

# **SPECIAL ISSUE**



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GAZETTE NOTICE NO. 664

## THE CONSTITUTION OF KENYA

APPOINTMENT OF CHAIRPERSON AND MEMBERS OF A TRIBUNAL TO INVESTIGATE THE CONDUCT OF DEPUTY CHIEF JUSTICE, SUPREME COURT OF KENYA, JUSTICE NANCY MAKOKHA BARAZA

WHEREAS the question has arisen that the conduct of the Deputy Chief Justice, Supreme Court of Kenya, Justice Nancy Makokha Baraza, ought to be investigated,

NOW therefore, in exercise of the powers conferred by Article 168 (5) (b) of the Constitution of Kenya, I, Mwai Kibaki, President and Commander-in-Chief of the Defence Forces of the Republic of Kenya, do appoint—

Augustino Stephen Lawrence Ramadhan—(*Chairman*)

### *Members:*

Judith Mbula Behemuka (Prof.)  
Justice (Rtd.) Philip J. Ransley  
Surinder Kapila  
Beauttah Alukhava Siganga  
Grace Barbara Ngele Madoka  
Mugambi Jesse Ndwiga Kanyua (Prof.)

### *The mandate of the Tribunal shall be:*

To investigate the conduct of the Deputy Chief Justice, Supreme Court of Kenya, Justice Nancy Makokha Baraza on the basis of Article 168 (1) (e); 73 (1) (a) and (b); and 75 (1) and (2) of the Constitution and the Judicial Service Code of Conduct and Ethics, Legal Notice No. 50 of 2003 and other relevant laws and matters including but not limited to:

The allegations contained in the petition by the Judicial Service Commission of Kenya dated 19th January, 2012 and presented to myself regarding the conduct of the Deputy Chief Justice, Justice Nancy Makokha Baraza.

In the discharge of its functions, the tribunal shall:

- (a) Prepare and submit a report and its recommendations thereon to me expeditiously.
- (b) Exercise all the powers conferred upon it by law for the proper execution of its mandate.

In the meantime, Justice Nancy Makokha Baraza, the Deputy Chief Justice, Supreme Court of Kenya, stands suspended from exercising the functions of her office with immediate effect according to Article 168 (5) of the Constitution.

Dated the 25th January, 2012.

MWAI KIBAKI,  
*President.*

GAZETTE NOTICE NO. 665

## THE CONSTITUTION OF KENYA

### THE JUDICIAL SERVICE ACT

(No. 1 of 2011)

APPOINTMENT OF COUNSEL TO ASSIST THE TRIBUNAL TO INVESTIGATE THE CONDUCT OF DEPUTY CHIEF JUSTICE, SUPREME COURT OF KENYA, JUSTICE NANCY MAKOKHA BARAZA

IN EXERCISE of the powers conferred by section 31 (4) of the Judicial Service Act, I, Mwai Kibaki, President and Commander-in-Chief of the Kenya Defence Forces, appoint—

Valeria Onyango—Lead Counsel  
Gideon Solonka Kilakoi—Assistant Counsel

as counsel to assist the Tribunal appointed to investigate the conduct of the Deputy Chief Justice, Supreme Court of Kenya, Justice Nancy Makokha Baraza.

Dated the 25th January, 2012.

MWAI KIBAKI,  
*President.*