



**REPUBLIC OF KENYA**

**IN THE MATTER OF THE SECOND SCHEDULE, ELECTIONS ACT, 2011.**

**IN THE MATTER OF BREACH OF THE ELECTORAL CODE OF CONDUCT BY  
HON. WANJIRU CHEGE, MURANG'A COUNTY WOMAN MEMBER OF THE  
NATIONAL ASSEMBLY**

**RULING**

The Commission's Electoral Code of Conduct Enforcement Committee was ready to proceed with the hearing and determination of the case against Hon. Sabina Chege (Respondent) on breach of the Electoral Code of Conduct specifically breach of Clause 6(a) and 6(l) of the Electoral Code of Conduct.

The Committee has heard the application of Counsel for the Respondent seeking an adjournment for the singular reason that the Respondent Hon. Sabina Chege is unwell and allegedly admitted at Nairobi Hospital since 16<sup>th</sup> February, 2022.

Counsel has submitted that it is not certain when she will be discharged from hospital.

Counsel has produced a document authored by a Dr. Eric Munene Muriuki addressed "to whom it may concern". The letter indicates that Hon. Chege was admitted at Nairobi Hospital from 16<sup>th</sup> February and is undergoing treatment and that she is unable to attend any of her duties. The letter is dated 21<sup>st</sup> February, 2022. The Counsel has sought an adjournment in the premises.

This Committee has considered the application by Counsel for the Respondent and noted the letter by Dr. Eric Munene Muriuki addressed "to whom it may concern.

This Committee is also alive to the Constitutional safeguards requisite for a fair, just and expeditious hearing.

The Committee appreciates that whereas the Respondent is entitled to the constitutional right to attend a hearing in her respect, the delay in the hearing and determination of a matter such as the present one touching on breach of the Electoral Code of Conduct would in itself be defeatist of the very purpose of the Code.

This Committee therefore gives direction as follows:

1. That the application for adjournment is allowed.
2. That this matter shall proceed to full hearing on Tuesday 8<sup>th</sup> March, 2022 at 9.00 am at the Commission Boardroom, 6<sup>th</sup> floor, Anniversary Towers.
3. That for purposes of preserving the sanctity of the hearing of this case on breach of the Electoral Code and so as to avoid prejudices to the fair determination of this case, the Respondent Hon. Sabina Chege is directed either by self or through Counsel to refrain from commenting on the case in public fora. The Respondent and Counsel will no doubt have opportunity to canvass their case before the Committee on the appointed date.
4. The Counsel for the Respondent to be favoured with the documentation sought. The Secretariat to facilitate.

These are our Orders.

Dated and Signed at Nairobi this 22<sup>nd</sup> day of February, 2022

Wafula W. Chebukati .....  
Chairperson

Irene Masit.....  
Member

Mr. Boya Molu.....  
Member

Mr. Justus Nyang'aya.....  
Member

Mr. Francis Wanderi.....  
Member