

**CABINET IN CRISIS**

# Murgor loses passport case against the State

By WAHOME THUKU

Former public prosecutions boss Philip Murgor yesterday failed to stop the Government from revoking his passport and firearms certificate.

High Court judge Roselyne Wendoh also declined to stop the police from arresting and prosecuting Mr Murgor in connection with the Goldenberg scandal. But she ordered that a case filed by Mr Murgor against five senior Government officials be heard on Monday.

The former DPP claims the move to take away his passport was intended to stop him from travelling to the United Kingdom to meet former permanent secretary John Githongo.

He had recently been in touch with Mr Githongo and was to accompany the Public Accounts Committee to London to record his evidence on the Anglo Leasing scandal, the court heard.

"I intend to travel soon and this, known to the security apparatus, is the primary reason why the Narc administration would like to restrict my movements out of the country on any pretext," he told the court through lawyer Cecil Miller.

**Goldenberg affair**

Mr Murgor was among 22 people ordered to return their passports and firearms pending further investigations into the Goldenberg affair.

His passport was issued on May 9, 2003 and the guns permit in March 1991.

Mr Murgor named the attorney general, the police commissioner, chief firearms licensing officer, principal immigration officer and government spokesman Alfred Mutua as respondents.

He sought to have the immigration officer stopped from retrieving, impounding or withdrawing his passport and the firearm licensing officer prohibited from revoking his certificate or withdrawing the weapons pending the hearing of the case.

He also wanted the police commissioner ordered to provide him and his family with 24-hour police security.

**Detailed account** In a 17-page court statement, Mr Murgor gave a detailed account of his life in private practice and as DPP. He narrated how a Cabinet minister, senior government officials and police bosses had frustrated his efforts to streamline the department.

He described his role at the Goldenberg Inquiry and in the investigations into the Anglo Leasing scandal that led to his sacking in May last year.

Mr Murgor said that, as DPP he had



Photo:Paul Waweru

**Mr Philip Murgor peruses a document in a Nairobi court yesterday during the hearing of his application over his passport.**

been involved in the prosecution of high-level drug trafficking, terrorism and murder cases and his life was eminently in danger.

In 2004, strange men went to his home at night demanding to talk to him and prompted guards manning his gate to shoot in the air.

His police bodyguards were withdrawn six months after his sacking. Mr Murgor said he had given his

weapons to Armatech firearm dealers this week and not to the police.

Lady Justice Wendoh said the AG had the power to arrest and prosecute suspects and the court could not interfere with that authority.

The judge said the 2004 incident at Mr Murgor's home was common in Nairobi and was not enough to prove that his life was in danger.

adversely mentioned alongside former Cabinet colleagues Kiraitu Murungi and Finance minister David Mwiraria, who have since resigned to pave the way for the KACC investigation.

Dr Murungaru was yesterday taken to court by KACC for failing to declare his wealth and its source to the anti-graft watchdog.

Passports of at least 16 other prominent people in the Kano and current regimes, including former Education minister George Saitoti, have been seized as the investigations continue.

Others include former President Moi's sons - Gideon and Philip and former director of public prosecutions Philip Murgor.

**ADMISSIONS**

## I did not resign from Cabinet, I was sacked, reveals Kiraitu

By NATION Correspondent

**F**ormer Energy minister Kiraitu Murungi yesterday disclosed that his departure from the Cabinet was a sacking, not a resignation as earlier reported.

In his TV statement announcing the departure of Mr Murungi and Education minister George Saitoti earlier this week, President Kibaki said he had "accepted their resignations".

The President's statement came amid growing resignation demands on Mr Murungi, Vice-President Moody Awori, Prof Saitoti and others mentioned in the Goldenberg report and in connection with the Anglo Leasing scandal.

Yesterday, in a show of solidarity, Mr Murungi appeared in court where former Transport minister Chris Murungaru was to answer to a charge of failing to give information to the Kenya Anti-Corruption Commission.

Seated next to Dr Murungaru, Mr Murungi blamed the media for his tribulations, accusing them of hounding him out of office.

"You have accused me, prosecuted me, convicted me and got me sacked," stated Mr Murungi and asked: "So what else do you want from me?"

His and Prof Saitoti's positions became untenable after the BBC aired an interview with former Ethics and Governance permanent secretary John Githongo on corruption in Kenya and the release of the report on the Goldenberg Inquiry.

Both the former ministers had tried to distance themselves from the accusations raised in the scandals and had ruled out resigning.

Prof Saitoti had claimed that his indictment in the Goldenberg report was aimed at sacrificing him.

Yesterday, Mr Murungi brushed aside questions from reporters, saying: "You, journalists have harassed me enough. Go and speculate as you have been doing and I am not talking to you."

Mr Murungi said he was in court on official duty, adding: "A court is a public place. It is open to every citizen who wants to access justice, and the media have no right to ask me why I am here."

Also present in the courtroom was the former personal assistant to President Kibaki, Mr Alfred Getonga. He sat to Dr Murungaru's right.

They had a brief chat before Mr Getonga held a long discussion with Mr Kioko Kilukumi, one of three lawyers who appeared for Dr Murungaru.

## Ex-minister now accuses media of having him fired

## Catholic Church to lead prayers for success in war on corruption

By NATION Correspondent

The Catholic Church has organised a series of prayers from tomorrow for the success of the war on corruption by the Government.

Kenyans have been invited to attend the first prayer meeting to be held at Our Lady of Visitation church, Makadara, from 10am.

In a statement, Nairobi archbishop Ndingi mwana'a Nzeki has also invited President Kibaki, politicians, members of the civil society and the diplomatic community to attend the national prayers.

Said he: "All Christian churches and denominations, Muslims, Hindus, Sikhs, Buddhists and adherents from all

religions are invited to attend the prayers organised by the Archdiocese of Nairobi."

Releasing a schedule of the planned prayers, the prelate said the prayers would also be held on February 26, at the University of Nairobi's Lower Kabete campus and on March 5 and 12 at the Holy Family Basilica from 11.30am.

"The Archdiocese of Nairobi will lead Kenyans in praying for the President's strength, wisdom, and courage to tackle the difficult issues arising in the battle against grand corruption," said the archbishop.

Corruption, he said, was fuelling inequality and perpetuating injustice, which could lead to failure of Kenya as a nation.

## Britain to help recover looted cash

By NATION Correspondent

The British government is keen on helping Kenyan authorities trace and recover stolen public funds stashed in its banks.

High commissioner Adam Wood said the two countries were bound by a United Nations convention, of which they are signatories, to "identify and recover assets from convicted persons."

Britain was closely following corruption investigations by the Kenya Anti-Corruption Commission (KACC), said Mr Wood.

"What's important now are the investigations, which are remarkable, as Kenyans have found their voices," said the envoy.

KACC investigations follow two mega corruption scandals - Goldenberg and Anglo Leasing - perpetrated by government officials in former and current regimes respectively.

Mr Wood also brushed aside accusations that former Ethics and Governance permanent secretary John Githongo was a British spy. They should not be taken seriously, he said.

Among those being questioned by KACC is former Transport minister Chris Murungaru, whom the UK banned from setting foot on its soil.

The United States followed suit by denying him visa.

In Mr Githongo's corruption dossier, Dr Murungaru was

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