



Is Kebs to blame for toxic rice and sugar entering the country?

There is no way the Kenya Bureau of Standards can escape blame in this matter because it is the Government authority with the statutory obligation of ensuring that food and other commodities are safe for human consumption.

Leonard Kulei



YES

Kebs is the institution that has the capability of testing and examining all goods, starting with the raw form, and there is no way they can pass the buck to other agencies. It does not make sense for several bags of imported rice to suddenly be declared poisonous when we have people who are paid using taxpayers' money to ensure the same is not allowed into the country.

The problem with Kebs is that its officers have allowed themselves to be arm-twisted by politicians and rich traders who, working in cahoots with rogue agency officials, allow sub-standard and contraband goods into Kenya.

It is a fact that the sudden entry of millions of tonnes of rice and even sugar happened because of the complicity of Kebs workers. The other day, it was reported in the media that two Kebs officials had been arrested in Migori County after they released 10,000 bags of sub-standard sugar into the market. This just shows where the rain began to beat us.

What we need urgently is an agency that will check Kebs; a regulator in the mould of Central Bank of Kenya, Energy Regulatory Commission and the Ombudsman - in the banking, energy and Judiciary sectors respectively.

Mr Kulei is a Nairobi-based communication consultant

It is unfair to blame the Kenya Bureau of Standards for the entry of toxic foods into the country.

I say this because the mandate of ensuring that bad goods, including sugar and rice, are not sneaked into Kenya is not a task that is performed by Kebs alone.

Mercy Chebeni



NO

The responsibility for fighting illicit trade and the sneaking in of sub-standard and contraband goods falls squarely on several State agencies. Kebs is just part of a larger team.

All these teams are supposed to work together to ensure that the vice is ended. There is no way a Kebs official can stop a rogue trader from using a 'panya' route to bring in unwanted products. There are people and agencies mandated to do that work.

As a lawmaker, I am convinced that Kebs needs support rather than bashing from the political class, as has happened in the past. If anything, the authority needs to be revamped and given additional resources to make it more effective. After doing this, then we can hold its officers accountable.

We also need legislation that stipulates how long food products should have lasted before being imported into Kenya - like what happens with the vehicles we import that need to be of specific age. This will safeguard consumers.

Ms Chebeni is an ODM nominated senator

PALAUVER



Our traffic police officers have all the hallmarks of being asleep on the job. There are very few, if any, of these men and women in blue to be found on the road after 7pm. Known more, unfortunately, for collecting bribes than maintaining order on the roads, it is no wonder that there are heavy trucks still operating after 6pm despite the law clearly saying they should be safely parked somewhere when that hour strikes. So what is being done about this, especially considering that some of these trucks are contributing to accidents?

What was that again about Musalia Mudavadi and Raila Odinga owing Ruto? What a joke. Ruto emphatically said, and not too long ago, that nobody, anywhere, owes him anything. What changed in just two weeks for him to suddenly remember he is owed by the two Opposition players? Come to think of it, what does the 'lord of poverty', 'yule jamaa wa vitendawili', 'mtu wa waganga' and 'matimoni' have to do with a 'heavenly investor'? Can darkness and light ever mix?

While Kenyans consume poison every day, where is the Government? Where are the regulatory agencies? In Nairobi, we breathe in carcinogens. We drink water mixed with sewage. We eat vegetables full of harmful metals, and then we are told the sugar we consume daily is also poisonous. While still trying to understand all this, we are informed that milk and chicken are full of dangerous toxins. And now, millions of bags of rice containing poison have found their way in. Who is out to kill Kenyans, and why?

Uganda risks imploding just because of one man who believes he is God's gift to long-suffering Ugandans. No doubt, President Yoweri Museveni played a critical role in stabilising the county that, for a long time, had known no peace. But does that give him the power of life and death over all Ugandans? Hasn't he been in power long enough to allow others to lead? Apparently not; Museveni would rather have an MP who challenges his policies get beaten up than agree to step down for the sake of peace!

The incarceration of Ugandan musician-turned-politician Robert Kyagulanyi, popularly known as Bobi Wine, threatens the fragile peace Uganda has been enjoying. Already, demands for his release from prison, where it is feared he could die after being beaten by soldiers, is gaining momentum locally and internationally. Erupting violence has already claimed one life, yet this is only the beginning. Can't Museveni just release Mr Wine and save Uganda the trouble?

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Budget cut will have negative effect on the Judiciary's programmes

Shikhutuli Namusyule and Lilian Mueni

The Constitution of Kenya 2010 gave the impetus to reform and restructure the country's justice sector; to enable it play a key role in advancing and stabilising our democracy.

Besides the constitutional imperative to deliver efficient service, the public demanded an efficient, effective and responsive institution. The Judiciary, being a key player in the Justice System, embarked on a transformation path that has seen it reform the way justice is delivered to the people and restore public faith and confidence.

A lot has gone into this process that has seen the growth in jurisprudence and judicial independence. The new Judiciary has precipitated improved delivery and access to justice, transformative leadership, development of organizational culture geared towards excellence, adequate financial resources and physical infrastructure and use of technology as an enabler for justice.

However, the Judiciary has faced many challenges, key among them lack of adequate facilities and infrastructure to enable it function efficiently and effectively. Basic facilities in many courts are, to say the least, undignified. In some courts, holding cells that are simple, crowded makeshift structures that desecrate the rights and dignity of the prisoners. In some cases, adults and children are made to share the same facility. Inside the courts themselves, the crowding poses a clear security risk not only to the court staff, but other court users as well.

Constitutional requirement

The infrastructure development and establishment of High Court stations in all counties, which have been key planks in the ongoing Judiciary transformation, are not just a management endeavour but a constitutional requirement: Each county must have a High Court station in order to take justice closer to the people.

Under Sustaining Judiciary Transformation (SJT) blueprint, Chief Justice David Maraga promised to enhance access to justice by speedy disposal of cases; a new digital strategy; and effective leadership and governance and ethical practices, with clear timelines for all the pillars. Given the recent developments in which the National Assembly slashed the Judiciary's budget substantially, many programmes will not be actualised.

The National Government's Budgetary Policy Statement capped the Judiciary's budget at Sh17.3 billion, with recurrent expenditure at Sh13.3 billion and development expenditure at SH4 billion. This comprised Sh1.05 billion from the Government, a World Bank loan facility of Sh2.9 billion, and a JSC ceiling of Sh479.6 million.

However, when Parliament passed the Appropriation Act, the Judiciary's total budget allocation was further reduced to Sh14.5 billion. Out of this, the development budget from the government is only Sh50 million. The money is expected to cover new and ongoing projects, repairs and maintenance, as well as ICT infrastructure for the courts. According to the Judicial Service Commission, the undertaking by the Chief Justice to ensure that all cases above five years old are cleared by December 2018 is now a mirage.

Judiciary projects

Over 70 court construction projects are at risk of stalling. They include 41 Government-funded projects currently in various stages of completion and 29 World Bank-funded projects. This is also because the World Bank's Sh11.5 billion loan facility through which many of Judiciary projects have been funded expires in December this year, implying that more than Sh4 billion will be required to complete the projects.

As it is now, Kenyans are expected to see suspension of more than 50 Mobile Courts, derailment of the case backlog clearance, discontinuation of the ICT, modernization of court systems and halting of new court constructions. The net result is reduced access to justice and slow disposal of cases.

Kabarnet Law Courts, for instance, operated two mobile courts which have been suspended since last year. The cases reported in the affected areas have reduced by more than 80 percent due to the distance covered by the litigants to get to the main court.

Most of the affected are the poor and it is only when justice reaches the weak, and the rule of law protects the indigent, that we, as a country, can say that our Constitution is living up to its juridical and developmental promise of equality and equity.

It is high time the Government recognises that investment in the rule of law is not only its recognition of an inherently good social value, but also an acknowledgment of the direct link between the rule of law, economic development and political stability.

The JSC has stated that while the Judiciary will continue doing its best to deliver justice to Kenyans, judicial services will this year be severely affected as a result of the budget cuts.

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