

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 5th November, 2019

The House met at 2.45 p.m.

[The Deputy Speaker (Hon. Museku) in the Chair]

PRAYERS

Hon. Deputy Speaker: Good afternoon, Members. Mr. Clerk, proceed; we continue with the afternoon session.

MOTION

Hon. Deputy Speaker: Hon. Members, we have one business to transact and this is a motion by Hon. Abdirahman Ali, vice-chairperson, Broadcasting and Library Services Committee.

(Applause)

REPORT ON DIGITAL ASSISTANT WHATSAPP PLATFORM

Hon. Abdirahman:

Hon. Speaker, that aware our democracy thrives on the participation of those it acts for and aware that one way of enhancing public participation in the matters of the County is by allowing the greater community access to the workings of the County Assembly;

Further aware that, Article 196(1) of the Constitution of Kenya provides that, a County Assembly shall conduct its business in an open manner, and hold its sittings and those of its committees, in public; and facilitate public participation and involvement in the legislative and other business of the assembly and its committees;

Acknowledging that the digital assistant is a WhatsApp platform that allows residents, business community and visitors to promptly query and get vital information concerning the County. Additionally, the Digital Assistant seeks to advance Article 35(1)(a) of the Constitution of Kenya which states that “every citizen has the right of access to information held by the State;”

Aware that the Digital Assistant is an innovative system from which we can borrow to enhance information sharing and public participation in County Assembly activities;

Hon. Speaker, I wish to move the motion that, this Hon. House discusses and approves the Report of the Broadcasting and Library Services Committee on the Digital Assistant.

Thank you. I call Hon. Kieti to second.

Hon. Deputy Speaker: Hon. Cosmas Kieti.

Hon. Kieti: Thank you, Hon. Speaker. I second the motion.

Hon. Deputy Speaker: Thank you, Hon. Kieti. Hon. Ali, you may read the report.

Hon. Ali: Thank you, Hon. Speaker.

INTRODUCTION

Hon. Speaker, a Digital Assistant is a computer program designed to assist a user by answering questions and performing basic tasks. Hon. Speaker, Our democracy thrives on the participation of those it acts for and one way of enhancing public participation in the matters of the County is by allowing the greater community access to the workings of the County Assembly.

Article 196(1) of the Constitution of Kenya states that:

1. A county assembly shall—

- a. Conduct its business in an open manner, and hold its sittings and those of its committees, in public; and
- b. Facilitate public participation and involvement in the legislative and other business of the Assembly and its committees.

Hon. Speaker, Article 35 recognizes that every citizen has the right of access to information which is held by the State or another person which is further effected by the Access to Information Act No. 31 of 2016.

The County Assembly of Machakos, being a constitutional body established by Article 176(1) and 177 of the Constitution, is a state organ and hence is bound by the national values and principles of governance. To ensure effective performance of its duties, various committees, regulated by the Assembly Standing Orders, are constituted and must conduct their business in an open manner and facilitate public participation and involvement in their activities, except in special circumstances that are justifiable.

BACKGROUND

Hon. Speaker, the Broadcasting and Library Services committee is established under Standing Order 215 of the County Assembly of Machakos Standing Orders to counter the lack of awareness accompanied by a general public opinion that Parliament is an opaque institution devoid of transparency and accountability.

The committee was formed in November 2016 to create an avenue that would lead to greater public awareness and appreciation of the work of the County Assembly, better public

attitude and perception towards parliament and greater involvement of the public in Parliamentary debates, hence helping in making politicians more accountable.

COMMITTEE MANDATE

Hon. Speaker, the Broadcasting and Library committee is a select committee mandated under Standing Order 215(3) to undertake the following duties:

1. Consider and report on all matters relating to broadcasting of Assembly proceedings. These include reporting on rules, policies and procedures and any other matters relating to broadcasting in plenary, committees and events.
2. Advise the Assembly on matters related to public participation in the Assembly. It is the duty of the committee to formulate guidelines to be followed when it comes to public participation in Assembly business.
3. Make reports and recommendations to the Assembly, including proposed legislation on matters relating to broadcasting of Assembly proceedings and related matters.
4. Recommend to and advise the Assembly on matters related to the provision of library, publications and research services in the Assembly. These include recommendations on how to ease access to available information, holding sensitization forums on services available to the members and the general public among other recommendations.
5. Assist members of the County Assembly in utilizing the facilities provided by the library and research services including the use of information and communication technology. This refers to offering assistance in utilizing different tools to access both internal and external information on the Assembly as well as promoting uptake of the systems in place.

COMMITTEE COMPOSITION

Hon. Speaker, the Broadcasting committee is composed of the following members;

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| 1. | Hon. Florence Mwangangi | - Chairperson |
| 2. | Hon. Abdirahman Ali | - Vice Chairperson |
| 3. | Hon. Eric Musembi | - Member |
| 4. | Hon. Jacinta Luka | “ |
| 5. | Hon. Cosmas Kieti | “ |

THE DIGITAL ASSISTANT

Hon. Speaker, the Digital Assistant is a WhatsApp platform that allows residents, business community and visitors to promptly query and get vital information concerning the County. Additionally, the digital assistant seeks to advance Article 35(1)(a) of the Constitution of Kenya which states that every citizen has the right of access to information held by the State.

How the Digital Assistant Works

1. The Digital Assistant runs on the interactive WhatsApp platform which allows residents to get information promptly.
2. The user must be online to be able to access the platform.
3. All that one needs to do is to send the word “hello” from a WhatsApp account to +254 756 742 421.

4. When you send the word “hello” it gives you an automated “welcome” response and from there, you can get information on anything.
5. That message prompts the County Digital Assistant to release a drop-down menu that asks the user to select a code representing their area of interest. There is a separate code for government ministries, healthcare services, tourist sites, hotels and radio stations.
6. It is very similar to USSD codes like *100# with the only major difference being that it is running on WhatsApp, which is accessible to over 1 billion users.

COMMITTEE OBSERVATIONS

Hon. Speaker, the Committee made the following observations:

1. Currently, smartphone penetration in Kenya is over 80 per cent with majority of users having subscribed to WhatsApp, a popular messaging and Voice over IP service owned by Facebook that allows users to send messages, voice calls, recorded voice messages, video calls, images, documents and user location.
2. More than one billion people in over 180 countries use WhatsApp to stay in touch. The county government of Kisumu is tapping into this opportunity to leverage on the platform as a service which will see many people stay informed.
3. The Digital Assistant has been in operation since 2018.
4. The cost of setting up a similar system ranges from Ksh. 500,000 to Ksh. 1 Million, depending on how extensive the database is.
5. Being on the WhatsApp platform, the Digital Assistant is not only accessible to Kisumu residents, but can also be accessed from any part of the world, unlike the normal text messages which are only accessible within the country.
6. The system’s database can be regularly updated with new information when necessary. The Kisumu database is currently being updated through the resource center.
7. With information being the livelihood of any organization, it must be tapped and Kisumu is doing so through various means like identifying and sourcing for information from people with critical information about the county, through the Internet and through the daily happenings within the County.
8. The system is automated and responses to queries are drawn from the database domiciled in Kisumu County resource center.
9. The operator of the database is able to view the number of people accessing the database at any given time.
10. The County is currently utilizing the following platforms to enhance information uptake through the Digital Assistant:
 - a) Public participation forums.
 - b) Mainstream media like radio, TV and newspapers.
 - c) Social media.

CHALLENGES OF THE SYSTEM

Hon. Speaker, the Committee noted the following challenges:

1. The system needs to be updated on a regular basis; therefore there is need for regular budgeting for the same.

2. For a user to access the Digital Assistant, the WhatsApp forum must be online, both on the user's end and on the County resource centre's end. This therefore means that one has to purchase data to be able to access services.
3. Many users of the system are yet to learn how to interact with the system which is evidenced by the number of text messages sent to the number instead of WhatsApp messages.

COMMITTEE RECOMMENDATIONS

Hon. Speaker, the Committee makes the following recommendations:

1. The county digital assistant is an innovative system from which we can borrow to enhance information sharing and public participation in County Assembly activities, in accordance with Article 196 of the Constitution of Kenya, 2010.
2. The forum can also be extended to the County Executive which can utilize it to provide information on government services, healthcare services, tourist sites, hotels or even radio stations in the county.
3. Through the system, the County Government of Machakos, both the County Assembly and the County Executive, can partner with key stakeholders to enhance information sharing on the services provided by the stakeholders, and in turn, utilize the platform as an additional source of revenue for the County.
4. We therefore recommend that the County Assembly considers having a similar system and also shares the same with the County Executive of Machakos in order to enhance service delivery within the county.

CONCLUSION AND ACKNOWLEDGEMENT

Hon. Speaker, it is worth noting that, for the public to understand and appreciate the work of the County Assemblies as enshrined in Article 185 of the Constitution of Kenya, 2010, there is need for civic education. County Assemblies can only conduct civic education through forums such as the Digital Assistant.

Hon. Speaker, I wish to express my appreciation to the office of the Hon. Speaker and that of the Clerk of the County Assembly for the support accorded during the benchmarking exercise. Hon. Speaker, I finally thank the Committee on Broadcasting and Library Services for their efforts in consideration and preparation of this report.

Hon. Speaker, it is therefore my privilege, on behalf of the Broadcasting and Library Services Committee to table this report and recommend it to this Hon. House for adoption. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you Hon. Abdirahman for a report well presented.

(Question proposed)

Hon. Members, you may debate on the Motion. Hon. Hellen.

Hon. (Ms.) Ndeti: Thank you, Mr. Speaker. I think I have listened carefully to the report as our colleague and Member was reading. I personally think it is a very well-written report; I think it is well-researched. I think it is important that we share information with our people. It is

the high time that our people get to know what we do, how they are benefiting from what we do and to allow them to be able to access this information as quickly it is already available.

My only challenge is on the.....not the cost, the cost is friendly because I think he read a cost of about Ksh. 500 million to Ksh. 1 million. My only query is about the maintenance because it has to be updated on a daily basis meaning someone has to be employed to do all that updating and but I think it is a good idea; it is important that our people get to know what we are doing apart from the few challenges on buying bundles to ensure that we are able to access it. But I think it is a good report so I recommend that we pass it.

Hon. Deputy Speaker: Thank you, Hon. Hellen. Hon. Moses Mitaa.

Hon. Mitaa: Thank you Hon. Speaker for granting me the opportunity to thank the committee and the Vice-Chairman who has just taken us through the report. I support it fully because, I think we are greed to embrace technology and the way to improve on the on how we do our activities in this House.

Mr. Speaker, at the same time I thank the department because you have noticed at least now we have three sets of coverage in the House and there was a communication in the morning that we are actually live on YouTube and if I am not wrong Facebook; that is an improvement because right now anyone can access Machakos Assembly live from wherever corner of the world.

So that is a plus Mr. Speaker, because I believe whatever we do we don't do just within the precincts of the Assembly but for the people outside the precincts of the Assembly and it is their right to learn and to know what we are undertaking, Mr. Speaker. So, on that note, I support the report and I thank the committee and I wish the process well because I know we might have a few hiccups here and there but I can see success at the end of it. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you. Hon. Cosmus Kieti.

Hon. Kieti: Thank you, Hon. Speaker. I want to thank our vice chairman and the entire team for the good work that they did and the Clerk Assistant for coming up with a report. Mr. Speaker, I happened to do the benchmarking at Kisumu County Headquarters and one thing that we should appreciate as a House is that the programme that is before this House on this report is a very good program because with that program you cannot get lost when you are within Kisumu. Let me take the example of Kisumu because the program is live there.

You are able to do booking of hotels, you can also book your air tickets, even buses so everything has been has been linked to their website and you are able to connect and get the information that you need. More important is the general public who need information on what is happening within the county, projects that have been implemented. Like the screening that was being done in Mombasa, how I wish our people on the ground could also be able to access that information from their phones in the remote areas.

It is very easy and we have already being given the code. I do not know whether Mr. Speaker, you could give members a chance so that they try and see whether those who may be traveling to Mombasa may be able to book their aircraft from Kisumu. So, one aspect of public participation is very effective by use of this because the public will be able to know what is happening even when they are in the hotels and in remote areas, they will be able to know what is happening within the county.

The other one is that the information is readily available; information that is touching on the affairs of the county and anything that is happening within the county and even elsewhere. At the same time it is very effective; you will be able to save a lot of time. Time wasted or spent on public participation and answering questions from the public, I think with his kind of platform the public will be able to access any kind of information that they need with a lot of ease and from their remote locations.

At the same time, the aspect of transparency and accountability, which will be achieved by use of this kind of a platform because any member of the public will not labour a lot looking for information that they need on anything that is happening within the county and more so within our Assembly because now we are concerned about the Assembly. So, any information that one may need from us will readily available because the way I saw this program working it is a very good one.

The other one is a marketing strategy. We will also be able to market ourselves as an Assembly and the same time market what we offer as a county to other people so people will get to know what we have in place and more so it is also a source of revenue.

Remember, is it yesterday or the day before yesterday, when the DG talked about ways of raising more revenue; this is a way of raising more revenue because when you are trying to access this site, you will be charged some money and out of that I think the county and the Assembly will also be gaining if we get to have the programme.

So, any other aspect about the programme in future updating and other logistics, I think those ones may be catered for in time but meanwhile, I recommend that the Assembly adopts the programme for effective service delivery. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you. Hon. Benedette Mueni.

Hon. (Ms. Mueni): Thank you, Mr. Speaker. Mine is to say that Machakos will be transparent mostly to the youth because they will be seeing the Members on the wall and not asking us what we do in the Assembly. Most of the Members who do not come to the Assembly will be seen, they will be replaced by those people who are looking at them in the wall because some they come and sign and go out and do not contribute to the debate or what they have been elected to come and do.

It is only that they want the salary and that is very bad because you are paid with the tax of the people. They will know what you do and you will not be telling them lies. Thank you, Mr. Speaker.

(Applause)

Hon Deputy Speaker: Thank you, Hon. Mueni. I call upon Hon. Jeremiah Munguti before I close and after that Hon. Dominic Ndambuki.

Hon. Munguti: Thank you, Hon. Speaker. I would like fast to recommend on this report which was brought by Hon. Abdirahman. It is a report which is long overdue and Mr. Speaker, we are aware that the world has changed and we have moved from the third world in issues of digitization and information access to our first world especially in Kenya and I am happy that Machakos County will be among the first counties which are doing this exercise. Therefore I would like to the Member to congratulate the member who was brought this motion.

Also, Mr. Speaker, concerning this issue it will be very good that we install this kind of broadcasting through the committee because one thing we understand that the satellites which we have especially when I was a chairman Labour, Public Service and ICT Committee, I had proposed that we have satellites which will interlink all the sub-counties of Machakos County and I hope the chair for that committee is fast-tracking to ensure that we get those things because the issue of connectivity in issues of communication theories in Machakos County.

On the issue of what you we are going to do on the same, it would give our people information; we understand that information is power and especially what we discuss in the Assembly will not raise any issue from the electorates in the wards because those who have internet or those who use WhatsApp, Facebook and Skype will they will be able to see Machakos County especially when we are deliberating on issues which affect our people. May I say that, Mr. Speaker without much I do that and I stand to support the motion and we adopted as soon as possible. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you Hon. Jeremiah. Hon. Dominic.

Hon. Ndambuki: Thank you, Hon. Speaker. I would wish to commend the committee on broadcasting for the report on digitization of the proceedings of the County Assembly. Hon. Speaker, the world is moving to digitization and as it has been said by people all over the world that the world is becoming a global village and so the County Assembly of Machakos we also need to embrace the changes that are there in the world so that we can adapt to the changes especially on technology.

This move that you have taken as an Assembly is placing us on the global map. Anybody around the world can access what we are doing live and get to know and get to know what we are discussing.

Hon. Speaker, as we move forward I would probably say that we also think on how we can have some portals where we can have live interaction with our electorate as we discuss things so that if it is a question that an electorate want to pass and how was discussed as we debate on matters that have been presented before the House, then they can be able to ever send a question or talk to someone which is the back office and that is communicated to the House and then we debate. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Dominic. May I call upon the move of the motion, Hon. Ali to respond?

Hon. Abdirahman: Thank you, Hon. Speaker. Let me appreciate the Members for supporting digitization of the House. It is very key and we want to assure the House that as a committee, we will take the matter seriously and we want also to assure the House and the leadership of this House also that it will be a benchmark for other 46 Counties to come to Machakos to learn about digitization. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Ali.

(Question put and agreed to)

Hon. Members, I just want to put one word before you close on the just adopted report. One of the key issues which has come out is like Hon. Members who have said information is power and hence our Assembly and the County being able to relay this information live gives us or gives the County a lot of power in doing what they were supposed to do.

Remember when you are transmitting something live to many people you get feedback instantaneously; there is no time like wasted between the time the information is transmitted and the time it is brought back. One of the things which were proposed earlier was that one of putting up a huge billboard at the marketplace here and at the bus stop so that as it is being streamed here live, the proceedings are being streamed live at the market and also at the Bus Park.

The committee needs to consider that because as you know it is at the market place and the Bus Park where all people in our county meet and interact and we will be able to express much more or to pass much more information to our people that way.

One of the powerful tools we are going to utilize, if it is adopted, is that when you are discussing budgets and when you are proving you are various projects in your wards, the people you represent on the ground will be able to see live that you are actually presenting the grievances on the floor of the House and that is going to definitely give much more power and much more transparency to the Hon. Members and to everybody to ensure that whatever project and budget which are approved here are executed because the people would will be seeing in the Hon. House passing those projects and hence will expect them to be executed and done.

ADJOURNMENT

Hon. Deputy Speaker: With those few remarks, Hon. Members, the House is adjourned to Wednesday the 6th day of November, 2019 at 10.00 a.m. Enjoy the rest of your afternoon.

The House rose at 3.20 p.m.