

JOURNALISTS' TOOLKIT FOR REPORTING ON
**PARLIAMENTARY
OVERSIGHT**



TRANSPARENCY
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KENYA



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TABLE OF CONTENTS

ACKNOWLEDGEMENTS.....	iv
1 INTRODUCTION.....	1
2 OVERVIEW OF PARLIAMENT'S OVERSIGHT ROLE.....	2
2.1 Oversight Role of the Kenyan Parliament.....	4
2.1.1 Role of the National Assembly and the Senate.....	4
2.1.2 Powers on Parliamentary Oversight.....	5
2.1.3 Participation of Citizens in Parliamentary Oversight.....	6
3 TIPS FOR EFFECTIVE REPORTING ON PARLIAMENTARY OVERSIGHT.....	7
4 TOOLS FOR PARLIAMENTARY OVERSIGHT.....	8
5 SOURCES OF INFORMATION FOR REPORTING ON PARLIAMENTARY OVERSIGHT.....	11
6 SOURCES OF INFORMATION FROM OTHER INSTITUTIONS.....	13

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1 INTRODUCTION

The role of Parliament in any democratic society is to provide oversight to the executive, ensure accountability, and make laws that promote the welfare of the citizens. Media on the other hand is a public watchdog and provides information on how the different arms at both national and county level deliver their mandate to the public and expend public resources. As such, it is important that they not only understand the role and workings of Parliament but also have at their disposal, knowledge on these tools available for oversight purposes.

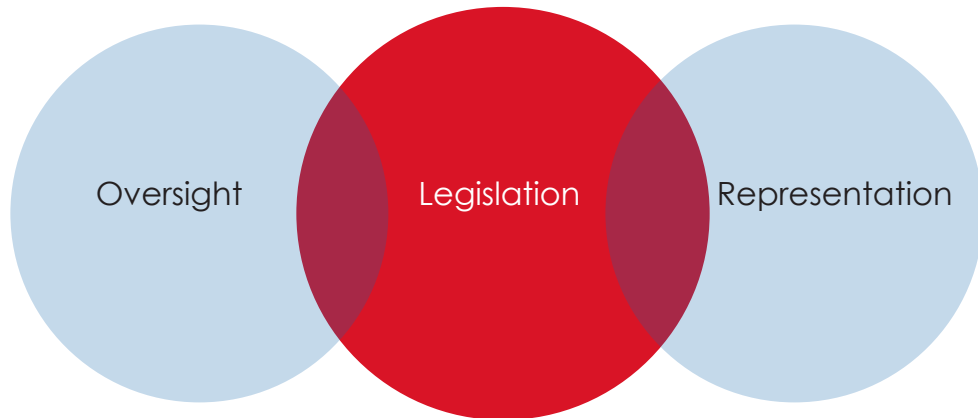
The Serjeant-at-Arms in liaison with the Media Relations regulates media activities in Parliament and enforces Speaker's rules on the broadcasting of Parliament sessions and in particular:

1. Certify media accreditation
2. Check the dress code
3. Check the equipment
4. Allow coverage.

This toolkit is designed to equip journalists with the necessary tools and knowledge to report on parliamentary oversight in Kenya. It provides guidance on the role of parliament, its committees, and the oversight process. It also outlines the key sources of information accessible to journalists reporting on parliamentary oversight activities.

2 OVERVIEW OF PARLIAMENT'S OVERSIGHT ROLE

Parliamentary oversight is one of the main functions of parliament – alongside law-making and representation.



Parliamentary oversight is the means by which parliament and parliamentarians, on behalf of the people, hold the government to account and it entails parliament approvals, reviews, interrogation and directives given through or as a result of parliamentary engagements.

THE KEY GOALS OF PARLIAMENTARY OVERSIGHT INCLUDE THE FOLLOWING

Upholding the rule of law

Parliaments aim to protect the rights and freedoms of citizens by investigating and addressing abuse of power, arbitrary behaviour, or illegal and unconstitutional conduct by the government and public agencies.

Improving the efficiency and effectiveness of government's financial activities

Parliaments aim to protect the rights and freedoms of citizens by investigating and addressing abuse of power, arbitrary behaviour, or illegal and unconstitutional conduct by the government and public agencies.

Monitoring the government's achievement of outcomes set by legislation and its own programmes

Parliaments ensure that laws by parliament and programmes initiated by government are implemented and delivered to the benefit of citizens, with a view to improving the performance of public services.

Increasing transparency of government operations and enhancing public trust in the government:

Parliaments provide a transparent and public platform where the policies and actions of government are debated, scrutinised, clarified and subjected to public opinion

2.1 OVERSIGHT ROLE OF THE KENYAN PARLIAMENT

Parliament is recognised as one of the state organs through which the sovereign power of the people of Kenya is exercised.

Parliament in Kenya consists of

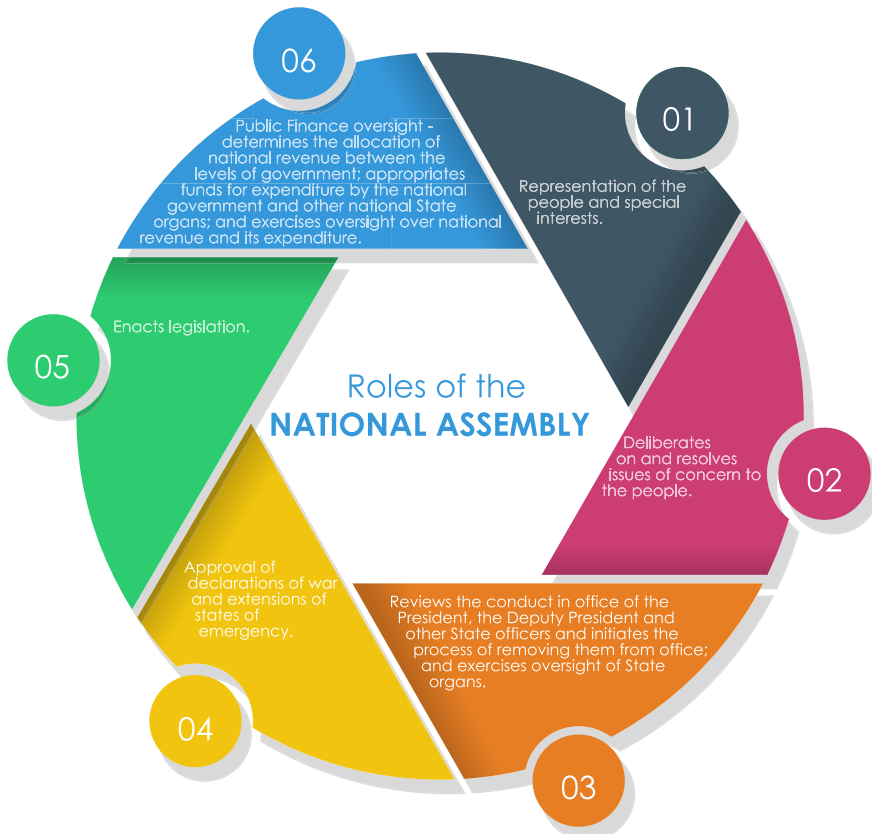
The National Assembly

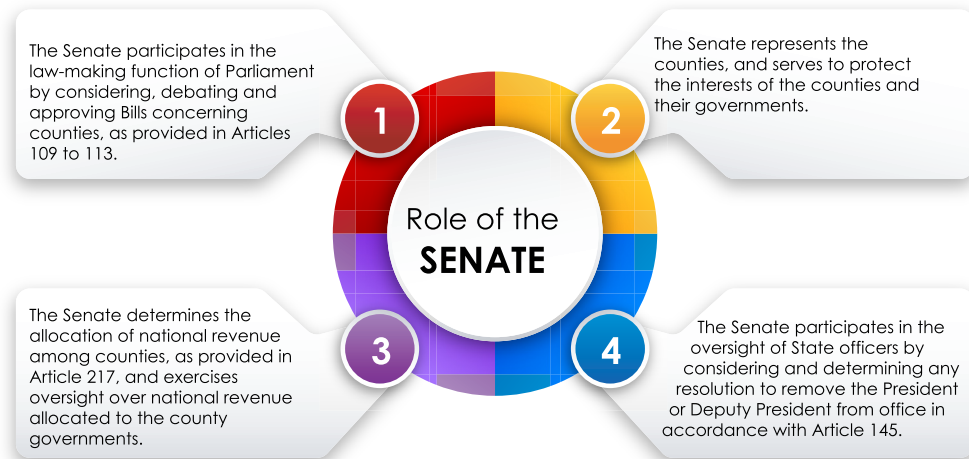
290 elected members
47 elected women representatives
12 nominated members by political parties
The Speaker

The Senate

47 elected members
16 women members nominated by political parties
2 youth representatives
2 representatives of persons with disability
The Speaker

2.1.1 ROLE OF THE NATIONAL ASSEMBLY AND THE SENATE





2.1.2 POWERS ON PARLIAMENTARY OVERSIGHT

Parliament and any of its committees has the power to summon any person to appear before it for the purpose of giving evidence or providing information and has the same powers as the High Court: Art. 125

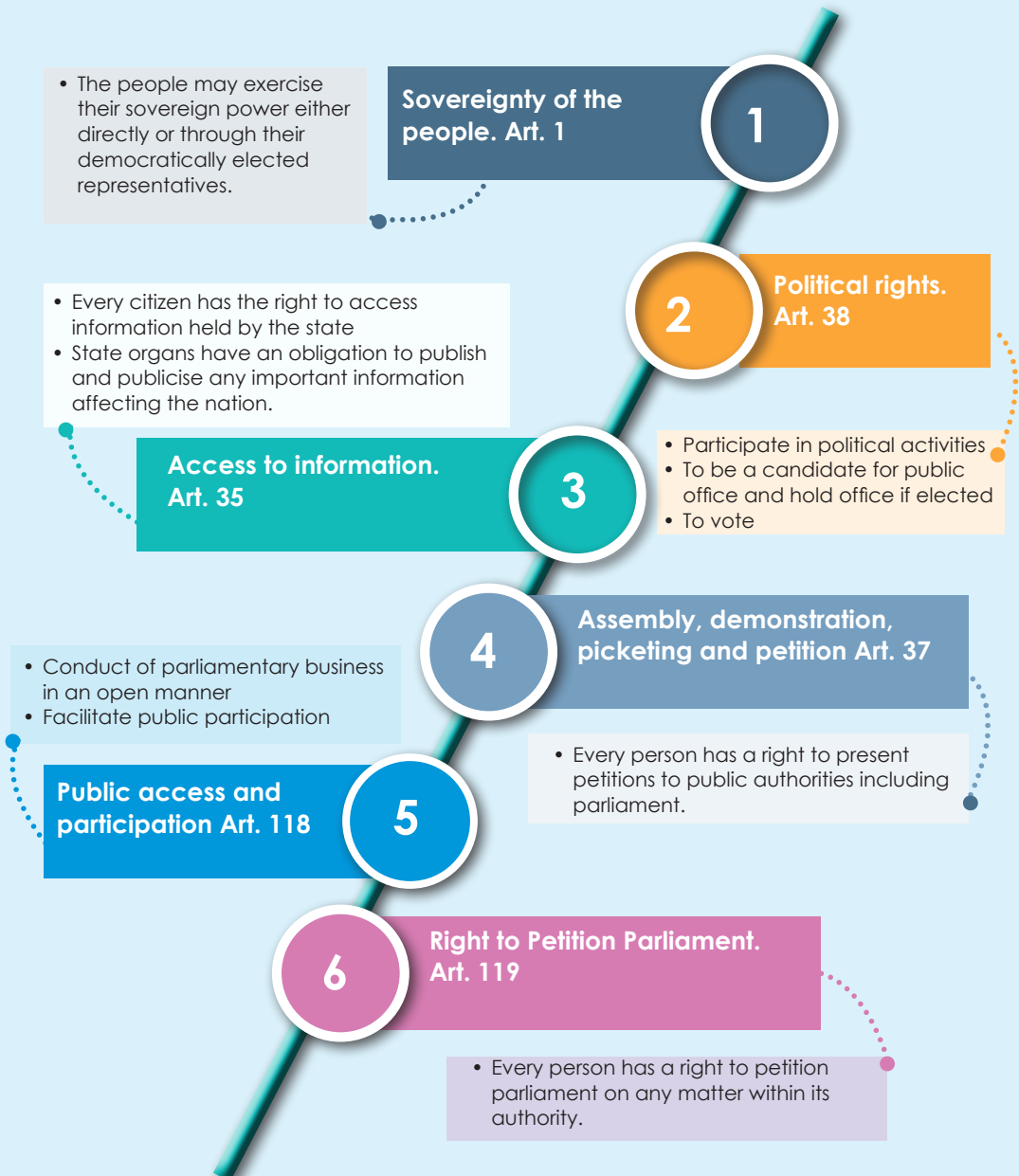
To enforce attendance of witnesses and examine them on oath;

To compel the production of documents; and

To issues a commission or request to examine witnesses abroad.

2.1.3 PARTICIPATION OF CITIZENS IN PARLIAMENTARY OVERSIGHT

Participation of citizens in parliamentary oversight is part of exercising their sovereignty, aligns to the national values and principles of governance on public participation, transparency and accountability and is further anchored on constitutional provisions as follows:



3 TIPS FOR EFFECTIVE REPORTING ON PARLIAMENTARY OVERSIGHT

Be Persistent

Investigative journalism requires persistence. Keep asking questions and following up on leads until you get the answers you need.

Build Relationships

Build relationships with members of parliamentary committees and other key stakeholders involved in the oversight process. This will help you to access information and sources that will be useful for your reporting.

Focus on the issues

Focus your reporting on the issues at hand. Avoid personal attacks or sensationalism that can detract from the substance of the story.

Be objective

Maintain objectivity in your reporting. Avoid taking sides and let the facts speak for themselves.

Be accurate

Accuracy is crucial in journalism. Make sure you fact-check all your information and sources before publishing your story.

Simplify complex issues

Parliamentary oversight can be complex and difficult to understand. Use clear and concise language to help your readers understand the issues at hand.

Be persistent in seeking information

If you encounter roadblocks or resistance when seeking information, be persistent. Use the Freedom of Information Act to access public records if necessary.

Follow the money

Look for any financial or budgetary implications of the oversight process. This will help you to uncover any potential corruption or mismanagement of public funds.

Follow up

Follow up on your stories to see if any action has been taken as a result of your reporting. This will help to hold those in power accountable and ensure that the oversight process is effective.

Educate your audience

Use your reporting to educate your audience about the importance of parliamentary oversight and its impact on their daily lives. This will help to increase public awareness and engagement with the oversight process.

4 TOOLS FOR PARLIAMENTARY OVERSIGHT

The tools and methods used by parliament in their oversight mandate include:

Tools/ methods	Explanation
Written questions	<p>Written questions are a widely used parliamentary tool that enable parliamentarians to elicit detailed explanations and information from different members of the government.</p> <p>STANDING ORDERS: PART IXA—QUESTIONS</p>
Statements	<p>Statements can be requested by members to members with responsibilities in the House or by be issued independently by members holding position of the Leader of the Majority Party, the Leader of the Minority Party, the chairperson of a committee or their designees in relation to their responsibilities in the House or the activities of a committee.</p> <p>STANDING ORDERS: PART X—STATEMENTS</p>
Approval of public appointments	<p>Upon receipt of a notification of nomination for appointment to a State Office or such other office required to be approved by the House, the nomination shall stand committed to the relevant Departmental Committee of the House for consideration. The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, table its report in the House.</p> <p>STANDING ORDERS: PART XI — APPROVAL OF PUBLIC APPOINTMENTS</p>

Motions	<p>A member may give notice of motion approved by the Speaker to the House which may include for removal of a State Officer or such other issue within the mandate of the House. Some motions need not be approved by the Speaker e.g. motion for the suspension of a Member.</p> <p>STANDING ORDERS: PART XII—MOTIONS</p>
Special motions	<p>Special motions are those that among other issues specified in the standing orders: seek approval of public appointments; Extension of state of emergency; Extension of the term of Parliament when Kenya is at war; etc.</p> <p>STANDING ORDERS: PART XIII—SPECIAL MOTIONS</p>
Removal from state office	<p>Procedure for removal of the President, Deputy President and Cabinet secretaries.</p> <p>STANDING ORDERS: PART XIV— PROCEDURE FOR REMOVAL FROM STATE OFFICE</p>
Parliamentary Committees	<p>Committees are one of the most common parliamentary oversight tool, and their central function involves seeking information on a particular issues from a wide range of individuals and organisations, including public officials. The power to summon government officials is bestowed on both temporary and permanent parliamentary committees- with summoned officials expected to appear before the parliamentary committees.</p> <p>STANDING ORDERS: 256B. SUMMONS BY THE HOUSE</p>
Public petitions	<p>A petition means a written prayer to the House under Article 37 or 119 of the Constitution by a member of the public requesting the House to consider any matter within its authority.</p> <p>STANDING ORDERS: PART XXIII—PUBLIC PETITIONS</p>

Petition for removal of a member of a commission or independent office

A petition to the House may be considered for removal of a member of a Commission or holder of an Independent Office

STANDING ORDERS: PART XXIII A—PETITION FOR REMOVAL OF A MEMBER OF A COMMISSION OR INDEPENDENT OFFICE

Oversight on Public Finances

Parliament has oversight on management of public resources including: budgeting, appropriation, expenditure and audit.

STANDING ORDERS: PART XXIV—FINANCIAL PROCEDURES

5 SOURCES OF INFORMATION FOR REPORTING ON PARLIAMENTARY OVERSIGHT

Parliament has various sources of information to facilitate reporting on parliamentary oversight activities. These sources provide valuable insights and data that would enable journalists reporting on parliamentary oversight activities to report effectively.

OVERSIGHT THEME	REFERENCE (WHERE TO BE FOUND/TRACKED)
To know what is happening in the National Assembly on a daily basis?	National Assembly http://www.parliament.go.ke/the-national-assembly/house-business https://mzalendo.com/ Senate http://www.parliament.go.ke/the-senate/House-Business
Bills and Regulations	National Assembly Bill Tracker http://www.parliament.go.ke/the-national-assembly/house-business/bill-tracker National Assembly Regulations Tracker http://www.parliament.go.ke/the-national-assembly/house-business/statutory-instruments-tracker Bills Tracker - Senate http://www.parliament.go.ke/the-senate/house-business/bills Regulations Tracker – Senate http://www.parliament.go.ke/the-senate/house-business/statutory-instruments-tracker
Parliamentary questions	All questions asked will be found at the Order Paper issued by Parliament before any sitting http://www.parliament.go.ke/the-national-assembly/house-business/order-paper The questions can be tracked using the Parliamentary questions tracker http://www.parliament.go.ke/the-national-assembly-question-tracker

Committee Reports	<p>National Assembly Committees http://www.parliament.go.ke/index.php/the-national-assembly/committees (click on specific Committee then click Reports)</p> <p>Senate Committees http://www.parliament.go.ke/index.php/the-senate/committees/senate-committees (click on specific Committee then click Reports)</p>
Statements	<p>National Assembly Statement Tracker http://www.parliament.go.ke/the-national-assembly/house-business/statement-tracker</p> <p>Senate Statement Tracker http://www.parliament.go.ke/the-senate/house-business/statements-tracker</p> <p>Papers laid Tracker National Assembly http://www.parliament.go.ke/the-national-assembly/house-business/paper-laid</p> <p>Papers laid Tracker Senate http://www.parliament.go.ke/the-senate/house-business/papers-laid</p>
Budget tracking	http://www.parliament.go.ke/the-national-assembly/budget-office/about-PBO
Votes and Proceedings	http://www.parliament.go.ke/the-national-assembly/house-business/votes-proceeding https://info.mzalendo.com/hansard/
Auditor General Reports	http://www.parliament.go.ke/the-national-assembly/house-business/auditors-general-reports#
Parliamentary Reports	http://www.parliament.go.ke/the-national-assembly/resources/publications
Vetting Reports	http://www.parliament.go.ke/vetting-reports

6 SOURCES OF INFORMATION FROM OTHER INSTITUTIONS

To enhance their oversight function, parliament receives reports from other key oversight institutions, including the Office of the Auditor General and the Controller of Budget. These reports serve as valuable tools for parliament to scrutinize and hold the executive accountable for the management of public resources. The Office of the Auditor General conducts regular audits and evaluations of government expenditures, highlighting any financial irregularities, mismanagement, or inefficiencies. The Controller of Budget, on the other hand, monitors the implementation of the budget, ensuring compliance and proper financial management. By receiving these reports, parliament is equipped with independent and objective assessments of the executive's performance, enabling them to ask relevant questions, make informed decisions, and take appropriate actions to ensure transparency and accountability in the utilization of public funds.

INSTITUTION	INFORMATION AVAILABLE
Office of the Auditor General	National and County Governments Audit Reports - https://www.oagkenya.go.ke/national-government-audit-reports/
Office of the Controller of Budget	National and County Government Budget Utilisation Reports https://cob.go.ke/reports/
National Treasury	Public Debt - https://www.treasury.go.ke/external-public-debt-register/ ; https://www.centralbank.go.ke/public-debt/
Mzalendo Trust	Democracy Tools - https://dokeza.mzalendo.com/ ; https://tracker.mzalendo.com/ ; https://info.mzalendo.com/hansard/ ; https://mzalendo.com/bonga/ ;
Transparency International Kenya	Public Audit Analysis - http://publicaudit.tikenya.org/



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