

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 26th November, 2019

The House met at 2.50 p.m.

[The Temporary Deputy Speaker (Hon. (Ms.) Mwikali) in the Chair]

PRAYERS

MOTION

**REPORT ON THE PWDS STAKEHOLDERS' FORUM HOSTED BY ACTION-AID
KENYA**

(Hon. (Ms.) C. Koki on 26.11.2019)

(Resumption of Debate on the Motion tabled on 26.11.2019)

Hon. Temporary Deputy Speaker: Under this motion, Hon. Members, I had already proposed the question; it was on the motion that was done by the Hon. Christine Koki in the morning on behalf of the chairman youth, women, PWDs and sports committee. Therefore, I invite you, Hon. Members, to proceed on the debate. Hon. Justus Katumo.

Hon. Katumo: Thank you, Hon. Speaker, for this opportunity you have given me to contribute to this important motion before us on youth, women, PWDs and sports committee, report on the PWDS stakeholders' forum, which was hosted by Action-Aid Kenya on September, 2019.

Firstly, I want to thank the committee for this good work they have done and to say that, of course, I as Justus Katumo the representative of persons with disabilities Machakos County and the theme that we have is to make sure that the people that we represent would lead a decent livelihood and we do not want to leave them behind and the observations and recommendations that I find in this report are quite healthy towards achieving these goals.

Firstly, the report talks about offering or according to the PWDs, a friendly environment to work and this is very key beginning with the Assembly itself where us as the representative with my colleague Hon. Jacinta, we also find it difficult to work from here because the environment is not very friendly sometimes and therefore we would wish the recommendations that are made in this report are followed to the letter.

Outside for our constituency, the members, we represent they also require that friendly environment work. For the last one year also we have been requesting friendly kiosks to be done and of course, apart from kiosks, the report talks about the five percent of employment that

should be done. We have not seen that efforts and therefore this report is an eye-opener to make sure that part of the recommendation is implemented.

Madam Speaker, the report talks about something very important that Action-Aid Kenya, as an organization, wishes that the stakeholders in Machakos County, in particular, will work towards supporting disability organizations to make sure that they uplift the economic status and the way of living of PWDS of Machakos County.

Now we have done budgets in terms of making sure we have things like revolving funds and activities that will guide and make sure that people with disabilities also are accorded economic environment where they can work, they can earn and we have groupings, self-help groups, CBOs that go along in alignment to the act to make sure that people come together and they are also empowered economically.

Secondly, I have also found the report something very interesting; that apart from empowering the people with disabilities with economic socio-cultural aspects of life, there is a greater need of sensitizing even other greater members of society including MCAs. The report here says that even our political leaders and other leaders in society need great sensitization to make sure the issue of disability mainstreaming the issues of inclusion are part and parcel of our daily work including the laws that we make every day and policies.

Madam Speaker, the report also talks about barriers, making sure that we remove all barriers that hinder the attainment of better livelihood for PWDS. There are so many barriers that we see every day and I want to cite one example that even in our public participation in the Act that we passed in the last Assembly does not provide for making sure that persons with disabilities attend and they are able to contribute positively. Why do I say this? Because I have attended many as a MCA representing the whole county, I go to every ward and every sub-county to make sure that I also represent my people.

I have never seen a sign language interpreter, I have not seen a braille form of the legislation that we are taking to mwananchi and therefore how do you expect them to contribute and sometimes I attended the last one here at the social hall; actually the social hall was being used and therefore we were taken to a small corner of the compound under a tree on a rough ground. How do you expect?

Therefore we are saying in this particular moment in time, I would wish even we amend this Public Participation Act and make sure it includes such and becomes part and parcel of the Acts and make sure that these things are done to make sure that we involve them. There is need of course to amend the law.

Madam Speaker, the report also talked about issues of procurement, issues of contracting and I am wondering, actually, I requested a report from this County Assembly from the time of inception to know how many tenders have been given to PWDs and you find out that, in fact, it is only one tender that was given for buying this lawnmower; a single one and that was it. Therefore it beats logic why we can't follow the laws that are laid and the provisions that guide us.

I found the report especially part 3.0, paragraph two; in the line 3(b) 'the government still has the responsibility to take steps towards the full realization of the rights of PWDs.' Now the report here becomes ambiguous; is it the County Government or is it the national government? Now I think we are dealing with the County Government and therefore it is important to address them specifically.

Secondly, I have also noted in the report that they are heavily talking about the Disability Act of 2003; I think they should have customized the same to the Machakos Disability Act of 2016 that needs a lot of implementation.

Madam Speaker, I think the field is very clear that if we are to realize part of the recommendations here, we need to revisit and make sure the Act that is inclusive of the above items is operationalized and implemented to the letter. Actually, Machakos County Disability Act was done in 2016; from 2016 to date is how many years? You see the County Government, the executive, cannot be very serious. There is no need for us to work extra hard to make sure that we have laws that are relevant and that should be acted upon and then two years three years down, the line there is nothing happening and we have a lot of issues that we need to do.

Madam Speaker, this coming week you know, of course, we will be on Tuesday we will have the UN Disability Day that will be held in Kangundo and Madam Speaker, if we want really to pull along this constituency, then the County Government needs to do more. Right now from last financial year, we have been allocating a lot of resources to make sure that this 41st ward is not left behind.

I am happy because we have an allocation a budget that is done every other year, even in the supplementary budget we did last week, there is also some budget that was done and it is my call and appeal to the executive the money that that we give them for the purposes of PWDs, they should use them prudently. As I stand here in the last financial year we gave about Ksh. 25 million and we have not seen even a single shilling doing anything. It is my hope the money is still there and therefore the money is going to be used for buying wheelchairs, that are mobility devices, for making sure these groups and these PWDs wherever in this county are given money to do business.

You see they are also given jobs; they are also given disability-friendly kiosks. Two weeks ago we were at the Machakos Level V hospital and we had a partner who had come to distribute some wheelchairs, some crutches, a lot of many things and therefore the County Government was also invited. The CEC Member was there, the Chief Officers in charge of social welfare was there and we gave a lot of these devices. I still have more to give but my worry is partners are doing something to this county and to this constituency but the County Government actually is doing almost nothing that we can see.

Therefore, it is my appeal that of course according to this report, we need sensitization for Members even in this County Assembly to understand the issues that go along to make sure that they also help us. Last week, Madam Speaker, as I finish, you saw an article that a crawling family, we have a crawling family in Mitaboni ward; Hon. Fredrick Muthoka was there.

Last week, the mover of the motion was there she spoke up to last, is it Saturday, she was also speaking on the radio saying that the government should do that; we have families who are suffering, we have individuals who are suffering. Actually, when I saw the clip and we have a whole family and they are blessed because they have so many children but who are becoming disabled at a certain age level of their life, it is a call for each one of us to make sure that we do what we can to help.

Every elected member in their ward they have PWDs and it is the best interest of every one of us to make sure that we support and to make sure that we keep the government on its toes to play their part. Once we have given them budget, then why is it difficult for them to spend that money that we have given them, and therefore, Madam Speaker, I support. Thank you.

Hon. Temporary Deputy Speaker: Thank you, Hon. Justus Katumo. Hon. Thomas Mutinda.

Hon. Mutinda: Thank you, Madam Speaker. I start by thanking the committee, for the good work done and Madam Speaker, I want to say the issue of disability should be taken seriously. We are moving well but we are but we are the people who will be in that category tomorrow so we should prepare the ground and as we see those who are there, we should take them to be our brothers, our sisters and have equal chances of doing whatever we can do, Madam Speaker.

When you see where we are, even the way to walk to where you are seated is not disability friendly so it should be taken that even the public buildings for government, the private buildings for businessmen should be disability-friendly so that everyone is able to walk and go wherever he or she wishes to go.

Madam Speaker when you go even to the transport sector, the way the physically challenged board the vehicles, is a challenge. When you go to other countries even the vehicle have the equipment to pick the person and have a special place to sit in the vehicle. So we should move towards that direction and not a matter of one has a wheelchair and the wheelchair is put in the matatu up there and the person is seated somewhere. We should look for a way so that these members of the community are taken care of, Madam Speaker.

When you go to other issues, the issue of braille for those who read using the sign languages, you see even the equipment, even the facilities, even the schools to train such people are not enough. In Wamunyu you find children going to a school in Makeni; a very big distance. So such facilities should be brought on board so that our people do not move so much distance.

Madam Speaker, a lot needs to be done and this issue of PWDs needs to be taken seriously. When you go to a budget, we have budgeted funds to have them supported, but you go there and you find not much has been executed towards the physically challenged. We allocate money but they are not executed towards the purpose. Therefore, it is upon this House to ensure that budgets aimed at checking the welfare of the PWDs is executed and goes towards helping those members of the community.

Madam Speaker, there is a lot to be done. If you go to the Public Procurement and Asset Disposal Act 2015, they have 30 per cent with the other marginalized groups, the women, the youth, and PWDs but when you go to the institutions, the women and the youth have taken the share for the PWDs so there should be that separation so that the PWDs get their share.

It is just recently last week when we passed our budget, that budget has the 30 per cent of the marginalized group but it is upon the sectoral committees of this House to get hold of the departmental heads there and ensure that the budget given to each department, the share for the PWDs goes to those people so that we don't continue staying with them and they are not gaining anything.

An entity like this one, the County Assembly, if we ask; how many businesses what volume of business have we given to PWDs. You find it may be very minimal or even nil. So, Madam Speaker I think there is need to do an audit and as we talk of next week that we are celebrating their day, what is there to celebrate if we take for a year, how have we supported them. We have to have a way to say we have supported them this way, but there is nothing which is going on. So, Madam Speaker, I think a lot has to be done and even when you go to the

employees, those who have employed, an entity like this one, we should ask how many employees are of that category?

When you go to the retirement age, you find that retirement age is 60, they are only given an extra of five years; they should even retire at 70 not even 65. So, a lot needs to be done so that this category of our people is supported. They are our brothers, they are our sisters and we are the candidates to be the PWDs; not them it is we. We are almost there so we should know that it is for everyone.

So, Madam Speaker, I think it is important that we consider them even when you see things like provision of chickens, a group of PWDs should be considered and one person gets so many because that is the work they can do but, you find a group is getting either 400 and any other group is getting 400. A PWDs group should get even ten times because that is what they can do and that can help them to rise economically.

So with those few remarks, Madam Speaker, I support and say the county and even the national government should take it seriously that these categories of people are taken care and these people are with us we feel that they are at their own place.

Hon. Temporary Deputy Speaker: Thank you, Hon. Thomas Mutinda. Hon. Fredrick Mbuva.

Hon. Muthoka: Thank you, Madam Speaker. I also belong to this committee and I want to thank members for a well-written report. We should also do, as a county, sensitization process or education to our people because this family Hon. Katumo is referring to, it was only brought up the other day. The family has been like hiding and not even exposing the members. Even as late as last year, there is a girl who was working in Nairobi December, but as we are speaking now, already she has started crawling even she is blind.

So, if this issue had been taken over by that time, maybe we could have saved that girl and I can report here as a County, we have registered them with NHIF cards and the doctor here in Level V hospital is taking up the matter. So as a county, we have a village administrators and I think we should do as a census to know how many are they in our society because now even if I ask you how many PWDs we have in Machakos County, we don't know. So I think we should collect that data and we know who has this talent, which talent we enhance it.

On the issue of youth, we passed here a budget and we said every ward will benefit with Ksh. 1 million for grading; I can urge this House and the executive that if we can sit down and this Ksh. 1 million we say half a million go for fuel and half a million we do *Kazi kwa vijana*. Some roads we can recruit some youths and they do the roads, at least we see we empower these youths because the rate of unemployment in our county is alarming. We have to do something about it. Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Thank you, Hon. Fredrick. Hon. Kisini.

Hon. Kisini: Thank you, Madam Speaker. I want to commend on the mover of the motion and the report entirely because it is a good and fair report which has reported what has been seen as the need of the disabled. Again, I also want to give credit to Action Aid organization, which seems to be taking care of the disabled of this country even more than the counties and even more than the government.

I want to go on the observations and say that the report has really highlighted what is happening to the disabled people. Much of the report which has touched me is about the inhumane that is there because we have seen that in some parts there are those who are chained on the beds there are those who are locked in the houses. That is very inhuman Madam Speaker, which should be addressed and I think it is the high time we should do some research, we should see in our wards who are these who are mistreated because they are there and they are many and they might be suffering.

So, I want to say the report there has really touched us because of that inhumanity apart from the other things which have been touched, there might be people who are suffering in our houses who even don't see sunshine to get that energy. I also want to say as the law requires that both the public and private sector employers 5 per cent, we don't follow to that one; they have also neglected on that one. Right away about the 30 per cent of the procurement we don't do that, the construction of the buildings does not take care of the disabled and even to the free primary.

These people struggle to get bursaries, these people struggle to get fees just like anybody else; where does this money go yet we budget for that money? I am always looking for Hon. Justus Katumo to ask him that what can we do to my people in Athi River ward because I have so many who cannot help themselves and are challenged and he does not have the funds honestly.

So, it is the high time, honestly, we see to it that funds for those people who cannot speak for themselves are channeled well and done well and they really assist those people who are disabled. Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Thank you, Hon. Kisini. Hon. Kalumu.

Hon. Kalumu: Thank you, Madam Speaker. I would like to congratulate the committee of youth for writing a report concerning the physically challenged people and the youth. Madam Speaker, according to the report, you will find that most of the legislation done is not even followed; the construction laws, the employment laws, you find that most of the even the government houses you find that they are not PWD-friendly. The human resource of Machakos County Assembly has not noticed a single employee as a PWD in Machakos County Assembly and we are the legislature who should uphold the law that is one.

Going by saying that no one who is very special and God never said that people should look like this way, every soul is meaningful before the Lord. Having all the organs and even those who are physically-challenged, Madam Speaker, everyone is special before God. So, there should be no kind of discrimination and everyone should have an equal opportunity to take advantage of the resources of this country.

If you look at the legislation which has been put by both the county and the national government, you find that they have never been implemented. The resources allocated by the County Government and the national government, Madam Speaker, you find that they are not implemented and we ask ourselves and mostly myself; where does this money go and if actually you know that this person is challenged and an Assembly like this one sits in an afternoon like this one and you allocate money and finally you find that nothing happened.

Are we humane? What are we waiting for? These people need to be enticed to live; they are also people like us. They need allocation by themselves saying this money goes directly to the people with disability; this money is like the way we allocate money for the youth. Being the oversight House of Machakos County, there is no report which we can say says that such

allocation was done. So, it is a challenge to this House this afternoon that we have been talking more concerning the PWDs but less has been done; so what is next?

All those years, Madam Speaker, laws, summits and everything has been done concerning this and what is remaining is implementation because we know.

Another thing Madam Speaker is sensitization and the report has said that. People come to me I need this, I need that; most of them I tell them 'okay, just go to Machakos, there is an office there, you will be listed as one of those people who are PWDs and you will get help but later they came and tell me there is nothing we got. I want this afternoon to honour the current member of the county for what he has done; we have seen her distributing wheelchairs. Thanks to her but as a county, have we done that ourselves. That is my question.

So it is time we wake up and we sensitize the public concerning those people who are challenged and tell them those people are people like us and let them come out and we shall push for allocation and help and all the budget allocation will be implemented towards their improvement.

The other thing is youth; the youth also are groups who are also disadvantaged because they are lacking employment in Kenya. So, those monies Madam Speaker which we have been allocating and we are in the wards, we don't see it doing work, we don't see it being implemented. So, Madam Speaker, I would request everyone in this House today at least to wake up and follow all the allocation because we cannot say that we have buried our heads in the sand concerning those people. Allocation is there always. Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Thank you, Hon. Francis. Hon. Brian Kisila.

(Applause)

Hon. Temporary Deputy Speaker: Thank you, Hon. Francis. Hon. Brian Kisila.

Hon. Kisila: Thank you very much, Madam Speaker. I think we need to move from talking to action; we have talked about PWDs for the last two years when we were elected but there is nothing which seems to be working. So let us move to the next step; each elected Member, let us talk about what we have within our control. Each elected Member, you have a budget in your ward; can we start there and allocate a minimum of Ksh. 1 million to PWDs because we are pointing a finger at someone but four are pointing at us. Let us see this year if we can allocate---

Hon. Temporary Deputy Speaker: Hon. Brian Kisila, allow yourself to be informed by Hon. Fredrick Muthoka

Hon. Muthoka: Let me inform Hon. Kisila that we created it as the 41st ward and it was allocated equal amount like a ward. Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Thank you. Hon. Kisila, proceed.

Hon. Kisila: Yes I am very privy to that but Hon. Katumo has said nothing has happened. So if nothing has happened, do we sit back and say---

Hon. Temporary Deputy Speaker: Hon. Kisila, can you address the Chair

Hon. Kisila: Yes, Madam Speaker. Through Madam Speaker, do we sit back and do nothing? Charity begins at home and we are the Members here; can we say beginning now what action we are going to take to PWDs. I think we use PWDs as a bargaining chip and as a way of looking like we are good when we are not. So, as much as we are waiting for the executive to do their part, I expect this committee to have summoned the Chief Officer in charge because we need action now, my friends.

Otherwise we will talk until 2022 and nothing will happen. So on top of what we allocated Hon. Katumo, can we go further and allocate money from our own ward fund to PWDs. Number two, we need an audit of PWDs in our wards; we don't seem to have given this the attention it deserves and we need to establish their needs; a proper needs assessment on these people. Number three, how many of us push for PWDs to get contracts within the county? How many?

Hon. Temporary Deputy Speaker: Point of information Hon. Ndawa.

Hon. Ndawa: I want to inform the Hon. Member that the procurement law requires one to have a registered company and it must be accepted or pre-qualified. How many groups do we have registered and pre-qualified?

Hon. Temporary Deputy Speaker: Hon. Brian, please proceed.

Hon. Kisila: Madam Speaker, that is not even information; I am surprised. We have so many companies registered under PWDs. In my ward I can give you five. I happen to push for one to get a contract. You know, Madam Speaker, we need to move to action mode; if we continue talking we will talk until cows come back home.

My fourth point is on the County Assembly; how many of our employees are PWDs? We have seen adverts in this County Assembly, I personally brought one lady from Mwala Sub-County; I don't think she passed even the first stage of interview. We seem to have other vested interests; people are bringing their own people but none of us bring.....actually we never even gave that lady a chance to be interviewed and she is a PWD. If we are going to employ people, what per cent should we give to them?

So, my issue is; I think we are becoming too cosmetic where we want to talk too good but Madam Speaker *kikulacho, kiko nguoni mwetu*. Even as County Assembly we are not practicing what we preach. So my humble request is; through this committee, we need to start getting proper brief of month by month analysis of actions being done to PWDs. Otherwise, they will continue being marginalized and 2022 we will be here and we will have done nothing.

So, Madam Speaker, my point however, much I want to be informed, is that we a problem. The problem is that we are not serious with what we say, all of us a county government. Let us move and help these PWDs and ensure through the Implementation Committee we also want a report of how many PWDs have been employed, how many have been given contracts. *Hio Committee ifanye kazi yake*. Thank you very much, Madam Speaker.

(Laughter)

Hon. Temporary Deputy Speaker: Thank you, Hon. Kisila. Hon. Angela Munyasya.

Hon. (Ms.) Munyasya: Thank you, Madam Speaker. The Hon. Member seems to have something with the Implementation Committee but I would like to support the report and first congratulate the Members of this committee and their Chair. Hon. Katumo has given us an elaborate write up on what we are not doing for PWDs. What I agree with the Hon. Member that just left the floor is that we need to move to action but even saying we move to action and we are not saying how, is as good as what we have been doing. Just saying and sitting down.

If we say let us move in to action, what action are we taking; we should list down and say we should do A-B-C-D for PWDs. Madam Speaker it is not possible for Hon. Katumo to go through the entire county, identifying PWDs and working with them and having them benefit from the only Ksh. 1 million allocated to that kitty; it doesn't make economic sense. What I agree with entirely in the report is that we need to include PWDs especially in public participation.

If they could be mobilized to attend all the public participation, it will be possible for them to identify their needs and have them considered and allocated into a budget. Distribution of wheelchairs may not be enough Madam Speaker; sometimes you have it and you have nowhere to ride it on because the roads are not passable and the only place you can use the wheelchair would probably be your home.

So, all the way from our institutions to the roads, to homes to schools to hospitals, name it, we need to have PWDs identify their problems, give them to us for us to be able to take action. Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Thank you Hon. Angela. Hon. Judas Ndawa.

Hon. Ndawa: Thank you, Madam Speaker. I will start by congratulating the committee and the chairperson for coming up with this elaborate report. I do agree with the observations and recommendations of the committee. I would wish to give few remarks; one, when we are seated here as legislators and we are talking about PWDs, we need to be extra careful. Why? Creation of a person ends when he or she is gone. The moment you are dead, that is the end of creation. Today I am standing here with all my organs functioning, after one hour I might be somebody else.

So as we sit to talk about this class of people, we need to be very careful and positive to ensure these people have all what they require. Nobody chooses to be a PWD, it is by maybe bad luck or he/she was born with that abnormality but it is not his/her wish. So, Madam Speaker, I am worried one of my colleagues, Hon. Kisini when he was talking, I was not in the House when the report was being read but I heard him say; some people the victims are being locked in the houses, others are being chained.

Madam Speaker, if there is somebody doing that that is what we call unlawful confinement and that particular person should be in jail because all the cells in this country are gazetted. If you lock somebody in a house, toilet or somewhere, that is encroaching on his or her constitutional rights of movement and that is why I am saying, if there is a parent trying to lock that particular child, that parent should go to jail for that section I have quoted on unlawful confinement.

Madam Speaker, the other thing I would request this Hon. House; we don't know how many PWDs are in the respective wards; like in Matuu I don't have the number. Maybe my colleagues have the same problem. I think we should have a chain from the ward to the county so

that whoever is in charge of the county, once he /she raises his phone or we just send an SMS to the village administrator in my ward, that message will go to the entire ward and another ward and at the end of the day, the information that was targeted to go to everybody within the county will have reached its destination.

So, it is good we have clusters in wards and divisions then come to county so that when we are planning, we are aware we are planning for how many people.

(Applause)

Madam Speaker, it is very difficult to budget for people whose number you don't know; you may assume one million is enough because you think you have three or four or 10 but the number might be high. So as to avoid that problem, let us have that cluster from ward to the county level.

Madam Speaker, the other thing, is that once we have identified these groups in our wards, let us assist them; let us bring them together so that they can have a company which is registered in the Registrar of Companies so that they can have qualification to tender like any other person. The procurement Act is very clear; all the work given by the county must go through procurement and without a pre-qualified company, it might be difficult. So, let us try to assist these young men and ladies within our wards so that they can have their future as we have.

Madam Speaker, the other thing I would request; we are talking about jobs given to the PWDs; there is what we call Presidential directives. When we had His Excellency Mwai Kibaki, he gave a directive that all the jobs, 10 per cent should go to people living with disabilities and youth. When Uhuru Kenyatta took over, he raised the percentage from 10 to 30 per cent and that is a Presidential directive and we need all of us to agree and move with what the president has directed. At least 30 per cent of the jobs---

Hon. Temporary Deputy Speaker: Point of information from Hon. King'ori.

Hon. King'ori: Thank you, Madam Speaker. I want to inform Hon. Ndawa that a Presidential directive is not law; it must pass through Parliament to become a law for it to be implemented. I think he needs to be advised on how presidential directives acts; it is a political way of doing things in public but not a law that should be obeyed by anybody anywhere in the country.

(Laughter)

Hon. Temporary Deputy Speaker: Hon. Ndawa, I think you are informed.

Hon. Ndawa: Thank you, Madam Speaker. I take the information but again we ask ourselves; how is this particular person related to the person we are talking about? If you have a bad blood with the President that is your business; you don't need to bring it to this place because we have only one President in the Republic of Kenya. Right now in the next few minutes we will be talking about BBI and it is the same same President who is saying 20 members from every County Assembly to attend the meeting; are we not going to attend? Madam Speaker, I think you should shut down some Hon. Members who come---

Hon. Temporary Deputy Speaker: Hon. Ndawa, you are out of order.

Hon. Ndawa: Thank you Madam Speaker but the point is at home.

(Laughter)

Madam Speaker to conclude my contribution, I want to say some of the organized groups of these PWDs, the leaders of those groups have become active politicians and they are also trying to be opponents of the elected leaders in their respective areas. I want to cite an example of a group in Matuu ward, where the chairperson even if you do what in the world, once he appears in a meeting he will say you just wasted your resources. He doesn't seem to appreciate.

So, that is one of the things which make us not to fight for them to get what they are supposed to. So if they want us to assist them, let them support what we are doing. I graded a certain road in Matuu from Makivenzi to Ivumbuni during this dry spell and when the dust started coming up, he told us during a public participation meeting that we spoilt the road. 'It is better the way it was before.' That particular person is serving in more than four boards; he is a member of Matuu Vocational Training Center, he is a member of Kaluluini Secondary School, he is a member of Mukalala Secondary School and he is a member of another board.

My question is; if these members are given by the Chief, do we have only one particular person living with disability in Matuu ward to serve in those many committees?

(Applause)

Why don't we have one person in one board, another PWD in another and another one in another board? When we were distributing seeds, just the other day, we were giving everybody a packet of two kilograms and that particular chairperson said the names of my people are these and he gave us a list of more than 20 and he wanted to take those seeds.

Once we inquired from the members once he takes the seeds, they don't reach the intended destination. So these people are not honest and when we are fighting for them we should also be very careful not somebody who cannot---

Hon. Temporary Deputy Speaker: Point of order from Hon. Justus Katumo.

Hon. Katumo: Madam Speaker, I think the Hon. Member is generalizing very particular issues. If you have a problem with your chairperson for PWDs in Matuu, deal with it and don't generalize all PWDs in Machakos County. We are very honest people, we are good people. Am I not a good person? Madam Speaker, please make this Member restrain himself from becoming emotional. Thank you.

Hon. Temporary Deputy Speaker: Hon. Ndawa, you may proceed.

Hon. Ndawa: Thank you, Madam Speaker. I have not said that the PWDs are not good; I have just cited an example of one particular chairman who wants to be everywhere. Madam Speaker, when I was a young boy, I had my own dog and I was calling that dog a Kikamba name *Kwonthe* which means everywhere. That dog could bark in my home at 7 p.m. and by 9

p.m. it is barking in another compound, by 10 p.m. it is in another compound. So what I am saying is let one person serve in one committee. Thank you, Madam Speaker.

(Laughter)

Hon. Temporary Deputy Speaker: Thank you, Hon. Ndawa; you are really making the House very happy and lively and I really thank you. Hon. King'ori.

Hon. King'ori: Thank you, Madam Speaker. I want to echo some words said in this House that PWDs are very important people in our lives. They teach us that we are the future candidates of the same and that is why we should act in a humane way when discussing the issue of other human beings who cannot defend themselves in this Assembly.

Madam Speaker, what I am asking is that the audit should be done quickly for those PWDs in our areas so that when we give budget, we give enough to cater for their own needs and we should have established an *ad hoc* committee to start the way forward on how we shall deal with this serious issue of PWDs.

Madam Speaker, it is well known that we have problems but they have more problems than us because some of them don't have even a way to move from their houses but we do. Some have cerebral palsy; they can't even move themselves from the bed and how can we help those who have cerebral palsy? We should have a unit purposely for people with cerebral palsy because they need others to support and we have to support the caregivers of people living with disabilities.

Madam Speaker, it is high time we started acting on what we preach or what we say, we do not need to give them money we need to give them support which also requires some money for us to have that facility going on or working in a good way. We also need good schools for PWDs; we need to establish schools in each sub-county for PWDs if not each and every Ward because they also need education like other people so that when we need learned people we also get them from the PWDs people.

Our country, our government is working very well but what about us who are the government of Machakos, what are you doing? We are giving fund and it is being misused by the executive because they are the ones to implement what we have passed here and we always laugh with them, we bed with them, we share with them so we become also evil. I want to say this; it is high time we do our work as an Assembly to see to it that whatever we have passed in the budget is followed but we do not need to have the supplementary budget for money we have given for work to be done in our areas.

It is very sad to cover mistakes because we need to please our Governor. Yes, he is our leader but he is also guided by the Constitution of Kenya which has given him powers to be the Governor of Machakos to defend what the constitution says that what we have passed here he should act on it and do everything we are passed here so that the money of PWDs should not vanish in thin air or be supplemented to other areas so that somebody can say he is working well and he is not corrupt. Let us call corruption the right name; when you re-allocate money for the development of Muthwani to Masinga; that is a corruption of high calibre.

Hon. (Ms.) Nziva: Point of order.

Hon. Temporary Deputy Speaker: Point of order Hon. Jacqueline Nziva.

Hon. (Ms.) Nziva: Thank you, Madam Speaker. I think the Hon. Member who was on the floor can substantiate what he has said about the corruption issues.

Hon. King'ori: Thank you, Madam Speaker. I will be glad to say because under the PAIC report, there so many things which are not going well and also---

(A Hon. Member spoke off record)

Madam Speaker, I ask you for your protection because of a Hon. Member asked for substantiation and that is what I am doing. I do not need to be told how to do my work; I am doing the right things to say that corruption is rife in Machakos which should be condemned by every living Kenyan and who loves Machakos and who loves this County because we need people who work for the benefit of our people not for the benefit of themselves.

Madam Speaker, that is why we are suffering like PWDs and the youth are also suffering and the report has said so. It is not me who has written that report, it has come from the Hon. Member for the Assembly that we need to have job creation in our areas but the method of creating jobs should be done by the executive who is given the mandate by the Constitution to do so and that is why we have the separation of powers.

Madam Speaker, I would propose this and to have our youth get jobs by having a job creation; we need to stop giving all our jobs to contracts. We should empower our departments and employ our youth there so that we can have the majority of Machakos youth get jobs instead of giving contracts to individuals who only benefit themselves alone. We better have a larger wage bill which we are giving to our youth than giving money to a certain individual because they are the close to the Governor of the executive or to the Member of this House. Thank you, Madam Speaker.

(Laughter)

Hon. Temporary Deputy Speaker: Hon. King'ori, has already finished. Hon. Abdi.

Hon. Abdirahman: Thank you, Madam Speaker, for giving me this opportunity. I do not want to repeat myself but I just want to mention just one point. It is no doubt that Hon. Members are saying that discrimination obstacles faced by people with disabilities is immense and action has to be taken and before we take the action, I believe we need to know the number; how many do we have in each Ward because of the report maybe it is not clear on per Ward or the 40 Wards people with disabilities how many they are and the situation they live in.

The other one is about the report by National Treasury that the beneficiaries in terms of women, youth and also people with disabilities. Women were the highest beneficiaries 34,335, youth 29,170 and also people with disabilities 4,066. So, that means people with disabilities still lag behind in terms of economic empowerment and also access to government procurement opportunities. It is only our role to make legislation and also follow up with implementation.

The other one is maybe an observation of the previous contributor; we need to be composed and also make our points, Madam Speaker, through you, so that we do not go out of our way because PAIC report is not, for now; it will come to this House and we also need to ensure that we observe rules, we need a House. Through Madam Speaker, allow me to say that

maybe the committee has done a lot of good work just to be informed by informing the committee that we need to go back again to the relevant departments to get detailed information on these persons with disabilities so that it is brought back to this report.

I also want to add the charity also begins at home; in the County Assembly itself if you look at the staff, I doubt even we have one person with disability.

(Applause)

I stand to be corrected; we do not have so I am announcing its a life proceeding to the world beyond for the six continents that we are advocating for persons with disabilities but the staff over 100 staff here, we do not have even a single one. So charity begins at home so we need to have and see the next recruitment to be added probably 30 per cent. Then also we proceed to the County Government because if you go round to the departments, more than 10 departments, I think there are only three or one in the whole County leave alone those who are holding high positions like directors you will never find them.

So, it means the charity begins at home so we have to pull up our socks and also advise the executive to follow the suit as we make legislation, I think the Implementation Committee of which I am a member will make sure that will follow up and get a list of possible the Implementation Committee will table, with the permission of the Speaker, so that we have the number of people employed by the County Government of the Machakos. Thank you, Madam Speaker.

(Applause)

Hon. Temporary Deputy Speaker: Thank you so much, Hon. Abdi. May I request the Mover to reply?

Hon. (Ms.) Koki: Thank you, Madam Speaker. I would like to take this opportunity to thank the Hon. Members for the healthy debate on this Motion. This matter has been ventilated well but what saddens me Madam Speaker is that, this is not the first time that we are having such a discussion or debate but then not much has been done about the issue of disabilities in our community so what I am only urging the County Government and the relevant bodies, the organizations dealing with people living with disabilities is that, they move with speed and then they take up this matter and see to it that whatever we pass in this House is implemented and I believe that we are going to take it like a responsible House.

It is in places like this House, Hon. Speaker, that the Members, our brothers, and sisters who are living with disabilities expect to get protection, they expect to get solace, they expect to get their rights but then if we are not going to defend them, if we are not going to defend them, if we are not going to stand up for them, then who will?

So, I thank the Hon. Members that they have seen the importance of this motion and then I request them humbly to support this motion. I also would like to thank the Members of the committee for this report and thank Action-Aid for the invitation that we got from them; it was very educative and we are looking forward to much more. Thank you, Madam Speaker.

(Applause)

Hon. Temporary Deputy Speaker: Thank you, Hon. Christine Koki.

(Question put and agreed to)

(Applause)

Now that Hon. Members, you have passed this Motion, I would like to point out a few issues concerning this report. There is a Swahili saying, I may not put the words very clearly or the best way, I cannot see Hon. Alice here, I think she would have helped us *hujafa hujaumbika* but I know you know what the means. As long as you are moving with both of your feet and all organs in place, it is very hard for anybody to know what a PWD would go through. If you cannot move with your legs or move with your organs properly functioning then it is very hard but it is also very good to know that these things are with us for a long time and they will still be with us.

They were with people who were before us many years and they will be here with us. Members have really contributed severally and passionately about people with disabilities. It is not going to be the first time and I hope it is going to be the last time we are talking about sympathy for these people who did not choose to be the way they are. Therefore, it is very important we direct that audit should be done in all our 40 Wards of these people living with disabilities.

There are people who are living with very severe disability; there are people who are living with disabilities of different organs and different ways. Those are people that we are going to seek their audit for and it is also very sad to know that we pass a budget here, we are not passing the budget for Hon. Katumo or Hon. Jacinta, they are only representatives of so many of us including the Chair today. Therefore it is also very bad and I think very inhuman when we put up a budget no one knows how it works.

We would like an audit of the same also, of the Ksh. 5 million that this House placed for those people with disabilities. Therefore, as Mheshimiwa Abdi has put it, it is important to know their needs, it is important to know how many they are, what kind of disability they are suffering from and then after we make the legislation, then we also follow it up with our implementation committee. Therefore, thank you so much, Hon. Members.

MOTIONS

Hon. Temporary Deputy Speaker: On this order Hon. Members, we have a Motion by Hon. Robert Kisini, Chairperson Environment, Lands, Energy and Natural Resources. Hon. Kisini.

Hon. Kisini: Thank you, Hon. Speaker. Due to some technicalities, I kindly request we defer this report which we were to read today until next week, please. Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Thank you, Hon. Robert Kisini.

(Applause)

Next Order, Mr. Clerk.

ADJOURNMENT STANDING ORDER 25(4) TO ALLOW MEMBERS ATTEND THE LAUNCHING
OF BUILDING BRIDGES INITIATIVE

Hon. Temporary Deputy Speaker: Under this Order Hon. Members, we have one Motion by Hon. Brian Kisila, Deputy Minority Leader, MCA, Mwala/ Makutano Ward.

Hon. Kisila: Thank you, Madam Speaker.

Hon. Speaker, that aware that the House approved an Assembly calendar pursuant to Standing Order 25(1);

Aware that Standing Order 25(4) provides that the Assembly may, by resolution alter its calendar or the adjournment date;

Appreciating that the Building Bridges Initiative (BBI) team will be handing over its report today to H. E Uhuru Kenyatta, President of Kenya and Commander in Chief of the Defense Forces of Kenya and Rt. Hon. Oginga Odinga, former Prime Minister;

Aware that Hon. Members have been invited to attend its launching ceremony tomorrow, 27th November, 2019;

Hon. Speaker, I wish to move the motion that pursuant to Standing Order 25(4) this Hon. House resolves to adjourn the sittings of the Assembly of 27th November 2019 to allow the Hon. Members to attend the launching of Building Bridges Initiative.

I am being reminded; I use the word, Right Hon. Raila Oginga Odinga. I was reading what has been written here. It is actually Right Hon. Raila Odinga; not the father. I call upon Mheshimiwa Nziva to second my Motion.

Hon. (Ms.) Nziva. I stand to second the Motion that the House adjourns because we have heard a lot of hearsay about BBI and we need to go and hear the truth of the contents in BBI. Thank you, Madam Speaker.

(Applause)

Hon. Temporary Deputy Speaker: Thank you, Hon. Jacqueline Nziva.

(Question proposed)

(Applause)

Members, I will allow a few Hon. Members to contribute to the motion at hand. Hon. Justus Katumo.

Hon. Katumo: Thank you, Hon. Speaker, for the opportunity. You must understand that we do not want to be left behind in this historic moment of constitution-making and we are politicians and we are leaders from Machakos County and therefore we want to be part and parcel of this great initiative and therefore it will not make sense for us just to drive this way when other Members are driving that way.

We need to join our brothers and sisters, fellow Kenyans, men and women to make sure that we have a national discourse on the matter before us and therefore it will be important for us to adjourn this House for this important matter that has come. Every citizen is watching, is waiting to hear, is listening keenly and therefore we want to inform them right from us because they want us to inform them.

We are there representative and therefore it is very important for us to adjourn this House for tomorrow's business so that we can be there with other leaders in this great Country and Republic of Kenya. Therefore, I support this adjournment. Thank you.

Hon. Temporary Deputy Speaker: Thank you, Hon. Justus Katumo. Hon. Judas Ndawa.

Hon. Ndawa: Thank you, Madam Speaker. I want also to stand and say I support my Hon. Member for Mwala Hon. Brian for this Motion. Madam Speaker, when it comes to issuing of the Constitution, the electorates think that the elected Members know everything. If we say that we are not going to adjourn and that we will remain in this House, later the electorates will request us to share our wisdom with them and yet we do not know the contents of the famous BBI document. So, Madam Speaker, I would request the Hon. House to approve the motion so that we can have time to go and be with other Kenyans and represent our people.

Madam Speaker, the roles provided for in the Constitution of an elected member of County Assembly, one is representation and representation is not limited only to this Hon. House. We are also supposed to represent the electorates even in other fora. So, if we do not attend that meeting it means that our electorates will not be represented. So, Madam Speaker, I would request since the meeting is for tomorrow, you direct that communication be done right now so that today becomes the traveling day so that we can go rest and wait to deliberate when we are fresh. Thank you, Madam Speaker.

(Applause)

Hon. Temporary Deputy Speaker: Thank you, Hon. Judas Ndawa. Hon. Moses Mitaa.

Hon. Mitaa: Thank you, Hon. Speaker. Mine is to give strength to what Hon. Brian Kisila has brought to the floor of the House. Machakos County Assembly represents the great people of Machakos County and whatever is going to happen tomorrow God willing, will be matters of national interest and since we have the interests of our people, it is good that we embark on this important journey together.

We do not know the contents of the report and it is good that we get it from the right people tomorrow so that in case we have queries in future if at all we do not know the direction this document will take politically in future it is good we get information from the onset. So, Hon. Speaker, if I can cement what Hon. Ndawa has stated, we need to get messages this evening because, Hon. Speaker, as you stated in the morning we have been blessed with plenty of rains and most of us have to go back to our Wards and prepare for tomorrow.

So, Madam Speaker, I think you see the need for us to be facilitated and enabled to be at Nairobi very early in the morning and again it is good to take note that we have held now to shelve other important matters because of this important exercise which they whole nation will

be watching tomorrow. So, Hon. Speaker, I support and I thank my senior colleague for such a wise motion. Thank you.

(Applause)

Hon. Temporary Deputy Speaker: Hon. Thomas Mutinda.

Hon. Mutinda: Thank you, Madam Speaker. Mine is just to say that it is important that we adjourn and attend the BBI because it is very crucial so that we are not left behind by other Kenyans as we see this occasion because it is so crucial that we see what is happening there because when you read the 2010 Constitution, the reason why we are here, devolution was one of the wings of the Constitution 2010. So we have to be there as proponents and agents of devolution and see the way our country is shaping up forward. So, I support that we adjourn and be at the function. Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: I now call the mover to reply.

Hon. Kisila: Thank you, Madam Speaker, for allowing this opportunity and thank you, Members, for contributing to this great motion. I want to second what Mheshimiwa Ndawa has said; this is a very important day for Kenya and we are looking for peace in this Country and we believe the Building Bridges Initiative will be one of the ways we are going to build long-term peace in this country and it is important that Members attend, understand and when they go to the ground, they can be able to lead the electorates the right way.

There has been a lot of talk about BBI and it is important we provide the right information as Mheshimiwa Mitaa and Mheshimiwa Katumo have put it. Let us provide the right information so that the country passes an initiative that will take care of us and our children and children's children. Madam Speaker, there is also a very important point we cannot travel tomorrow because it is raining and Members are coming from very far.

(Applause)

Madam Speaker, I am requesting your directive that you authorize today becomes our traveling day so that tomorrow we are very fresh to join His Excellency the President and the Right Hon. Raila Amolo Odinga as they launch this key initiative. So, Madam Speaker, I beg to leave. Thank you.

(Question put and agreed to)

(Applause)

Hon. Temporary Deputy Speaker: Hon. Members, it cannot be overemphasized the need for you as No. 1 in our County and as representatives of your people to attend this great occasion and day for our people. I, therefore, direct that the messages be crafted immediately for Hon. Members to travel safely and Members, I wish you all the best as you go and watch what this document is all about for your people.

ADJOURNMENT

Hon. Temporary Deputy Speaker: This House is adjourned to the Tuesday day of 3rd December, 2019 at 10.00 a.m. Thank you.

The House rose at 4.21 p.m.