

NAIROBI CITY COUNTY ASSEMBLY



SECOND ASSEMBLY - FIFTH SESSION



**FIFTH REPORT OF THE SECTORAL
COMMITTEE ON JUSTICE AND LEGAL AFFAIRS
ON**

**THE PETITION FROM MR. JOHN MARK OJAMBO ON BEHALF
OF THE KENYA CITIZENS, NAIROBI RESIDENTS AND NAIROBI
COUNTY TAXPAYERS,**

**ON REQUEST FOR REMOVAL FROM OFFICE OF MS. LYDYA
KWAMBOKA, THE NAIROBI CITY COUNTY ATTORNEY.**

Clerk's Chamber
City Hall
Nairobi

July, 2021

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1. PREFACE

The Sectoral Committee on Justice and Legal Affairs is established under Standing Order 203, and its mandate amongst others, as outlined under Standing Order 203 (5) is to: -

- a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;*
- b) study the programmes and policy objectives of departments and the effectiveness of the implementation;*
- c) study and review all county legislation referred to it;*
- d) study, assess and analyze the relative success of the departments as measured by the results obtained as compared with its stated objectives;*
- e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;*
- f) vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 185(Committee on Appointments): and*
- g) Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.*

The Committee is mandated under the 3rd Schedule of the Standing Orders to "investigate, inquire into and report on all matters related to constitutional affairs, the administration of law and justice, integrity and anti-corruption and human rights; city inspectorate and enforcement."

2. COMMITTEE MEMBERSHIP

The Committee comprises the following Members: -

1. Hon. Joseph Komu, MCA- Chairperson
2. Hon. Francis Ngesa, MCA- Vice Chairperson
3. Hon. Cecilia Ayot, MCA
4. Hon. Asli Mohamed, MCA
5. Hon. David Ayoi, MCA
6. Hon. Doris Kanario, MCA
7. Hon. Elijah Mputhia, MCA
8. Hon. Millicent Jagero, MCA
9. Hon. Jairus Omayo, MCA
10. Hon. Antony Kimemia, MCA
11. Hon. Esther Nyangweso, MCA
12. Hon. John Kyalo, MCA
13. Hon. Maina Njoka, MCA
14. Hon. Margaret Mbote, MCA
15. Hon. Millicent Mugadi, MCA
16. Hon. Moses Ogeto, MCA
17. Hon. Muchene Kabiru, MCA
18. Hon. Patrick Musili, MCA
19. Hon. Mwangi Njihia, MCA
20. Hon. Kennedy Obuya, MCA
21. Hon. Millicent Okatch, MCA
22. Hon. Susan Mukungu, MCA
23. Hon. Mary Njambi, MCA
24. Hon. Osman Khalif, MCA
25. Hon. Patrick Logedi, MCA

Mr. Speaker Sir,

Pursuant to Standing Order 208, the Clerk of the County Assembly on 23rd June, 2021, received a petition from Mr. John Mark Ojiambo on behalf of the Citizens of the Republic of Kenya, residents of Nairobi and taxpayers to the Nairobi City County Government, whose prayer is a request for the removal of the County Attorney from Office.

Pursuant to Standing Order 208 (1) (b), the Hon. Benson Mwangi on Thursday 24th June, 2021, presented the said petition on behalf of the petitioners on the floor of the Assembly.

Pursuant to Standing Order 215(1) and (2), the petition was committed to the Sectoral Committee on Justice and Legal Affairs on Thursday 24th June, 2021, for

consideration and preparation of a report to the Assembly within forty five(45) days.

Mr. Speaker Sir,

In order to ascertain the issues raised in the petition, the Committee resolved to meet all parties mentioned in the petition before making appropriate recommendations. The Committee identified the following as parties to the petition;

- a.) Hon. Benson Mwangi, MCA – Member for Mowlem Ward;
- b.) Mr. John Mark Ojiambo- Petitioner;
- c.) Ms. Lydia Kwamboka - The Nairobi City County Attorney;
- d.) The Nairobi County Director, Supply Chain Management; and
- e.) Mr. Jairus Musumba - The Ag. County Secretary

The Committee conducted interviews with all the parties other than the County Attorney, who did not turn-up on the day she was invited and instead sent an apology, noting that her office would be involved in the swearing in of the Deputy Governor as County Governor on 7th July, 2021. Secondly, the County Attorney submitted supporting documents in response to the allegations made against her. The Committee also received submissions from the County Secretary and the Director, Supply Chain Management on the list of prequalified/registered firms for provision of legal services for the Financial years 2013/2014– 2021/2022. This report contains the Committee's observations, findings and recommendations on the petition.

3. ACKNOWLEDGEMENT

Mr. Speaker Sir,

I wish to sincerely thank Members of the Committee for their patience, sacrifice and hard work despite their other commitments and tight schedules, in their endeavors to deliberate on the petition. The Committee also wishes to sincerely thank the Offices of the Speaker, the Clerk of the County Assembly and to the secretariat for their support to the committee that enabled members execute their work.

It is my honor and pleasure on behalf of the Committee to present this Report of the Committee on Justice and Legal Affairs on the petition received from Mr. John Mark Ojiambo on behalf of the Citizens of the Republic of Kenya, residents of Nairobi and taxpayer to the Nairobi City County Government, whose prayer is a request for removal of the County Attorney from office, with Recommendations to the Assembly for consideration and adoption pursuant to the provisions of Standing Orders No. 215(1) and (2).

Thank You.

SIGNED.....

Hon. Joseph Komu, MCA

(Chairman)

DATE: 26.05.2021.....

4. INTRODUCTION

Pursuant to Standing Order 208, the Clerk of the County Assembly on 23rd June, 2021, received a petition from Mr. John Mark Ojiambo on behalf of the Citizens of the Republic of Kenya, residents of Nairobi and taxpayers to the Nairobi City County Government, whose prayer is a request for removal of the County Attorney from Office. Pursuant to Standing Order 208 (1) (b) and Standing Order 208 (1) (b), the Hon. Benson Mwangi, MCA, Mowlem Ward on Thursday 24th June, 2021, Presented the said petition on behalf of the petitioners on the floor of the Assembly.

Pursuant to Standing Order 215(1) and (2), the petition was committed to the sectoral committee on Justice and Legal Affairs on Thursday 24th June, 2021, for consideration and preparation of a report to the Assembly within forty-five (45) days. The Committee considered the petition pursuant to the provisions of Standing Order 215(2).

In their petition, the petitioners wished to draw the attention of the Assembly to the following, that: -

- a) The appointment of the current County Attorney to office was on a one-year contract. That the said contract lapsed while the officer was under suspension and upon her return to office six months later, her contract was renewed without vetting which is a requisite requirement for the award of a new contract for example vetting by the County Assembly considering that the said office is an office equivalent to that of a County Executive Committee Member;
- b) Section 31(2) of the office of the County Attorney Act, 2020 provides that a person employed by the County Public Service Board to perform the functions of the County Attorney, at the commencement of the said Act shall continue to hold their respective positions in the office after Coming into effect of the Act. As regards the County Attorney, the appointment was done by the Governor and not the public service Board and thus should not continue to hold office.
- c) That the Advocate's Act requires that every Advocate takes out a practicing certificate at the beginning of each year. Failure to do so deems an advocate unqualified to practice as an advocate of the high court, draw legal instruments and pleadings as set out under Section 354(a) and (b) of the Advocates Act. In this regard, the County Attorney neglected to take out a practicing certificate for the year 2020 but went ahead to draw and execute legal instruments therefore exposing the county to invalidation of legal instruments drawn and executed by herself and exposing the County of Nairobi to unwarranted legal action. In so doing, the County Attorney violated the law in which she swore to protect.
- d) That in contravention of the Public Procurement and Asset Disposal Act, 2015

and in reckless disregard of the Consequences thereof, the County Attorney proceeded and instructed the firm of Njenga Maina & Company Advocates taking up conduct of over sixty (60) matters in which the County had been sued yet the firm is not pre-qualified to offer legal services to the County.

- e) Further, the Law firm does not appear in the list of registered suppliers as required by Section 57 of the Public Procurement and Asset disposal Act, 2015. The Firm now demands from the County a sum of over Ksh. 300 million in legal fees out of which the firm has already been paid Kshs. 60 million. This is in total contravention of the Public Finance Act and the Public Procurement and Asset Disposal Act, 2015.
- f) That in a deliberate contravention of Section 68 of the County Governments Act, show of favoritism and nepotism, the County Attorney ensured that all the four (4) directorates under the office of the County Attorney, were headed by people from her tribe.
- g) That an attempt by the County Secretary who is the head of public service to make changes and ensure tribal and gender balance as provided by the law was met by a series of memos by the County Attorney countermanding him. That one memo in particular was addressed to all staff in the Legal Department urging them to ignore instructions from the Head of Public Service, which action can be construed as incitement in total disregard of the code of ethics.
- h) That in a series of memos written to the County Secretary and staff in the Legal Department, the County Attorney has consistently maintained that she has never delegated work to any officer which is a clear show of incompetence. That this is in contravention to the County Attorneys Act, 2020 which gives the instruments of delegation to enable the effective service delivery to Nairobi residents. Failure to delegate is incompetence and a show that she can't perform the duties of the public office in which she is entrusted to.
- i) That there have been several articles in the main street media (newspapers) pointing out the ills in the office of the County Attorney which articles are an accurate reflection of the County Attorney's inability to lead and/or head a department in the public service.
- j) That efforts were made to have the Acting Governor and the County Secretary act on a complaint from a Mr. Samuel Mogaka through a letter dated 23rd March, 2021 and no action has so far been taken.
- k) That there is no issue averred in this petition that is pending before a Court of Law or any Constitutional or legal entity for determination and/or consideration.

5. APPEARANCE BEFORE THE COMMITTEE BY WITNESSES

5.1 Appearance and Submissions By the Petitioner - Mr. John Mark Ojiambo

Due to the Covid 19 regulations, the Committee convened virtual meetings with the petitioners. Mr. John Mark Ojiambo appeared virtually before the Committee on Thursday, 1st July, 2021 in order to shed light on the allegations made against the County Attorney.

In his submissions, he stated as follows:

- a) That he had presented the petition to the county Assembly on behalf of citizens of the republic of Kenya, residents of Nairobi and taxpayers to the Nairobi City County Government in Nairobi County.
- b) That the Nairobi residents had written to the Director of Investigations on 28th March, 2020 at the Ethics and Anti-Corruption Commission to investigate abuse of office by Ms. Lydia Ogwoka Kwamboka, County Attorney of Nairobi City County as follows:

i) Conflict of Interest

- a. That in contravention of the Public Service Commission guidelines and the code of conduct as outlined in the second schedule Number 16 of The Office of The County Attorney Act, 2020, the officer failed to declare her interest in the firm of Njenga Maina & company Advocates which the officer proceeded to instruct to take up conduct in more than 60 cases in which the County is sued.
- b. That the County Attorney allegedly runs Njenga Maina & Company Advocates by proxy and has beneficial interest. That the officer engaged in corruption and advancement of personal interest as she failed to declare conflict of interest and by continued engagement of the firm of Njenga Maina & Company Advocates to work for the County.

ii) Abuse Of Office- Awarding Contracts to A Non-Prequalified Firm

- a. That in contravention of the Public Procurement and Disposal Act and in reckless disregard of the consequences thereof, the County Attorney proceeded to instruct the firm of Njenga Maina & Company Advocates which is not prequalified to offer legal services to the County.
- b. Hence the firm now demands Kshs 300 million in legal fees from the County. The firm was already paid Kshs 60million in contravention to the Public Finance Management Act, 2012.

iii) Professional Misconduct-Practicing Without a Practicing Certificate

- a. The Advocates Act requires that every advocate take out a practicing certificate at the beginning of each year. Failure to do so deemed the advocate unqualified to practice as the advocate of the High Court or to draw legal instruments and pleadings as set out under section 34(a) and (b) of the Advocates Act.

- b. The County Attorney went to draw and execute legal instruments on behalf of the County hence exposing the County to invalidation of the said legal instruments and to unwarranted legal action.

iv) Abuse Of Office - Nepotism

- a. That Article 73 of the Constitution of Kenya 2010 encourages objectivity and impartiality in decision making and in ensuring that decisions are not influenced by nepotism, favoritism, other improper motives or corrupt practices; selfless service base solely on public interest; demonstrated by dishonesty in the execution of public duties; the declaration of any personal interest that may conflict with public duties; and accountability to public for decisions and actions.
- b. That she ensured that all the four directorates under the office of the County attorney were headed by people from her tribe. An attempt by the County Secretary who is the Head of Public Service to make changes and ensure tribal and gender balance as provided for by Section 68 of the County Governments Act was met by a series of memos by the County Attorney countermanding him.

Following the meeting with the petitioner, the Committee resolved as follows:

- a. That to ascertain the veracity of the allegations raised by the Petitioner, there was need for the Committee to expand its scope of investigations and reach out to officers in other departments relevant to the investigation; and
- b. That a follow up meeting with the County Executive (County Attorney, County Secretary and Director of Supply Chain Management) be organized to clarify on the said allegations made against the County Attorney.

5.2 Appearance and Submissions By the County Secretary and The Director of Supply Chain Management

On Wednesday, 7th July, 2021 the Ag. County Secretary, Mr. Jairus Musumba and the Director of Supply Chain Management, Mr. J. Kimeu appeared virtually before the Committee and submitted both written and oral submissions to the Committee. In their written submissions, they stated as follows:

- a. That pursuant to Section 57(1) of the Public Procurement and Asset Disposal Act, 2015, which reads; *"The head of the Procurement function of a procuring entity shall maintain and update lists of registered suppliers, contractors and consultants in the categories of goods, works and services according to its procurement needs,"* they had submitted a list of all prequalified/registered firms for provision of legal services to the County for the following financial years;
 - i) Prequalified legal firms for Financial year 2013/2014;
 - ii) Prequalified legal firms for Financial year 2014/2015;
 - iii) Prequalified legal firms for Financial year 2016/2018;

- iv) Prequalified legal firms for Financial year 2018-2019/2019-2020; and
- v) Prequalified legal firms for Financial year 2020-2021/2021-2022.

From their submissions, the Committee made the following observations: -

- a. The Law firm, Njenga Maina & Company Advocates, does not appear in the list of all prequalified/registered firms for provision of legal services to the County for the Financial years 2013/2014-2021/2022 as required by Section 57 of the Public Procurement and Asset Disposal Act, 2015.

5.3 Appearance and Submissions by the Nairobi County Attorney – Ms. Lydia Kwamboka

The County Attorney, Ms. Lydia Kwamboka, was invited to appear before the Committee on Wednesday 7th July, 2021 vide a letter dated 2nd July, 2021. However, the County Attorney failed to honour the invitation and did not appear before the Committee on Wednesday 7th July, 2021. Instead, she sent a letter dated 6th July, 2021 excusing herself on the basis that she was to participate in the swearing in of the Deputy Governor/Ag. County Governor.

However, the Committee took judicial notice of the fact that no swearing in of any kind suggested by the County Attorney had been Gazetted and her refusal to appear before the Committee found improper and in contempt.

Nonetheless, in the interest of fair administrative action, the Committee resolved that the County Attorney provide all relevant written documentation and or responses to the following allegations:

- a. Validity of the contract held by Ms. Lydia Kwamboka, as County Attorney;
- b. Whether the County Attorney held a Practicing Certificate for the year as required of all advocates as stipulated in the Advocates Act;
- c. Contravention of Public Procurement and Asset Disposal Act, 2015 by instructing the firm of Njenga Maina & Company Advocates which was not prequalified or qualified to offer legal services to the County to take up conduct of over 60 matters in which the County had been sued;
- d. Alleged show of favoritism and nepotism being practiced by the County Attorney in awarding the Senior-most positions in all the four Directorates under the said office to people from the same tribe; and
- e. Alleged incompetence by the County Attorney due to failure of delegation of work to other staff in the said docket hence leading to ineffective service delivery.

Ms. Lydia Kwamboka, the County Attorney forwarded written submissions to the allegations made against her before the Committee vide a letter dated 12th July, 2021, in which she responded as follows: -

- a. That the petition presented to her was by one Samuel Mogaka. That she had not been served with the petition of Mr. John Mark Ojiambo the petitioner mentioned in the aforementioned two letters from the Ag. Clerk. That it was

procedurally unfair to expect her to respond to the said allegations of Mr. John Mark Ojiambo.

b. On the Validity of her contract, she observed, that: -

- i) She was duly appointed and rightful holder of the Office of The County Attorney in Nairobi County;
- ii) That she was appointed as County Attorney by the then Governor Mike Mbuvi Sonko vide a letter dated 3rd May, 2018.
- iii) The said appointment stated that her contract was for one year, which may be renewed by the Governor subject to her performance and productivity.
- iv) That on 19th September, 2018, she and three other County Executive Committee Members were suspended over the manner in which they had handled the controversy surrounding the death of infants at Pumwani Hospital.
- v) That on 1st October, 2019, she was recalled from suspension by the former Governor, who then extended her contract of employment from 1st October 2019 to December, 2022.
- vi) That under the Office of The County Attorney, 2020, the County Attorney is an appropriate appointee of the Governor under Section 5 and their appointment is subject to approval of the County Assembly.
- vii) That she is properly and lawfully serving as the County Attorney after having transitioned as per section 31 of the office of the County Attorney Act, 2020 and which appointment was approved by the County Assembly.

c. On Whether the County Attorney held a practicing certificate for the year 2020 as required of all advocates under the Advocates Act, she submitted: -

- i) That the said claim is defamatory and disappointing. She responded to the said claims and was interrogated by the Deputy Governor and AG. Governor Ms. Ann Kananu who found the allegations baseless and cleared her of any wrong doing.
- ii) That following the said claims, she was prompted to write to Law Society of Kenya on 31st March, 2021 who responded vide a letter dated 6th April, 2021 (copy attached) confirming that the County Attorney just like other Public Officers under Section 10 of the Advocates Act Cap 16 was not required to take out a practicing certificate.

d. On the contravention of public and Asset Disposal Act, she responded: -

- i) That the claim that she instructed the firm of Njenga Maina & Co. Advocates who are not prequalified is totally unfounded. That the said firm tendered and were prequalified and awarded tender No.

NCC/SCM.PREQ/001/B9/2017-18-2018-2019 Registration for provision of legal service dated 19th April, 2018.

- ii) That, suits may take several years before completion and the onus to update the list of prequalified legal service providers remains with the procurement sector given the nature and uniqueness of the type of service provided.
 - iii) That it was important to note that when it comes to service providers the provisions of section 55-58 of the Procurement and Disposal Act, 2015 applies. That Advocates do not sign contracts like the rest of the service providers.
- e. **On the alleged show of favoritism and nepotism being practiced by the County Attorney, she informed the Committee: -**
- i) That she has never shown favoritism nor nepotism as alleged. That the said claim is baseless, outrageous and unfounded as they have never had four directorates in the Legal Department.
 - ii) That she proposed in the recent handing in of their proposed sector structures that it be included in the structure of the office of the County Attorney. That the mandate to employ vests with the County Public Service Board.
- f. **On the alleged incompetence by the County Attorney leading to ineffective service delivery: -**
- i) She responded that she had on all occasions delegated work to other staff within her sector unless duties that required her personal attention as stipulated in the ACT. That the County Attorney Act is explicit on her duties and role as County Attorney hence she had diligently discharged her duties well as County Attorney.
 - ii) That as stipulated in Section 13 of the County Attorney Act, 2020, the Deputy Governor and acting Governor Ms. Ann Kananu did not find her guilty of any of the above stipulated grounds that may warrant her removal from office.
 - iii) That she had no reason to doubt that the Governor is the County Attorney appointing authority and the role of the County Assembly was only to vet and approve the appointee. Hence, she was duly appointed by the then Governor as per Section 4 of the Nairobi City County Office of the County Attorney Act, 2016.
 - iv) That her intended removal by the petitioner from office as County Attorney as per Section 13 of the Office of the County Attorney Act, 2020 is a power that only the Governor has, subject to the approval of the County Assembly.
 - v) That in interest of justice and fairness the petition herein is dismissed and/or disallowed as no evidence had been adduced to substantiate the allegations labelled against her.

6. COMMITTEE OBSERVATIONS

The Committee made the following observations: -

That: -

- i. That contrary to her assertions that Advocates in the Public Service need not hold current Practicing Certificates, as a County Attorney and given her duties which require her to practice before the Courts, the requirements of the Advocates Act are such that the Certificate is a MUST for her. This was confirmed by a letter from the Law Society of Kenya clearly indicating that the County Attorney did not have a practicing Certificate for 2020 when she actively engaged in litigation matters, acts amounting to professional misconduct and irresponsibility given its risk to the County;
- ii. The Law firm of Njenga Maina & Company Advocates does not appear in the list of registered/prequalified suppliers as required by Section 57 of the Public Procurement and Asset disposal Act, 2015. This is in contravention of the Public Procurement and Asset Disposal Act, 2015 and the Public Finance Act and the Public Procurement and Asset Disposal Act, 2015;
- iii. That the County Attorney irregularly issued instructions to the firm of Njenga Maina & Company Advocates with respect to several matters despite the firm not being prequalified with the Nairobi City County in contravention of the Public Procurement and Asset Disposal Act, 2015 and the Regulations therein, acts amounting to conflict of interest and corruption;
- iv. That the County Attorney issued a memo countermanding the County Secretary when the latter with the authority of the County Public Service Board (CPSB) attempted to streamline the operations of the Directorates in the Department, actions which were in bad faith and caused confusion in the administration of the County, in total contravention of the County Governments Act, 2012.
- v. That with respect to allegations of Nepotism, the County Legal Department Sections are indeed all headed by Members of one ethnic Community as the County Attorney's, a fact that on the face of it and on submissions by witnesses directly links to the County Attorney being in Office since these appointments happened in the pendency of her tenure as County Attorney, which circumstance is contrary to Article 10 of the Constitution on National values and the County Governments Act, 2012.
- vi. That the County Attorney instructed employees in the Legal Department to ignore all plans or actions by the CPSB to address ethnic and gender balance in the legal department, despite the CPSB being authorized by law to take such action in keeping with Article 10 of the Constitution and the County Governments Act, 2012.

vii. The County Attorney issued a series of Memos to the County Secretary and staff in the Legal Department consistently asserting that she is solely in charge and has never delegated work to any officer and no officer should purport to discharge those functions, which action not only caused confusion but was also meant to sustain her grip on the affairs of the office and continue her pursuit of private interests such as the irregular award of contracts to an un-prequalified law firm.

viii. These actions demonstrate her incompetence and the incapacity and confusion the Office of the County Attorney finds itself currently. They are also in contravention to the County Attorneys Act, 2020 which gives the instruments of delegation to enable the effective service delivery to Nairobi residents. These actions also amount to corruption and abuse of office.

7. COMMITTEE FINDINGS

- 1) The Committee finds that Ms. Lydia Kwamboka has violated the following provisions of the Law and hence not fit to hold the office of County Attorney; The County Attorney has contravened the Advocates Act and the Law Society of Kenya Act by practicing and purporting to practice without a valid practicing certificate for the year 2020;
- 2) The County Attorney has contravened Article 10 of the Constitution on National Values and Principles of Governance and thus her decisions and continued stay in office will continue to cost the taxpayers unnecessary costs;
- 3) The County Attorney has contravened and variously flouted the provisions of the Public Procurement and Asset Disposal Act, 2015 through the issuance of instructions to an un-prequalified law firm;
- 4) The conduct of the County Attorney does not meet the provisions of Chapter 6 of the Constitution of Kenya and the Leadership and Integrity Act, 2012 and hence she is unfit to hold public office.

8. COMMITTEE RECOMMENDATIONS

The Committee makes the following recommendations: -

That: -

- 1) The Ag. Governor, Nairobi City County, terminate forthwith, the services of one Ms. Lydia Kwamboka as County Attorney; in accordance with Section 13 of the Office of the County Attorney Act 2020; and
- 2) All instructions issued to the firm of Njenga Maina and Company Advocates be withdrawn and given to internal advocates or a law firm that is prequalified to offer legal services to the County.

XXXXXXXXXXXXXXXXXXXXXENDXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

MINUTES OF THE 40TH VIRTUAL SITTING OF THE SECTORAL COMMITTEE ON JUSTICE COMMITTEE HELD ON MONDAY 26TH JULY, 2021 AT 12.00 PM VIDE ZOOM CLOUD MEETING.

MEMBERS PRESENT

1. Hon. Joseph Komu, MCA- Chairperson
2. Hon. Francis Ngesa, MCA- Vice Chairperson
3. Hon. Millicent Mugadi, MCA
4. Hon. Moses ogeto, MCA
5. Hon. Mary Njambi, MCA
6. Hon. Millicent Okatch, MCA
7. Hon. Patrick Musili, MCA
8. Hon. Margaret Mbote, MCA
9. Hon. Esther Nyangweso, MCA
10. Hon. Jairus Omayo, MCA
11. Hon. Osman Khalif, MCA
12. Hon. Muchene Kabiru, MCA
13. Hon. Asli Mohamed, MCA
14. Hon. Mwangi Njihia, MCA
15. Hon. Cecilia Ayot, MCA
16. Hon. David Ayo, MCA
17. Hon. Millicent Jagero, MCA
18. Hon. Doris Kanario, MCA
19. Hon. John Kyalo, MCA
20. Hon. Susan Mukungu, MCA
21. Hon. Maina Njoka, MCA
22. Hon. Kennedy Obuya, MCA
23. Hon. Elijah Mputhia, MCA
24. Hon. Antony Kimemia, MCA

MEMBERS ABSENT

1. Hon. Patrick Logedi, MCA

SECRETARIAT – COUNTY ASSEMBLY

- | | |
|--------------------------|--------------------------|
| 1. Ms. Cammelyne Anguche | - Senior Clerk Assistant |
| 2. Ms. Judy Aron | - First Clerk Assistant |

MIN. 372/J&LA/40/ JULY/2021 – preliminaries

- The meeting was called to order at 12.20 pm by the Chairperson who invited Hon. Millicent Okatch, MCA for a word of prayer. The Chairperson then took

members through the agenda of the day, that was adopted as proposed by Hon. Patrick Musili, MCA and seconded by Hon. Doris Kanario, MCA as follows: -

AGENDA

1. Preliminaries (Prayers & adoption of the Agenda).
2. Adoption of the report of the petition from Mr. John Mark Ojiambo on behalf of the Citizens of the Republic of Kenya, residents of Nairobi and taxpayer to the Nairobi City County Government, whose prayer is a request for removal of the County Attorney from office.
3. Any Other Business
4. Adjournment

MIN. 373/J&LA/40/JULY/2021 – ADOPTION OF THE REPORT OF THE PETITION FROM MR. JOHN MARK OJIAMBO ON BEHALF OF THE CITIZENS OF THE REPUBLIC OF KENYA, RESIDENTS OF NAIROBI AND TAXPAYER TO THE NAIROBI CITY COUNTY GOVERNMENT, WHOSE PRAYER IS A REQUEST FOR REMOVAL OF THE COUNTY ATTORNEY FROM OFFICE.

The report of the petition from Mr. John Mark Ojiambo on behalf of the Citizens of the Republic of Kenya, residents of Nairobi and taxpayer to the Nairobi City County Government, whose prayer is a request for removal of the County Attorney from office was read through by Hon. Esther Nyangweso. The report was thereafter unanimously agreed to as proposed by Hon. Francis Ngesa and seconded by Hon. Mwangi Njihia.

MIN. 374/ J&LA/40/JULY/2021 – ADJOURNMENT


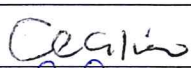


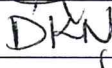
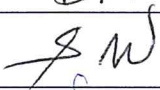
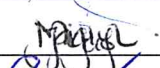
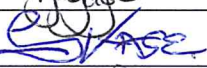

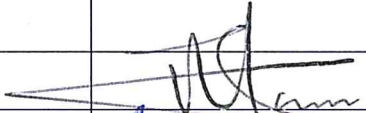


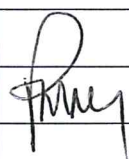


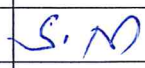
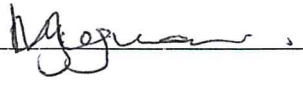
The Committee having dispensed with the business of the day and the time being 1.15pm, the Chairperson adjourned the meeting to Tuesday 27th July, 2021 at 12.30 pm.

CONFIRMED AS TRUE RECORDS OF PROCEEDINGS

CHAIRPERSON: Signature

DATE.....26.07.2021.....

**ADOPTION OF THE REPORT OF THE SECTORAL COMMITTEE ON
JUSTICE AND LEGAL AFFAIRS ON THE PETITION FROM MR. JOHN
MARK OJAMBO ON BEHALF OF THE KENYA CITIZENS, NAIROBI
RESIDENTS AND NAIROBI COUNTY TAXPAYERS REGARDING REMOVAL
FROM OFFICE OF MS. LYDYA KWAMBOKA, THE NAIROBI CITY COUNTY
ATTORNEY**

S/NO	NAME	SIGNATURE
1.	Hon. Joseph Komu, MCA- Chairperson	
2.	Hon. Francis Ngesa, MCA- Vice Chairperson	
3.	Hon. Cecilia Ayot, MCA	
4.	Hon. Asli Mohamed, MCA	
5.	Hon. David Ayoi, MCA	
6.	Hon. Doris Kanario, MCA	
7.	Hon. Elijah Mputhia, MCA	
8.	Hon. Millicent Jagero, MCA	
9.	Hon. Jairus Omayo, MCA	
10.	Hon. Antony Kimemia, MCA	
11.	Hon. Esther Nyangweso, MCA	
12.	Hon. John Kyalo, MCA	
13.	Hon. Maina Njoka, MCA	
14.	Hon. Margaret Mbote, MCA	
15.	Hon. Millicent Mugadi, MCA	
16.	Hon. Moses Ogeto, MCA	
17.	Hon. Muchene Kabiru, MCA	
18.	Hon. Patrick Musili, MCA	
19.	Hon. Mwangi Njihia, MCA	
20.	Hon. Kennedy Obuya, MCA	
21.	Hon. Millicent Okatch, MCA	
22.	Hon. Susan Mukungu, MCA	
23.	Hon. Mary Njambi, MCA	
24.	Hon. Osman Khalif, MCA	
25.	Hon. Patrick Logedi, MCA	

