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
TWELFTH PARLIAMENT - SECOND SESSION

COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY

REPORT OF THE BENCHMARKING VISIT TO THE UNITED KINGDOM

20<sup>TH</sup> TO 28<sup>TH</sup> OCTOBER, 2018

DIRECTORATE OF COMMITTEE SERVICES  
CLERK'S CHAMBERS  
PARLIAMENT BUILDINGS  
NAIROBI

	
<b>THE NATIONAL ASSEMBLY PAPERS LAID</b>	
<b>DATE: 05 DEC 2018</b> DECEMBER, 2018	
DAY: <span style="border: 1px solid black; padding: 2px;">Wednesday (P)</span>	
<b>TABLED BY:</b>	Hon. Maima Kamanda MP Chairperson National Cohesion & Equal Opportunity
<b>CLERK-AT THE-TABLE:</b>	Rachel Kaim - Principal Clerk Assistant

## Table of contents

1.0 PREFACE.....	3
1.1 Establishment and Mandate of the Committee.....	3
1.2 Committee Membership.....	3
1.3 Committee Secretariat.....	4
1.4 Visit to the United Kingdom.....	4
2.0 STUDY TOUR OF THE UNITED KINGDOM .....	5
2.1 Meeting with the Executive Office on Devolution in Northern Ireland.....	5
2.2 Meeting with the Executive Office on Northern Ireland’s Exit from the European Union.....	9
2.3 Meeting with ‘The Together Building A United Community Team’ .....	12
2.4 Meeting with Equality Commission for Northern Ireland.....	13
2.5 Meeting with Northern Ireland Cooperation Overseas (NI-CO) .....	15
2.6 Meeting with Police Service of Northern Ireland .....	15
2.7 Meeting with Commonwealth Parliamentary Association, UK Branch .....	17
2.8 Meeting with New Scotland Yard.....	18
2.9 Courtesy Call on the High Commission.....	20
3.0 COMMITTEE OBSERVATIONS .....	21
4.0 COMMITTEE RECOMMENDATIONS.....	22

## **CHAIRPERSON'S FOREWORD**

The Committee on National Cohesion and Equal Opportunity is charged with the primary responsibility of promoting peace, national cohesion and equal opportunity for all Kenyans. Towards this end the Committee organized a study tour of the United Kingdom and in particular Northern Ireland to learn on how Northern Ireland has been able to deal with issues of peace, cohesion and enhancing equal opportunity following the protracted conflict that ended as a result of the Good Friday (Belfast) agreement in 1998.

During the study visit, 20<sup>th</sup> to 28<sup>th</sup> October, 2018, the delegation held meetings with various government institutions among them; Equality Commission of Northern Ireland, the Executive Office of Northern Ireland, the Northern Ireland Police Service, Together Building a United Community team, the Commonwealth Parliamentary Association UK chapter, the new Scotland yard, and the Kenya High Commission in the United Kingdom.

The delegation was able to interact with officials and shared knowledge and experiences on matters peace, cohesion and equal opportunities. These experiences shared during the aforementioned meetings have informed the observations and recommendations contained in this report.

The Committee wishes to register its appreciation to the offices of the Speaker and the Clerk of the National Assembly for the support accorded to it in the execution of its mandate. The delegation also appreciates the Ministry of Foreign Affairs and in particular the Kenya High Commission in the United Kingdom for their reception, hospitality, organizing and coordinating the meetings and logistics for the delegation in Northern Ireland and England.

It is my pleasant duty therefore to present the report of the Committee on National Cohesion and Equal Opportunity on its study tour of the United Kingdom undertaken between 20<sup>th</sup> and 28<sup>th</sup> October, 2018.

# HON. MAINA KAMANDA, EGH, M.P. – CHAIRPERSON AND LEADER OF DELEGATION

## 1.0 PREFACE

### 1.1 Establishment and Mandate of the Committee

The Committee on National Cohesion and Equal Opportunity is established under the Standing Order No. 212 C of the National Assembly. The Committee is mandated with among other things to:

- (a) monitor and promote measures relating to policy and program initiatives in pursuit of peace and national cohesion;
- (b) investigate, inquire into and report on all matters relating to inter community cohesion;
- (c) monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all persons, including persons who are marginalized on the basis of gender, age, disability, health status, ethnic, racial, cultural or religious background or affiliation or any other such ground; and, investigate, inquire into and report on all matters relating to discrimination and or marginalization of persons referred to under sub-paragraph (c)

### 1.2 Committee Membership

The Committee comprises of the following Members -

**Chairperson** The Hon. Maina Kamanda, EGH, M.P.

**Vice Chairperson** The Hon. Ekomwa Lomenen, M.P.  
The Hon. Adan Keynan Wehliye, CBS, M.P.  
The Hon. Joyce Korir Chepkoech, M.P.  
The Hon. Daniel Wanyama Sitati, M.P.  
The Hon. Prof. Zaddock Abel Ogutu, M.P.  
The Hon. Mohamed Hire Garane, M.P.  
The Hon. Benjamin Gathiru Mwangi, M.P.  
The Hon. Jayne Njeri Wanjiru Kihara, M.P.  
The Hon. Wilson Kipngetich Kogo, M.P.  
The Hon. Jerusha Mongina Momanyi, M.P.  
The Hon. Rahab Mukami Wachira, M.P.



The Hon. Maison Leshoomo, M.P  
The Hon. Jane Jepkorir Chebaibai, M.P..  
The Hon. Prof. Jacqueline Oduol, MP  
The Hon. Julius Musili Mawathe, MP  
The Hon. Charles Ong'ondo Were, MP  
The Hon. Mohamed Ali Lekiro, MP  
The Hon. Rose Museo, MP  
The Hon. Stephen Mule, MP  
The Hon. Edward Oku Kaunya, MP  
The Hon. Enoch Kibunguchy, M.P

### **1.3 Committee Secretariat**

Ms. Chebet Koskei	-	First Clerk Assistant
Ms. Emma Otiende	-	Legal Officer II
Mr. Bule Abdifatah	-	Clerk Assistant III
Ms. Annceta Gacheri	-	Research Officer III

### **1.4 Visit to the United Kingdom**

The Committee undertook a benchmarking visit to the United Kingdom between 20<sup>th</sup> and 28<sup>th</sup> October, 2018. The purpose of the study tour was to-

The delegation comprised of –

- i) The Hon. Maina Kamanda, EGH, M.P.
- ii) The Hon. Daniel Wanyama Sitati, M.P.
- iii) The Hon. Jayne Njeri Wanjiru Kihara, M.P.
- iv) The Hon. Maison Leshoomo, M.P
- v) The Hon. Jane Jepkorir Chebaibai, M.P.

The Members were accompanied by Mr. Nicholas Emejen, Deputy Director Committee Services.

## **2.0 STUDY TOUR OF THE UNITED KINGDOM**

The Committee undertook a study tour to the United Kingdom covering Northern Ireland and England. The visit was undertaken between 20<sup>th</sup> and 28<sup>th</sup> October, 2018. The purpose of the visit was for the committee to learn and share experiences on matters relating to peace building, cohesion and equal opportunity.

Northern Ireland has been involved in conflict for over 30 years leading to loss of life among the civilians, the police and the army, attributed to bombings and shootings. The conflict may be termed as ideological but rooted in religion, thus pitting the two Christian denominations against each other with the Catholics on one side and the protestants on the other. The conflict has with time solidified into ethno-political divide, with increasing segregation in education, housing, politics etc, between Catholics and Protestants.

Following the “Good Friday agreement” in 1998 the conflict subsided but division still exists between communities. The government of the United Kingdom and the devolved government of Northern Ireland and the EU have been working tirelessly on the peace process to integrate communities so as to build peace and cohesive society.

### **2.1 Meeting with the Executive Office on Devolution in Northern Ireland**

On 22<sup>nd</sup> October, 2018 the delegation held a meeting with Mr. Neil Jackson of the Executive Office in Northern Ireland. He briefed the delegation on devolution in Northern Ireland covering the Executive, the Northern Ireland Assembly, the Belfast agreement also known as the “Good Friday agreement”.

Mr. Neil Jackson stated that devolution and its institutions in Northern Ireland is constituted under the Northern Ireland Act 1998 (amended in subsequent years). Since 1998 there has been increasing social and political stability, for example the Assembly term which ended in 2011 was the first since devolution in 1998 to run its full course without any suspension or collapse.

### **2.1.1 The Executive**

Mr. Neil Jackson informed the delegation that the Executive in Northern Ireland is structured to ensure power-sharing and inclusivity. It is made up of the First Minister, deputy First Minister, two (2) Junior Ministers and eight (8) departmental ministers. The Executive is headed by a First Minister and a deputy First Minister, who have equal status and act jointly. The Ministers in Northern Ireland are chosen from the Northern Ireland Assembly. They are nominated by political parties on a proportion based on party strengths using the d'Hondt formula and must also be acceptable to all political groupings. The number of Ministers which a party can nominate is determined by its share of seats in the Assembly.

The First Minister and deputy First Minister are nominated by the largest and second largest parties respectively and act as chairpersons of the Executive. Each Executive minister has responsibility for a specific government department in Northern Ireland.

The First Minister is nominated by the largest party in the biggest political group while the Deputy First Minister is appointed by the largest party in the second biggest group in the Assembly.

The Executive currently has a two-party system with the Justice Minister being an independent.

The Executive departments in Northern Ireland are as follows –

- a) The Executive Office;
- b) The Department of Agriculture, Environment & Rural Affairs;
- c) The Department of Health;
- d) The Department of Education;
- e) The Department for Communities;
- f) The Department of Finance;
- g) The Department of Justice;
- h) The Department for the Economy; and
- i) The Department for Infrastructure

The Ministers are guided by a Ministerial Code which sets out the rules and procedures to which all ministers must adhere. The Ministerial Code includes the Pledge of Office, the Ministerial Code of Conduct, the seven principles of public life, as well as provisions governing the functioning of the Executive Committee.

### **2.1.2 The Northern Ireland Assembly**

The delegation heard that the Parliament of Northern Ireland was established as a result of the Belfast Agreement of 10<sup>th</sup> April, 1998. The Assembly consists of 108 elected Members also known as Members of the Legislative Assembly (MLA's). The Assembly sits at Parliament Buildings, Stormont Estate, in Belfast. The extra ordinary elections of 2017 reduced the number of Members of the Legislative Assembly to 90.

The Assembly has full legislative and executive authority for all matters that are the responsibility of the Northern Ireland Government Departments and are known as transferred matters. The primary role of the Northern Ireland Assembly is to scrutinize and make decisions on the issues dealt with by Government Departments and to consider and make legislation including legislation on fair treatment, equality, cohesion among others.

Each MLA represents a constituency, and there are 6 MLAs for each constituency. The constituencies themselves are the same as those used to elect MPs to the House of Commons.

On important or controversial matters, the Assembly votes by the special threshold of 'cross-community support, which is defined (in the Agreement and in the 1998 Act) as either:

- parallel consent – an overall majority plus a majority of unionists and a majority of nationalists (sometimes called '50:50:50'); or
- weighted majority – an overall majority of 60% plus at least 40% of the designated Nationalists voting and 40% of the designated Unionists voting.

Issues on which the Northern Ireland Assembly has full legislative powers:

- a) health and social services
- b) education



- c) employment and skills
- d) agriculture
- e) social security
- f) pensions and child support
- g) housing
- h) economic development
- i) local government
  - environmental issues, including planning
  - transport
  - culture and sport
  - the Northern Ireland Civil Service
  - equal opportunities
  - justice and policing

Statutory Departmental Committees are established to advise and assist each Minister in the formulation of policy for the relevant Department and to scrutinise the work of that Department.

The Chairpersons and Deputy Chairpersons of Committees are elected using the d'Hondt procedure. Membership to Committees is filled based on party strengths in accordance with House rules.

The Assembly has not met since 2017 following a breakdown/stalemate in the power sharing arrangement.

The delegation heard that Northern Ireland is making efforts towards gender representation. Women are encouraged to stand for election at the constituency level and nomination as ministers. Religion in Northern Ireland is a rough indicator of allegiance whereby a majority of Catholics are nationalists while a majority of protestants are unionists (allegiance to Britain).

### **2.1.3 The Belfast Agreement**

Mr. Neil Jackson further informed the delegation that the Agreement was reached on Good Friday 1998 after long process of talks between the Northern Ireland political parties and the British and Irish Governments. He stated that the Good Friday Agreement forms the basis of the constitutional structure in Northern Ireland and underpins government policies. The agreement moved Northern Ireland out of the 'Troubles' period and restored devolved



government, which had been suspended with the prorogation of the old Northern Ireland Parliament in 1972.

The Agreement was endorsed through a referendum held on 22 May 1998 and subsequently given legal force through the Northern Ireland Act of 1998. It contains three strands: the first covering political arrangements within Northern Ireland; the second covering institutional relationships between Northern Ireland and the Republic of Ireland (the all-island dimension) and the third covering British-Irish relationships, also embracing other devolved administrations within the islands of Britain and Ireland.

The Belfast Agreement also led to the establishment of the following institutions which require assembly approval:

- a) A North/South Ministerial Council – This brings together the executive in Northern Ireland and the Irish Governments to develop consultation, co-operation and action within the Island of Ireland.
- b) A British-Irish Council - The Council is a forum to exchange information, discuss, consult and reach agreement on co-operation on matters of mutual interest within the competence of the relevant Administrations. It brings together representatives of the British and Irish Governments, devolved institutions in Northern Ireland, Scotland and Wales together with representatives of the Isle of Man and the Channel Islands.
- c) A British-Irish Intergovernmental Conference - The conference is meant to promote bilateral co-operation at all levels on matters of mutual interest.
- d) A consultative Civic Forum- This is a consultative mechanism on social, economic and cultural issues bringing together trade unions, business and civic sector representatives in Northern Ireland.

Ministers are nominated by the First Minister and Deputy First Minister to attend the North/South Ministerial Council and the British-Irish Council and to report to the Assembly.

## **2.2 Meeting with the Executive Office on Northern Ireland's Exit from the European Union**

The delegation met with Messrs. Michael Williamson and Stephen Hamilton and was briefed on Northern Ireland's exit from the European Union (EU) as follows -

On 23<sup>rd</sup> June 2016, the United Kingdom (UK) voted by 51.9% against 48.1% to leave the European Union (EU). Northern Ireland however, voted to remain in the EU by 55.7% against 44.3% in favour of Brexit. Northern Ireland is part of the UK with a population of 1.8m, amounting to 2.9% of the total UK population. The overall vote in the United Kingdom was in favour of Brexit.

The delegation heard that the Northern Ireland Assembly and Executive do not possess any formal powers regarding the commencement of the UK's EU withdrawal process. The only votes afforded to Northern Ireland on Brexit is exercised by the region's MPs who sit in the UK Parliament (18 in total, although the 4 Sinn Féin MPs do not take their seats). This therefore means that the UK government may proceed with Brexit irrespective of any decision by Northern Ireland Assembly. The concerns of Northern Ireland were however sent to the Prime Minister.

The UK's decision to leave the EU raises questions about a number of areas, including -

- the Northern Ireland peace process, underpinned by the Good Friday Agreement (or Belfast Agreement);
- how to operate the border between Northern Ireland and the Republic of Ireland for people and goods;
- preserving co-operation between the Northern Ireland and the Republic of Ireland, and between the Republic of Ireland and the UK.

The future of the UK-EU trading relationship is of fundamental importance to the economies of the Republic of Ireland and Northern Ireland considering the level of economic integration in the island.

The 1998 Good Friday (Belfast) Agreement and Northern Ireland Act of 1998 assume continuing EU membership for both the UK and Ireland but binds neither explicitly to maintaining that membership.

The agreement also established special EU funding programme, known as PEACE, to reinforce the peace process and support cross-community projects. Brexit will somehow jeopardise the peace process in that the EU funding will most likely be withdrawn.

**The delegation was informed of the following likely implications of Brexit on Northern Ireland -**

- i) Issues of free movement- Brexit will mean introduction of border controls which will inconvenience cross border workers who live and work on different sides of the Northern Ireland/Republic of Ireland border. Immigration policy for Northern Ireland is a power reserved for the UK government and not the local administration.
- ii) Cross-border trade, tariffs and the Customs Union - Under the Common Travel Area (CTA), the United Kingdom and EU had signed up to the principle of no hard border between Northern Ireland and the Republic of Ireland for both goods and people. Brexit would mean that the border between the Northern Ireland and the Republic of Ireland will become the EU's external border where customs and regulatory checks would take place.
- iii) The imposition of either soft or hard border controls will affect movement of people and labour. Upon leaving the EU, the border between Northern Ireland and the Republic of Ireland will become the only land-border between the UK and the European Union. Restrictions at the border will lead to delays and costs linked to conventional customs clearance processes and will have a major impact on the Island and more so on Northern Ireland.
- iv) Managing the highly integrated cross-border economy will pose a challenge in that a physical border could become a target for extremists and terrorists. Efforts are being made to address the challenge.
- v) EU Funding - Northern Ireland is a recipient of EU structural funds. The UK exit from the EU will lead to a loss of access to the development funding including the Common Agriculture Policy.
- vi) Single Electricity Market and electrical infrastructure – The delegation further heard that the Republic of Ireland and Northern Ireland share a common electricity market and electrical infrastructure. Once the UK exits the EU, electrical supply from the Republic of Ireland to Northern Ireland could be disrupted and end up undoing the



benefits brought about by increased energy efficiency and competition. If a deal is reached to maintain the existing arrangement, Northern Ireland will be required to continue complying with EU regulations but with no say over the development of the energy infrastructure.

- vii) Other challenges associated with Brexit relate to fisheries policy, health access, recognition of professional qualifications between professionals from republic of Ireland and Northern Ireland, amendments to various pieces of legislation to align them with the existing framework in the UK.

### **2.3 Meeting with ‘The Together Building A United Community Team’**

The delegation held a meeting with Ms. Lindsay from together building a united community (T:BUC) in the executive office and was briefed on issues of equality, good relations and together building a united community. Ms. Lindsay took the delegation through the issues /strategies /initiatives by together building a united community.

She informed the delegation that T:BUC is a strategy that reflects the Executive’s commitment to improving community relations and continuing the journey towards a more united and shared society. The strategy was established in 2013 following the 1998 good Friday agreement. In order to build a united community, the strategy has focused on four key priorities with practical commitments in order to achieve change –

- i) children and young people
- ii) shared community
- iii) safe community
- iv) cultural expression

The delegation was briefed on the following strategies for equality and good relations for a united community-

- i) Integrated housing - The Catholics and protestants are living in segregated neighbourhoods and housing. The strategy for a united community is to build integrated housing where the two communities can live side by side.
- ii) Shared education – The education system as a result of the many years of conflict is segregated with separate catholic and protestant schools. The strategy is to bring children from various religious and ethnic backgrounds to learn in the same school.

This will lead to socialising and mixing the different backgrounds for a united community with the aim of removing community tensions and misconceptions.

- iii) Open communities – The conflict has led to establishment of barriers to separate communities, currently there are at least 46 barriers still in existence. The strategy aims to remove the barriers and open communities to open way of living. This will build trust among communities.
- iv) Sports – Bring people together as a team away from religious groupings and break down barriers. Sports allows young people to build their own identities.
- v) Youth camps – The Executive Office through T:BUC has organised 120 camps per year. In the camps the youth engage in a range of cross community activities. This has been effective in reaching the hard to reach groups in the community. Training youth on values and imparting skills to bring change in communities. This helps build a new identity of community cohesion and co-existence.
- vi) Urban villages – Building capacity and ability of communities' sense of purpose and focus, moving them away from past challenges and leading to regeneration.

In implementing the above strategies, the delegation was informed that, T:BUC faces challenges among them-

- i) Fear of the unknown –there is fear by the community of travelling a path they never know, moving away from their comfort zones such as barricaded communities, segregated housing etc.
- ii) Demonstrating that co-existence will result in development/benefits for all especially when communities have control over the process.
- iii) Communities require some form of social protection /support in embracing change.
- iv) Making people secure without walls. Involving and engaging the people and allowing them to lead the process.
- v) Giving alternatives to what people have been used to.

#### **2.4 Meeting with Equality Commission for Northern Ireland**

The Equality Commission for Northern Ireland is a non-departmental public body established by the Northern Ireland Act of 1998. The Commission derives its powers from laws that provide for the protection against discrimination on the grounds of age, disability, race, religion and political opinion, sex and sexual orientation. Other tasks of the Commission are drawn



from the Northern Ireland Act with respect to statutory equality and good relations duties by public entities.

The Commission falls under the Office of the First and deputy First Minister which carries responsibilities for equality policy and legislation. The Commission is governed by a board of Commissioners consisting of a Chief Commissioner, a Deputy Chief Commissioner and up to eighteen other Commissioners all appointed by the Secretary of State for Northern Ireland.

The Commissioners' behaviour and actions are governed by the principles set out in a code of conduct. The Commissioners set the overall strategic direction for the organization, set the policy framework and oversee the delivery of the planned work. All Commissioners are part time except the Chief Commissioner and are appointed for a three-year term.

The delegation was informed that the Equality Commission strives to create and maintain a more equal society through-

- a) Advising and supporting individuals with complaints under the anti-discrimination legislation;
- b) Giving guidance to employers and service providers on their obligations under the law;
- c) Encouraging public institutions to promote equality of opportunity and address inequalities;
- d) Ensuring that equality considerations are central to decision-making by focusing particular attention in a number of key public policy areas.

The Commission is well funded and has a budget of 5.24 million pounds with a staff establishment of 87 personnel. The budget is however declining due to austerity in the United Kingdom. In performance of its functions the commission has made the following initiatives relating to mental health, policy on pregnancy at the work place and conducting investigations on discrimination among others. The commission publishes best practices including court cases on equality and discrimination. The commission had identified the following as some forms of discrimination and was working on measures to eliminate them in the community -

- i) Direct or indirect discrimination;
- ii) Failure to comply with reasonable adjustment to duty for disabled persons;
- iii) Harassment;
- iv) Victimization; and

- v) Discrimination on basis of association.

### **Challenges faced by the commission**

The delegation was informed that the Commission had identified the following as some of the challenges in the realization of equality in Northern Ireland–

- i) Gaps in legislative protections;
- ii) Concerns over implications Brexit for equality law;
- iii) Cultural and identity issues;
- iv) low participation in labour markets; and
- v) Low representation of women in politics and public offices.

### **2.5 Meeting with Northern Ireland Cooperation Overseas (NI-CO)**

The delegation held a meeting at the offices of NI-CO during which it was briefed as follows, that-

Northern Ireland Co-operation Overseas is a public body wholly owned by Invest Northern Ireland, which is part of the Department for the Economy in Northern Ireland. It is dedicated to the pursuit of building efficient, accountable and sustainable public sector.

The organization was established in 1992 and offers targeted practical training, institutional capacity building and consultancy in the areas of Governance and Access to Justice, Healthcare and Agriculture.

Its objective is to promote a positive image of Northern Ireland across the world.

### **2.6 Meeting with Police Service of Northern Ireland**

The delegation held a meeting with Assistant Chief Constable Mr. George Clarke, from the legacy and legal department in the Northern Ireland Police Service. Mr. Clarke briefed the delegation on terrorist threats in Northern Ireland .

The Police Service of Northern Ireland (PSNI) is headed by the Chief Constable who is appointed by the Northern Ireland Policing Board with the approval of the Minister for Justice. The direction and control of the service is vested in the Chief Constable, who is assisted by a

Deputy Chief Constable and the senior management team. The police is mandated to uphold the law, protect citizens and protect the state.

Mr. Clarke further informed the delegation that the Police Service of Northern Ireland (PSNI) is the successor to the Royal Ulster Constabulary (RUC) following reforms as a result of the recommendations of Patten Commission. An Independent Commission on Policing for Northern Ireland (Patten Commission) was established to introduce reforms in the Police Service as part of the Good Friday Agreement.

Following recommendations of the Patten Report and the subsequent Police (Northern Ireland) Act of 2000, the PSNI was established in 2001 to replace the Royal Ulster Constabulary (RUC) which comprised mainly of protestants. Initially some political parties did not support the PSNI but after the St. Andrews agreement PSNI received full support of all political parties in Northern Ireland

Mr. Clarke also informed the members that the PSNI is supervised by the Northern Ireland Policing Board. A police ombudsman deals with complaints against the police service and is mandated to investigate any allegations of misconduct by police officers. Internally the Police Service is regulated by a professional standards department whose motto is "integrity is not negotiable".

The PSNI in its formative period was legally obligated to undertake an affirmative action policy of recruiting 50% of its trainee officers from a Catholic background and 50% from a non-Catholic background, as recommended by the Patten Report. This was meant to address the under-representation of Catholics in the Royal Ulster Constabulary that had existed for many decades. A third of the force is currently Catholics.

The Patten Report recommended among other things -

- a) renaming of the Royal Ulster Constabulary to the Police Service of Northern Ireland;
- b) creation of the office of a Police Ombudsman and a Complaints Tribunal;
- c) a 50-50 recruitment policy for Catholics and Protestants;
- d) a new code of ethics and oath of office, including a strong emphasis on human rights;
- e) an emphasis on community policing and normalisation; and
- f) proposals for training, community liaison, cooperation with other police services, and recruitment from outside Northern Ireland.



He further informed the delegation that between the period 1969 and 1998 Northern Ireland experienced political violence and a majority of the people who lost lives were ordinary citizens but there were casualties as well among the police and other security agents, 302 officers lost their lives.

Mr. Clarke pointed the following as some of the challenges that the Police Service continues to face in Northern Ireland –

- a) Political divisions in along unionists versus nationalist ideologies
- b) segregated education and housing system along the lines of protestants and Catholics
- c) peace lines/walls still exist dividing communities
- d) legacy of the trouble period
- e) policing with community
- f) normalisation

Although violence and animosity has reduced, there is a lot of work to be done to bring communities together.

## **2.7 Meeting with Commonwealth Parliamentary Association, UK Branch**

The Members were joined for the meeting by a Senate delegation from the Committee on Justice, Legal Affairs and Human Rights.

The meeting with officers at the CPA office discussed issues surrounding modern slavery. The team was informed that the UK is working on legalisation to tackle modern day slavery. It is seeking to partner with commonwealth parliaments and specifically committees dealing with matters human trafficking and modern-day slavery to develop legislation on the Issue. CPA was proposing to hold a legislation drafting conference on modern day slavery.

The meeting also discussed the reasons for immigration as well as the way forward in curbing immigration and modern-day slavery (servitude).

The delegation was taken on a tour of the Parliament of the United Kingdom (House of Commons and the House of Lords). Members of the National Assembly together with Senators

watched the Prime Ministers question time before having a working lunch with two members from the House of Commons.

## **2.8 Meeting with New Scotland Yard**

The delegation held a meeting with detective Chief Inspector Ms. CorretaHina on 25<sup>th</sup> October, 2018 at the New Scotland Yard, Headquarters.

The meetings discussed issues surrounding recruitment, welfare of staff, crime prevention among others. The delegation was informed that the vision of New Scotland Yard is to:

- a) Make London the safest global city;
- b) Be the best crimefighters;
- c) Earn the trust and confidence of the community; and
- d) Provide quality service.

The organization is guided in its work by Professionalism, Integrity, Courage, Compassion as its core values.

### **Recruitment**

The delegation was informed that in its recruitment the organisation seeks to attract talented applicants from different backgrounds so as to bring diversity, skills, knowledge and a variety of experiences to help in policing and fighting crime. The basic requirements for recruitment as a detective constable include:-

- i) Have lived in London for three of the last six years;
- ii) Hold a degree level qualification on legislation, and or community engagement;
- iii) Pass the National Investigators Exam within 12 months of joining; and
- iv) Complete a two-year development programme before becoming a substantive detective constable.

Ms. Correta further informed the delegation that age limit or height are not factors for consideration during recruitment but consideration is taken on physical fitness of the applicants and the ability to perform police tasks.



Upon recruitment the recruits are taught on how to police. The recruits undergo a 5 weeks training at police schools, thereafter the recruits undergo a two year on the job probational training at police stations for each element of policing as constables before promotion.

During recruitment a background check is conducted on the applicants that covers family, previous work, education, disease and social media background among other areas. The vetting/ background check is stringent and takes 5- 6 weeks.

The delegation heard that the once recruited police officers can exit the system on their own free will or retire after 40 to 45 years of service. The retirement age for purposes of the police pension scheme.

To curb corruption, police do not handle money for fines, instead they only issue tickets to offenders who pay as provided by law. In the performance of their duties, the police are guided by a national code of conduct that entrenches a culture against corruption. The code specifies consequences for those who do not adhere to it and this include dismissal from the service.

The police are housed outside the station and live with the communities that they protect.

### **Engaging the community**

Community engagement is key to police work and this takes place at all the levels of the police structure. The commissioner of police meets with community leaders on regular basis to get feedback on police work and community support for policing.

The police also engage the community in terms of educating the community on their rights, and what police can and cannot do. This creates awareness on the part of the community on their rights under the law, work of the police, how to cooperate with the police and support police work.

As part of community engagement and collaboration there is an open reporting mechanism on crime and against police officers by members of the public. The public is invited to participate in security/policing.

In the performance of their police duties officers experience challenges with regard to safety due to terrorism. Other challenges relate to sophistication in modern crimes.

## **2.9 Courtesy Call on the High Commission**

The delegation paid a courtesy call on the Kenya High Commission to the United Kingdom during which it held discussions with the Acting High Commissioner, Ms. Grace Cerere together with other home based officers at the High Commission Buildings.

The discussions centred on the bilateral relations between Kenya and the United Kingdom. The delegation was informed that Kenya and the United Kingdom established diplomatic relations in 1963 after independence with representation in the capitals of the two countries.

The acting High Commissioner informed the delegation that the two countries have since had good working relations in international fora as exemplified by the UK's support of UN Resolution 2036 in New York, giving the African Union Mission to Somalia (AMISOM) extra troops, including the support for Kenya Defence Forces (KDF) to join AMISOM. The two countries also enjoy cordial and deep bilateral relations in trade, investments, tourism, and cooperation in areas of defense and security, anti-piracy, counter-terrorism and climate change, among others. The British military has training cooperation agreement with Kenya Defence Forces through which the British military unit in Kenya (BATUK) trains in parts Isiolo, Samburu and Laikipia counties.

The delegation was informed that the High Commission experiences challenges relating to late exchequer releases, budget cuts and limited resources to enable to effectively offer diplomatic services to Kenyans in the United Kingdom and visiting delegations as well as for operation needs such as renovation of buildings among others. The officers appealed to parliament to increase budgetary allocations to Kenya diplomatic missions abroad.

### **3.0 COMMITTEE OBSERVATIONS**

The Committee having undertaken a study tour to the United Kingdom, held meetings with various public institutions observed that -

1. The conflict in Northern Ireland is ideological but rooted in religion between the Catholics and the protestants. The Catholics are ideologically nationalists and inclined to independence of Northern Ireland while the protestants are ideologically unionists and inclined towards loyalty to the United Kingdom.
2. The Good Friday Agreement has successfully managed, but not resolved, Northern Ireland's ethno-national divisions. There are still challenges relating to a segregated education system, housing, equality and gender representation.
3. In order to address issues of peace, cohesion, equality and national unity, the Northern Ireland Assembly has enacted specific legislation on equality, anti- discrimination, equal pay, sex discrimination, disability discrimination among others.
4. The withdraw of the United Kingdom from the European Union will affect the peace process in Northern Ireland in addition to having effects on trade and other relations in the island.
5. The police in the United Kingdom are well catered in terms of welfare, including housing.
6. Police recruitment in Britain involves stringent vetting of applicants who must have a degree and should be physically fit and have ability to perform.
7. The Equality Commission of Northern Ireland is well resourced financially and enjoys both political and community good will and thus able to perform its functions effectively.

#### 4.0 COMMITTEE RECOMMENDATIONS

Following the study tour, the Committee recommends that –

1. The National Cohesion and Integration Commission should adopt new conflict management and resolution strategies in areas that are prone to conflict with an emphasis on healing, reconciliation and cohesion.
2. The National Treasury should allocate more resources to the NCIC to enable it be more pro active in initiating and implementing programmes that bring about national cohesion and integration in the society.
3. In order to establish a more cohesive and integrated society the government should promote programmes that target the youth so as to create a new identity of unity and nationhood.

SIGNED: .....



DATE: .....

24/11/2018

**HON. MAINA KAMANDA, EGH, M.P. – CHAIRPERSON AND LEADER OF  
DELEGATION**





COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY  
ATTENDANCE SCHEDULE

AGENDA: Consideration and adoption of the following reports:-


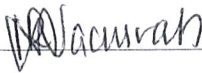


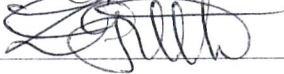
1. Report on the Benchmarking Visit to the United Kingdom: 20<sup>th</sup> to 28<sup>th</sup> October 2018
2. Report on side event of the 73<sup>rd</sup> Session of the United Nations General Assembly: A showcase discussion on cross border initiative being implemented in Kenya and Ethiopia: 2<sup>nd</sup> to 5<sup>th</sup> October 2018

DATE: 24<sup>th</sup> November, 2018

TIME: 9.00 AM VENUE: English Point Marina Hotel

	NAME	SIGNATURE
1	The Hon. Maina Kamanda, EGH, M.P. – Chairperson	
2	The Hon. Ekomwa Lomenen, M.P – Vice-Chairperson	
3	The Hon. Adan W. Keynan, CBS, M.P	
4	The Hon. Maison Leshoomo, M.P	
5	The Hon. Daniel Wanyama Sitati, M.P.	
6	The Hon. Stephen Mule, MP	
7	The Hon. Benjamin Gathiru Mwangi, M.P.	
8	The Hon. Charles Ong'ondo Were, MP	
9	The Hon. Edward Oku Kaunya, MP	
10	The Hon. Jane Jepkorir Chebaibai, M.P..	
11	The Hon. Jayne Njeri Wanjiru Kihara, M.P.	
12	The Hon. Rose Museo, M.P	
13	The Hon. Prof. Jacqueline Oduol, MP	
14	The Hon. Joyce Korir Chepkoech, M.P.	
15	The Hon. Julius Musili Mawathe, MP	



16	The Hon. Jerusha Mongina Momanyi, M.P.	
17	The Hon. Rahab Mukami Wachira, M.P.	
18	The Hon. Mohamed Ali Lokiru, MP	
19	The Hon. Mohamed Hire Garane, M.P.	
20	The Hon. Wilson Kogo, M.P	
21	The Hon. Prof. Zadock Abel Ogutu, M.P.	
22.	The Hon. Enoch Kibunguchy, M.P	

**MINUTES OF THE 48<sup>TH</sup> SITTING OF THE COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY HELD ON SATURDAY, 24<sup>TH</sup> NOVEMBER, 2018 IN THE CONFERENCE HALL, ENGLISH POINT MARINA HOTEL, MOMBASA COUNTY AT 9.00 AM**

**Members Present**

1. The Hon. Maina Kamanda, EGH, M.P                   **- Chairperson**
2. The Hon. Mohamed Hire Garane, M.P.
3. The Hon. Rahab Mukami Wachira, M.P
4. The Hon. Prof. Zadock Abel Ogutu, M.P
5. The Hon. Jayne Njeri Wanjiru Kihara, M.P
6. The Hon. Wilson Kipngetich Kogo, M.P
7. The Hon. Charles Ong'ondo Were, MP
8. The Hon. Joyce Korir Chepkoech, M.P
9. The Hon. Jerusha Mongina Momanyi, M.P
10. The Hon. Stephen Mule, M.P
11. The Hon. Benjamin GathiruMwangi, M.P.
12. The Hon. Rose Museo, MP
13. The Hon. Jane Jepkorir Chebaibai, M.P.

**Apologies**

1. The Hon. Ekomwa Lomenen, M.P                   **- Vice-chairperson**
2. The Hon. Adan W. Keynan CBS, M.P
3. The Hon. Mukwe James Lusweti, MP
4. The Hon. Maison Leshoomo, M.P
5. The Hon. Daniel WanyamaSitati, M.P.
6. The Hon. Edward Oku Kaunya, MP
7. The Hon. Julius Musili Mawathe, MP
8. The Hon. Prof. Jacqueline Oduol, MP

**Absent**

The Hon. Dr. Enoch Kibunguchy, M.P

**In –attendance**

1. Ms. Chebet Koskei       :       Clerk Assistant I
2. Mr. Abdifatah Bule       :       Clerk Assistant III

**MIN. NO. KNA/NC&EO/190/2018:**

**PRAYERS**

The meeting was called to order at 9.20 am after which a prayer was said.

**MIN. NO.KNA/NC&EO/191/2018:CONSIDERATION & ADOPTION OF THE REPORT  
ON THE BENCHMARKING VISIT TO THE  
UNITED KINGDOM**

The Committee considered the report on the benchmarking visit to the United Kingdom, it was agreed that the visit was very informative. The report was adopted after being proposed by the Hon. Prof. Zadock Abel Ogutu, M.P and seconded by the Hon. Jayne Njeri Wanjiru Kihara, M.P.

**MIN. NO.KNA/NC&EO/192/2018: ANY OTHER BUSINESS**

The Chairperson informed the meeting of a proposed benchmarking visit to Malaysia which was scheduled to take place from 9<sup>th</sup> to 15<sup>th</sup> December, 2018, the following Members were nominated to attend:

- (1) The Hon. Prof. Jacqueline Oduol, MP
- (2) The Hon. Jane Jepkorir Chebaibai, M.P.
- (3) The Hon. Wilson Kipngetch Kogo, M.P
- (4) The Hon. Jerusha Mongina Momanyi, M.P
- (5) The Hon. Stephen Mule, M.P
- (6) The Hon. Benjamin Gathiru Mwangi, M.P.
- (7) The Hon. Rose Museo, MP

**MIN. NO.KNA/NC&EO/193/2018:**

**ADJOURNMENT**

Having concluded the business of the day, the meeting was adjourned at 11.45am. The next meeting will be on notice.

**SIGNATURE.....**

**DATE.....**

**(HON. MAINA KAMANDA, EGH, M.P - CHAIRPERSON)**