



THE NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY

(SIXTH SESSION)

REQUEST FOR STATEMENTS

NCCCA
APPROVED

17 FEB 2022

HON. GEOFFREY O. MAJIWA
DEPUTY SPEAKER

Subject: Understaffing in the Office of the County Attorney

Hon. Speaker,

Pursuant to Standing Order 45(2) (c), I wish to request for a statement from the Chairpersons of Sectoral Committees on Labour and Social Welfare and Justice and Legal Affairs regarding the understaffing of the legal personnel working in the Office of County Attorney and advertisement of posts within the said Office.


Hon. Speaker, the Office of County Attorney is under staffed with very few lawyers against a large establishment whose services must be efficient and effective. This sad state of affairs has been in existence since inception of County Governments which has perennially necessitated the County Government to outsource most of its legal services. The external advocates charge exorbitant legal fees when the same could have been affordable if the County had its substantive legal personnel.

Hon. Speaker, the problem in the Office of County Attorney is further compounded by the acting positions that are yet to be filled. It is alleged that despite the Office having requested for advertisement of seventeen (17) positions, the County Public Service Board has over the years not taken any initiative to expedite the same.

Hon. Speaker, in the Statement, the Chairpersons should inquire into and report on:-

- i) The total number of lawyers the Office of County Attorney has;
- ii) The present personnel establishment in the Office of the County Attorney and the shortfall/deficit of legal and para-legal staff required to fill up the existing structure;
- iii) Reasons the County Executive continues to incur huge costs in engaging external lawyers when lawyers employed by the County can competently handle all legal matters;
- iv) Reasons County Public Service Board has not advertised both internally and externally the positions which had been requested by the Office of County Attorney and why every officer in the legal department is on acting capacity;
- v) Reasons the CPSB advertised for only one position as opposed to the 17 No. posts requested by the Office of County Attorney;

- vi) Reasons for failure by the CPSB to prioritize filling of vacancies internally particularly by officers currently in acting positions before such positions were advertised externally; and,
- vii) How the CPSB has taken into consideration the provisions of Section 68 of the County Governments Act, 2012 in advertising and filling of positions in the legal department


Hon. WILFRED O. ODALO, MCA
MEMBER FOR MABATINI WARD