

Statement issued on Tuesday
10.05.2011 by the Assistant
Minister of State for Provincial
Administration & Internal Security.

MINISTERIAL STATEMENT ON THE CIRCUMSTANCES UNDER WHICH MR. BERNARD KIMELI WAS MURDERED.

[Signature]

Mr. Speaker Sir, on Tuesday 3rd May, 2011 Hon. Gitobu Imanyara, the Member of Parliament for Imenti Central, rose on a point of order seeking a Ministerial Statement in regard to the circumstances under which a former Senior Police Officer, Mr. Kimeli was murdered.

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In the statement, the Hon. Member wanted to know:

- (i) Whether or not Kimeli was not a witness in the Waki Commission and he gave very confidential information before that Commission.
- (ii) He also wanted to know if the officer was listed as one of the ICC witnesses and whether he was due to fly out of the country at the time he was murdered.
- (iii) Finally, he wanted the Minister to apprise the House on whether Investigations will be carried out by the same police officers who may be implicated.

Mr. Speaker Sir, the late Bernard Kimeli was until his retirement in the year 2008 the Commandant of Kenya Police Training College. At the time of retirement, the deceased was a Senior Deputy Commissioner of Police.

On the 26th April, 2011, the deceased was at his house in Muguga Green Estate watching football together with his son Nicholas Kimeli and Eric Mutua, a University student whom he had contracted to offer extra tuition to his son. At about 10.30pm, after watching the first half of the game, the

deceased retired to bed leaving his son Nicholas Kimeli and Eric Mutua who continued watching the game until 11.30pm.

Mr. Speaker Sir, immediately after the game, the son Nicholas checked to confirm that all the doors were properly locked and secured. Nicholas and Eric Mutua then retired to the Servant quarters to sleep after ensuring that the door leading to their quarters was securely locked.

The following day, the two boys woke up at 4.30am in order to do their revision in the dining room as was their routine. However, when Nicholas (son to deceased) knocked the door to the main house and received no response from his father, he decided to go back to his room and wait until he wakes up. At about 8.00am, the son who found it unusual for his father to sleep up to that time, decided to try another door leading to the main gate but was surprised to find the main door and their gate wide open. When he entered the main house he found a trail of blood and his father's body lying near the fire place.

Mr. Speaker Sir, Nicholas immediately called his mother Margaret Kimeli who had travelled upcountry to their Lessos farm in Nandi. She informed the police who immediately visited the scene and commenced investigations.

The deceased had three stab wounds and one gunshot wound on the left upper arm. Police also recovered one spent cartridge and one live ammunition both of 9mm calibre and a blood stained knife. From the bedroom of the deceased, one pistol a Vector serial number BDH091 with

10 rounds of ammunition and 5 rounds of .38 special were also recovered. The firearm was later confirmed as belonging to the deceased who was holder of a civilian firearm license No. 2617. The Police also discovered that only one mobile phone belonging to the deceased was stolen.

Mr. Speaker Sirs, the body was later moved to Lee Funeral home where a postmortem was later performed. The pathologist was of the opinion that the deceased died due to severe chest and abdominal injuries due to a single gunshot.

Investigations are still ongoing and so far the following witnesses have recorded statements:

- 1 Margaret Irima Kimeli- First wife of the deceased who is a police officer based in Thika. On the fateful night she was away in their Lessos farm together with her house girl Faustine Mulebani and her 11 year old daughter Mary Wawira Kimeli;
- 2 Nicholas Kimeli- Son to the deceased who is a form three student at Lukenya High School and who discovered the body of the deceased;
- 3 Eric Mutua- A University student at JKUAT who at the time was contracted to offer extra tuition to Nicholas;
- 4 Ernest Otode Owade- Gardener who had just reported on duty that morning;
- 5 No. 68205 PC. David Musyoki and No. 88513 PC Simion Lokotodo- police officers who were guarding the house of a senior police officer in the neighbourhood;
- 6 Jacob Wanjala- A watchman who was guarding the Main gate leading to the court of the residential area;

- 7 John Nyaga- A neighbour and a state counsel;
- 8 Daniel Limo Komen- Driver employed by the deceased who on the fateful night had travelled with the wife to the rural home;
- 9 No. 42816 Sgt. James Micheni- An officer currently attached to the Tourist Police Unit Nairobi and a former official driver of the deceased;
- 10 No. 41853 Sgt. Christopher Kemey- A brother to the deceased based at Makalda Police Station who has land dispute with the deceased;
- 11 No. 88370 PC. Felis Meli Kimurgo- Son of the deceased based at Malaba Police station;
- 12 Chistopher Mwaniki Karuri- Employee of the deceased and the Marketing Executive at his Bimani Enterprises company in Nairobi;
- 13 Rooney Ndungu Njeri- Employee of the deceased and the Manager of Bimani Enterprises;
- 14 James Kemey- Brother to the deceased who witnessed the postmortem;

Mr. Speaker Sir, the motive of this heinous crime has not yet been established though investigations are still ongoing.

The Police Investigating team has no information so far as to whether the deceased was a witnesses in the Waki Commission on Post Election Violence, neither have they any clue as to whether he gave very sensitive information as a witnesses before the Commission.

In conclusion **Mr. Speaker Sir**, the Police Investigating team has not received any information as to whether the deceased was listed as one of

the witnesses at the ICC and that he was due to fly out of the Country as a witness, at the time he was murdered.

Police Officers have not been implicated in the murder. However, I wish to assure this House that any person, be it a police officer or not, implicated in this murder will be brought to book.



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| **MINISTER OF STATE FOR PROVINCIAL
ADMINISTRATON AND INTERNAL SECURITY**

10th May, 2011