an appropriate investigative agencies capable of undertaking a comprehensive and impartial inquiry.

On the introduction of new evidence

210. The Committee observed that Rule 6(9) of its Rules of Procedure precludes the introduction of new evidence outside the scope of the original complaint letter dated 23rd July, 2025. Accordingly, the evidence relating to the alleged solicitation of a financial inducement and bribe from the Vice-Chancellor of Kenya Methodist University (KeMU), introduced in

Report on the inquiry into allegations against the Hon. Jack Wanami Wamboka, CBS, MP, as the Member for Bumula Constituency, and as the chairperson, Public Investment Committee on Governance and Education

the Further Affidavit sworn on 20th May 2026, constituted a new matter that was not contained in the complaint letter dated 23rd July 2025, which had been lodged by Rev. Kobia.

- 211.** The Committee therefore found that the evidence was procedurally inadmissible and excluded it from substantive consideration.

Allegations of witness interference and intimidation

- 212.** The Committee further observed that during the proceedings, Rev. Dr. Samuel Kobia stated that he feared for his life and personal safety, and informed the Committee that he had sought and received security protection from the Inspector-General of Police. In that regard, the Rev. Dr. Samuel Kobia appreciated the gesture by the IGP upon request.
- 213.** The Committee observed from the evidence adduced that certain persons who were potential witnesses in support of the complaint may have been intimidated, interfered with, or otherwise discouraged from participating in the proceedings. While no direct evidence was placed before the Committee to substantiate allegations of witness interference, the Committee notes the seriousness of such claims and emphasizes that any attempt to intimidate, improperly influence or interfere with witnesses appearing before Parliament or its committees.
- 214.** Interference with or intimidation of witnesses would constitute conduct inconsistent with the Parliamentary Powers and Privileges Act and undermine the integrity of parliamentary proceedings. The Committee therefore urges all persons involved in parliamentary processes to respect the independence of witnesses and the integrity of proceedings before Parliament.

215.The Committee observed that **although no evidence was adduced to substantiate the allegations of witness interference or intimidation, any attempt to intimidate, improperly influence or interfere with witnesses appearing before parliamentary committees would undermine the integrity of parliamentary proceedings.**

Allegation 1: Harassment of Commissioners and staff appearing before the Public Investments Committee on Governance and Education, and treating them with hostility and in a demeaning manner

216.In considering the first allegation, the Committee reviewed the Hansard of the PIC G&E meeting held on 14th February 2024 and examined the exchanges between Rev. Kobia and Hon. Wamboka. The Committee found that the questions posed by Hon. Wamboka were relevant to the Committee's oversight mandate.

217.The Committee also reviewed the Hansard of the Committee meeting held on 25th March 2025 and found that the treatment of the NCIC staff, particularly the remarks directed at officers who appeared to represent the Commissioners and the rejection of the apology tendered on behalf of the Commissioners, was unnecessarily dismissive and demeaning. In the Committee's view, the manner in which these officers were addressed amounted to harassment and fell short of the standards of respect expected during parliamentary proceedings.

218.The Committee further found that Hon. Wamboka's assertion that the PIC G&E meeting was already in progress when the Commissioners left the venue was not supported by Hansard. The record showed that the

Commissioners attended the meeting in accordance with the invitation issued to them and waited for PIC G&E to attain the required quorum, which it failed to do within the time prescribed under Standing Order 185 before they departed. The Committee noted that the evidence showed the NCIC Commissioners waited for the Committee to attain the required quorum before leaving, and that no quorum had been achieved by the time they departed or when the proceedings eventually commenced.

219.The Committee found no evidence to support Hon. Wamboka's assertion that the NCIC had previously failed to honour invitations to appear before PIC G&E. A review of the Hansard and the affidavits on record did not substantiate this claim.

220.The Committee further noted that the Hansard and audio recordings of the meeting held on 25th March 2025 demonstrated that Hon. Wamboka addressed officers of the NCIC in a hostile and demeaning manner. In particular, the Committee considered the statements that the Commission's actions would "*attract costs*" and that "*there will be consequences*" to be inappropriate in the circumstances and reasonably capable of being perceived as threatening and intimidating by the officers appearing before the Committee.

221.Having considered the totality of the evidence, the Committee is satisfied that Hon. Wamboka's conduct during the committee proceedings on the 25th March 2025, amounted to hostility, harassment and demeaning treatment of Rev. Kobia and the members and officers of the NCIC, and fell short of the standards of professionalism, courtesy and respect expected of a Chairperson of a parliamentary committee.

222.The Committee observed that, while Hon. Wamboka was entitled to exercise robust parliamentary oversight, his conduct in managing the PIC

G&E proceedings fell short of the standards of fairness, decorum and professionalism expected of a Chairperson of a Parliamentary Committee. In particular, the Committee noted procedural irregularities in the scheduling and conduct of meetings, including failure to adhere to scheduled timelines, commencement of proceedings without the requisite quorum and the treatment of officers appearing before the PIC G&E.

223.The Committee further observed that the manner in which the PIC G&E proceedings were conducted and the remarks directed at the NCIC representatives were inconsistent with the obligation imposed upon Members under the Parliamentary Powers and Privileges Act (Cap. 6) to uphold the dignity of persons appearing before parliamentary committees and maintain public confidence in parliamentary oversight processes.

Allegation 2: Solicitation for financial inducement/bribe as a precondition for granting audience or favourable consideration in a matter before the Committee

224.In considering the second allegation, the Committee reviewed the complaint letter dated 23rd July 2025, the affidavits sworn by Rev. Kobia, the oral evidence presented during the hearing, and the responses by Hon. Wamboka. The Committee noted that allegations of corruption and solicitation of financial inducements are serious in nature and must be supported by clear, credible evidence.

225.The Committee observed that Rev. Kobia did not have direct personal knowledge of the alleged request for financial inducement and confirmed that the information had been relayed to him by Mr. Harrison Kariuki, the then Acting CEO of NCIC.

- 226.**The Committee also found that no evidence was produced to support the allegations. There were no witness statements, correspondence, electronic messages, recordings, financial records or other material linking Hon. Wamboka, or any person acting on his behalf, to the alleged request for KES.3 million. In addition, the alleged intermediary was neither identified nor called to testify.
- 227.**In assessing the evidentiary value of this testimony, the Committee observed that the allegations are, in their primary form, hearsay evidence. Under section 63(1) of the Evidence Act (Cap.80), oral evidence must be direct evidence. However, for hearsay evidence to be admissible, it must meet the exceptions laid down under section 33 of the Evidence Act, namely, by a person who is dead, a person who cannot be found, or who has become incapable of giving evidence or whose attendance cannot be procured or whose attendance cannot be procured without an amount of delay or expense.
- 228.**The Committee observed that, although Rev. Kobia did not report the matter to any investigative agency, this fact alone did not determine the complaint but was relevant in assessing the overall credibility and weight of the evidence presented.
- 229.**Having considered all the evidence before it, the Committee observes that the allegation relied largely on hearsay and lacked the corroboration necessary to support such a serious claim. **The Committee therefore found that the allegation of solicitation of financial inducement had not been proved on a balance of probabilities and declined to uphold Allegation 2.**

Allegation 3: Solicitation for financial inducement/bribe as a precondition for granting audience or favourable consideration in a matter before the Committee

230.With respect to the third allegation, the Committee upheld the objection raised by Hon. Wamboka's legal representative that the allegation fell outside the scope of the original complaint and was therefore contrary to Rule 6(9) of the Committee's Rules of Procedure, which prohibits the introduction of new allegations after a complaint has been lodged.

231.The Committee noted that Rev. Kobia acknowledged that the complaint letter dated 23rd July 2025 was submitted in his capacity as Chairperson of the NCIC and that it did not contain any allegation relating to an alleged request for a bribe from the Vice-Chancellor of Kenya Methodist University. The Committee therefore found that this allegation constituted a new matter that had not formed part of the original complaint and excluded it from further consideration.

232. The Committee observed that the allegations of solicitation of a financial inducement and bribery were not supported by sufficient direct or corroborative evidence to meet the requisite standard of proof.

233. The Committee noted that Rev. Kobia's evidence was based principally on information relayed to him by third parties and that no sworn testimony was tendered by the primary witnesses at the material time to substantiate the alleged requests for KES. 3 million.

234.The Committee further observed that no independent documentary or electronic evidence, including witness statements, correspondence or financial records was produced to support the allegations. In the absence of such corroborative evidence, the Committee was unable to make a finding that the breach of privilege had been proved.

235. The Committee further observed that allegations of bribery, solicitation of financial inducement and abuse of public office are grave in nature and carry significant legal, constitutional and reputational consequences and further undermine public trust in the integrity and impartiality of parliamentary oversight processes.

FINDINGS

236. On the Allegation, concerning hostility, harassment and demeaning treatment, the Committee found that:

- (i) The allegations regarding the proceedings of 14th February, 2024 that the allegation had been proved to the requisite standard.
- (ii) The allegations regarding the proceedings of 25th March, 2025 had been proved to the requisite standard.

237. On the Second Allegation, concerning the solicitation of financial inducement and bribery, the Committee found that the allegation had not been proved to the requisite standard.

238. On the Third Allegation, concerning the alleged solicitation of a financial inducement from the Vice-Chancellor of Kenya Methodist University (KeMU), the Committee found that the allegation was procedurally inadmissible.

What penalties should be imposed, if any?

239. Having found that the conduct of the Honourable Member constitutes breach of privilege under Section 16 of the Parliamentary Powers and Privileges Act (Cap. 6), the next step is for the Committee to impose the appropriate penalty. In imposing the appropriate penalty, the Committee

was cognizant of the fact that the overarching principle is that the penalty must be lawful, fair, and proportionate.

240.Section 17(3) of the Parliamentary Powers and Privileges Act (Cap. 6) provides for penalties that the Committee may impose upon making a finding that the conduct of a Member constitutes a breach of privilege. It provides as follows:

17. Determination of breach of privilege

(3) Where the relevant House of Parliament finds that a Member has committed a breach of privilege, the relevant House of Parliament may, in addition to any other penalty to which the Member may be liable under this Act or any other law, impose any or more of the following penalties—

(a) a formal warning;

(b) a reprimand;

(c) an order to apologize to the House or a person in a manner to be recommended by the Committee of Powers and Privileges;

(d) the withholding, for a specific period of time, of the member's right to the use or enjoyment of any specified facility provided to Members by Parliament;

(e) the removal or suspension for a specified period of time of the Member from any parliamentary position occupied by the Member;

(f) such fine in terms of the Member's monthly salary and allowances as the House may determine;

(g) the suspension of the Member for such period as the House may decide, whether or not Parliament or any of its committees is scheduled to meet during that period;

(h) vacation of seat pursuant to Articles 75(2)(b) and 103(1)(c) of the Constitution.

241. In the circumstances, the Committee may prescribe the following sanctions against each allegation-

(i) With regard to the allegation of **harassment of Commissioners and staff appearing before the Public Investments Committee on Governance and Education, and treating them with hostility and in a demeaning manner-**

- (a) offer a written apology to the National Assembly in a manner to be approved by the Committee. **Failure to offer an apology** will result in a suspension of 1–21 days.
- (b) suspension or expulsion from Committees;
- (c) removed as the Chairperson of the PIC G&E;
- (d) not be eligible for election for the position of Chairperson of a Committee of the National Assembly the remainder of the term of Parliament, but without prejudice to the appointment of the Member to membership of other Committees; and
- (e) be suspended for a specified period from the National Assembly, its committees and precincts.

(ii) With regard to the allegation on **Solicitation for financial inducement/bribe as a precondition for granting audience or favourable consideration in a matter before the Committee -**

- a. reprimand at the Bar by the Speaker and offer apology to the House;

- b. demand for an apology (tendered personally in the House);
 - c. removal as the Chairperson of the PIC G&E;
 - d. suspension or expulsion from Committees;
 - e. not be eligible for election for position of Chairperson of a Committee of the National Assembly the remainder of the term of Parliament but without prejudice to the appointment of the Member to membership of other Committees;
 - f. be suspended for a specified period from the National Assembly, its committees and precincts.
 - g. such fine in terms of the Member's monthly salary and allowances as the House may determine;
 - h. the suspension of the Member for such period as the House may decide, whether or not Parliament or any of its committees is scheduled to meet during that period;
 - i. vacation of seat pursuant to Articles 75(2)(b) and 103(1)(c) of the Constitution; and
 - j. refer the matter to other investigating agencies.
-

CHAPTER FIVE

COMMITTEE RECOMMENDATIONS

242.Based on the analysis of evidence adduced, the findings, and having reviewed the applicable penalties provided for in section 17(3) of the Parliamentary Powers and Privileges Act, 2017, as well as practice in other jurisdictions, the Committee finds as follows—

ALLEGATION 1:

243.The Allegations relating to **harassment of NCIC Commissioners and staff appearing before the Public Investments Committee on Governance and Education, and treating them with hostility and in a demeaning manner** is fully substantiated. Consequently, the Committee finds that the conduct of Hon. Jack Wanami Wamboka, MP, was in breach of privilege and recommends—

- 1. THAT**, pursuant to section 17(3)(b) of the Parliamentary Powers and Privileges Act, Cap. 6, the House reprimands the Hon. Jack Wanami Wamboka, MP, for breach of privilege, for having engaged in conduct that reflects adversely on the dignity and integrity of the House;
- 2. THAT**, the Hon. Jack Wanami Wamboka, MP, issues a formal written apology to the House for the breach of privilege, aforesaid, in the following manner—

APOLOGY

I Hon. Jack Wanami Wamboka, by harassing and engaging in a hostile and demeaning manner towards witnesses appearing before the Public Investments Committee on Governance and Education, acted in breach of section 16(e) of the Parliamentary Powers and Privileges Act, Cap. 6. This conduct reflected

adversely on the dignity of Members of Parliament and this House.

In view of this, I Hon. Jack Wanami Wamboka, tender my unreserved apology to the House, for having acted in a manner that failed to bring honour, respect and dignity to this House and its Committees. I restate my commitment to always abide by the responsibilities of leadership set out in the Constitution, the Leadership and Integrity Act, Cap. 185C, and the Parliamentary Powers and Privileges Act, Cap. 6.

- 3. THAT**, in the event that the Hon. Jack Wanami Wamboka, MP, declines to issue the apology prescribed in paragraph 243(2), the Hon. Jack Wanami Wamboka, MP, be suspended from the service of the House for a period of fourteen days pursuant to Standing Order 107A(3);

ALLEGATION 2

244. The Allegations relating to **Solicitation for financial inducement/bribe as a precondition for granting audience or favourable consideration in a matter before the Committee** were **NOT** substantiated. Consequently, the Committee recommends that relevant investigative agencies be at liberty to commence or continue investigations into the matter and take any necessary lawful action.

General recommendations

245. Further, the Committee recommends—


- 1. THAT**, the Procedure and House Rules Committee develops and implements guidelines for the conduct of committee proceedings to

reinforce respectful engagement with witnesses and public officers appearing before parliamentary committees.

2. **THAT**, noting that the complaint against the Hon. Jack Wanami Wamboka, MP, and the witness in support of the complaint emanated from the NCIC, the House should bar the Hon. Jack Wanami Wamboka, MP, from appointment to or leadership of committees whose mandate covers matters relating to cohesion, governance, and audit. This includes any committee of the House where the National Cohesion and Integration Commission or a related entity may reasonably be perceived to be affected by the conduct that forms the subject of this Inquiry.

3. **THAT**, Consequent to Paragraph 245(2), the Committee on Selection nominates the Hon. Jack Wanami Wamboka, MP, for appointment to a suitable committee pursuant to Standing Orders 172 and 173.

4. **THAT**, In order to preserve public confidence in the impartiality, fairness, and integrity of parliamentary oversight processes, the House finds the Hon. Jack Wanami Wamboka, MP unsuitable to hold any leadership position in any committees exercising oversight over constitutional and statutory commissions, independent offices, and audit-related matters for the remainder of the term of the 13th Parliament.

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 09 JUN 2026	
DAY: TUESDAY	
TABLED BY:	HON. STANLEY CHEBOKA
CLERK-AT THE-TABLE:	P. KARORO-MUGA

LIST OF ANNEXURES

1. Rev(Dr.) Samuel Kobia's letters of 23rd July 2025
2. Speakers Communications Nos. 13 and 14 of 22nd April 2026
3. Affidavits by Rev. (Dr.) Samuel Kobia:
 - (i) First Affidavit of 7th May 2026; and
 - (ii) Further Affidavit of 20th May 2026.
4. Affidavits by Hon. Jack Wanami Wamboka, MP:
 - (i) Replying Affidavit of 15th May 2026; and
 - (ii) Supplementary Affidavit of 28th May 2026.
5. Hansard Proceedings of the PIC on Governance and Education of 14th February, 2024, and 25th March 2025.
6. Copies of Correspondences by the Committee of Powers and Privileges:
 - (i) Request to submit particulars of the allegations by Rev. (Dr.) Samuel Kobia of 29th April 2026;
 - (ii) Invitation of Rev. (Dr.) Samuel Kobia dated 12th May 2026 to attend pre-trial hearing;
 - (iii) Invitation of Rev. (Dr.) Samuel Kobia dated 21st May 2026 to appear for oral hearing;
 - (iv) Invitation of Hon. Jack Wanami Wamboka, MP of 12th May 2026 to attend pre-trial hearing;
 - (v) Invitation of Hon. Jack Wanami Wamboka, MP of 21st May 2026 to appear for oral hearing;
 - (vi) Invitation of Mr. Harrison Kariuki dated 12th May 2026 to attend pre-trial hearing;

- (vii) Invitation of Mr. Harrison Kariuki dated 21st May 2026 to appear for oral hearing;
- (viii) Invitation of Prof. John Kobia Ataya of 12th May 2026 to attend pre-trial hearing; and
- (ix) Invitation of Prof. John Kobia Ataya of 21st May 2026 to appear for oral hearing.

7. Minutes of the Committee of Powers and Privileges:

- (i) The First Sitting on 28th April 2026 at 11:00 am;
- (ii) The Second Sitting on 29th April 2026 at 11:00 am;
- (iii) The Third Sitting on 12th May 2026 at 10:00 am;
- (iv) The Fourth Sitting on 20th May 2026 at 10:00 am;
- (v) The Fifth Sitting on 20th May 2026 at 03:00 pm;
- (vi) The Sixth Sitting on 02nd June 2026 at 10:00 am;
- (vii) The Seventh Sitting on 02nd June 2026 at 03:15 pm;
- (viii) The Eight Sitting on 03rd June 2026 at 10:00 am; and
- (ix) The Ninth Sitting on 09th June 2026 at ,10:00 am.

8. Hansard Proceedings of the Committee of Powers and Privileges for the Sitzings.

