

**REPUBLIC OF KENYA**  
**COUNTY GOVERNMENT OF MACHAKOS**  
**COUNTY ASSEMBLY OF MACHAKOS**



County Hall  
Along Mwatu wa Ngoma Rd  
P.O BOX 1168-90100  
MACHAKOS

Email: [assemblymks@gmail.com](mailto:assemblymks@gmail.com)

**THIRD ASSEMBLY**  
**(THIRD SESSION)**

---

**REPORT OF THE SOCIAL WELFARE AND SPORTS COMMITTEE**  
**ON THE**  
**MACHAKOS COUNTY CHILDREN POLICY, 2024**

---

**DECEMBER, 2024**

# Table of Contents

FOREWARD.....	3
1.0 PREFACE .....	4
1.1 Establishment of the Committee .....	4
1.2 Mandate of the Committee.....	4
1.3 Committee Membership .....	4
1.4 Committee Secretariat .....	5
2.0 BACKGROUND .....	6
3.0 THE MACHAKOS COUNTY CHILDREN POLICY, 2024 .....	7
3.1 Overview of the policy.....	7
3.2 Presentation of the policy .....	7
a) Chapter 1: Introduction.....	7
b) Chapter 2: Situational Analysis and Institutional frameworks.....	7
c) Chapter 3: Machakos County Children Development framework.....	7
d) Chapter 4: Children policy objectives and strategies.....	7
e) Chapter 5: Policy Coordination and Implementation .....	7
f) Chapter 6: Monitoring, Evaluation and Impact Assessment.....	8
g) Chapter 7: Resource Mobilization and Financing for Children Policy .....	8
h) Chapter 8: Communication, Publicity and Information .....	8
i) Chapter 9: Policy Review .....	8
3.3 Guiding Policy Principles .....	8
20. The Policy has been formulated and guided by the following principles: .....	8
a) Best interests of the child.....	8
b) Meeting children’s basic rights.....	8
c) Child participation .....	8
d) Efforts to promote and protect children rights must be family and community based .....	8
e) Creating and building partnerships and effective relationships .....	9
f) Non-discrimination and inclusion of marginalized children.....	9
g) Accountability and transparency.....	9
4.0 DISCUSSION OF THE POLICY AND COMMITTEE OBSERVATIONS .....	10
4.1 Discussion of the policy .....	10
4.2 Response from the County Executive Committee member, Department of Gender, Youth, Sports and Social Welfare.....	10
4.3 Committee Observations .....	10
5.0 COMMITTEE RECOMMENDATIONS.....	12

**FOREWARD**

Article 183(2) of the Constitution of Kenya states that a county executive committee may prepare proposed legislation for consideration by the county assembly.

Further Article 53(1) of the same Constitution states that every child has the right -



- (a) to a name and nationality from birth
- (b) to free and compulsory basic education
- (c) to basic nutrition, shelter and health care
- (d) to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative labour;
- (e) to parental care and protection, which includes equal responsibility of the mother and father to provide for the child, whether they are married to each other or not; and
- (f) not to be detained, except as a measure of last resort, and when detained, to be held-
  - i. for the shortest appropriate period of time; and
  - ii. separate from adults and in conditions that takes account of the child’s sex and age

Pursuant to these provisions of Constitution, the Department of Gender and Social Welfare submitted the Machakos County children Policy on 26<sup>th</sup> September, 2024. The policy was tabled in the House and committed to the Social Welfare and Sports committee on 30<sup>th</sup> September, 2024 (Annexure 1).

The Policy envisages a society where children are well protected and have an equal and responsible opportunity to realize their fullest potential in their aspirations, through hard work and honesty.

The Committee is grateful to the office of the Speaker and that of the Clerk to the County Assembly for the continuous and relentless support received as it discharged its mandate. I wish to express my appreciation to the Honourable members of the Committee for their contribution and commitment during committee sittings and compiling of this report and whose effort has made the tabling of this report possible.

On behalf of Social Welfare and Sports Committee and pursuant to Standing Order 190(5), it is therefore my pleasant duty and privilege to table before this Honorable House, the report of Social Welfare and Sports Committee on the Consideration of the Machakos County children policy 2024.

Sign..........Date..........

**Hon. Benjamin Kyule (MCA, Lower Kaewa Ward)**  
**CHAIRPERSON – SOCIAL WELFARE AND SPORTS COMMITTEE**

## **1.0 PREFACE**

### **1.1 Establishment of the Committee**

1. The Social Welfare and Sports committee is a Sectoral Committee of the County Assembly of Machakos established Pursuant to Standing Order 190 whose functions pursuant to Standing Order 190 (5) shall be to;
  - (i) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
  - (ii) Study the programme and policy objectives of departments and the effectiveness of the implementation;
  - (iii) Study and review all county legislation referred to it;
  - (iv) Study, assess and analyse the relative success of the departments as measured by the results obtained as compared with their stated objectives;
  - (v) Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the Assembly;
  - (vi) To vet and report on all appointments where the Constitution or any law requires the Assembly to approve, except those under Standing Order 184 (Committee on Appointments); and
  - (vii) Make reports and recommendations to the Assembly, including recommendations of proposed legislation.

### **1.2 Mandate of the Committee**

2. The mandate of the Committee in accordance to Second Schedule of the Standing Orders is to deal with all matters related to Youth welfare, Women affairs, empowerment of women, matters of equality, affirmative action and gender related issues and sports activities and facilities.
3. In executing its mandate, the Committee oversees the following Departments which are under the County Executive Committee Member for Gender, Youth, Sports and Social Welfare;
  - (a) Youth and Sports
  - (b) Gender and Social Welfare

### **1.3 Committee Membership**

4. The Social Welfare and Sports Committee as currently constituted by the House comprises of the following thirteen Honourable Members:
  - (1) Hon. Benjamin Kyule - Chairperson
  - (2) Hon. Boniface Katiti - Vice Chairperson
  - (3) Hon. Constance Mbula - Member
  - (4) Hon. Boniface Maeke “



- (5) Hon. Francis Kavyu “
- (6) Hon. Dickson Maundu “
- (7) Hon. Dee Kivuva “
- (8) Hon. Ruth Wanjiru “
- (9) Hon. Annastasia Mutevu “
- (10) Hon. Catherine Kyee “
- (11) Hon. Catherine Mutio “
- (12) Hon. Rose Wavinya “
- (13) Hon. Peninah Kisangai “

#### **1.4 Committee Secretariat**

5. During the consideration of the Machakos children Policy the Committee was facilitated by the following secretariat:

- (1) Ms. Judith Nzuki - Clerk Assistant
- (2) Mr. Daniel Makau - “
- (3) Mr. Brian Muthusi - Legal Counsel
- (4) Ms. Lucia Katile - Hansard Reporter
- (5) Mr. Stephen Munyao - Sergeant at arms

## 2.0 BACKGROUND

6. Article 185(2) of the Constitution of Kenya 2010 provides that a County Assembly may make any laws that are necessary for or incidental to, the effective performance of the functions and exercise of the powers of the County Government under the fourth schedule.
7. Further Article 53(1) of the Constitution of Kenya states that every child has the right -
  - a) to a name and nationality from birth
  - b) to free and compulsory basic education
  - c) to basic nutrition, shelter and health care
  - d) to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative labour;
  - e) to parental care and protection, which includes equal responsibility of the mother and father to provide for the child, whether they are married to each other or not; and
  - f) not to be detained, except as a measure of last resort, and when detained, to be held-
    - i. for the shortest appropriate period of time; and
    - ii. separate from adults and in conditions that takes account of the child's sex and age
8. Pursuant to these provisions of Constitution, the Department of Gender and Social Welfare submitted the Machakos County children Policy on 26<sup>th</sup> September, 2024. The policy was tabled in the House and committed to the Social Welfare and Sports Committee on 30<sup>th</sup> September, 2024. (**Annexure 1**)

### **3.0 THE MACHAKOS COUNTY CHILDREN POLICY, 2024**

#### **3.1 Overview of the policy**

9. The main objectives of the policy are to;
  - (i) Support child development, health, nutrition and wellbeing;
  - (ii) Support child education, enhance creativity, identify talent, support ICT and innovative development among children;
  - (iii) Mainstream children in social, economic and political initiatives, support transformative leadership, mentorship, participation and representation, support environment and sustainable development among children at all levels; and
  - (iv) Eradicate drugs and substance abuse, tackle crime, curb radicalization and violent extremism and support peace building among children

#### **3.2 Presentation of the policy**

10. The policy is presented in nine (9) chapters as follows;

##### ***a) Chapter 1: Introduction***

11. Outlines the introduction, rationale of Machakos County children policy, scope of the children policy, dimension of children profile in Kenya and the process of formulating the Machakos County children policy.

##### ***b) Chapter 2: Situational Analysis and Institutional frameworks***

12. Provides an overview of children issue, evolution of related institutional and policy framework and the SWOT analysis of recent policy interventions.

##### ***c) Chapter 3: Machakos County Children Development framework***

13. Provides the overall goal of the policy, vision, mission, objectives of the policy, guiding principles, values and rights, responsibilities and roles of stakeholders including children.

##### ***d) Chapter 4: Children policy objectives and strategies***

14. This chapter mainly focuses on policy objectives and the strategies, interventions and measures aimed at empowering and harnessing the potential of children while contributing to the country's sustainable development.

##### ***e) Chapter 5: Policy Coordination and Implementation***

15. Outlines various components of the policy coordination and coordination framework of the policy.



**f) Chapter 6: Monitoring, Evaluation and Impact Assessment**

16. This chapter spells out how monitoring, evaluation and impact assessment will be undertaken whereby evaluation will be undertaken every 3 to 5 years through an integrated approach involving County departments, public and private sectors, informal sectors, non-governmental organizations (NGOs) among others.

**g) Chapter 7: Resource Mobilization and Financing for Children Policy**

17. This chapter addresses resource mobilization and financing for children policy which will be by the Machakos County Government in partnership with other stakeholders such as development partners, public and private sectors, NGOs, CSOs, FBOs, children serving organizations among others.

**h) Chapter 8: Communication, Publicity and Information**

18. This chapter highlights the channels to be used in communicating and disseminating the policy to stakeholders.

**i) Chapter 9: Policy Review**

19. This final chapter takes cognizance of the dynamic nature of issues that affect children and commits to review the policy when need arises.

**3.3 Guiding Policy Principles**

20. The Policy has been formulated and guided by the following principles:

**a) Best interests of the child**

21. This is to ensure that all the work undertaken and decisions made are for the paramount importance of the child.

**b) Meeting children's basic rights**

22. This includes food and nutrition, health, shelter, education and other related rights as well as ensuring they are able to access these rights by empowering the children and all the actors who support them.

**c) Child participation**

23. The voices and opinions of children must be sought in all efforts aimed at addressing their needs. Deliberate effort must be made to involve children at all levels of the framework for child protection system.

**d) Efforts to promote and protect children rights must be family and community based**

24. An effective child protection system ensures that services are located close to the family and community. Through such arrangements, informal networks of extended family, neighbors and

community members can be strengthened to care for and protect children from violence and exploitation.

***e) Creating and building partnerships and effective relationships***

25. Meaningful partnerships will be promoted among key players such as national/county government agencies, relevant NGOs, FBOs, CBOs, children, parents and guardians among others. This is to enhance effective and efficient collaboration.

***f) Non-discrimination and inclusion of marginalized children***

26. All children must be included in the initiatives aimed at ensuring child protection regardless of their status and that of their caregivers.

***g) Accountability and transparency***

27. Good laws and policies cannot protect children unless all duty bearers are held accountable to them. Actors in child protection must be open to scrutiny by different stakeholders and the general public. Where failure and weaknesses are identified, there shall be genuine efforts to address and improve them.

## **4.0 DISCUSSION OF THE POLICY AND COMMITTEE OBSERVATIONS**

### **4.1 Discussion of the policy**

28. The Committee discussed the Machakos County Children policy and noted the following;

- 1) That the demographic data in Machakos County indicates that children constitute of 39.25% of the population in Machakos County.
- 2) That Sexual abuse, drug abuse and lack of adequate housing are major challenges being faced by the children in Machakos County.
- 3) That given the existence of international, regional and national frameworks such as the United Nations Convention on the Rights of the Child, there are the observable gaps in the policy implementation regarding the protection and welfare of children
- 4) That there is a high school dropout rate and limited ICT access in Machakos County.
- 5) That there is need for a clear policy framework to ensure the roles and responsibilities outlined for various stakeholders including parents, community and government are well established.
- 6) That there is need for robust policy coordination and collaboration among stakeholders to improve policy outcomes for children.

### **4.2 Response from the County Executive Committee member, Department of Gender, Youth, Sports and Social Welfare**

29. The Committee sought clarification on the issues raised from the policy via a letter Ref: MKSCA/PCS/CMM/GYSS/VOL.1/66 dated 27<sup>th</sup> November to the County Executive Committee Member (CECM) for the Department of Gender, Youth, Sports and Social Welfare

30. The CECM for the Department of Gender, Youth, Sports and Social Welfare responded through a letter REF:MCG/DGYS/CA/CECM/VOL.1 (21) dated 29<sup>th</sup> November, 2024 as follows:

- a. That the Department has integrated children's issues as one of the ongoing programmes in their work plan.
- b. That there is no specific vulnerable children data by the Department on cases of sexual abuse, drug abuse and lack of housing; however the strategies to be adopted on the same have been captured in the matrix annexed to the policy.

### **4.3 Committee Observations**

31. The Committee analysed the policy and observed the following issues;

- (i) That 39.2% of Machakos County population constitutes children According to 2019 Kenya Population and Housing Census.
- (ii) That lack of an active Children policy in Machakos County has over the years hindered the achievement of children rights and the following Sustainable Development Goals (SDGs);
  - (a) SDG 1: End poverty in all its forms everywhere
  - (b) SDG 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture
  - (c) SDG 3: Ensure healthy lives and promote wellbeing for all ages
  - (d) SDG 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all
  - (e) SDG 5: Achieve gender equality and empower all women and girls
  - (f) SDG 6: Ensure availability and sustainable management of water and sanitation for all
  - (g) SDG 9: Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation
  - (h) SDG 10: Reduce inequality within and among countries
  - (i) SDG 13: Take urgent action to combat climate change and its impacts
  - (j) SDG 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels
  - (k) SDG 17: Strengthen the means of implementation and revitalize the global partnership for sustainable development
- (iii) That there has been an increase in cases of teenage pregnancies, suicide, child labour, sexual abuse, drug abuse and inadequate housing due to lack of an active children policy in Machakos County where children are likely to be exposed to unplanned pregnancy, unsafe abortion, maternal mortality, permanent health complications, permanent disability and sexually transmitted diseases including HIV and AIDS. They also suffer challenges of economic exploitation.
- (iv) The Machakos County Children Policy 2024 is sufficient to deal with matters affecting children within the county.

## 5.0 COMMITTEE RECOMMENDATIONS

The Committee recommends that;

1. This House adopts this report and approves the Machakos County Children Policy 2024.
2. The Department of Gender, Youth, Sports and Social Welfare, in the implementation of the Machakos County Children Policy 2024, should:
  - a. Undertake budgeting initiatives of children from the point of County Integrated Development Plan, Annual Development Plan, County Fiscal Strategy Paper and the final Budget Estimates and any other policy framework that addresses issues of children.
  - b. Establish a children desk and child protection Committees in every sub- county to detect, respond, address and manage children protection where the committees should sensitize and conduct awareness campaigns on children rights.
  - c. Conduct sensitization to parents, schools, churches and other religious institutions to create a safe environment for nurturing children and ensuring their proper development.
  - d. Strengthen child protection mechanism through actions that ensures children access to birth registration and identity, as well as systematic measures to guard against teenage pregnancies, suicide cases, child labour, sexual abuse and exploitation, drug abuse among others.
  - e. Monitor and report on child labour prevalence and take appropriate action to prevent and respond to cases, in compliance with international best practices
  - f. Collaborate with government agencies and civil society to implement effective strategies and allocate resources to increase access to education and vocational training in a bid to increase sensitization and knowledge on issues affecting children and its solution.

Sign..........Date..........

**Hon. Benjamin Kyule (MCA, Lower Kaewa Ward)**

**CHAIRPERSON – SOCIAL WELFARE AND SPORTS COMMITTEE**



REPUBLIC OF KENYA  
GOVERNMENT OF MACHAKOS COUNTY  
MINISTRY OF GENDER, YOUTH, SPORTS AND SOCIAL WELFARE  
DEPARTMENT OF GENDER AND SOCIAL WELFARE  
*Office of the CECM*

Telephone +254-41 20276  
Fax +254-41 70655

Machakos Highway  
P.O BOX 2565-90100  
Machakos, Kenya.

MACHAKOS COUNTY MCM 11201

25<sup>th</sup> September, 2024

✓ To: Clerk

County Assembly of Machakos

P.O. Box 1108-90100

Machakos

MACHAKOS COUNTY ASSEMBLY	
<b>RECEIVED</b>	
P. O. Box 1108-90100 MACHAKOS	
26 SEP 2024	
Time:.....	3:58 PM
Sign:.....	B. B. Gulya

Dear Sir,

RE: MACHAKOS COUNTY CHILDREN POLICY 2024

I trust this finds you well.

Attached please find the Machakos County Children Policy 2024 for your consideration and deliberation by the County Assembly.

Thank you for your consideration.

Regards,

GOVERNMENT OF MACHAKOS  
CECM - DEPARTMENT OF GENDER, YOUTH  
SPORTS & SOCIAL WELFARE

26 SEP 2024

HON. JOHN KILONZO

CECM GENDER, YOUTH, SPORTS AND SOCIAL WELFARE.

P.O. Box 1996 - 90100, MACHAKOS

Cc. County Secretary and Head of Public Services,

Chief Officer - Gender & Social Welfare

*III No/nd  
Done  
30/9/24  
nd/nd.*

*II Table office  
Deal  
27/9/24  
I D Procedure  
Table before the  
House  
26/09/2024*



**REPUBLIC OF KENYA**  
**COUNTY GOVERNMENT OF MACHAKOS**  
**COUNTY ASSEMBLY OF MACHAKOS**



County Hall  
Along Mwatu wa Ngoma Rd  
P O Box 1168 – 90100  
MACHAKOS – KENYA  
Third Assembly

Email: [assemblymks@gmail.com](mailto:assemblymks@gmail.com)

**Adoption schedule for the report on consideration of the Machakos County Children Policy 2024. The report was adopted by the following Members:**

**Date: 04<sup>th</sup> December 2024**

No.	Member	Signature
1.	Hon. Benjamin Kyule	
2.	Hon. Boniface Katiti	
3.	Hon. Dickson Maundu	
4.	Hon. Catherine Muia	
5.	Hon. Annastacia Mutevu	
6.	Hon. Constance Mbula	
7.	Hon. Dee Kivuva	
8.	Hon. Rose Wavinya	
9.	Hon. Catherine Kyee	
10.	Hon. Boniface Maeke	
11.	Hon. Peninah Kisangai	
12.	Hon. Ruth Wanjiru	
13.	Hon. Francis Kavyu	