



**MINUTES OF THE TENTH (10<sup>TH</sup>) MEETING OF THE STANDING COMMITTEE  
ON LABOUR AND SOCIAL WELFARE HELD IN COMMITTEE ROOM 7, FIRST  
FLOOR, BUNGE TOWER ON TUESDAY, 11<sup>TH</sup> MARCH, 2025 AT 11.00 AM.**

**MEMBERS PRESENT**

- |  |                            |
|--|----------------------------|
| 1. Sen. Crystal Asige, MP              | - Vice-Chairperson         |
| 2. Sen. Lenku Seki Ole Kanar, MP       | - Member                   |
| 3. Sen. Miraj Abdulahi Abdulrahman, MP | - Member- <i>Virtually</i> |
| 4. Sen. Beth Syengo, MP                | - Member                   |

**APOLOGIES**

- |  |               |
|--|---------------|
| 1. Sen. Julius Murgor Recha, CBS, MP                 | - Chairperson |
| 2. Sen. (Rtd.) Justice Stewart Madzayo, CBS, EGH, MP | - Member      |
| 3. Sen. Erick Okong'o Mogeni, SC, MP                 | -Member       |
| 4. Sen. Alexander Munyi Mundigi, MP                  | - Member      |
| 5. Sen. Gloria Orwoba, MP                            | - Member      |

**SECRETARIAT**

- |                        |                           |
|------------------------|---------------------------|
| 1. Ms. Mwanate Shaban  | - Senior Clerk Assistant  |
| 2. Ms. Florence Waweru | - Clerk Assistant         |
| 3. Mr. Frank Mutulu    | - Media Relations Officer |
| 4. Ms. Ndindi Kibathi  | - Research Officer        |
| 5. Ms. Nigma Duale     | - Research Officer        |
| 6. Mr. Nicholas Arusei | - Audio Officer           |
| 7. Mr. Jackson Wekesa  | - Legal Counsel           |
| 8. Mr. Abdalla Bore    | - Sergeant-at-Arms        |

**MIN/SEN/SCLSW/50/2025:      PRAYERS**

The meeting was called to order by the Chairperson at 11.15 a.m., followed by a word of prayer.

**MIN/SEN/SCLSW/51/2025:**      **ADOPTION OF AGENDA**

The Agenda was adopted after being proposed by Sen. Beth Syengo, MP and seconded by Sen. Miraj Abdulrahman, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of the Minutes of the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> Committee Meetings;
4. Matters arising from the Minutes of previous Committee Meetings;
5. Consideration of the Petition regarding the failure by Kenya Breweries Limited, Kaplan & Stratton Advocates and Harrison Kinyanjui Advocates to pay compensation awarded to Petitioners' (*Committee Paper No.8*);
6. Any Other Business; and
7. Date of the Next Meeting and Adjournment.

**MIN/SEN/SCLSW/52/2025:**      **CONFIRMATION OF THE MINUTES**

1. The Minutes of the 1<sup>st</sup> Sitting held on Tuesday, 11<sup>th</sup> February, 2025 could not be confirmed due to lack of quorum from the Senators present;
2. The Minutes of the 2<sup>nd</sup> Sitting held on Monday, 24<sup>th</sup> February, 2025 at 11.00 a.m. were confirmed to be a true record of the deliberations having been proposed by Sen. Miraj Abdulrahman, MP and seconded by Sen. Lenku Seki Ole Kanar, MP;
3. The Minutes of the 3<sup>rd</sup> Sitting held on Thursday, 27<sup>th</sup> February, 2025 at 8.30 a.m. were confirmed to be a true record of the deliberations having been proposed by Sen. Lenku Seki Ole Kanar, MP and seconded by Sen. Beth Syengo, MP;
4. The Minutes of the 4<sup>th</sup> Sitting held on Tuesday, 4<sup>th</sup> March, 2025 at 8.30 a.m. were confirmed to be a true record of the deliberations having been proposed by Sen. Lenku Seki Ole Kanar, MP and seconded by Sen. Beth Syengo, MP;
5. The Minutes of the 5<sup>th</sup> Sitting held on Tuesday, 4<sup>th</sup> March, 2025 at 10.00 a.m. were confirmed to be a true record of the deliberations having been proposed by Sen. Lenku Seki Ole Kanar, MP and seconded by Sen. Beth Syengo, MP;
6. The Minutes of the 6<sup>th</sup> Sitting held on Tuesday, 4<sup>th</sup> March, 2025 at 12.00 p.m. were confirmed to be a true record of the deliberations having been proposed by Sen. Lenku Seki Ole Kanar, MP and seconded by Sen. Beth Syengo, MP;
7. The Minutes of the 7<sup>th</sup> Sitting held on Wednesday, 5<sup>th</sup> March, 2025 at 8.30 a.m. were confirmed to be a true record of the deliberations having been proposed by Sen. Beth Syengo, MP and seconded by Sen. Miraj Abdulrahman, MP
- a) The Minutes of the 8<sup>th</sup> Sitting held on Thursday, 6<sup>th</sup> March, 2025 at 8.30 a.m. were confirmed to be a true record of the deliberations having been proposed by Sen. Miraj Abdulrahman, MP and seconded by Sen. Beth Syengo, MP;
- b) The Minutes of the 9<sup>th</sup> Sitting held on Thursday, 6<sup>th</sup> March, 2025 at 10.00 a.m. were confirmed to be a true record of the deliberations having been proposed by Sen. Beth Syengo, MP and seconded by Sen. Miraj Abdulrahman, MP.



**MIN/SEN/SCLSW/53/2025:      MATTERS ARISING FROM THE MINUTES OF**  
**PREVIOUS COMMITTEE MEETINGS**

**Under Ex-MIN/SEN/SCLSW/47/2025      CONSIDERATION OF THE PETITION**  
**REGARDING THE WINDING UP AND**  
**LIQUIDATION OF THE TECHNICAL**  
**UNIVERSITY OF KENYA STAFF**  
**RETIREMENT BENEFITS SCHEME**

Members sought clarification on whether the Central Organization of Trade Unions (COTU-K) was to be engaged on the matters raised in the Petition and were informed that the Universities Academic Staff Union (UASU) was non-affiliated to it hence they would not be partisan to the discussions therein.

**MIN/SEN/SCLSW/54/2025:      CONSIDERATION OF THE PETITION**  
**REGARDING THE FAILURE BY KENYA**  
**BREWRIES LIMITED, KAPLAN & STRATTON**  
**ADVOCATES AND HARRISON KINYANJUI**  
**ADVOCATES TO PAY COMPENSATION**  
**AWARDED TO PETITIONERS'**

**A. Committee briefing**

1. The Committee was briefed on Committee Paper No.8 on the Petition under consideration with the legal Counsel and Research Officers highlighting their respective briefs as follows –
  - a) That at the sitting of the Senate held on 18<sup>th</sup> February, 2025 a Petition concerning the failure by Kenya Breweries Limited, Kaplan & Stratton Advocates and Harrison Kinyanjui Advocates to pay compensation awarded to Petitioners for wrongful termination of employment was read and referred to the Committee Pursuant to Standing Order 238 (1);
  - b) That the issues raised in the Petition were as follows;
    - i. Lawrence Ndotu and 125 others were former employees of Kenya Breweries Limited who were wrongfully dismissed from employment in contravention of the Memorandum of Agreement entered;
    - ii. That the Petitioners filed a petition in court namely *Lawrence Ndotu & 125 others v Kenya Breweries Limited & Another (HCC No. 279 of 2003)*;
    - iii. The Plaintiffs in the court matter were represented by the firm of Harrison Kinyanjui Advocates;

- iv. There were 6000 claimants (*former employees*) against Kenya Breweries who were represented by the following firms; J Harrison Kinyanjui & Co Advocates, Namada & Company Advocates and OP Ngoge & Co Advocates;
- v. On 24<sup>th</sup> January 2018, Hon Justice Serگون delivered a judgement in favour of Lawrence Nduku and 6000 others that found -
  - a) The decision to cause the plaintiffs to take an early retirement was unlawful and in breach of the Constitution as well as the plaintiff's agreement of employment;
  - b) The defendant (Kenya Breweries) was to pay each of the plaintiffs damages for loss of employment amounting to the equivalent of one month's salary as at the time of employment;
  - c) The defendant refunds the plaintiffs a sum of Ksh 30,180,685/= being the amount withheld in terms of the schedule filed by the firms of advocates of which the sum of Ksh 9,405,541/= was to be paid to Lawrence Nduku and 125 others;
  - d) The defendants cover the cost of the suit; and
  - e) The defendant pays interest on the above sums at court rates from the date of judgement to the day of full payment being affected.
- vi. On 29th March 2018, Harrison Kinyanjui Advocates wrote to Kaplan & Stratton demanding payment.
- vii. On 4th July, 2018, Mr. Kinyanjui sent discharge vouchers for his clients via letter. The forms indicated that the named party had accepted the payment specified in the forms as full and final settlement. Mr. Kinyanjui explained to each plaintiff that they were accepting Ksh. 9,180,675 as ordered by the court and mentioned that each individual would receive damages for loss of employment equivalent to one month's salary. Mr. Kinyanjui claimed that he would appeal the decision regarding the compensation for loss of employment.
- viii. The Petitioners paid a sum of Ksh. 250,000 to J Harrison and Company Advocates to file an appeal at the Court of Appeal with regard to compensation for the loss of employment. The appeal was never pursued.
- ix. On 31st December 2023, Kaplan & Stratton Advocates paid the sum of Ksh 1,000,000 to the firm of J Harrison Advocates being the party's cost of the suit as awarded by the court. With interest accrued on the decretal sum up to 31st November 2021
- x. The plaintiffs constantly sought updates concerning the appeal from J Harrison Advocates. However, the firm was not forthcoming, stalling and used threats against them, this led to the filing of a complaint with the Directorate of Criminal Investigations (DCI)



- xi. While at the DCI, the petitioners discovered that Kaplan & Stratton had filed a consent to mark the suit as settled for the clients of J Harrison Advocates on 20th December 2021. Subsequently on 12th January 2022, J Harrison Kinyanjui & Co Advocates forwarded a signed consent to Kaplan & Stratton without the petitioner's authority or knowledge.
- xii. Kaplan & Stratton and Harrison Kinyanjui Advocates had failed to pay interest to the sum of Ksh 4,350,771 as at 31st December 2022, but instead paid up to November as well as the damages for loss of employment as amounts to one month's salary at the time of employment.
- xiii. Efforts had been made to the Advocates Complaints Commission with unsatisfactory response.
- xiv. The petition was not pending in any court of law or legal body; and
- xv. The Petitioners' prayers were that the Senate investigates the matter with a view to- recommending that the outstanding dues to the Petitioners are settled and make recommendations concerning the acts of commission or omission on the part of the Advocates who acted for the petitioners.

**B. Committee observations and comments**

- i. That in 1997 Kenya Breweries Ltd began a business reengineering process which ultimately led to the termination of services of some of its employees, including the Petitioners *Lawrence Nduu*, and *125 other persons*;
- ii. The Petitioners were allegedly disclosing matters touching on the conduct of an Advocate, namely, *J. Harrison Kinyanjui & Company Advocates* in the handling of the settlement of a class action labour suit-*HCC No. 279 of 2003*, concluded after a long-winded period of about 15 years, on dishonesty, failure to account for client funds and other related fees chargeable by the advocate; and
- iii. The Petitioners alleged that they had lodged a complaint with the Directorate of Criminal Investigation and also the Advocates Complaints Commission though there were no supporting documents to that effect.

**C. Committee resolution**

- 2. That the Committee would engage the Petitioners to gain a better understanding and history of the matter and thereafter hold a meeting with the mapped-out stakeholders; and
- 3. That the Petitioners should present to the Committee all supporting documentation and evidence on actions taken through the various oversight bodies on the matter.

MIN/SEN/SCLSW/55/2025:

ANY OTHER BUSINESS

1. Members proposed the need for the Committee to hold a work- retreat to bring the new members up to speed on the workings of the Committee as the Committee also reviews its pending work and mid-term performance;
2. There was need to relook at the Committee-meetings' timings to ensure participation and full attendance by all members; and
3. That the Committee would engage the Central Organization of Trade Unions (COTU-K) on workers' welfare matters that are before the Committee.

MIN/SEN/SCLSW/56/2025

ADJOURNMENT AND DATE OF THE NEXT MEETING

The meeting was adjourned at 12.03 p.m with the next meeting being on notice.

SIGNATURE.....

(CHAIRPERSON: SEN. JULIUS MURGOR RECHA, MP)

DATE.....

Tuesday, 18<sup>th</sup> March, 2025





**MINUTES OF THE ELEVENTH (11<sup>TH</sup>) MEETING OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD IN COMMITTEE ROOM 6, FIRST FLOOR, BUNGE TOWER ON THURSDAY, 13<sup>TH</sup> MARCH, 2025 AT 11.00 AM.**

**MEMBERS PRESENT**

- |  |                            |
|--|----------------------------|
| 1. Sen. Julius Murgor Recha, CBS, MP   | - Chairperson              |
| 2. Sen. Crystal Asige, MP              | - Vice-Chairperson         |
| 3. Sen. Alexander Munyi Mundigi, MP    | - Member                   |
| 4. Sen. Lenku Seki Ole Kanar, MP       | - Member- <i>Virtually</i> |
| 5. Sen. Miraj Abdulahi Abdulrahman, MP | - Member                   |
| 6. Sen. Beth Syengo, MP                | - Member                   |

**APOLOGIES**

- |  |          |
|--|----------|
| 1. Sen. (Rtd.) Justice Stewart Madzayo, CBS, EGH, MP | - Member |
| 2. Sen. Erick Okong'o Mogeni, SC, MP                 | -Member  |
| 3. Sen. Gloria Orwoba, MP                            | - Member |

**SECRETARIAT**

- |                        |                           |
|------------------------|---------------------------|
| 1. Ms. Mwanate Shaban  | - Senior Clerk Assistant  |
| 2. Ms. Florence Waweru | - Clerk Assistant         |
| 3. Mr. Frank Mutulu    | - Media Relations Officer |
| 4. Ms. Ndindi Kibathi  | - Research Officer        |
| 5. Mr. Nicholas Arusei | - Audio Officer           |
| 6. Mr. Jackson Wekesa  | - Legal Counsel           |
| 7. Ms. Swaluha Yusuf   | - Protocol Officer        |
| 8. Mr. Abdalla Bore    | - Sergeant-at-Arms        |

**IN-ATTENDANCE**

- |                       |                               |
|-----------------------|-------------------------------|
| 1. Mr. Lawrence Kyalo | - Chairman (Lead Petitioner)  |
| 2. Mr. George Njigu   | - Secretary (Lead Petitioner) |
| 3. Mr. Mohammed Said  | - Petitioner                  |
| 4. Mr. James Nginga   | - Petitioner                  |

- |    |                    |              |
|----|--------------------|--------------|
| 5. | Mr. Kenan Komora   | - Petitioner |
| 6. | Mr. Mary Wambugu   | - Petitioner |
| 7. | Mr. James Saiyalel | - Petitioner |
| 8. | Ms. Agnes Mburu    | - Petitioner |
| 9. | Mr. Betty Mburu    | - Petitioner |

**MIN/SEN/SCLSW/57/2025:**      **PRAYERS**

The meeting was called to order by the Chairperson at 11.21 a.m. followed by a word of prayer.

**MIN/SEN/SCLSW/58/2025:**      **ADOPTION OF AGENDA**

The Agenda was adopted after being proposed by Sen. Lenku Seki Ole Kanar, MP and seconded by Sen. Alexander Munyi Mundigi, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of the Minutes of the 1<sup>st</sup> and 10<sup>th</sup> Committee Meetings;
4. Matters arising from the Minutes of previous Committee Meetings;
5. Consideration of the Petition regarding the failure by Kenya Breweries Limited, Kaplan & Stratton Advocates and Harrison Kinyanjui Advocates to pay compensation awarded to Petitioners' (*Committee Paper No.9*);
6. Any Other Business; and
7. Date of the Next Meeting and Adjournment.

**MIN/SEN/SCLSW/59/2025:**      **CONFIRMATION OF THE MINUTES OF THE FIRST AND TENTH MEETINGS**

This agenda item was deferred.

**MIN/SEN/SCLSW/60/2025:**      **MATTERS ARISING FROM THE MINUTES OF PREVIOUS COMMITTEE MEETINGS**

The agenda item was deferred.

**MIN/SEN/SCLSW/61/2025:**      **CONSIDERATION OF THE PETITION REGARDING THE FAILURE BY KENYA BREWERIES LIMITED, KAPLAN & STRATTON ADVOCATES AND HARRISON KINYANJUI ADVOCATES TO PAY COMPENSATION AWARDED TO PETITIONERS'**



#### **A. Presentation from the Petitioners**

1. Mr. Lawrence Ndotu began by stating they were wrongfully dismissed from employment by Kenya Breweries Limited, in contravention of the Memorandum of Agreement entered and they had filed a petition in court namely *Lawrence Ndotu & 125 others v Kenya Breweries Limited & Another (HCC No. 279 of 2003)*;
2. That there were about 6000 claimants (former employees) against Kenya Breweries but were represented by different firms. The Petitioners were about 125 who were represented by J Harrison Kinyanjui & Co Advocates. Others were represented by Namada & Company Advocates and OP Ngoge & Co Advocates;
3. That on 24th January 2018, Hon. Justice Serگون delivered a judgement in their favor and 6000 others that found –
  - i. The decision to cause the plaintiffs to take an early retirement was unlawful and in breach of the Constitution as well as the plaintiff's agreement of employment;
  - ii. The defendant (Kenya Breweries) was to pay each of the plaintiffs damages for loss of employment amounting to the equivalent of one month's salary as at the time of employment;
  - iii. The defendant refunds the plaintiffs a sum of Ksh 30,180,685/= being the amount withheld in terms of the schedule filed by the firms of advocates of which the sum of Ksh 9,405,541/= was to be paid to Lawrence Ndotu and 125 others.
  - iv. The defendants cover the cost of the suit; and
  - v. The defendant pays interest on the above sums at court rates from the date of judgement to the day of full payment being affected.
4. The Petitioners stated that the Kshs, 9,405,541 was undisputed refundable deposit since it was the amount that Kenya Breweries had withheld (Kshs. 50,000 or Kshs 100,000) from their terminal dues to be refunded once the company clears with a particular employee;
5. They therefore agreed with their lawyer that he appeals for damages on the first judgement. He advised them to accept the Kshs, 9,405,541 plus interest as he pursues the appeal;
6. On 29th March 2018, Harrison Kinyanjui Advocates wrote to Kaplan & Stratton demanding payment;
7. In July, 2018, Mr. Kinyanjui sent discharge vouchers to them with the forms indicating that the payment specified in the forms was the full and final settlement;
8. that Mr. Kinyanjui explained to them that they were accepting Ksh. 9,180,675 as ordered by the court and mentioned that each individual would receive damages for loss of employment equivalent to one month's salary further informing them that he would appeal the decision regarding the compensation for loss of employment. The Petitioners also stated that they were made to sign discharge vouchers by their lawyer in 2018 but were paid in 2022;

9. That they paid a sum of Ksh. 250,000 (deductions of Kshs. 2,000 from each of them totalling to Kshs. 250,000) to J. Harrison and Company Advocates to file an appeal at the Court of Appeal with regard to compensation for the loss of employment. Though the appeal was never pursued;
10. On 31st December 2023, Kaplan & Stratton Advocates paid the sum of Ksh 1,000,000 to the firm of J Harrison Advocates, being the party's cost of the suit as awarded by the court. With interest accrued on the decretal sum up to 31st November 2021;
11. That they had constantly sought updates concerning the appeal from J Harrison Advocates. However, the firm was not forthcoming, stalling and used threats against them, this led to the filing of a complaint with the Directorate of Criminal Investigations (DCI);
12. The DCI also availed documentation to them that indicated that included an email from Mr. Harrison Kinyanjui stating that he was following up on the appeal, but the documentation he provided to DCI showed that he had signed a consent for closing the case with Kaplan & Stratton, the advocates for the Kenya Breweries Ltd;
13. While at the DCI, they discovered that Kaplan & Stratton had filed a consent to mark the suit as settled for the clients of J Harrison Advocates on 20<sup>th</sup> December 2021, which Mr. Kinyanjui had signed without informing them;
14. That subsequently on 12<sup>th</sup> January 2022, J Harrison Kinyanjui & Co Advocates forwarded a signed consent to Kaplan & Stratton without the petitioner's authority or knowledge;
15. The Petitioners added that they also the Advocates Complaints Commission, which advised them to take up the matter with the tribunal despite acknowledging that the petitioners had not been paid one-month award and two months interest;
16. The Petitioners stated that they were paid the Kshs. 9,405,541 and interest less two months interest as they were paid in January 2021 but interest was upto November 2020.
17. The payment from the Company was silent on the one month damages that was awarded to the Petitioners;
18. The Petitioners concluded by stating that they were praying to the Senate to assist them in -
  - a) Getting the one-month award plus interest up to the date that they will receive payment;
  - b) The two-months interest previously accumulated plus the interest accumulated up to now;
  - c) The Kshs. 250,000 that was paid to their advocate;
  - d) Cause the advocate to give the widows and orphans of the colleagues who were deceased but were part of 125 who received award;
  - e) Take action against their lawyer for malpractice of misadvising and lying to them.
  - f) Kaplan & Stratton and Harrison Kinyanjui Advocates had failed to pay interest to the sum of Ksh 4,350,771 as at 31<sup>st</sup> December 2022, but instead paid up to November as well as the damages for loss of employment as amounts to one month's salary at the time of employment; and
  - g) Relooking into the matter of the number of years worked versus the damages they received.



## **B. Committee observations and findings**

1. That in 1997 Kenya Breweries Limited underwent a restructuring to cut costs and improve efficiency through automation which saw the closure of its Mombasa and Kisumu plants. The re-engineering led to redundancies with over 6000 employees losing their jobs;
2. During the said transition, the company withheld sums of money from the employees to cover for debts and liabilities owed to the company. The company retained *ksh.100,000* for the staff in Mombasa and *Ksh.50,000* for the staff in Nairobi and Kisumu;
3. That based on the existence of the Memorandum of Agreement with their former employer dated 5<sup>th</sup> December, 1997 and 29<sup>th</sup> July, 1999, the Petitioners filed a representative suit on behalf of other former employees of Kenya breweries limited whose terms and conditions of employment were governed by the memorandum of agreement;
4. The suit- *HCC No. 279 of 2003*, was concluded after a long-winded period of about 15 years and the Claimants were successful. The judgment was delivered by the Hon. Justice Serگون on 24<sup>th</sup> January 2018 as ordered, as follows:
  - a) A declaration that the Plaintiffs' early retirement was in breach of the constitution and their terms of employment;
  - b) The Defendant to pay the Plaintiffs one months' salary as damages for loss of employment;
  - c) The Defendant to refund the Plaintiffs the sums of KES 30,180,685 in the following proportions:
    - i.Plaintiffs represented by Namada & Company Advocates KES.20,775,144/= and
    - ii.Plaintiffs represented by J. Harrison Kinyanjui & Company Advocates KES.9,405,541/=
  - d) The above sums to bear interest from the date of judgment till payment in full;
  - e) The Defendant to bear the costs of the suit.
5. The Petitioners before them were the ones who had been represented by the firm of *J. Harrison Kinyanjui & Company Advocates*;
6. That following delivery of the judgment, Mr. Harrison Kinyanjui, Advocate, wrote to Kaplan and Stratton Advocates on 29<sup>th</sup> March 2018, and demanded that he receive their decretal sums on their behalf through his client account;
7. That in April, 2018, Mr. Kinyanjui Advocate made them sign discharge vouchers to the effect that the amount they were to receive was a full and final settlement of the matter; yet the funds they received were the monies that had been deducted from their terminal dues- i.e the Ksh.50,000 and Ksh.100,000 respectively;
8. That the voucher signing process seemed to be a misleading move by the advocate to his clients;
9. Despite the foregoing the Petitioners alleged having paid Mr. Kinyanjui Advocate, the sum of KES 250,000/= to lodge an appeal at the Court of Appeal against part of the

judgement relating to compensation for loss of employment yet the appeal was never lodged;

10. That the Petitioners are Members of the Kenya Union of Commercial Food and Allied Workers;
11. That the Petitioners allegedly did not receive payment for interest in full up to 31<sup>st</sup> January 2022; and
12. The Petitioners had lodged a complaint with the Directorate of Criminal Investigation and the Advocates Complaints Commission, though the Commission found the firm faultless, through a letter dated 24<sup>th</sup> July, 2024.

**C. Committee resolutions.**

1. The Committee resolved that they will look into the post judgement matter and enquire whether the petitioners received what was rightfully theirs and will invite the Advocates Complaints Commission to clarify on the complaint lodged by the Petitioners; and
2. On the issue of damages for loss of employment, the Committee advised that the petitioners may always lodge an appeal on their case.

**MIN/SEN/SCLSW/62/2025:**      **ANY OTHER BUSINESS**

There was no other business.

**MIN/SEN/SCLSW/63/2025**      **ADJOURNMENT AND DATE OF THE NEXT MEETING**

The meeting was adjourned at 12.23 p.m. with the next meeting being on notice.

SIGNATURE.....

(CHAIRPERSON: SEN. JULIUS MURGOR RECHA, MP)

DATE.....

Tuesday, 18<sup>th</sup> March, 2025



**MINUTES OF THE EIGHTEENTH (18<sup>TH</sup>) MEETING OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD IN COMMITTEE ROOM 2, FIRST FLOOR, BUNGE TOWER ON TUESDAY, 8<sup>TH</sup> APRIL, 2025 AT 11.00 AM.**

**MEMBERS PRESENT**

- |  |                            |
|--|----------------------------|
| 1. Sen. Julius Murgor Recha, CBS, MP   | - Chairperson              |
| 2. Sen. Crystal Asige, MP              | - <b>Vice-Chairperson</b>  |
| 3. Sen. Miraj Abdulahi Abdulrahman, MP | - Member                   |
| 4. Sen. Alexander Munyi Mundigi, MP    | - Member- <i>Virtually</i> |
| 5. Sen. Beth Syengo, MP                | - Member- <i>Virtually</i> |
| 6. Sen. Gloria Orwoba, MP              | - Member                   |

**APOLOGIES**

- |   |          |
|---|----------|
| 1. Sen. (Rtd.) Justice Stewart Madzayo, EGH, MP | - Member |
| 2. Sen. Erick Okong'o Mogeni, SC, MP            | - Member |
| 3. Sen. Lenku Seki Ole Kanar, MP                | - Member |

**SECRETARIAT**

- |                        |                                |
|------------------------|--------------------------------|
| 1. Ms. Mwanate Shaban  | - Principal Clerk Assistant II |
| 2. Ms. Florence Waweru | - Clerk Assistant              |
| 3. Mr. Jackson Wekesa  | - Legal Counsel                |
| 4. Ms. Joy Kyalo       | - Fiscal Analyst               |
| 5. Mr. Frank Mutulu    | - Media Relations Officer      |
| 6. Ms. Ndindi Kibathi  | - Research Officer             |
| 7. Ms. Nigma Duale     | - Research Officer             |
| 8. Mr. Nicholas Arusei | - Audio Officer                |

**IN-ATTENDANCE**

**PETITIONERS**

- |                           |              |
|---------------------------|--------------|
| 1. Mr. Mr. Lawrence Kyalo | - Chairman   |
| 2. Mr. George Njogu       | - Secretary  |
| 3. Mr. Mohammed Said      | - Petitioner |
| 4. Mr. James Nginga       | - Petitioner |
| 5. Mr. Kenan Komora       | - Petitioner |
| 6. Mr. Mary Wambugu       | - Petitioner |
| 7. Mr. James Suiyanga     | - Petitioner |
| 8. Ms. Agnes Mburu        | - Petitioner |



- |     |                        |              |
|-----|------------------------|--------------|
| 9.  | Mr. Betty Mburu        | - Petitioner |
| 10. | Ms. Bernice Wangechi   | - Petitioner |
| 11. | Mr. Andrew Nyarib      | - Petitioner |
| 12. | Ms. Marietta Mariadeta | - Petitioner |
| 13. | Ms. Mary Philomena     | - Petitioner |
| 14. | Mr. Julius Mulwa       | - Petitioner |

#### **ADVOCATES COMPLAINTS COMMISSION**

- |    |                     |                           |
|----|---------------------|---------------------------|
| 1. | Mr. George Nyakundi | - Commission Secretary    |
| 2. | Mr. Kenneth Kikwai  | - Principal State Counsel |
| 3. | Ms. Mary Maina      | - Legal Assistant         |

#### **MIN/SEN/SCLSW/107/2025: PRAYERS**

The meeting was called to order by the Chairperson at 11.15 a.m., followed by a word of prayer.

#### **MIN/SEN/SCLSW/108/2025: ADOPTION OF AGENDA**

The Agenda was adopted after being proposed by Sen. Crystal Asige, MP and seconded by Sen. Miraj Abdulrahman, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Consideration of the Petition concerning the alleged failure by Kenya Breweries Limited, Kaplan & Stratton Advocates and Harrison Kinyanjui Advocates to pay compensation awarded to various Petitioners. (*Committee Paper No.13*);
4. Any Other Business; and
5. Date of the Next Meeting and Adjournment.

#### **MIN/SEN/SCLSW/109/2025: CONSIDERATION OF THE PETITION CONCERNING THE ALLEDGED FAILURE BY KENYA BREWERIES LIMITED, KAPLAN & STRATTONADVOCATES AND HARRISON KINYANJUI ADVOCATES TO PAY COMPENSATION AWARDED TO VARIOUS PETITIONERS'**

1. The Committee considered a brief on the Petition above, noting the key issues and the responses submitted by the Advocate Complaints Commission.
2. The Committee then welcomed the guests, followed by introductions after which the Advocates Complaints Commission made their submission.

##### **i) Submissions by the Advocates Complaints Commission**

The Commission presented as follows –

1. The Commission is established under Section 53 of the Advocates Act (Cap 16) Laws of Kenya, is responsible for receiving and investigating complaints against advocates,

- law firms, and their employees. It functions as a technical department within the Office of the Attorney General and the Department of Justice;
2. They clarified that it only deals with professional misconduct by advocates and cannot handle employment or contractual disputes, including discharge vouchers or settlement agreements, which are court matters.
  3. They added that the Petitioners had lodged a complaint with the Commission dated 9th February, 2023 against Mr. Harrison Kinyanjui and following an assessment of the documents provided, they narrowed it down to possible acts of professional misconduct as follows- failure to provide any/adequate professional services despite payment of fees, withholding monies collected on behalf of a client, overcharging and claiming costs not justified by circumstances and failing to behave with integrity.
  4. The Petitioners accused Advocate Harrison Kinyanjui of failing to file an appeal, overcharging them, and withholding their funds. The ACC limited its investigation to misconduct aspects only.
  5. The ACC confirmed that Kaplan & Stratton Advocates sent KES 14,756,312 to Harrison Kinyanjui Advocates for the Petitioners. Discharge vouchers signed by the Petitioners were submitted as proof of full settlement, even though one month's salary, as ordered by the court, had not been paid.
  6. The ACC highlighted four possible misconduct issues: Failure to provide proper service after being paid, withholding client funds, Overcharging and unjustified costs and Lack of integrity affecting public trust.
  7. After reviewing all submissions, the ACC found no sufficient evidence to support the allegations, and by signing discharge vouchers, the Petitioners accepted full and final payment and waived further claims. Therefore, expecting an appeal was unreasonable. No misconduct was found.
  8. The ACC advised the Petitioners to pursue professional negligence claims in court, as this is outside its scope. They were informed of their right to appeal to the High Court or complain to the Advocates Disciplinary Committee.
  9. After conducting an inquiry, the Commission is authorized to either reject the complaint, promote reconciliation, facilitate an amicable settlement, or, in cases of serious or aggravated disciplinary offenses, file a formal complaint with the Advocates Disciplinary Committee (ADC);
  10. After initiating an inquiry and reviewing responses from Kaplan & Stratton Advocates and Harrison Kinyanjui & Company Advocates, the Commission determined that the allegations of professional misconduct could not be substantiated, as a result they rejected the Petitioners' complaint and advised that there were other options available to them in case they were dissatisfied with the said decision and further on their right to appeal the decision at the High Court.

ii) **Submissions by the Petitioners**

The Petitioners submitted as follows –

1. They were dismissed by Kenya Breweries Limited and filed a successful petition for wrongful dismissal in court;
2. About 125 former employees were represented by J. Harrison Kinyanjui & Co. Advocates. After the judgment, Mr. Kinyanjui made them sign discharge vouchers, claiming the amount received was a full and final settlement. However, the funds were deductions from their terminal dues (Ksh. 50,000 and Ksh. 100,000), making the voucher signing misleading;



3. Mr. Kinyanjui assured them he would appeal the compensation for loss of employment, for which they paid him;
4. They frequently sought updates from J. Harrison Advocates about the appeal, but the firm stalled, threatened them, and failed to provide information. This led them to file complaints with the DCI and the Advocates Complaints Commission; and
5. They were appealing to the Committee for help in recovering the funds paid to Mr. Kinyanjui for the appeal, as well as the unpaid one month's salary and two months' interest as per the court's award judgement.

iii) **Committee observations and comments**

The Committee made the following observations –

1. **Scope of ACC's Mandate:** The ACC's mandate is clearly outlined, yet it focused solely on professional misconduct allegations, advising the Petitioners to address employment or contractual issues separately. This points to a relatively lenient approach in handling the complaint.
2. **Confirmation of Payment:** The payment of Ksh. 14,756,312 was confirmed by Kaplan & Stratton Advocates, and discharge vouchers were signed by the Petitioners. This confirmation is crucial in addressing the Petitioners' claims, particularly regarding the expectation of an appeal or further actions
3. **Discharge Vouchers and Full Settlement:** The signed discharge vouchers served as a settlement agreement, with the Petitioners acknowledging full payment. However, it appears they may have been misled into accepting this settlement.
4. **Importance of Documentation:** The Petitioners should ensure they maintain proper documentation, including signed agreements, receipts, communication records, and any other relevant evidence to support their claim and establish the facts clearly.
5. **Public Trust and Professional Integrity:** The lack of integrity mentioned potentially undermines public trust in the legal profession. Therefore, the ACC should have taken the complaint more seriously and conducted a thorough investigation.
6. **Implications for Future Cases:** This case highlights the importance of well-documented evidence when filing complaints against professionals. It also emphasizes the need for clear agreements and understanding of the finality of actions like signing discharge vouchers.

iv) **Committee resolutions**

The Committee resolved as follows –

1. To engage the Office of the Attorney General's for reports on all complaints lodged through the Commission and their statuses;
2. To engage the Commissioners of ACC on further steps on the Petition, and a review of the Commission's functionality and relevance, with recommendations for improvement; and
3. The Advocates Complaints Commission to be present in the meeting scheduled for Thursday, 10<sup>th</sup> April 2024, with Kaplan & Stratton Advocates and J. Harrison & Kinyanjui & Co. Advocates regarding the Petition.

MIN/SEN/SCLSW/110/2025:    ANY OTHER BUSINESS

There was no other business

MIN/SEN/SCLSW/111/2025    ADJOURNMENT AND DATE OF THE NEXT MEETING

The meeting was adjourned at 12.47 p.m. with the next meeting being on notice.



SIGNATURE.....  
(CHAIRPERSON: SEN. JULIUS MURGOR RECHA, MP)

DATE: Friday, 16<sup>th</sup> May, 2025





**MINUTES OF THE NINETEENTH (19<sup>TH</sup>) MEETING OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD IN COMMITTEE ROOM 3, FIRST FLOOR, BUNGE TOWER ON THURSDAY, 10<sup>TH</sup>, APRIL, 2025 AT 11.00 AM.**

**MEMBERS PRESENT**

- |  |                            |
|--|----------------------------|
| 1. Sen. Julius Murgor Recha, CBS, MP   | - Chairperson              |
| 2. Sen. Crystal Asige, MP              | - <b>Vice-Chairperson</b>  |
| 3. Sen. Alexander Munyi Mundigi, MP    | - Member                   |
| 4. Sen. Lenku Seki Ole Kanar, MP       | - Member                   |
| 5. Sen. Beth Syengo, MP                | - Member                   |
| 6. Sen. Gloria Orwoba, MP              | - Member                   |
| 7. Sen. Miraj Abdulahi Abdulrahman, MP | - Member- <i>Virtually</i> |

**APOLOGIES**

- |   |          |
|---|----------|
| 1. Sen. (Rtd.) Justice Stewart Madzayo, EGH, MP | - Member |
| 2. Sen. Erick Okong'o Mogeni, SC, MP            | - Member |

**SECRETARIAT**

- |                        |                                |
|------------------------|--------------------------------|
| 1. Ms. Mwanate Shaban  | - Principal Clerk Assistant II |
| 2. Ms. Florence Waweru | - Clerk Assistant              |
| 3. Mr. Jackson Wekesa  | - Legal Counsel                |
| 4. Ms. Joy Kyalo       | - Fiscal Analyst               |
| 5. Mr. Frank Mutulu    | - Media Relations Officer      |
| 6. Ms. Ndindi Kibathi  | - Research Officer             |
| 7. Mr. Nicholas Arusei | - Audio Officer                |

**IN-ATTENDANCE**

**PETITIONERS**

- |                        |                               |
|------------------------|-------------------------------|
| 1. Mr. Lawrence Nduttu | - Chairman (Lead Petitioner)  |
| 2. Mr. George Njigu    | - Secretary (Lead Petitioner) |
| 3. Mr. Mohammed Said   | - Petitioner                  |

- |     |                      |              |
|-----|----------------------|--------------|
| 4.  | Mr. James Nginga     | - Petitioner |
| 5.  | Mr. Kenan Komora     | - Petitioner |
| 6.  | Mr. Mary Wambugu     | - Petitioner |
| 7.  | Mr. James Suiyanga   | - Petitioner |
| 8.  | Ms. Agnes Mburu      | - Petitioner |
| 9.  | Mr. Betty Mburu      | - Petitioner |
| 10. | Ms. Bernice Wangechi | - Petitioner |
| 11. | Mr. Andrew Nyarib    | - Petitioner |
| 12. | Mr. Julius Mulwa     | - Petitioner |

### **ADVOCATES COMPLAINTS COMMISSION**

- |    |                     |                           |
|----|---------------------|---------------------------|
| 1. | Mr. George Nyakundi | - Commission Secretary    |
| 2. | Mr. Kenneth Kikwai  | - Principal State Counsel |
| 3. | Ms. Mary Maina      | - Legal Assistant         |

### **KAPLAN AND STRATTON ADVOCATES**

- |    |                   |            |
|----|-------------------|------------|
| 1. | Mr. Peter Gachuhi | - Advocate |
| 2. | Ms. Sandra Mogeni | - Pupil    |

### **J. HARRISON KINYANJUI & COMPANY ADVOCATES**

- |    |                           |            |
|----|---------------------------|------------|
| 1. | Mr. J. Harrison Kinyanjui | - Advocate |
|----|---------------------------|------------|

### **MIN/SEN/SCLSW/112/2025: PRAYERS**

The meeting was called to order by the Chairperson at 11.19 a.m. followed by a word of prayer. This was followed by introductions from all present.

### **MIN/SEN/SCLSW/113/2025: ADOPTION OF AGENDA**

The Agenda was adopted after being proposed by Sen. Crystal Asige, MP and seconded by Sen. Miraj Abdulrahman, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Consideration of the Petition concerning the alleged failure by Kenya Breweries Limited, Kaplan & Stratton Advocates and Harrison Kinyanjui Advocates to pay compensation awarded to various Petitioners. (*Committee Paper No.14*);
4. Any Other Business; and
5. Date of the Next Meeting and Adjournment.



CONSIDERATION OF THE PETITION  
CONCERNING THE ALLEDGED FAILURE  
BY KENYA BREWERIES LIMITED, KAPLAN  
& STRATTON ADVOCATES AND  
HARRISON KINYANJUI ADVOCATES TO  
PAY COMPENSATION AWARDED TO  
VARIOUS PETITIONERS'

1. The Committee considered the Petition and briefed the advocates on the proceedings of the previous meetings with the Petitioners and the Advocate Complaints Commission (ACC) on the matter.
2. Mr. Harrison Kinyanjui, an advocate who had represented the Petitioners in court, claimed that he had not received the invitation letter and supporting documents, having only become aware of the matter through the media.
3. However, the Committee provided email evidence confirming that the letter had been duly sent on 3<sup>rd</sup> April 2025, thereby resolving the issue.
4. Additionally, Mr. Kinyanjui raised an objection on grounds of *sub judice* to prevent the Committee from considering the Petition. He was advised that, pursuant to the Speaker's ruling and the precedence on the same set on 2<sup>nd</sup> August, 2018 by the Speaker of the Senate on the Solai Dam, that despite matters being *subjudice*, matters concerning human rights and issues of public interest are admissible for consideration by Committees notwithstanding ongoing court proceedings. The Committee resolved that the matter touches on human rights and that is an issue of high public interest.
5. The Committee members requested that the Lead- Advocates guests take an oath prior to presenting their responses; and

**a) Submissions by Kaplan and Stratton Advocates**

1. The firm acknowledged receipt of the Senate's letter dated 2<sup>nd</sup> April, 2025, requesting a comprehensive response to the Petition;
2. They further confirmed that it acted for Kenya Breweries Limited (KBL) in the matter of HCCC 279 of 2003, where some of the Petitioners were plaintiffs. The firm had also been instructed to respond to the current Petition on behalf of Kenya Breweries Limited;
3. That the Petition concerned former employees of KBL who accepted early retirement during a corporate re-engineering and early retirement program exercise which occurred between 1997 and 2001, during which KBL offered an early retirement package;
4. The said package was voluntary and offered better terms than statutory redundancy packages and upon accepting the offer, employees were fully paid all entitlements as per the agreement. The package included-
  - i. Pay in lieu of leave (calculated on a pro-rata basis);
  - ii. Pay in lieu of 4 months' notice;
  - iii. 75% of basic monthly pay × number of years of service;

- iv. Wages and allowances earned up to last day of service; and
- v. 100% of gross monthly pay  $\times$  completed years of service.
5. That the case, HCCC No. 279 of 2003 was filed by some of the former employees who were initially represented by Gitobu Imanyara & Co. Advocates, but later split among- J. Harrison Kinyanjui & Co. Advocates, Namada & Co. Advocates, O.P. Ngoge & Co. Advocates and Otwal & Manwa & Co. Advocates
6. That Justice Dr. Sargon delivered judgment on 24<sup>th</sup> January 2018, ordering -
  - i. Declaration that the early retirement was unconstitutional and unlawful;
  - ii. One month's salary to each Plaintiff as damages.
  - iii. Refund of KES 30,180,685, allocated as- Namada & Co. Advocates: KES 20,775,144 and J. Harrison Kinyanjui & Co. Advocates: KES 9,405,541;
  - iv. Interest from the date of judgment; and
  - v. Costs to be borne by KBL.
7. That KBL believed the judgment was erroneous, arguing all dues had already been paid, Consequently, it filed a Notice of Appeal against the ruling on 6<sup>th</sup> February, 2018;
8. That Mr. Kinyanjui wrote to them on 29<sup>th</sup> March 2018 demanding payment via his clients' account and later sent signed discharge vouchers signed by all his clients on 4<sup>th</sup> July 2018, stating that payment would be in full and final settlement. KBL therefore, agreed not to pursue the appeal against Kinyanjui's clients in consideration of the discharge;
9. That KBL paid Ksh. 14,756,312.35 on 21<sup>st</sup> January 2022 via RTGS, including: Decretal sum, Interest (up to 31<sup>st</sup> Nov 2021) and Ksh. 1,000,000 in party and party costs. The payment was confirmed in a letter dated 20<sup>th</sup> December 2021; consent to mark suit as settled was signed and returned on 12<sup>th</sup> January 2022 and a further payment of Ksh. 62,878,663 was paid to 719 plaintiffs represented by Namada & Co., including, Principal amount, Interest and Party and party costs;
10. That KBL is ready to pay the 292 plaintiffs represented by Otwal & Manwa Advocates since an Appeal previously filed by this group had since been withdrawn; and
11. That the Petition appeared to be re-litigating issues already addressed and settled and that the firm did not acknowledge any failure on the part of KBL or its legal representatives to pay or account for any compensation.

**b) Submissions by J. Harrison Kinyanjui & Co. Advocates**

1. He stated that his firm represented a group of 125 former Kenya Breweries Ltd employees in a case involving compensation. The said individuals had initially been represented by other law firms but sought representation from Kinyanjui's firm due to financial difficulties;
2. The representation had been provided pro bono, with no legal fees involved during the entire course of the litigation;
3. The legal process for compensation was carried out according to the High Court's judgment in case NAIROBI HCC 279/2003. The Discharge Vouchers, as ordered by the court, were executed voluntarily by the beneficiaries;



4. Each of the Petitioners received their share of the compensation via Bankers Cheques, which were properly documented. No allegations of coercion or misconduct had been raised by any of the beneficiaries regarding the process;
5. That a dispute arose when Lawrence Nduttu, a representative of the plaintiffs, proposed a scheme to remit the funds to a collective group account (Ken-Brex Sacco), which he rejected as unlawful and fraudulent;
6. That despite the dispute, no formal complaints or accusations of misappropriation of funds have ever been made by any of the beneficiaries;
7. The firm has kept a record of all payments, and the individuals who received the compensation according to the court-approved Discharge Vouchers;
8. The case of Kenya Breweries Ltd compensating its former employees was ongoing, with some individuals seeking to challenge the judgment of Hon. Justice Serگون in HCC 279/2003, hence the Committee should cease consideration of the matter since it would amount to sub judice; and
9. Additionally, the firm appeared in the Court of Appeal in the case Lawrence Nduttu & Others v. Kenya Breweries Limited (Civil Appeal No. E069/2024) and will continue to defend the interests of the clients it represents.

**c) Committee observations and comments**

1. The Committee observed that Kenya Breweries Limited (KBL) had disputed the Petitioners' claims on the basis that all affected individuals had signed discharge vouchers, which clearly indicated that the payments received were in full and final settlement of all claims arising from the judgment;
2. The Committee further noted that the discharge voucher signed referred to paragraph 14 only and not the award of one month by the courts; and
3. The Committee further observed that the Advocates Complaints Commission had failed to adequately inquire into the complaint, thereby falling short of its mandate to uphold transparency and accountability.

**d) Committee resolution**

1. The Committee directed the Advocates Complaints Commission to arbitrate on the matter with a view to facilitating the enforcement of the judgment award- *particularly the payment of one month's salary and accrued interest to the Petitioners*- through the following proposed measures -
  - i. Obtain full disclosure from Kenya Breweries Limited (KBL) of all compensation disbursement records, and reconcile them with the amounts received by the Petitioners;
  - ii. Convene oral hearings with both law firms involved, requiring them to produce supporting documentation including: Fee agreements, Powers of Attorney (if any), Payment instructions, and Client account transaction records;
  - iii. Assess for any statutory, ethical, or fiduciary breaches in the handling of client funds or representation; and



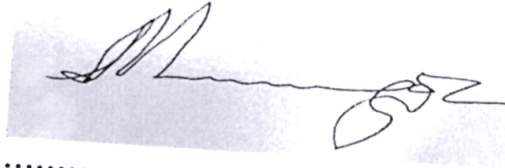
- iv. Examine the High Court file (HCCC No. 279 of 2003) alongside the current Petition to identify any overlaps, inconsistencies, or previously resolved issues.
2. The Committee resolved that the Commission report back to the Committee on status of implementation of the Court ruling on 8th May, 2025.

**MIN/SEN/SCLSW/115/2025:**    **ANY OTHER BUSINESS**

There was no other business.

**MIN/SEN/SCLSW/116/2025**    **ADJOURNMENT AND DATE OF THE NEXT MEETING**

The meeting was adjourned at 1.30 p.m. with the next meeting being on notice.



SIGNATURE.....  
(CHAIRPERSON: SEN. JULIUS MURGOR RECHA, MP)

DATE: Friday, 16<sup>th</sup> May, 2025



**MINUTES OF THE TWENTY-EIGHTH (28<sup>TH</sup>) MEETING OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD IN MINI CHAMBER, FIRST FLOOR, COUNTY HALL BUILDING, ON MONDAY 19<sup>TH</sup> MAY, 2025 AT 11.00 AM.**

**MEMBERS PRESENT**

- |   |                            |
|---|----------------------------|
| 1. Sen. Julius Murgor Recha, CBS, MP            | - Chairperson              |
| 2. Sen. Crystal Asige, MP                       | - Vice-Chairperson         |
| 3. Sen. (Rtd.) Justice Stewart Madzayo, EGH, MP | - Member                   |
| 4. Sen. Erick Okong'o Mogeni, SC, MP            | - Member                   |
| 5. Sen. Miraj Abdulahi Abdulrahman, MP          | - Member- <i>Virtually</i> |
| 6. Sen. Alexander Munyi Mundigi, MP             | - Member                   |
| 7. Sen. Beth Syengo, MP                         | - Member                   |
| 8. Sen. Gloria Orwoba, MP                       | - Member- <i>Virtually</i> |

**APOLOGIES**

- |                                  |          |
|----------------------------------|----------|
| 1. Sen. Lenku Seki Ole Kanar, MP | - Member |
|----------------------------------|----------|

**SECRETARIAT**

- |                        |                                |
|------------------------|--------------------------------|
| 1. Ms. Mwanate Shaban  | - Principal Clerk Assistant II |
| 2. Ms. Florence Waweru | - Clerk Assistant II           |
| 3. Mr. Jackson Wekesa  | - Legal Counsel II             |
| 4. Mr. Lomenen Junior  | - Media Relations Officer      |
| 5. Ms. Ndindi Kibathi  | - Research Officer III         |
| 6. Ms. Nigma Abdi      | - Research Officer III         |
| 7. Mr. Nicholas Arusei | - Audio Officer                |
| 8. Ms. Swaluha Yusuf   | - Protocol Officer             |
| 9. Mr. John Pere       | - Sergeant-at-arms             |

## **IN-ATTENDANCE**

### **PETITIONERS**

- |     |                      |                   |
|-----|----------------------|-------------------|
| 1.  | Mr. Lawrence Nduttu  | - Lead Petitioner |
| 2.  | Mr. George Njogu     | - Chairman        |
| 3.  | Mr. Mohammed Said    | - Petitioner      |
| 4.  | Mr. Jonathan Mwendwa | - Petitioner      |
| 5.  | Ms. Fatuma Chacha    | - Petitioner      |
| 6.  | Ms. Mary Watiri      | - Petitioner      |
| 7.  | Mr. David Mutuvi     | - Petitioner      |
| 8.  | Mr. Maurice Sakwa    | - Petitioner      |
| 9.  | Mr. Betty Mburu      | - Petitioner      |
| 10. | Ms. Elizabeth Nzuki  | - Petitioner      |
| 11. | Ms. Bernice Wangechi | - Petitioner      |
| 12. | Ms. Philip Kinyanjui | - Petitioner      |
| 13. | Mr. Andrew Nyaribo   | - Petitioner      |
| 14. | Mr. Dominic Ngure    | - Petitioner      |

### **ADVOCATES COMPLAINTS COMMISSION**

- |    |                     |                              |
|----|---------------------|------------------------------|
| 1. | Mr. George Nyakundi | - Commission Secretary & CEO |
| 2. | Mr. Dennis Njagi    | - Advocate                   |
| 3. | Mr. E-dris Ahmed    | - Advocate                   |
| 4. | Mr. Naghea Daido    | - Advocate                   |
| 5. | Mr. Victor Njenga   | - Advocate                   |

### **KAPLAN AND STRATTON ADVOCATES**

- |    |                   |            |
|----|-------------------|------------|
| 1. | Mr. Peter Gachuhi | - Advocate |
| 2. | Ms. Maria Ngala   | - Advocate |
| 3. | Ms. Sandra Mogeni | - Pupil    |

### **MIN/SEN/SCLSW/165/2025: PRAYERS**

The meeting was called to order by the Chairperson at 11.00 a.m. followed by a word of prayer. This was followed by introductions from all present.

### **MIN/SEN/SCLSW/166/2025: ADOPTION OF AGENDA**

The Agenda was adopted after being proposed by Sen. Alexander Munyi Mundigi, MP and seconded by Sen. Beth Syengo, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Meeting with Advocates Complaints Commission on the Committee resolution on mediation and review in relation to the Petition concerning the alleged failure by Kenya Breweries Limited, Kaplan & Stratton Advocates and Harrison Kinyanjui



Advocates to pay compensation awarded to various Petitioners. (*Committee Paper No. 22*)

4. Any Other Business; and
5. Date of the Next Meeting and Adjournment.

**MIN/SEN/SCLSW/167/2025: MEETING WITH ADVOCATES COMPLAINTS COMMISSION ON THE COMMITTEE RESOLUTION ON MEDIATION AND REVIEW IN RELATION TO THE PETITION CONCERNING THE ALLEGED FAILURE BY KENYA BREWERIES LIMITED, KAPLAN & STRATTON ADVOCATES AND HARRISON KINYANJUI ADVOCATES TO PAY COMPENSATION AWARDED TO VARIOUS PETITIONERS**

**A. Committee briefing**

1. The Committee considered the Petition submitted to the Senate on Tuesday, 18<sup>th</sup> February 2025 regarding the alleged failure by Kenya Breweries Limited (KBL), Kaplan & Stratton Advocates, and Harrison Kinyanjui Advocates to fully pay court-awarded compensation to former employees of KBL (the Petitioners).
2. The Committee noted that it had met the petitioners, the Advocates Complaints Commission and the Lawyers of the Party and at its meeting held on Thursday, 10<sup>th</sup> April 2025 with all the stakeholders present, the Committee directed the ACC to mediate and facilitate enforcement of the judgment award. Specific directions included:
  - a) Requesting full disclosure of all compensation disbursement records from KBL and reconciling these with what the Petitioners received;
  - b) Holding oral hearings with Kaplan & Stratton and Harrison Kinyanjui Advocates and demanding supporting documentation, including payment instructions, fee agreements, client account records, and powers of attorney (if any);
  - c) Reviewing for statutory, ethical, or fiduciary breaches in the handling of client funds;
  - d) Examining the court file in HCCC No. 279 of 2003 to identify overlaps or inconsistencies with the Petition.
  - e) The Committee requested that the ACC report back on the status of implementation of these directives by Thursday, 15<sup>th</sup> May 2025.
5. The Chairperson then invited the ACC to present their report.

**B. Presentation by the Advocates Complaints Commission(ACC)**

1. The Commission Secretary of the ACC began by acknowledging receipt of the Senate Committee's resolution on Tuesday, 22<sup>nd</sup> April 2025, regarding the Petition on the alleged failure by Kenya Breweries Limited (KBL), Kaplan & Stratton

Advocates, and Harrison Kinyanjui Advocates to pay compensation awarded to former KBL employees. The ACC emphasized its role in ensuring access to justice and legal ethics through mediation and structured review.

2. He explained that Kenya's advocate disciplinary process is co-regulatory, involving the Judiciary, Law Society of Kenya (LSK), ACC, and the Disciplinary Tribunal (DT). The ACC functions as an independent investigatory and prosecutorial body under Section 53 of the Advocates Act.
3. He described its investigative and disciplinary mandate under the Advocates Act, including receiving complaints, promoting ADR, referring matters to the DT, and awarding compensation up to Kshs. 100,000. It also outlined the In-House ADR (IHADR) process and situations appropriate/inappropriate for mediation.
4. He explained that the petition stemmed from Nairobi HCCC No. 279 of 2003, where approximately 6,000 ex-KBL employees sued for unlawful termination. Judgment in 2018 awarded various compensations. Mr. Harrison Kinyanjui, representing 125 claimants, received Kshs.14,756,312 in January 2022 via Kaplan & Stratton Advocates.
5. He stated that Petitioners accused Mr. Kinyanjui of overcharging, withholding money, and failing to appeal. ACC indicated that the complaint did not meet the threshold for professional misconduct and advised complainants to pursue the matter either before the DT or through a court of law.
6. He added that following Senate proceedings, two complainants filed new claims against Mr. Peter Mbuthia Gachuhi of Kaplan & Stratton. ACC concluded that the complaints were outside its jurisdiction as they concerned employer obligations and interpretation of discharge vouchers.
7. He reported that the ACC had convened oral hearings on Thursday, 8<sup>th</sup> May 2025 with both advocates. The sessions aimed to- verify fee agreements and client instructions, review payment records and interest calculations and assess the validity of discharge vouchers and their legal effect.
8. During the oral hearings, Mr. Harrison Kinyanjui stated that he had acted for 125 claimants upon their request. He confirmed receipt of the Kshs. 14.7M and disbursed funds via bankers' cheques, except for deceased claimants' estates lacking letters of administration. He denied wrongdoing and claimed his refusal to channel funds through a claimant SACCO led to the complaints; and
9. Mr. Peter Mbuthia Gachuhi confirmed KBL's position that the payment was in full and final settlement, as evidenced by discharge vouchers and court consents. He maintained that the interest was accurately computed and there was no pending litigation with the 125 claimants.



10. On its Findings and Legal Position, he reported that -

- a) The 125 claimants signed binding discharge vouchers releasing KBL from further claims;
- b) There was no fee agreement between Mr. Kinyanjui and the claimants, though Kshs. 55,000 was paid by each for disbursements;
- c) The claimants had not pursued judicial redress against the vouchers; and
- d) No proof of misappropriation by either advocate was found.

11. He concluded that only a court could interpret or invalidate the discharge vouchers and determine if the 1-month salary claim was excluded from the settlement.

12. He ended by citing several operational challenges faced by the institution and advised the Committee that mediation was inappropriate as the dispute was employment-related and involved a corporate defendant; and that the court is the appropriate forum for further resolution of the dispute concerning the 1-month salary.
13. They further informed the Committee that the Petitioners' advocate, Mr. Harrison Kinyanjui, had filed a Certificate of Urgency application before the High Court of Kenya seeking enforcement of the outstanding judgment sums, scheduled for Thursday, 22<sup>nd</sup> May 2025.

**C. Comments by Kaplan & Stratton Advocates**

Kaplan and Stratton maintained that it was KBL's position that the payment was in full and final settlement, as evidenced by discharge vouchers and court consents.

**D. Comments by the Petitioners**

The Petitioners had acknowledged their advocate, Mr. Harrison Kinyanjui, had filed a Certificate of Urgency and a motion before the High Court seeking enforcement of the outstanding judgment sums, and that they had expressed disappointment that, despite the favourable judgment delivered in 2018, they had not yet received the full compensation awarded by the court.

**E. Committee observations and comments**

1. Members of the Committee observed that there existed a legal ambiguity arising from the apparent contradiction between the discharge vouchers executed by the claimants and the consent recorded in court. It was noted that while the discharge vouchers appeared to signify full and final settlement of all claims, the consent suggested that only the award under paragraph 14 of the judgment had been settled.
2. The Committee acknowledged the submission by the Advocates Complaints Commission (ACC) to the effect that the claimants had voluntarily signed the



discharge vouchers, and that neither fraud nor coercion had been alleged or proved. The ACC had further stated that the language of the vouchers precluded further claims against Kenya Breweries Limited (KBL), and that interpretation of their legal effect could only be undertaken by a court of law.

3. Committee members further noted that the ACC had clearly indicated its lack of jurisdiction over employment disputes involving corporate entities such as KBL, and had advised the Petitioners to seek redress through the judicial process.
4. It was therefore the considered position of the Committee that the legal questions surrounding the validity, scope, and enforceability of the discharge vouchers and the court consent required interpretation by the High Court. The Committee emphasized that only a court of law could provide a binding and enforceable resolution, taking into account all relevant contractual and statutory considerations.

**F. Committee recommendation:**

The Committee recommended that, in light of the pending Certificate of Urgency application filed by the Petitioners' advocate, Mr. Harrison Kinyanjui, before the High Court seeking enforcement of the outstanding judgment sums, any further action by the Committee be deferred until the Court delivers its determination on the matter.

**MIN/SEN/SCLSW/168/2025: ANY OTHER BUSINESS**

There was no other business.

**MIN/SEN/SCLSW/169/2025 ADJOURNMENT AND DATE OF THE NEXT MEETING**

The meeting was adjourned at 12.35 p.m. with the next meeting being on notice.



**SIGNATURE.....**  
**(CHAIRPERSON: SEN. JULIUS MURGOR RECHA, MP)**

**DATE: Friday, 30<sup>th</sup> May, 2025**



**MINUTES OF THE THIRTY-SECOND (32<sup>ND</sup>) MEETING OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD IN LAKE NAIVASHA, SAWELA LODGE ON FRIDAY, 30<sup>TH</sup> MAY, 2025 AT 11.00 AM.**

**MEMBERS PRESENT**

- |   |                            |
|---|----------------------------|
| 1. Sen. Miraj Abdulahi Abdulrahman, MP    | - Member-                  |
| 2. Sen. Crystal Asige, MP                 | - Vice-Chairperson         |
| 3. Sen. Alexander Munyi Mundigi, MP       | - Member-                  |
| 4. Sen. Erick Okong'o Mogeni, SC, CBS, MP | - Member- <i>Virtually</i> |
| 5. Sen. Lenku Seki Ole Kanar, MP          | - Member- <i>Virtually</i> |
| 6. Sen. Beth Syengo, MP                   | - Member- <i>Virtually</i> |

**APOLOGIES**

- |   |               |
|---|---------------|
| 1. Sen. Julius Recha Murgor, CBS, MP            | - Chairperson |
| 2. Sen. (Rtd.) Justice Stewart Madzayo, EGH, MP | - Member      |

**SECRETARIAT**

- |                        |                             |
|------------------------|-----------------------------|
| 1. Ms. Veronica Kibati | - Deputy- Director, DDSEC   |
| 2. Ms. Mwanate Shaban  | - Principal Clerk Assistant |
| 3. Ms. Florence Waweru | - Clerk Assistant           |
| 4. Mr. Jackson Wekesa  | - Legal Counsel             |
| 5. Ms. Ndindi Kibathi  | - Research Officer          |
| 6. Mr. Nicholas Arusei | - Audio Officer             |
| 7. Ms. Swaluha Yusuf   | - Protocol Officer          |
| 8. Ms. Alice Nanyama   | - Executive Secretary       |
| 9. Ms. Julie Muchiri   | - Accountant                |
| 10. Mr. James Ngusya   | - Serjeant-at-arms          |

**MIN/SEN/SCLSW/189/2025: PRAYERS**

The meeting was called to order by the Chairperson at 11.15 a.m. followed by a word of prayer.

**MIN/SEN/SCLSW/190/2025: ADOPTION OF AGENDA**

The Agenda was adopted after being proposed by Sen. Alexander Munyi Mundigi, MP and seconded by Sen. Lenku Seki Ole Kanar, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Consideration of the Report on the Failure by Kenya Breweries Limited, Kaplan & Stratton Advocates and Harrison Kinyanjui Advocates to pay compensation
4. Any Other Business; and
5. Date of the Next Meeting and Adjournment.

**MIN/SEN/SCLSW/191/2025: CONSIDERATION OF THE REPORT ON THE FAILURE BY KENYA BREWERIES LIMITED KAPLAN & STRATTON ADVOCATES AND HARRISON KINYANJUI ADVOCATES TO PAY COMPENSATION**

**A. Committee briefing**

1. The Secretariat considered the draft report on the petition and noted the petition concerned the following issues -
  - a) Accusations of professional misconduct against an advocate, involving dishonesty and mishandling of client funds during the settlement of a matter;
  - b) Disputes by Kenya Breweries Limited regarding payment claims made by the Petitioners;
  - c) Concerns over discharge vouchers signed by the petitioners, indicating potential undue influence and incomplete information;
  - d) Allegations of professional negligence by Advocate Harrison Kinyanjui for not including a court-awarded payment in the settlement;
  - e) Criticism of the Advocates Complaints Commission for inadequate inquiry into the complaint, focusing only on professional misconduct; and
  - f) Advocate Harrison Kinyanjui's application seeking payment despite settling the matter by consent.

**B. Committee observations and comments**

1. The Committee noted that although the enhancement of professional conduct guidelines is important, greater emphasis should be placed on the enforcement of existing rules, as well as on improving the responsiveness and transparency of complaint-handling mechanisms; and
2. The Committee further observed that while follow-up actions and public awareness initiatives are necessary, such functions are more appropriately conducted by institutions mandated to provide legal aid and public education. The Committee recommended the development of coordination mechanisms to facilitate effective implementation without overstepping its oversight mandate.



C. Committee resolution

The Committee resolved that the consideration and adoption of the Committee Report be deferred until a sitting of the Committee with full membership is convened to enhance inclusive deliberations on it.

MIN/SEN/SCLSW/192/2025:    ANY OTHER BUSINESS

There was no other business.

MIN/SEN/SCLSW/193/2025    ADJOURNMENT AND DATE OF THE NEXT MEETING

The meeting was adjourned at 1.30 p.m. with the next meeting being on notice.



SIGNATURE.....  
(CHAIRPERSON: SEN. JULIUS MURGOR RECHA, MP)

DATE: Thursday, 19<sup>th</sup> May, 2025



**MINUTES OF THE THIRTY-NINTH (39<sup>TH</sup>) MEETING OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD IN HILTON GARDEN INN, MACHAKOS COUNTY ON FRIDAY, 13<sup>TH</sup> JUNE, 2025 AT 3.00 P.M.**

**MEMBERS PRESENT**

- |  |                    |
|--|--------------------|
| 1. Sen. Julius Recha Murgor, CBS, MP   | - Chairperson      |
| 2. Sen. Crystal Asige, MP              | - Vice-Chairperson |
| 3. Sen. Alexander Munyi Mundigi, MP    | - Member           |
| 4. Sen. Lenku Seki Ole Kanar, MP       | - Member           |
| 5. Sen. Miraj Abdulahi Abdulrahman, MP | - Member           |
| 6. Sen. Beth Syengo, MP                | - Member           |

**APOLOGIES**

- |   |          |
|---|----------|
| 1. Sen. (Rtd.) Justice Stewart Madzayo, EGH, MP | - Member |
| 2. Sen. Erick Okong'o Mogeni, SC, CBS, MP       | - Member |

**SECRETARIAT**

- |                        |                           |
|------------------------|---------------------------|
| 1. Ms. Veronica Kibati | - Deputy- Director, DSEC  |
| 2. Ms. Mwanate Shaban  | - Principal Clerk         |
| 3. Ms. Florence Waweru | - Clerk Assistant         |
| 4. Mr. Jackson Wekesa  | - Legal Counsel           |
| 5. Ms. Nigma Adow      | - Research Officer        |
| 6. Ms. Lomenen Junior  | - Media Relations Officer |
| 7. Mr. Nicholas Arusei | - Audio Officer           |
| 8. Ms. Alice Nanyama   | - Executive Secretary     |
| 9. Mr. James Ngusya    | - Serjeant-at-arms        |

**MIN/SEN/SCLSW/227/2025: PRAYERS**

The meeting was called to order by the Chairperson at 3.30 p.m. followed by a word of prayer.

**MIN/SEN/SCLSW/228/2025: ADOPTION OF AGENDA**

The Agenda was adopted after being proposed by Sen. Alexander Munyi Mundigi, MP and seconded by Sen. Lenku Seki Ole Kanar, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Consideration and adoption of Committee Report on the Petition concerning the failure by Kenya Breweries Limited, Kaplan & Statton advocates and Harrison Kinyanjui advocates to pay compensation awarded to Petitioners;
4. Any Other Business; and
5. Date of the Next Meeting and Adjournment.

**MIN/SEN/SCLSW/229/2025: CONSIDERATION AND ADOPTION OF COMMITTEE REPORT ON THE PETITION CONCERNING THE FAILURE BY KENYA BREWERIES LIMITED, KAPLAN & STRATTON ADVOCATES AND HARRISON KINYANJUI ADVOCATES TO PAY COMPENSATION AWARDED TO PETITIONERS**

The Committee considered the contents of the draft Report on the petition picking from where the discussion had stopped on Friday, 30<sup>th</sup> May, 2025.

**A. Committee Comments and Observations.**

1. The Committee observed that the matter under consideration has remained unresolved for over twenty years, despite various efforts by the Petitioners to pursue redress, which is both regrettable and indicative of systemic delays in addressing labour-related grievances.
2. The Committee noted that the Petitioners made serious allegations against their former advocate, Mr. Harrison Kinyanjui, citing professional misconduct, particularly relating to dishonesty and failure to account for client funds. The misconduct arose from a dispute regarding the appropriate legal fees and the omission of a one-month salary award granted by the court.
3. The Committee further observed that Kenya Breweries Limited (KBL), the former employer of the Petitioners, disputed the claims by asserting that all affected individuals had signed discharge vouchers indicating full and final settlement of claims. However, KBL did not provide any evidence to confirm payment of the one-month salary awarded by the court in its judgment.
4. The Committee noted with concern that Kaplan & Stratton Advocates, who represented KBL, referred to the amount paid as the "decretal sum", even though the payment excluded the one-month salary as expressly awarded by the court. The Committee considered this representation misleading and found it to reflect a lack of good faith on the part of Kaplan & Stratton.
5. The Committee also observed that, despite Kaplan & Stratton's claim that the matter was subject to an appeal, there was no stay of execution issued against the



High Court's decision. As such, the judgment remains in force and should be acted upon accordingly.

6. The Committee reviewed the discharge vouchers signed by the Petitioners and noted that they referenced paragraph 14 of the judgment—which did not include the one-month salary award granted under paragraph 20(b). Furthermore, the Committee expressed concern that the vouchers had blank spaces for the amount payable at the time of signing, which were later filled in by hand, with visible alterations and obscured signatures and stamps. This raised significant questions regarding the integrity of the process and whether the Petitioners gave fully informed consent.
7. The Committee found that the omission of the one-month salary from the discharge vouchers and the consent used to settle the matter reflected professional misconduct on the part of Advocate Harrison Kinyanjui. The Committee was of the view that the advocate failed to adequately safeguard the interests of his clients.
8. The Committee noted that the Advocates Complaints Commission (ACC), upon initial review, failed to adequately investigate the complaint lodged by the Petitioners. However, following the Committee's intervention, the ACC reopened the matter and concluded that the conduct amounted to "professional negligence". The Committee observed that this term is not recognised under the Standards of Professional Practice and Ethical Conduct (SOPPEC) applicable to advocates and, therefore, was inappropriately applied to absolve the advocate of responsibility.
9. The Committee further observed that the ACC, by using an undefined term and failing to directly address the omission of the one-month salary in its findings, fell short of its mandate as provided under section 53 of the Advocates Act.
10. The Committee also took note that, following the initiation of its inquiry, Advocate Harrison Kinyanjui filed an application under certificate of urgency on 17th May, 2025 seeking enforcement of the one-month salary award. The Committee noted that the application is currently pending before the courts.
11. Lastly, the Committee noted the ACC's position that only the courts can make a final and binding determination regarding the settlement of the one-month salary award granted in paragraph 20(b) of the judgment dated 24th January, 2018.

#### **B. Committee resolution**

The Committee adopted the Report on the Petition concerning the failure by Kenya Breweries Limited, Kaplan & Stratton advocates and Harrison Kinyanjui advocates to pay compensation awarded to Petitioners after being proposed by Sen. Crystal Asige, MP and seconded by Sen. Beth Syengo, MP.

#### **MIN/SEN/SCLSW/230/2025: ANY OTHER BUSINESS**

1. The Secretariat informed and reminded members of the following-
  - a) A communication from the Directorate of Legislative and Procedural Services on an invitation to a continental consultation meeting on a draft model law on Labour Migration in Africa, 16<sup>th</sup>-18<sup>th</sup> June, 2025 in Nairobi.

- b) Committee consultative engagement retreat with the Cabinet Secretary, Ministry of Gender, Culture, the Arts and Heritage in Machakos County, from 18<sup>th</sup> -21<sup>st</sup> June, 2025;
  - c) End of FY 2024/25 committee performance review and work planning retreat for the FY-2025/26 in Machakos County from 25<sup>th</sup> -28<sup>th</sup> June, 2025.
  - d) The deferred Committee inquiry on the fate of candidates shortlisted for the diaspora jobs program under the Ministry of Labour & Social Protection (Statement sought by former Senator, Gloria Orwoba, MP)
2. The Chairperson then informed the Committee of emerging concerns regarding compliance with Occupational Safety and Health standards in workplaces across the Country.

**Committee Comments and resolutions on AOB;**

- a) **On the continental consultation on the draft model law on labour migration**, the Committee welcomed the invitation and acknowledged the significance of the forum in shaping regional standards and aligning Kenya's legal framework. However, the Committee noted that the scheduled dates coincided with prior commitments by Senators, including county oversight visits and participation in other international engagements.
- b) **On the consultative retreat with the Ministry of Gender, Culture, the Arts and Heritage**, the Committee noted the importance of the engagement as an opportunity to enhance collaboration and address key policy and legislative priorities within the gender and cultural sectors. The Committee confirmed its participation in the retreat.
- c) **On the Committee Performance Review and Planning Retreat**, the Committee underscored the importance of the retreat for assessing its performance during the FY 2024/25 and for developing a structured and strategic work plan for FY 2025/26 and confirmed its participation.
- d) **On the deferred inquiry into the Diaspora Jobs Programme**, the Committee reaffirmed the need to prioritise the matter and agreed to resume its consideration in July 2025, following the conclusion of the recess period.
- e) **On Occupational Safety and Health Services (OSHS)**- The Committee noted that the issue falls within its oversight and legislative mandate and agreed on the need to consider undertaking an inquiry or targeted oversight activity in FY 2025/26 to inform potential legislative or policy interventions to strengthen workplace safety and health standards.

MIN/SEN/SCLSW/231/2025

ADJOURNMENT AND DATE OF THE NEXT  
MEETING

The meeting was adjourned at 4.30 p.m. with the next meeting being on notice.

A handwritten signature in black ink, appearing to be 'J. Murgor Recha', written over a light blue rectangular stamp.

SIGNATURE.....  
(CHAIRPERSON: SEN. JULIUS MURGOR RECHA, MP)

DATE: Thursday, 19<sup>th</sup> June, 2025