

Witness agency decries low budget

Witness Protection Agency boss says number of people in need of help rising

by **Zadock Angira**
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Lengthy court trials are not only expensive but may also make some crucial witnesses change their minds either because of fatigue or intimidation thereby frustrating administration of justice.

The main aim of any trial is to ensure justice is served to all parties. But this may not always happen as some suspects especially those involved in murder, incest, defilement, corruption, terrorism and even robbery intimidate witnesses.

This led to the formation of the Witness Protection Agency (WPA) in 2008. The mandate of WPA is to provide special protection, on behalf of the State, to persons in possession of important information and who are facing potential risk or intimidation because of their cooperation with the prosecution and other law enforcement agencies.

WPA director Alice Ondieki, says a total of 720 witnesses have been admitted into the programme since its inception. This, however, excludes other family members or dependants, who are not direct beneficiaries.

"If for example a married man is admitted into the programme, the wife and children are also brought on board. We get between 100 to 120 applications per year, however, not all of them end up being protected," Ondieki told *People Daily* during an interview.

Delayed admission

She says WPA spends between Sh2.5 million to Sh3 million per witness per year, noting that some of the witnesses are also paid, based on their current earnings. "If the basic earnings cannot be established like in the case of a *mama mboga*, we pay the minimum which is Sh13,500."

The protection is done through a number of ways including physical and armed protection, relocation and change of identity.

Protection can also be done during court proceedings through holding in-camera or closed sessions, use of pseud-



Witness Protection Agency director Alice Ondieki.

QUALIFICATIONS

- A person qualifies to be protected based on their testimony or if they are related to a witness who requires protection.

- The protection is done through a number of ways including physical and armed protection, relocation and change of identity.

onyms, redaction of identifying information and use of video link.

Concerns have, however, been raised over delayed admission to the programme by crucial witnesses. The agency, however, says some witnesses are admitted immediately, such as those found at the scene of crime, for the initial 14 days. "This can be extended to another 14 days as we conduct

risk assessment and establish eligibility," she says.

Though some witnesses approach WPA, about 90 per cent of them are referred to the agency by the Office of the Director of Public Prosecutions (ODPP). "The ODPP plays a key role in confirming whether they are eligible. We get other referrals from the DCI, Independent Policing Oversight Authority (IPOA), courts and other human rights organisations," she says.

She, however, says the cases will soon be expedited following the inclusion of the Judiciary's Chief Registrar as a board member.

Ondieki reveals the biggest challenge is finances, an issue exacerbated by the fact that the Agency continues to admit witnesses but the budget has

always remained the same. In the last financial year, the agency was allocated Sh480 million. "We have serious problems with murder, incest, gender violence and corruption cases especially where suspects are released on bail and end up interfering with witnesses," she says. The director, however, says in such cases, the investigating officers can go back to court and apply for the cancellation of the bond or bail.

The agency has, however, maintained that no witness under the programme has ever been killed. "It is true some witnesses have been killed but none of them have been from WPA. So far, we have only lost five witnesses but due to natural causes. Again, our mandate does not cover anyone who is not in our programme."



Bamburi's Nairobi Grinding Plant manager Johnson Macharia (right) presents scholarship cheque to six Form One students in Isinya sub-county in Kajiado county, yesterday. In attendance was Senior Chief, Wilson Kaloi. PD/CHRISTINE MUSA

Firm grants six students Sh400,000 scholarship

by **Christine Musa**
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Six bright students from poor backgrounds in Kajiado county will now smile all the way to class after Bamburi Cement heard their cry for financial assistance and offered them full scholarships to the tune of Sh400,000.

The deserving students were identified through a competitive process based on performance and needy backgrounds. The scholarships for secondary education will cater for full tuition, uniform and back to school shopping only.

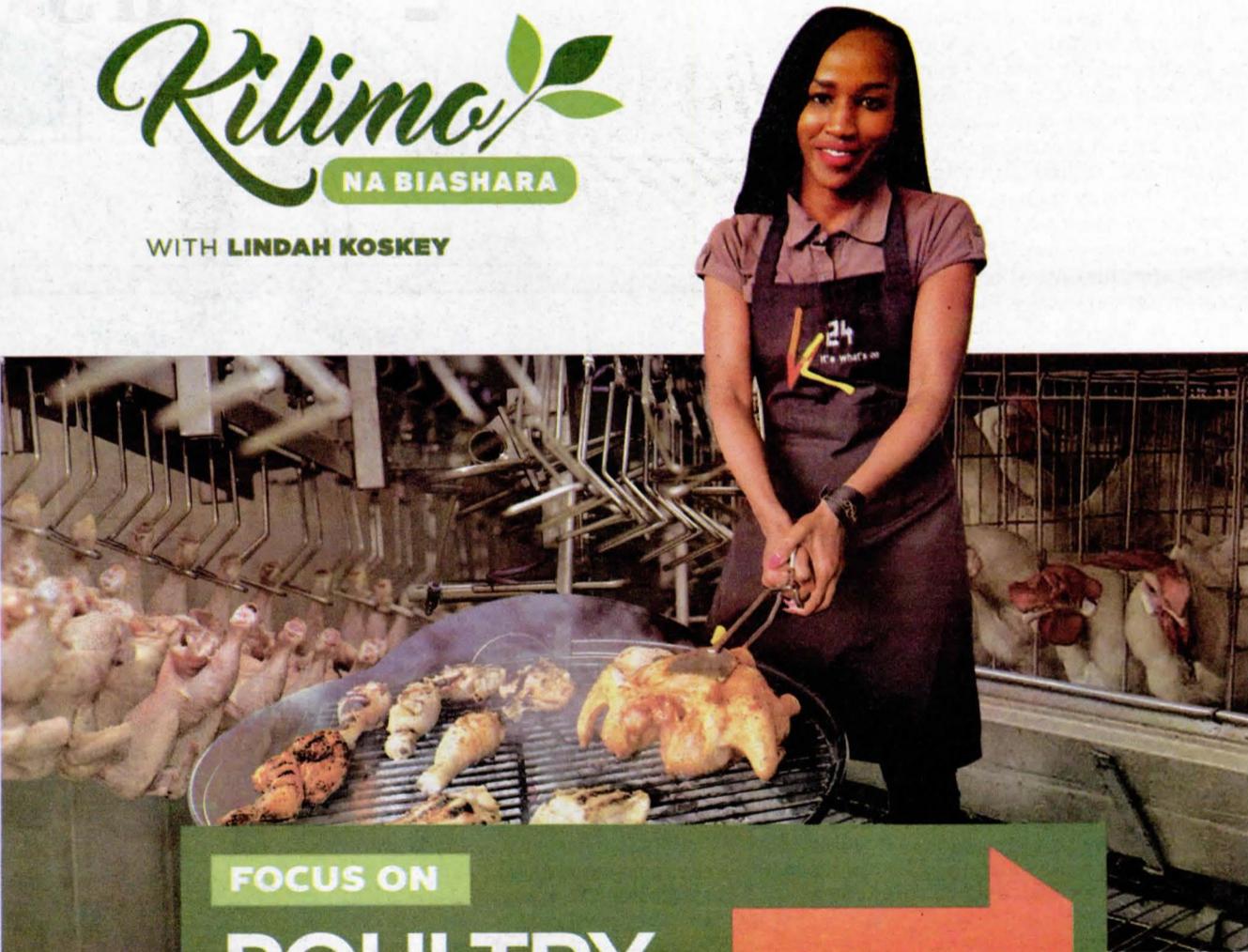
Bamburi Cement's Nairobi Grinding Plant manager Johnson Macharia, said the gesture was part of the company's commitment to the commu-

nity which focuses on empowering the youth and marginalised through education and upskilling programmes.

"Investment in youth generates long term security, future shared prosperity, stability and growth. Bamburi is committed to empowering the youth to have a cutting edge advantage to compete fairly in the Kenyan and global labor markets," Macharia said yesterday during the award ceremony. Urging parents of the beneficiaries to continue following up on the students' performance in school, Olorirkon senior chief Wilson Kaloi said, "There is nothing more discouraging than for a student to perform well in primary only to herd cattle due to lack of school fees or early marriage."



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