

STATEMENT OF RT. HON. RAILA A. ODINGA, PRIME MINISTER OF
REPUBLIC OF KENYA

AT WORKSHOP OF PERMANENT SECRETARIES ON STRATEGIES TO
ELIMINATE CORRUPTION IN THE PUBLIC SERVICE

Your Excellency the President,

Honorable Ministers,

Permanent Secretaries,

Chief Executives of State Corporations,

Ladies and Gentlemen,

You would agree that it is only appropriate to open this workshop with my observations on the ongoing case of corruption involving our Free Primary Education. I am speaking on this subject not because I want to point a finger at a particular ministry or to find a sacrificial lamb.

I am speaking on this subject because I want this case to be the catalyst for CHANGE – a broad and bold reform that would cleanse corruption totally from our public service. I want a CHANGE in the behavior of our civil service.

I do hope that each of you fully grasp the gravity of the situation we all face. Free Primary Education was the genuine achievement; I dare say the only achievement since the NARC government came into being, that brought hope to all Kenyans. Kenya achieved high economic growth under the NARC government, but it turns out that most Kenyans are poorer now than 10 years ago.

Our fellow citizens are wondering what that historic change Election was about. After that Election, Kenyans were elated. Kenya was a land of hope. People now wonder what that euphoria was all about. People feel that corruption is just as rampant now as it was 10 years ago.

This Free Primary Education corruption case has brought on a Crisis of Confidence. Even for a meager pay, mothers and fathers work very hard, even when they are sick, so that they can give a gift of life that is Education, to the children they so dearly love. Many mothers and fathers cry because they can not scrape hundreds of shillings to buy books or school uniforms, so their children cannot go to school.

As we speak, a mother has been buried in Tot in Marakwet. The forty-year old

Josephine Kipyatich committed suicide because she could not bear the pain and the shame of failing to take her son to form one after he passed exams. We let Mrs Kipyatich and her son down.

Mothers and fathers are told that government officials have been eating those monies that they have been working so hard for but could hardly earn. They are told by the Minister and the Permanent Secretary that “we did not know about it, so we are not responsible.” People ask how can it be? People do not believe in what the senior officials tell them.

The ill of corruption is that it eats into the social fabric. What lessons are these Free Primary Education corruption stories teaching young pupils? What lessons do our young people get from the scenes of police officers extorting money? Many, many young people now think that stealing public money and making a quick buck is the way to get ahead.

Kenyans are losing trust in public institutions. People are losing Confidence in government. It is endangering our social fabric and social cohesion.

International donors too are losing confidence. The four aid agencies that fund the primary education in our country collectively have set four conditions to resume their funding. We were supposed to be past this stage where donors set conditions for us. It is a chapter we are supposed to have closed 10 years ago. We will find a way of meeting their requirements. But this time we will go well beyond what the donors require.

We do not want cosmetic changes. We want a fundamental and systemic CHANGE for the sake of this nation, for the people we serve.

What then do we do? This is the question that I want you to answer in your deliberations in this workshop. I make one thing clear at the outset. Do not pass the buck. Do not blame your subordinates. Do not blame the donors. Do not blame the press. The buck stops with you.

Ladies and Gentlemen,

Let me offer you some of my thoughts.

First, you are entrusted by the public for the overall management and administration of your ministry. It is your responsibility to ensure that your ministry, and the staff who work there, serve the public. If your ministry fails, or your staff fails, you take responsibility. If you, or your ministry, lose confidence of the public, then you can no longer serve the public.

In accordance with this principle of institutional accountability, I have recommended the President to direct the Minister of Education and the

Permanent Secretary to step down.

Second, the principle of institutional accountability must transcend the entire organizational structure of your ministry. Departmental Directors are accountable for the performance of the departments they head as well as the conduct of their staff. Likewise, Division Heads are accountable for the units that they head. You, the Permanent Secretary, are responsible for putting in place such organizational structure in your ministry, and instill the principle of institutional accountability in each and all of the senior staff you supervise.

I intend to direct the Permanent Secretary for Performance Contracting to revise all existing Contracts and insert a clause that stipulates that once the ministry as a whole or individual units in it are charged with serious malpractices, the person who heads the ministry or the units involved automatically and voluntarily step down, irrespective of whether he or she is directly implicated in that case.

A responsible government does not wait until a KACC ruling or a court verdict. Once a public servant loses the confidence of the public he or she is to serve, he or she can no longer serve the public. The explicit stipulation of this principle in the performance contract de-politicizes the personnel decision.

The expeditious enforcement of accountability through a strong clause in Performance Contract is particularly important because prompt resolution of any charges cannot be expected at KACC under the current circumstances. Cases after cases are piling up at KACC, and the public no longer regards KACC as an effective anti-corruption instrument. It is viewed as a parking lot for cases.

Third, I realize that it may be unfair to some of you, if the government immediately enforced the above principle of institutional accountability. This is because many of our public institutions do not have a requisite capacity or organization to practice this principle. For example, many of the public institutions may not have monitoring mechanisms that allow you to exercise adequate control over the operations of your ministry.

We will examine together how to put in place necessary capacity and operational procedures. We shall accomplish this task by the end of this year.

Fourth, investigations into an alleged malpractice should be conducted by neutral parties. If the Ministry of Education conducts investigations into the missing billions of shillings or millions of books, the public would naturally be skeptical. This also applies to the Ministry of Finance. If misuse of public funds has been going on for several years, then the Ministry of Finance becomes an interested party.

Therefore, I have directed that henceforth, the responsibility to conduct investigations into allegations of malfeasances be transferred to the Efficiency

Monitoring and Evaluation Unit of the Office of the Prime Minister. This unit will be strengthened to undertake investigations effectively and efficiently.

Fifth, questions have recently been raised about quality and timeliness of external audits that are commissioned by the government to private auditing firms. In the recent audit of sales of maize by the NCPB during the second half of 2008, I directed the Ministry of Finance in February 2008 to commission an external audit. The audit did not begin until August 2008. Only at the very end of last year was the audit report submitted to the Ministry of Finance. Once I receive the report, I will ask competent officers to evaluate its quality.

I have directed the Permanent Secretary of the OPM to prepare a cabinet memo that requests the cabinet to grant authority to OPM to appoint a person of absolute repute to take charge of commissioning an external audit, being an intermediary for the audit firm to obtain necessary cooperation from government agencies, and submitting an interim and final reports directly to the Government. In evaluating these reports, the Prime Minister will also be guided by independent reviews from competent non-government institutions.

Ladies and Gentlemen,

In a country where a mother commits suicide because she could not raise Ksh 21,000 for her child, or where a bright girl could join Alliance High School only because the media publicized her predicament, no one should tolerate ambivalence or double talk. It is therefore incumbent on each of you to speak out in this workshop with honesty, candor and forthrightness. In fact, it is your duty as a public servant to do so, and find remedies that rid our nation of the culture of corruption.

It is now my honour and pleasure to introduce His Excellency, Mwai Kibaki, and the President of the Republic, to give a key note address.

Thank you.