

PARLIAMENT OF KENYA

THE NATIONAL ASSEMBLY

THE HANSARD

Thursday, 10th September 2020

The House met at 10.00 a.m.

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

PRAYERS

QUORUM

Hon. Deputy Speaker: Hon. Members, you will allow us to confirm that we have the required numbers especially in the holding areas. I order that the bell be rung for 10 minutes because we seem to be short of the required quorum even when we combine the numbers that we have within the Chamber and those who are outside.

(The Quorum Bell was rung)

Okay. Hon. Members, I order that the bell stops ringing because we have achieved the required quorum. Therefore, business will begin.

PAPERS LAID

Hon. Deputy Speaker: Under that particular Order, we have the Leader of the Majority Party tabling documents.

Hon. Amos Kimunya (Kipipiri, JP): Thank you. Hon. Deputy Speaker, I beg to lay the following Papers on the Table of the House:

Legal Notice No.129 relating to the public health (COVID-19 General Public Safety) Rules, 2020 and Explanatory Memoranda from the Ministry of Health.

Legal Notice No.163 relating to the Public Health (COVID-19 Sale of Alcoholic Drinks) Rules, 2020 and Explanatory Memoranda from the Ministry of Health.

Legal Notice No.164 relating to the Crops (Nuts and Oil Crops) Regulations, 2020 and Explanatory Memoranda from the Ministry of Agriculture, Livestock, Fisheries and Cooperatives.

List of nominees to nine constituencies committees from the National Government Constituencies Development Fund (NG-CDF) Board as follows:

- (a) Baringo South Constituency;
- (b) Cherangany Constituency;
- (c) Kacheliba Constituency;
- (d) Mumias West Constituency;

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- (e) Mvita Constituency;
- (f) Ol kalou Constituency;
- (g) Wajir North Constituency;
- (h) Ndaragwa Constituency; and,
- (i) Sabatia Constituency.

The Reports of the Auditor-General and the Financial Statements in respect of the following institutions for the year ended 30th June 2019 and the certificates therein:

- (a) Insurance Regulatory Authority;
- (b) Consolidated Bank of Kenya Limited;
- (c) Kenya Electricity Generating Company PLC;
- (d) IDB Capital Limited; and,
- (e) Geothermal Development Company Limited.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. We will go to the next Order.

QUESTIONS AND STATEMENTS

Hon. Deputy Speaker: In this particular Order, we have requests and replies of both Questions and Statements. On the part of Questions, we have Questions by Private Notice and Ordinary Questions. We will start with Questions by Private Notice. Hon. Members, as per your Order Paper, Question No.22/2020 by the Member for Murang'a County is deferred on her request. So, we will go to Question by the Member for Molo, Hon. Kuria Kimani Francis. I cannot see your name here, Hon. Member.

QUESTIONS BY PRIVATENOTICE

QPN.22/2020

APPOINTMENT OF MEMBERS TO TOURISM REGULATORY AUTHORITY BOARD

(Question deferred)

QPN.23/2020

PLIGHT OF DOMESTIC WORKERS IN SAUDI ARABIA

Hon. Kuria Kimani (Molo, JP): Thank you very much, Hon. Deputy Speaker. I rise to ask a Question by Private Notice to the Cabinet Secretary for Foreign Affairs:

- (i) What is the Ministry of Foreign Affairs, through the Kenya Embassy in Saudi Arabia, doing to facilitate the bringing back home of the remains of the late Alice Awuor Tindo of identity card No.35064926 who until her sudden death under unclear circumstances on 14th June 2020 was living and working in Najran City in Saudi Arabia as a nanny?

- (ii) Does the Ministry of Foreign Affairs, through the Kenya Embassy in Saudi Arabia, maintain a database of all Kenyans living and working in Saudi Arabia, especially as domestic helps?
- (iii) What steps is the Ministry of Foreign Affairs taking to provide a lasting solution to the rampant cases of violence meted out on Kenyans working as domestic helps in the Middle East, particularly in Saudi Arabia?

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. That Question will be replied to before the Departmental Committee on Defence and Foreign Relations. Hon. Members, we will go to the Ordinary Questions. We will start off with the Member for Kuresoi South, Hon. Joseph Tonui.

ORDINARY QUESTIONS

Question No.167/2020

STALLED CONSTRUCTION OF OLENGURUONE STADIUM

Hon. Joseph Kipkosgei (Kuresoi South, JP): Thank you, Hon. Deputy Speaker, for giving me this opportunity to ask Question No.167/2020 to the Cabinet Secretary for Sports, Culture and Arts:

- (i) Why has the construction of Olenguruone Stadium in Nakuru County which was funded by the national Government and inaugurated in 2014 stalled?
- (ii) How much money has been spent on the project and what is the scope of work done so far?
- (iii) When will the construction of the said project resume and when is it expected to be completed?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. That Question will be replied to before the Departmental Committee on Sports, Culture and Tourism. Let me go to the Member for Nakuru Town East. His Question is deferred.

Question No.170/2020

REGISTRATION STATUS OF PREVAILING SACCO

(Question deferred)

Question No.171/2020 in the Order Paper by the Member for Lamu East, Hon. Sharif Athman Ali, is also deferred upon his request. So, we will go to the Member for Ol Jorok, Hon. Muchira.

Question No.171/2020

DELAYED CONSTRUCTION AND UPGRADING OF ROADS IN LAMU EAST CONSTITUENCY

(Question deferred)

Question No.175/2020

MEASURES TO ADDRESS HUMAN-WILDLIFE CONFLICT IN OL JOROK CONSTITUENCY

Hon. Michael Muchira (Ol Jorok, JP): Thank you, Hon. Deputy Speaker. I rise to ask Question No.175/2020 directed to the Cabinet Secretary for Tourism and Wildlife:

- (i) Could the Cabinet Secretary outline the measures the Ministry has put in place to address the human-wildlife conflict in Ol Jorok Constituency, particularly involving hippopotamuses in the areas near Lake Ol Bolossat?
- (ii) Are there any measures in place by the Ministry to facilitate compensation of the area residents for losses incurred as a result of destruction of crops and other properties by the said wildlife?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. That Question will be replied to before the Departmental Committee on Environment and Natural Resources. We will go to the last Question by the Member for Starehe, Hon. Njagua. I am trying to trace him because he has not placed his card in the request slot.

Hon. Charles Njagua (Starehe, JP): I do not know why it is not working, Hon. Deputy Speaker.

Hon. Deputy Speaker: Okay. You have the microphone.

Question No.182/2020

EVICTION OF TRADERS FROM MARIKITI MARKET

Hon. Charles Njagua (Starehe, JP): Hon. Deputy Speaker, I rise to ask a Question which is directed to the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works:

- (i) Could the Cabinet Secretary provide the ownership, status and size of the land under Marikiti Market which is also known as Wakulima Market?
- (ii) Could the Cabinet Secretary explain why occupants of the said land and traders in the market were evicted and their property burnt on 7th August 2020?
- (iii) Could the Cabinet Secretary consider ensuring that the occupants and traders who lost their property during the evictions attributable to actions by staff or agents of Kenya Railways Corporation are compensated?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. That Question will be replied to before the Departmental Committee on Transport, Public Works and Housing. We will now go to the Statements. We will start with Statement requests and then we will go to the issuance of Statements that have already been requested. We will start with the Member for Kuresoi South, Hon. Tonui. There are many empty seats. So, Hon. Tonui, as soon as you seek your Statement, you can take any of the empty seats.

STATEMENTS

LAND DEMARCATION AND BOUNDARY ALTERATION IN BARAGET SETTLEMENT SCHEME

Hon. Joseph Kipkosgei (Kuresoi South, JP): Thank you, Hon. Deputy Speaker, for giving me this opportunity once again to request for a Statement regarding the ongoing land demarcation and boundary alteration in Baraget Settlement Scheme in Kuresoi South Constituency, Nakuru County.

Hon. Deputy Speaker, pursuant to Standing Order 44(2)(c), I request a Statement from the Chairperson of the Departmental Committee on Environment and Natural Resources regarding ongoing land demarcation and boundary alteration in Baraget Settlement Scheme in Kuresoi South Constituency, Nakuru County.

The national Government is currently undertaking land demarcation and boundary alteration in Baraget Scheme. Once this exercise is complete, it will see more than 300 families residing in the scheme evicted and rendered landless, this notwithstanding the fact that they were settled in the scheme by the same Government in 1999, following the degazettement notice of 2nd October 1997 and issued with title deeds. The people who settled on the land were victims of the 1997 Lare tribal clashes. Regrettably, the exercise is being undertaken despite a court order stopping the process.

Hon. Deputy Speaker, it is worth noting that a lot of resources have been put on the development of the area through among other things, construction of public infrastructure projects such as schools, hospitals, roads, electricity, water as well as individual residents developing their farms and constructing permanent houses. The persons residing in the said areas are now living in distress and anguish. It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Environment and Natural Resources. In the Statement, the Chairperson should address the following concerns:

1. Why is the Government demarcating land and altering boundaries on the same area that people were settled more than 20 years ago and issued with title deeds following the degazettement of this on 2nd October 1997?
2. Why are the Ministries of Environment and Forestry, Interior and Co-ordination of National Government disobeying a court order stopping the said process?
3. Could the Government first consider engaging the affected families resettling and fully compensating them for their land and other properties before carrying out evictions?
4. What is the fate of schools, hospitals and other public infrastructures in the settlement area which will be affected by the demarcation of boundaries?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. You can take any available seat. Serjeant-At-Arms, you are asked to allow any Member who will be coming in to take the seats that are available.

Now, where is the Chairman of the Departmental Committee on Environment and Natural Resources? Is he in? Any Member of the Committee? Now, we will ask and request the Leader of Majority Party to liaise with him to have that Statement answered within 14 days.

Then we go to the issuance of Statements. We have one that was requested by Hon. Kenta and another by Hon. Tonui, being replied to by the Chairperson of the Departmental Committee on Administration and National Security. Hon. Koinange, are you ready? You may proceed.

Hon. Paul Koinange (Kiambaa, JP): Thank you, Hon. Deputy Speaker. I have already spoken to Hon. Richard ole Kenta and I want to report to this House - for the purpose of record - that I have deferred both Statements which I was to issue this morning. This is because the Statement to Hon. Richard ole Kenta is not satisfactory and I will need more information from the Ministry of Interior and Co-ordination of National Government for Hon. Kenta to engage his own people. As I do that, also, I have agreed with Hon. Kenta that we should engage the Independent Policing Oversight Authority (IPOA) in order to get more information especially to the second part of the question in regard to the officers who were engaged in this criminal activity in his area.

Hon. Deputy Speaker, the next question was from Hon. Tonui regarding the boarder around Narok and Nakuru counties. Also, this particular Statement is very unsatisfactory and the answer is very shallow. So, I will need more information from the Cabinet Secretary, Ministry of Interior and Co-ordination of National Government in order to answer the Member to his satisfaction and that of his people.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. Hon. Koinange, how much time do you require? Upon your request, it makes sense.

Hon. Paul Koinange (Kiambaa, JP): On Hon. Tonui's Statement, I will need two weeks. But the one for Hon. Kenta, I will need, at least, three weeks because I think there is more information that is needed than what is on Statement issued by the Ministry.

Hon. Deputy Speaker: Okay. But before I make that decision, it is important that I also hear from the Members who sought the Statements. My advice Hon. Chairman, is that you would have probably done both Statements on the same day because they are similar and touch on the same issue, but that is really up to you.

Hon. Tonui, do you have anything to say? Are you comfortable with the two weeks?

(Hon. Joseph Kipkosgei spoke off record)

You have already been given an opportunity where you are seating. You should probably ask from there so that you do not have to come all the way.

Hon. Joseph Kipkosgei (Kuresoi South, JP): Thank you, Hon. Deputy Speaker. I am comfortable with the two weeks as long as the Chairperson comes up with a long-lasting solution.

Hon. Deputy Speaker: Very well. Let us go to Hon. Richard ole Kenta.

Hon. Richard ole Kenta (Narok North, ODM): Thank you, Hon. Deputy Speaker. That is a strange name.

(Laughter)

Hon. Deputy Speaker: I know the name is fairly strange. Actually, when the Chair called you Richard, it was difficult to...

Hon. Richard ole Kenta (Narok North, ODM): Hon. Deputy Speaker, in fact, I would like to commend and thank my colleague, the Chairman who has just spoken. It is good that they shared the Statement with us before they presented it before this House. I sympathise with most of the Chairpersons because we are acting for people who are not serious with their work. If a Member asks a question with specific answers expected and then the Ministries give very shallow responses, this puts the Chairpersons in no-good position. I would like to clearly tell the Cabinet Secretaries that they answer to Parliament and they should not take Parliament for granted because

that is what is happening. That is why there are conflicts in the country and there is no authority anywhere.

Hon. Deputy Speaker, I agree with him that he needs more time. However, I suggest that the Committee should consider taking these matters to IPOA, especially the one that affects my people. Two people died and four were injured by the police. In the three weeks, we want a thorough answer on that one.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: The Chair has requested for more time.

Let me give a chance to two more Members. Let us start with Hon. Wamalwa, then I will pick one or two Members from this side and that will be it. I believe what you are doing is simply but addressing the kind of Statement we should be expecting from the Chair. That will make more sense.

Hon. (Dr.) Chris Wamalwa (Kiminini, FORD-K): Thank you Hon. Deputy Speaker for granting me this opportunity.

Matters of security are cross-cutting most of the time. This is my second time in this Parliament and unless it is a new tradition in terms of responding to Members' Questions...

Hon. Deputy Speaker: I am sure you meant the second term because when you say second time, it still makes sense, probably, Tuesday and today.

Hon. (Dr.) Chris Wamalwa (Kiminini, FORD-K): I am in my second term, Hon. Deputy Speaker.

Ideally, chairmen are normally just conveyer belts, conveying information from the Executive. If, indeed, a Question was directed to the Cabinet Secretary and his answer is unsatisfactory, it is a sign of incompetence and can form a basis for impeachment. Traditionally, the Chair is supposed to give the information and then we are supposed to seek some clarifications. But in such a case, it becomes difficult for other Members to seek further clarifications on the Statement. In case we are going to get the same unsatisfactory answers in two weeks' time, then the Committee should move forward and impeach the Cabinet Secretary on grounds of incompetence.

Thank you.

Hon. Deputy Speaker: That is a very interesting approach you have taken. The Chair and the Members who requested for the Statement seem to be agreed that the Statement by Hon. Tonui be brought in two weeks and the one by Hon. Kenta in three weeks. So, for Members contributing on it now is just, as I have said, to give ideas to the Chair on how to make it more detailed.

Hon. Mbarire.

Hon. (Ms.) Cecily Mbarire (Nominated, JP): Thank you, Hon. Deputy Speaker. I am sorry I have misplaced my card.

I am rising on a concern on the Questions Members raise here.

Hon. Deputy Speaker: Questions or Statements?

Hon. (Ms.) Cecily Mbarire (Nominated, JP): Statements. I sought a Statement from the Ministry of Gender before we went on recess about three months ago. The Ministry said it needed a multi-sectoral committee to answer the Question. What do we do when Members seek Statements and then Ministries are not forthright with their answers and take their time? I had sought a Statement on the issue of teen pregnancies but up to now, I have not heard anything.

Hon. Deputy Speaker: That seems to be something that would require a more specific request. We will be dealing with your case. From which Chair did you seek the Statement?

Hon. (Ms.) Cecily Mbarire (Nominated, JP): The Departmental Committee on Labour and Social Welfare.

Hon. Deputy Speaker: We ask the Chair of the Departmental Committee on Labour and Social Welfare to tell us the status. I do not see the Chair of the Departmental Committee on Labour and Social Welfare, Hon. Mwathi here. But in the meantime, it will be communicated. I am sure the Leader of the Majority Party will do that and discuss with him especially in the next hour or so when they will be having their Liaison Committee meeting.

Hon. Commissioner Keynan.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Deputy Speaker. While appreciating what the Chairman of the Departmental Committee on Administration and National Security has done, there is something we must voice, as Members of Parliament. The governance structure we have is that members of the Executive are outside Parliament. Chairpersons are left with a task of explaining to the House and the Kenyan public Statements and Questions that they may not be really privy to. In the end, the Chairman and Parliament are blamed.

I suggest that it is high time Chairs of committee put their feet down and take to task Cabinet Secretaries and other senior Government officials who give a bad image to the Government by not responding to Questions and Statements. I imagine that a Statement related to security is normally urgent and requires a lot of due diligence. The Chairman is here and I am surprised the Members are asking for two weeks. But that is their right. A Statement related to security is urgent. Therefore, in future, the Chairman of the Departmental Committee on Administration and National Security or any other chairman who is supposed to deliver a Statement from a Cabinet Secretary or a Question, should be thorough enough to ask for a comprehensive answer. That is the only way Parliament will be respected and that is the only way Cabinet Secretaries will take their work seriously. That is the only way Members will be satisfied.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. I will give the last chance to the Leader of the Majority Party. But as I do that, we should all be applauding the Chair of that particular Committee because on his Motion, he has thought it fit that he needs to get more details. That is to tell you that that particular Committee is working quite well.

Let us have the Leader of the Majority Party before we move to the next Order. There is nothing I am ruling on this. It is just a question of agreeing with the Chair and the Members who sought the request that it is three and two weeks respectively.

Hon. Amos Kimunya (Kipipiri, JP): Thank you, Hon. Deputy Speaker. I empathise with the Members in terms of the frustration they get in getting answers at the right time. I would like to advise Members to consider whether to get information through a Statement or a Question. The route of the Question is that it is answered in the committee by the Cabinet Secretary. So, a Member has an opportunity to interrogate the answer directly. The Statement is read on the Floor of the House and the Chair may not be able to have all the background information to answer all the questions. That is something Members may want to consider, whether to get answers through a Statement, which is read on the Floor of the House or through a Question. Matters that are urgent in nature are responded through Questions by Private Notice, which are answered within a very short time before they are interrogated before Government officials who come at that level. Perhaps, it is a better route than seeking Statements or filing Petitions which a Member may not get the benefit of interrogating the answer that is given. Then we can, at least, let Committee Chairmen concentrate on processing Bills that we have also placed in committees. That is the

appeal I want to make to Members, that we reconsider a better route to get the same information in a more efficient and more direct way.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: That makes a lot of sense. What the Leader of the Majority Party is saying is that Questions were an improvement on Statements and Petitions. So, Members can take advantage of the fact that the Procedure and House Rules Committee thought it fit that we could have Questions in the circumstances of the Constitution which separates completely the workings of the Legislature and that of the Executive. So, it is a way that is faster and more efficient. So, Members as you bring up your issues, consider the faster ones. But even Petitions and Statements are still good depending on what you want to get.

Let us proceed to the next one, the Chairperson of Departmental Committee on Defence and Foreign Relations.

ILLEGAL DETENTION OF YASSIN JUMA

Hon. Katoo ole Metito (Kajiado South, JP): Thank you, Hon. Deputy Speaker.

I rise to reply to request for a Statement which was sought by Hon. Aden Duale on several issues. It was about the illegal detention of Mr. Yassin Juma, a Kenyan journalist who also goes by the name Collins Juma Osemo. The Hon. Aden Duale wanted to know the specific measures the Government of Kenya is pursuing to ensure that the said journalist is guaranteed his absolute freedom. Two, he also wanted to know the immediate assistance or facilitation the Government of Kenya has accorded the journalist. Finally, the measures the Government has put in place to safeguard Kenyans from similar treatment abroad.

I have all the background information because this Kenyan was arrested on 2nd July 2020 and he was released on 17th August 2020. Our Ministry of Foreign Affairs here in Nairobi has been in constant touch or communication with the authorities of the Ethiopian Government through our embassy in Addis Ababa for those 46 days. I have that report. It is so detailed. I just want to respond very briefly on the following: one, I want to say that Mr. Yassin Juma has been released as we speak, and; secondly, the Ministry through our missions abroad offers non-monetary consular services to all Kenyans overseas, those who seek help. For details about the arrest up to the date of release of Mr. Yassin Juma, they are all here attached. Good enough, the Kenyan by the name Yassin Juma is now a free citizen.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. That Statement was sought by Hon. Aden Duale. So, we will give him the first shot if he is in.

(Hon. Aden Duale was not in the Chamber)

Now, we will go to the commissioner. Just proceed.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Deputy Speaker. I thank the Chairman of the Departmental Committee on Defence and Foreign Relations. The arrest of Mr. Yassin Juma was malicious, offensive and capricious to the extent that up to now, even after his release, Yassin Juma was not clearly told the offence that he committed. One thing that really surprises me is that this happens in an era of serious diplomatic engagement and globalisation. Where this arrest took place is in a neighbouring state where we have a lot of institutional linkages like Intergovernmental Authority on Development (IGAD), the African Union (AU) and many other institutions. The way

we allow neighbouring states to treat our citizens must form the basis of our diplomatic engagement with that country. Kenya is a leading regional hub. It is not a country that can just be taken like any other. Therefore, what we expected is not just the arrest and the release.

We cannot celebrate the release of Yassin Juma on the face of it. He was in detention for over a month. The explanation we expected is that either we are told as a country the offence he committed or we get an apology through the usual diplomatic channels. This is one thing that should be done. For me, I will not celebrate just the release of Yassin Juma. What will help me celebrate is being given the reason he was arrested, whether he was convicted and, if anything, if he did something contrary to the law of that country, we need an explanation. That is so that, even here, through our diplomatic engagement through our institutions, Mr. Yassin Juma can be held accountable. Just saying he has been released while the family has suffered, Hon. Chairman, I think that answer lacks serious substance. Therefore, we need to go back to the Ministry of Foreign Affairs and get a better explanation why that person was arrested. He actually got infected with COVID-19. You must have heard this. He was in isolation for over 15 days. He did not get the necessary medical attention.

Therefore, in every aspect, the basic rights of Mr. Juma were really affected. This is one thing that we need to address as a country so that our citizens all over the world are respected and enjoy their rights whether they are inside or outside Kenya.

Hon. Deputy Speaker: Okay. We will go to Hon. Rasso.

Hon. Ali Dido (Saku, JP): Thank you very much, Hon. Deputy Speaker. I just want to add my voice to what my Chairman there has given.

One of the difficulties we see with the Ministry of Foreign Affairs is to do with Kenyans who are in distress in those countries. They tell us that they do not have any sort of funding to help them. In this case, this Kenyan was arrested, he was in prison, he was sick. Whenever the Committee asked what the Ministry was doing, they were telling us that there is no funding. I think to this end, this House must pronounce itself that something must be done about Kenyans who are in distress, not of their cause but caused by what Hon. Keynan said which we considered a diplomatic spat between us and a friendly country.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Okay. Hon. Wandayi. Hon. Chairman, I will give chance to a few Members then you can respond.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Deputy Speaker, I want to fully associate myself with the sentiments expressed by my colleagues, especially by the Hon. Keynan.

You know, a sovereign country or state such as Kenya has a first and foremost responsibility of ensuring the liberty of its citizens within or outside its territory. It is not enough. Indeed, I want to look at the bundle. I have not read it to see what it contains. But on the face of it, we should have been told clearly that Yassin Juma has been released or was released but he had been detained for this and that crime. We must demonstrate as a country that we have the diplomatic muscle to serve the interests of our citizens from wherever they are. I am just imagining if it was, for instance, a citizen of the State of Israel being mistreated by a neighbouring country, they would leave everything else and go to pursue the persons holding their citizen.

Hon. Deputy Speaker: You know what you are beginning to do is addressing a gathering.

Hon. Opiyo Wandayi (Ugunja, ODM): I am trying to express my disgust and disdain at both the actions and....

Hon. Deputy Speaker: Even if you are doing so, you are beginning to address a gathering. You are supposed to just seek some clarifications. We cannot move that direction. You also have to be fair that other Members must also get an opportunity.

Hon. Opiyo Wandayi (Ugunja, ODM): I am trying to build my case. In short, we want a more categorical statement from the Government as to why Yassin Juma was detained in Ethiopia illegally. That is very important, Hon. Deputy Speaker.

Hon. Deputy Speaker: That is okay. Your disgust has obviously gone on record.

(Laughter)

I have a problem. I want that Member at the very end there. That must be the Member for Laisamis. Let us hear from the Member for Laisamis. What is the number of your seat, 64? Maybe you can come down here.

Hon. Adan Keynan (*Off-record*)

Hon. Deputy Speaker: Honourable Commissioner, you have just had your say. What is it again, honourable Commissioner Keynan? Just a minute Hon. Arbelle. Let me work out on this issue of the point of order here.

Hon. Adan Keynan (Eldas, JP): This is a House of rules. I just saw Hon. Wandayi cross from where he was seated straight to where the indomitable lady, the Member for Siaya, is seated. I thought that is a breach of our procedures.

Hon. Deputy Speaker: It is a complete breach, especially for a Member who is not new in this House. I know there was a time he was out of this House for some one year but, that does not make him a new Member. It does not matter whether it is by dint of the person you are going to consult, who has probably influenced your action. Go back to the Bar and bow.

(Hon. Opiyo Wandayi walked back to the Bar and bowed)

Hon. Adan Keynan (Eldas, JP): Hon. Deputy Speaker, I am informed that nowadays Hon. Wanga and the group represent a new centre of power. I am sure that is the reason the Member forgot that there are procedures.

Hon. Deputy Speaker: He has done what he is supposed to do. That should serve as a warning to all Members, including first-term Members, because they are now serving their fourth year. Let us have the Member for Laisamis.

Hon. Marselino Arbelle (Laisamis, JP): Thank you, Hon. Deputy Speaker, for giving the opportunity to add my voice.

Hon. Robert Pukose (Endebess, JP): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: I do not want you to interrupt the Member for Laisamis. Hon. Pukose, what is it?

Hon. Robert Pukose (Endebess, JP): I know that you have corrected Hon. Wandayi, but looking at their sitting arrangement, it seems that with the new powers, social distance is also disregarded.

(Laughter)

Hon. Deputy Speaker: That coming from a doctor is a very serious matter. We must observe social distance in the House. We can afford to have this at home. A Member told me that

they even use these gadgets at home. We must exercise social distance in Parliament. I will not allow anyone to interfere with the contribution by Hon. Arbelle. Please, seek your clarification in peace.

Hon. Marselino Arbelle (Laisamis, JP): Thank you, Hon. Deputy Speaker, for giving me this opportunity. The case of Mr. Yassin Juma came to the limelight through the media and if it were not for the media, we would not have known about him. I tend to imagine there are many other Kenyans in police custody in East African countries whose fate no one knows. It is important that we strengthen our ties with our neighbours on foreign relation matters. Just the other day, our citizens who live around Migingo Island were going about their daily activity of fishing in Lake Victoria, but were arrested by Ugandan army men and taken all the way to Uganda and nothing is said about their fate. The President of Uganda even made a pronouncement that Migingo Island belongs to Kenya while the water belongs to Uganda. You fail to understand the foreign relation ties between Kenya and Uganda if our people keep on facing harassment.

Hon. Deputy Speaker: I am sure the Chairman has noted that. Let us have Hon. Mizighi.

Hon. (Ms.) Haika Mizighi (Taita CWR, JP): Asante sana, Mhe. Naibu Spika, kwa kunipa nafasi hii. Tumeshukuru kupata habari kuwa Bw. Yassin ameachiwa. Kuachiwa kwake hakuturidhishi kwa sababu tunataka kufahamu sababu ya kushikwa na kuwekwa ndani muda huo wote. Tuliona kwenye runinga jinsi familia yake ilivyoteseka na jinsi afya yake ilidhoofika kupitia mateso aliyoyapata. Ni Lazima tufuatilie zaidi tujue sababu ya kukamatwa na ikiwa alipata matatizo, apate fidia. Inawezekana kuna Wakenya wengine ambao wanashikwa ovyo ovyo bila sababu. Iwapo tutafuatilia kwa kina, wataweza kuachiwa bila kushtakiwa. Ninaamini kuwa tukifuatilia kujua tatizo na sababu za kuachiwa kwake, tunaweza kusimamisha mambo kama haya.

Hon. Deputy Speaker: Hon. Melly, be brief. I will then pick another Member from this other side, and that will be it.

Hon. Julius Melly (Tinderet, JP): Thank you, Hon. Deputy Speaker. The issue of Yassin Juma is a matter of national concern. It is a matter that has put this country so low in a community of nations, more specifically the East African Community. Over the years, Kenya has been known to be serious regional bloc. However, the way we behave when it comes to foreign affairs and treat our citizens when they are in distress is bringing this country down. We have had issues with Uganda, and you will all recall the issue of truck drivers, Tanzania and other countries. I want to state this so that the Ministry of Foreign Affairs can be alert and bring Kenya back to where it was: In a community of nations, the way a nation is treated before others spells the diplomatic muscles of that particular country. This is a wake-up call to the Ministry of Foreign Affairs and the leadership so that our standing and respect is brought back.

Hon. Deputy Speaker: Let us have Hon. Masara.

Hon. Kubai Iringo (Igembe Central, JP): Hon. Deputy Speaker, I have a burning issue.

Hon. Deputy Speaker: If it is a burning matter, we can extinguish it in the normal way. Let us first have Hon. Masara.

Hon. Peter Masara (Suna West, Independent): Thank you, Hon. Deputy Speaker. The statement by the Chairman is not what we were expecting. The citizens of this country are important. We are not only talking about Yassin Juma. The rights of every citizen are very important to the extent that we do not expect our neighbouring countries that we do business with, to detain them without sufficient reasons. As things stand, we demand steps and action that the Ministry of Foreign Affairs has taken to ensure that whatever damage was done in Mr. Yassin Juma's life is compensated.

Hon. Deputy Speaker: Lastly, let us have Hon. Iringo. We still have two Statements.

Hon. Kubai Iringo (Igembe Central, JP): Thank you, Hon. Deputy Speaker, for giving me an opportunity to comment on this issue. I have a similar case from my constituency and I had brought a Question to the House. The Ministry made a response that they could not trace the boy I had reported to be lost in Tanzania. I, however, went out of my way to investigate and managed to trace the boy in a cell in Tanga. He has been there for the last four years and has never been charged in court. I have made several visits to the Ministry of Foreign Affairs, but they have done very little to arrest the situation. It is very sad that a young boy who was not even of age to get an identity card was arrested trading with other businessmen, and since he did not have any identification, he has been held and is languishing in a cell in Tanzania. It is very unfortunate that the Ministry has done very little yet it has all the details and facts. I would like to know from the Chairman of the Committee the steps taken by the Ministry to ensure the boy is brought back home.

Hon. Deputy Speaker: The Chairman will wrap up on this. I do not expect you to respond to the issue raised by Hon. Iringo. I believe they had made a specific Question which was responded to, and if there was any issue, it ought to have been raised then. Hon. Chair, it is something that you need to see the feeling of Members.

Hon. Katoo ole Metito (Kajiado South, JP): Thank you, Hon. Deputy Speaker. Thank you for guiding me on the issue raised by Hon. Iringo and other Members. The Member should know the rules. If you have a different issue than what is on the Floor, you need to seek a Statement or file a Question. Having said that, I want to inform the House that this is one of the best responses we have received from the Ministry of Foreign Affairs. I summarised it because it is five pages and so detailed. Hon. Members can pick it from the Table Office and go through the daily engagements between our Ministry Headquarters, our Mission in Addis Ababa and also with the authorities in Ethiopia. It is detailed and thorough. I repeat: It is one of the best responses we have received from the Ministry of Foreign Affairs. Let me give the highlights.

One, we must know that we also have foreign nationals in this country. At times, they go against the law and they get arrested. What matters is taking them through the judicial process to protect their rights. That is what happened to that Kenyan. He was arrested together with four Ethiopian nationals. They were taken through the judicial process. On 5th August, they were taken to the Federal First Instant Court and all of them, Yassin Juma and the four Ethiopian nationals, were released on bail.

The following day on August 6th, the Court found that they have no case to answer and ordered for their release. The day after on August 7th, the Ethiopian authorities appealed to the High Court in Addis Ababa in a sub-city called Libeta. The same day of August 7th was the day of the appeal, and the High Court upheld the ruling of the lower court. Therefore, the judicial process was followed. What happened is that, when the High Court upheld the ruling of the lower court, they continued detaining Yassin Juma and the four Ethiopians. Our Ministry of Foreign Affairs wrote what is called “a note verbale” to the Ethiopian Ministry of Foreign Affairs demanding that Yassin Juma be released as ordered by the Court.

On August 13th, that note verbale was forwarded from Nairobi addressed to the Ethiopian Foreign Ministry. In the process, it was found out that Yassin Juma had contracted Covid-19. So, he could not be released because he was to be quarantined. The Ethiopian authorities told our Kenyan Mission in Addis Ababa to go and pick Yassin Juma although he was Covid-19 positive. However, our Mission in Addis Ababa did not have a quarantine facility. So, he had to stay for 14

days in a police station that was a quarantine place in Addis Ababa until he tested negative. He was released thereafter and he is back in Nairobi.

The due process took place. Yassin Juma was represented by 11 volunteer lawyers. So, even in our country, when foreign nationals in Nairobi go against the law, they go through a judicial process. Yassin Juma went through that process and he is back. I do not want us to go against Standing Order No.87(1) that forbids discussing adversely any friendly country except upon a specific substantive Motion. Laws of other countries have to be followed just like our laws have to be followed.

Finally, Hon. Deputy Speaker, allow me to communicate a message from Hon. Aden Duale – who has just called me. He is the one who sought this Statement. Unfortunately, he lost his mother. My condolences and those of this House should go to him. He said he got this Statement in advance, went through it and he is satisfied. That is why I said it is five pages. Anyone who reads it will be satisfied that the Kenyan Government, through the Ministry of Foreign Affairs, has done a great job to ensure that Yassin Juma is released.

Thank you.

Hon. Deputy Speaker: Very well. That has been put to rest. We go to the next one by the Chairperson of the Departmental Committee on Lands. This one should be done quickly and in highlights. Are you there? Proceed, Hon. Rachael Nyamai.

LIFTING OF AN EMBARGO/SETTLING OF
TITLE DEEDS ISSUES IN LARI CONSTITUENCY

Hon. (Ms). Rachael Nyamai (Kitui South, JP): Thank you, Hon. Deputy Speaker. I am responding to a Statement sought by Hon. Jonah Mburu, the Member for Lari Constituency. It concerns lifting of an embargo and settling issues surrounding titles for Kinale Settlement Scheme in Lari Constituency in Kiambu County. He sought to know:

(i) The state of implementation of the recommendation of the Report by the Land Administrative Directorate with regard to lifting of that embargo.

(ii) The steps the relevant Ministry is taking to ensure that the 306 missing parcel numbers in the Reduce Level (RL) ends and 623 individual green cards are found and given to the rightful owners; and,

(iii) When the relevant Ministry will settle and conclude this matter with an everlasting solution considering that rifts between the residents occupying parcels of land and those with illegal title deed has been persistent for too long.

I would like to respond as follow. Kinale Forest was declared a forest through Declaration No.48 of 1943 and the forest declared a central forest through Legal Notice No.174 of 1964. It is an old matter and I will not go into its details. Kinale Settlement Scheme was, therefore, established on the escarpment, Kinale/Block 1. That is what it is called. Planning, survey, identification of squatters, processing of their allocations and issuance of title deeds was done under the leadership of the then Provincial Administration. The process was, however, marred with allegations of irregularities at that time. The Ministry of Lands and Physical Planning set up a task force in the year 2002 to look into the allegations of irregularities in the process. The task force placed an embargo on the registration of those title deeds. The matter was then taken up by the then National Land Commission (NLC) in 2013, following complaints made to the NLC. Some of the allegations of irregularities in the process of identification by the ministerial task force are captured in the report that is attached. The Hon. Member can access it. It touches on the following issues:

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- (i) A number of plots had been allocated to un-deserving persons.
- (ii) Genuine squatters were evicted to give way to new allottees who were not squatters.
- (iii) There were squatters on the ground without any allocation documents.
- (iv) There were cases of double allocation.
- (v) Missing list of original allottees.
- (vi) A number of allocations were on parcels of land reserved for conservation.
- (vii) Allocations had extended beyond the gazetted forest land.

Following consultations between the NLC, Ministry of Lands and Physical Planning and the area leadership, a strategy to resolve issues was identified as follows:

- (i) Clearing with the Kenya Forest Service on land degazettement for allocation and the acreages.
- (ii) Consultation with the local leadership.
- (iii) Constituting a working group for the purpose of identifying public purpose plots.
- (iv) Forming a technical team from the Ministry and from the NLC.
- (v) Lifting of the embargo on all clean titles by the Cabinet Secretary, Ministry of Lands and Physical Planning.
- (vi) Ground inspection and verification of disputed records whose embargo will not be lifted.
- (vii) Review of allocations falling on public purpose land and those with double-allocations.
- (viii) Cancellation of titles as per the findings by the NLC during the review.
- (ix) Allocation of deserving squatters.

A local committee comprising the Deputy County Commissioner (DCC), representatives of the National Land Commission (NLC), the area county assembly, chiefs and assistant chiefs and other leaders was established to handle the matter. A technical committee was also constituted, comprising officers from the Ministry and the NLC, for the same purpose, so that they could join the local leadership. The aim was to establish the undisputed titles. These are the findings:

1. Parcels of land without problems (clean titles) – 2,262.
2. Parcels with problems:
 - (a) Court cases or caution – 76.
 - (b) Under custody of the Registrar – 6.
 - (c) Mentioned in the taskforce report as having issues – 110.
 - (d) Double allocations – 8.
 - (e) Duplicated numbers in the list (in the green card and in the RIM) – 11.
 - (f) Sheet numbers not indicated on the Green Card – 14.
 - (g) Missing parcels of numbers in the RIM – 306.
 - (h) Duplicated numbers in the RIM – 5.
 - (i) Parcels in the forest land that are not gazetted – 36.
 - (j) Sub-divided parcels but not amended – 61.
 - (k) Missing green cards – 623.

As I conclude, the Committee made the following recommendations:

1. That the Cabinet Secretary should consider lifting the embargo on the clean title deeds, that is, the 2,262 titles, so that they can be issued.
2. That it would be prudent to engage the Ministry of Environment and Natural Resources on the gazetting of forest land that was irregularly allocated.

In response to (a), (b), (c) and (d), the Cabinet Secretary (CS) stated the following:

The embargo on the clean titles has already been lifted and the owners of the titles have been transacting. So, the embargo does not exist on the clean titles. Reconstruction of missing records will be undertaken upon grant inspection and verification of documents from the rightful owners. The missing parcel numbers are likely to be as a result of sub-divisions which have not been amended in the Registry Index Map (RIM). The grant verification exercise will be undertaken as soon as the Ministry of Health withdraws the Covid-19 restrictions. The Ministry intends to finalize this activity in the Financial Year 2020/2021.

The Statement is signed by the CS for Lands and Physical Planning.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Let us start with the Member for Lari, who made the request. He seems not available and so, that matter rests there.

I have information that the Chair of the Departmental Committee on Education and Research has a statement response. How long will it take? We really do not want to eat too much into the time for Private Members' Bills and Motions. How many minutes do you require so that I can see whether we might take it to the afternoon?

Hon. (Ms.) Florence Mutua (Busia, ODM): Ten minutes?

Hon. Deputy Speaker: Ten minutes are too many.

Hon. (Ms.) Florence Mutua (Busia, ODM): Five?

Hon. Deputy Speaker: Take five minutes.

Hon. (Ms.) Florence Mutua (Busia, ODM): Okay, let me try. This is a response to Hon. Wangwe, the Member for Navakholo. His statement request was to the CS for Education. The question reads: Could the CS provide details on how much funds meant for capitation was released in the FY 2019/2020 and how much is pending to be released to schools?

The response reads. In the FY 2019/2020, the Ministry of Education had a budget of Kshs59 billion to cater for Free Day Secondary Education (FDSE). Those funds were utilized as shown in the detailed table. In Term II 2019, the Ministry released Kshs12 billion, which was a deficit of 2018/2019 FY. In Term III 2019, the Ministry released Kshs20 billion, which was 20 per cent disbursement. In Term I 2020, the Ministry released Kshs31 billion, Kshs368 million and Kshs304 million. CBC training was given Kshs300 million. Co-curricular activities were given Kshs767 million. The total money spent was Kshs58 billion. The approved budget was Kshs59 billion. So, there is a total amount of Kshs983 million which is yet to be released. This amount was meant to cater for co-curricular activities that were suspended in March due to the Covid-19 pandemic.

The second question was: Could the CS provide details on the amount of monies and the capitation that was allocated for the purchase of textbooks, sports and games in both primary and secondary schools in the FY 2019/2020?

In this connection, the Ministry of Education utilized a total of Kshs606 million to procure 2,808,098 textbooks for secondary schools. The Ministry has already remitted Ksh368 million to the Kenya Institute of Curriculum Development (KICD) to start the process of procuring the required textbooks. The remainder of Kshs238 million will be released once the textbooks have been delivered to the targeted schools.

On co-curricular activities, the Government centrally provides for funding to undertake sports and games. The Ministry intended to utilize Kshs1.7 billion to undertake co-curricular activities in the last financial year. The Ministry has so far remitted Kshs767 million to field officers to undertake those co-curricular activities and the remainder of Kshs983 million, as indicated, was not utilized because of the Covid-19 pandemic.

The next question was: Could the CS explain how much funds the Ministry has spent on the on-going Strengthening Mathematics and Sciences Education in Africa Programme?

The Government undertakes a programme of strengthening mathematics and sciences in secondary education each financial year. In this connection, the Ministry of Education utilized Kshs304 million to undertake the programme in the FY 2019/2020.

The last question was: Aware that the Ministry suspended learning in institutions in March 2020, could the CS utilize the capitation funds thereof for infrastructure development in order to comply with social distancing measures recommended by the World Health Organization (WHO)?

As indicated in the detailed table on page 1, the budgeted funds were almost exhausted by the first term, with the only funds available being for co-curricular activities. Those un-utilized funds lapsed at the end of the financial year. The Ministry is now implementing programmes based on the approved budget for the current 2020/2021 FY. In this regard, last year's capitation grants cannot, therefore, be utilized for infrastructure development. The current FY's capitation funds are being utilized to pay for essential costs in secondary schools, including water, electricity, administrative costs and medical insurance and personal emoluments. The funds will continue to be released when schools re-open as this falls in the FY 2020/2021.

The Statement is signed by Prof. George Magoha, the CS for Education and Research. Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Let us have Hon. Wangwe weigh in on it.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Deputy Speaker. Allow me to appreciate the Chair for the response that she has given to us. However, the Statement lacks mathematical realities. When you look at that Statement, which I did and I want to thank her for forwarding it to me on time, it says that in the FY 2019/2020, the Ministry disbursed Kshs31.831 billion towards the share of the 50 per cent. In this House, we all represent various constituencies and we are aware that so much has not been paid in terms of salaries for Board of Management (BOM) teachers, Kenya Power bills, administrative and security bills.

Hon. Deputy Speaker, the question is – and I want to seek that the Chair convenes a meeting to audit this amount of Kshs31,831 billion: How was it disbursed from the Ministry? The Chair has also referred to the last bit of her Statement that the budget lapsed - which I appreciate - with a total figure of Kshs983 million which ended in June. I appreciate this as per the Public Finance Management (PFM) Act. However, from June to date, we are aware that schools have not opened. In addition, in that Statement, the Cabinet Secretary (CS) says they will disburse money once the schools are opened and yet, the schools are going to open in January next year. We know that all the activities between June to January next year are not going to take effect. Therefore, my request to the Chair is this: In the newly convened meeting, let her explain to us how that money is going to be used. Moreover, if it is not going to be used, let that money be converted and sent to various constituencies to build classrooms for our children. This is so that when they resume learning in January next year, let them get classrooms in good place and condition.

Hon. Deputy Speaker: Okay. Maybe, we will have the last one. I can see Hon. (Dr.) Pukose. That would be the last one. Well, the very, very last one will be the Hon. Member for Emuhaya.

Hon. (Dr.) Robert Pukose (Endebess, JP): Thank you Hon. Deputy Speaker. First, I want to ask the Chair of the Committee on Lands on the issue of title deeds. I think it is important that, as much as the Member for Lari asked about his constituency, this is a countrywide issue. It would be good to have the Cabinet Secretary (CS) give us a programme for countrywide land issues. That

is because when our people see title deeds being issued to certain regions and other areas are ignored....

Hon. Deputy Speaker: What title deeds are we talking about Hon. (Dr.) Pukose?

Hon. (Dr.) Robert Pukose (Endebess, JP): The issue which she addressed about the title deeds for the people of Lari where some of them had...

The Deputy Speaker (Hon. Moses Cheboi): No. That one, Hon. (Dr.) Pukose, is gone.

Hon. (Dr.) Robert Pukose (Endebess, JP): Okay.

Hon. Deputy Speaker: In addition, actually the Chair has stepped out. So let us leave that one.

Hon. (Dr.) Robert Pukose (Endebess, JP): Thank you. I was just raising that as a by the way. Then the issue that has been addressed in as far as the schools are concerned by Hon. (Ms.) Florence Mutua, Chair of the Committee on Education, Hon. Deputy Speaker, that Statement states that Kshs308 million was released for co-curricular - which is for the purchase of text books.

Moreover, what you realize is that the whole of one year is now gone. This means that we would want the Ministry of Education not to purchase other books for the coming year because they used the 2019/2020 Financial Year to purchase that. Can they now take the money for this financial year, 2020/2021... That is, instead of purchasing other books to add on top of the books they are going to purchase, they can put that money into infrastructure development that can accommodate social distancing.

Hon. Deputy Speaker: Okay. Member for Emuhaya, Hon. Omboko Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you Hon. Deputy Speaker. I think commenting on the issue of education and agreeing with Hon. Wangwe, it is an area that continuously brings many questions. Moreover, I happen to be a member of the Committee on Education. Therefore, I think the advice that has already been given by Hon. Wangwe - and which I think we shall adapt - is to actually call the CS because the capitation is given as follows: 50% in the first term, 30% in the second term and 20% in the third term.

However, within that bracket, there are allocations. So, currently, you know schools are not on. But there are minimum labour requirements in schools and other things that need to be done.

Therefore, you will find the Hon. Member under task to explain why those things are not working. In addition, that is why there is the question on how much can be released to schools even in the absence of schools being on. That is because there is a minimum cost of maintaining the schools during the COVID-19 time so that we can give them life when they open.

Therefore, it is an issue that I think as a Committee, we need to bring the CS to book. It should happen with all the other Committees and Ministries. However, because education is very touchy to everybody and every Member here, it will keep on cropping up any time and many times.

Thank you Hon. Deputy Speaker.

Hon. Deputy Speaker: Okay. I am sure the Chair has heard that. Do you have anything to say to it and then we close it because those are fairly just comments.

Hon. (Ms.) Florence Mutua (Busia CWR, ODM): Thank you Hon. Deputy Speaker. Let me just assure the Members that there are very key stakeholder meetings taking place right now even as we speak on the issues of schools re-opening. In addition, as a Committee, we have raised the issue of having the infrastructure put in place because when the CS appeared before us virtually he confirmed that he is going to work on ensuring that infrastructure is in place before the schools re-open. Therefore, I want to trust his word. We will need desks, more classrooms, sanitizers and masks. He has appeared virtually before the Committee and he has actually laid out how he wants

this done. Time is running out and so, we are hoping that the CS will be able to move with speed and do what is necessary before schools re-open.

Thank you Hon. Deputy Speaker.

The Deputy Speaker (Hon. Moses Cheboi): Thank you very much. Now, as we move on to the next order, I realize that Hon. Gikaria was actually in another holding area and did not ask his Question. However, Hon. Gikaria, in future, when you know you have a question, you must make a point of coming to the main Chamber. We cannot call you from the holding grounds.

Proceed and ask your Question.

ORDINARY QUESTION

Question No.170/2020

REGISTRATION STATUS OF PREVAILING SACCO

Hon. David Gikaria (Nakuru Town East, JP): Thank you Hon. Deputy Speaker for giving me this opportunity, and I want to thank you again. I was held at that place. I beg to ask Question No. 170 of 2020.

- (i) Could the Cabinet Secretary (CS) provide details of the registration status of Prevailing SACCO as at September 2019?
- (ii) What steps is the Ministry taking to comply with the ruling made by the High Court in Nakuru following the application for Judicial Review (Judicial Review No.2 of 2015) by the SACCO officials due to the de-registration of the SACCO by the Commissioner of Co-operative Development?
- (iii) In light of the recent outcry by members of the public over being hoodwinked by Prevailing SACCO, what action is the Ministry taking to ensure that innocent members of the public are protected from manipulation by SACCOs.

Thank you Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. That will be replied to before the Departmental Committee on Trade, Industry and Co-operatives. So, we go to the next Order!

(The Deputy Speaker (Hon. Moses Cheboi) left the Chair)

(The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu) took the Chair)

BILLS

Second Reading

THE HEALTH (AMENDMENT) BILL

Hon. Jared Okelo (Nyando, ODM): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): What is the point of order?

(Hon. Gladys Wanga spoke off record)

Hon. Jared Okelo (Nyando, ODM): Thank you for giving me the opportunity Hon. Temporary Deputy Speaker. Just before you moved in, the Chair of the Committee on Education was putting some emphasis on certain matters relating to capitation.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Order!

(Hon. Gladys Wanga spoke off record)

Hon. Jared Okelo (Nyando, ODM): I had wanted to...

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): You are actually out of Order! You are a seasoned Member. We are already through with that Order. So, we are on a different Order. Yes, it is important to you, but I know you know the procedures of the House. Order! You are out of order, but you can raise it in a different forum.

Order Members! Hon. Members, I can confirm from the Chamber and other sitting areas that we are properly constituted for us to put the question on Order No.8.

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the whole House tomorrow)

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Next Order!

First Readings

THE SEXUAL OFFENCES (AMENDMENT) BILL

THE INSURANCE PROFESSIONALS REGISTRATION BILL

THE PENSIONS (AMENDMENT) BILL

(Orders for First Readings read - Read the First Time - Ordered to be read the Second Time tomorrow)

The Temporary Deputy Chairlady (Hon. (Ms.) Jessicah Mbalu): Next Order!

Second Reading

THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL

The Temporary Deputy Chairlady (Hon. (Ms.) Jessicah Mbalu): Can we have the Mover. Hon. Gladys Wanga should move the Second Reading of the same.

Hon. (Ms.) Gladys Wanga (Homa Bay CWR, ODM): Thank you, Hon. Temporary Deputy Speaker. I beg to move:

THAT, the Cancer Prevention and Control (Amendment) Bill, National Assembly Bill No.65 of 2019 be now read a Second Time.

I thank the Departmental Committee on Health which has helped in shepherding this Bill, conducted public participation and brought in views from various stakeholders to make this Bill richer. The Constitution of Kenya 2010 in Article 43 provides that every Kenyan has a right to the highest attainable standards of health. One of the diseases that has come in to hamper this right to health is Cancer.

Cancer is not only a health issue, but also results in economic catastrophe for the families of the affected persons. This Bill follows a Motion that the House passed in 2015 which was moved by myself and was speaking to the training of Oncologists.

The Motion provides that the Ministry of Health should provide funding for training at post-graduate level for one Oncologist at least for every one of the 47 counties. Once you finish your training, the Motion says that you do not disappear elsewhere. You go back to the county where you are from and provide services there for a period of time. Following the passing of that Motion, I am pleased that the Ministry of Health introduced a local four year Masters course in Medicine in Radiation Oncology, a training program that has so far trained a number of oncologists. If you want to know the shortage that we are facing of oncology professionals in this country, we have about less than 40 oncologists, only 16 radiation oncologists, ten medical physicists, 27 therapy radiographers and three nuclear medicine physicians for 47 million Kenyans. Those are the oncology professions that we have in this country. To say that it is a shortage is an understatement. If you try to seek medication for cancer, you would wait on queue for long periods of time. The few oncologists we have are mostly concentrated around Nairobi and other big cities. So, if you are talking about having cancer in Marsabit, Homa Bay, Gwasssi, Vanga and Kwale, it becomes almost a death sentence.

This Bill provides for three key things. First, it makes provision for training of health cadres in the specialized medical field of oncology. This includes Medical Oncologists, Pediatric Oncologist, Radiation Oncologist, oncology nurses and physicists and other healthcare providers.

Secondly, it seeks to include cancer treatment as part of the provision of primary health care. Hon. Temporary Deputy Speaker, if you walk into a dispensary or a health centre in the village such as Nyagoro Health Centre in Rangwe Constituency where I come from, if I say that I am having pain in my chest, they will probably just ask if I am coughing and release me. But that may be a sign of something deeper. So, at this very low level, our medical providers should be trained. The clinical officer or nurse that you find there should check, perhaps, if you could be having breast cancer, check for the lump, conduct the CS cervix and basic diagnosis. That is because the difference in recovery for cancer for those who are diagnosed early and late diagnosis is worlds apart. Whether you die of cancer or not is dependent on how early the cancer is diagnosed. If it is done early, you can seek treatment and survive more easily than if it is diagnosed late. Therefore, if we introduce Cancer diagnosis and treatment as part of the primary healthcare package, then you can capture this early.

The other aspect of this Bill is the issue of e and tele-medicine. This has also been widely covered within the Health Act. If I am sitting somewhere in Moyale with a patient and I am not sure what the patient is going through, as a general practitioner in Moyale, I should contact by email, zoom, Skype or any e-technology, a doctor at the Kenyatta National Hospital (KNH) to advise me on how best to move the patient forward. This is what we are talking about here. We have been in this Covid-19 season. It has exposed the weaknesses in our health care system. There are deep weaknesses in our healthcare system that Covid-19 has exposed.

When we asked counties to disclose how many Intensive Care Units (ICU) beds they have, we realized that many had zero. They had to start to arrange how to get ICU beds. So, while it has

exposed that, we might also bury our heads in the sand to try and deal with Covid-19 alone and forget some of the most pressing health priorities in this country. As I said, capacity building for our health workers is key. Covid-19 should not make us forget what we are going through as a country in terms of the health care burden.

The increased burden on an already stretched healthcare system demands new and dynamic ways of operating. This proposed amendment serves to ensure the responsiveness of the healthcare system to the ever evolving nature of cancer prevention and control.

Hon. Temporary Deputy Speaker, I have proposed another Bill that I presented to the Budget and Appropriations Committee (BAC) that will ensure that each and every county in this country has a Level 5 facility. Currently, we have only 11 Level 5 facilities. In Homa Bay County, we do not have a Level 5 facility and we do not know how to move our Level 4 facility to a Level 5 facility because there is no proper system of accreditation for those healthcare facilities. If we can have level five facilities in each and every county, this will go a long way in helping us. We can also make them national referral facilities. That is because of the excuses we make for our failing healthcare all the time. If we ask why a certain patient died, the national Government says health is devolved.

While hospitals and healthcare are devolved, we cannot leave the lives of Kenyans to a Ping-Pong game between the national Government and county governments. Everyone must take their responsibility. We must ask if devolved healthcare is working. Are our hospitals working better because healthcare has been devolved in the manner it has? This is a question we must answer.

That is why we are proposing that Level 5 facilities should be national referral facilities so that they are managed jointly by the national Government and county governments. So, that way, we can move forward. If we do not build capacity of our healthcare workers, even the infrastructure will be in futility. I would like to urge my colleagues to support this Bill so that we can avail training to our medical practitioners. We want to have more doctors taking care of our oncology needs as a county.

Hon. Temporary Deputy Speaker, with those many remarks, I beg to move and ask Hon. Martin Peters Owino, a renowned healthcare professional and former County Executive Committee (CEC) Member of Health in Homa Bay County to second.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Hon. Member for Ndhiwa to second.

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to second the Cancer Prevention and Control Bill, 2019. Let me commend Hon. Wanga for being a cancer survivor. She has not relented but taken the bull by the horns to ensure other people can be saved from this disease. This is commendable.

It should be known that cancer has moved up in our epidemiological chart to number three after infectious diseases and cardiovascular diseases. This means it is affecting many people. The Bill which Hon. Wanga has moved will do several things which should be done as quickly as possible. That is why I am asking Members to support it immediately.

Section 2 is introducing tele-medicine. Many people are very poor. If you go to my rural constituency - Ndhiwa and find somebody having cancer in God Poko, a very remote terrain area and you want him/her to go to Eldoret or Kenyatta National Hospital (KNH), that will not work. But in this Bill, e-health or tele-medicine is not a new phenomenon. It is being used in many

settings. You can take images and send them for interpretation by experts, even if you are in a rural setting. So, Section 2 is amended to introduce tele-medicine which is straight forward.

Sections 5 and 6 will expand the scope of the National Cancer Institute of Kenya in collaboration with the county governments. Let me say a little bit on this because some of these conditions, as Hon. Wanga has clearly stated, are diagnosed during the late stages. Stages one and two always pass and we catch cancer in stages three and four. At this time, treatment is very elusive. What happens even if you go to India or elsewhere is introduction of palliative care. We lose patients and the mortality rate for this disease is too high because early detection is not done.

Section 5 will expand the National Cancer Institute of Kenya work to include primary healthcare. There will be cancer screening in primary healthcare facilities, including vaccination, when we talk of Pneumococcal Polysaccharide Vaccine (PPV). What this will do is that even the local community health workers will encourage the mothers to do self-examination. So, if they feel a lump in the breast, they can report to the clinic and be transferred upwards. So, we can catch cancer in stages one and two because this is where treatment efficacy is high and many can live with this condition. So, we do not want to sit in high institutions like the National Cancer Institute of Kenya, Moi Teaching and Referral Hospital (MTRH) or KNH and wait for people to be infected and come during the late stages. Then we buy heavy machines to do radiotherapy and other treatments.

We are saying that these services should be expanded and there should be collaboration between the national Government and county governments because healthcare is devolved. So, we can catch those conditions early when they are still treatable. There are too many types of cancer that we are dealing with, like breast cancer in women, cervical cancer, colorectal cancer, chronic leukemia and prostate cancer. I want to urge my fellow Members that, even if there is nothing wrong with them, to get a health check-up. That is especially when one is beyond 40 years old because you are vulnerable.

Lastly, Section 31 as alluded by the Mover is going to expand training - that is capacity building - for oncologists, radiotherapists and all cadres that handle cancer. With this said, let us inculcate the preventive and control measures.

I second.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Let me allow the Members who are walking out to do so quickly. Order Members! I will propose the Question.

(Question proposed)

Hon. Members, before debate, please, refer to your own notice on the Resolution of Tuesday, 8th September 2020 that each Member contributing will have five minutes. That is the Resolution of the House pursuant to Standing Order No.97(1), of course, for your own planning. The first one will be the Member for Kisumu East.

Hon. Shakeel Shabbir (Kisumu East, Independent): Thank you, Hon. Temporary Deputy Speaker. I want to thank my dear sister *Mhe. Gladys* and the Seconder *Bwana Owino* for bringing this very important Bill.

Cancer control has been a major problem in this country. Hon. Gladys Wanga has given some statistics about the number of oncology specialists in this country. It is sad to note that in Manchester, London, the number of Kenyan doctors who are oncologists and nuclear specialists are more than those in Kenya. The reason is because they are valued in that country and not valued here.

In this country, cancer patients are being taken for a ride. They are being cheated left, right and centre by conmen and quacks who have opened up small clinics allegedly giving out treatment to cancer patients. They travel from all over the country to be attended to in some sub-standard units created by some oncologists working at KNH. They are scamming poor people. Now that the National Hospital Insurance Fund (NHIF) is giving certain money towards cancer treatment, this has become more of a scam. A person who comes here for simple treatment is asked for Kshs90,000 upfront. Then, the insurance companies have now jumped on to this scam. It is very important that we cascade down to Kisumu, Homa Bay and other places where simple diagnosis of cancer should be done.

Thereafter, we also need to crack-down on the so-called quacks and institutions that are here. If my mother, father or my brother has cancer, I will do whatever I can, even if it means I go without a meal for that day. I think that is a major problem and we need to sort it out. I am going to consult with the Bill to see how we can utilize it, to set-up those conmen. My own secretary's mother was going to some hospital and she was told to wait. She came from Nakuru three times. She had to wait because they did not have the approval from NHIF and she had to pay Kshs90,000. She is a villager! It is very unfortunate. I am sure all Members of Parliament have had people who have had cancer and were taken for a ride. I speak as the former Chair of Rural Nyanza General Hospital. I was in the health management on voluntary basis for about 30 or more years of my life. This country must now churn out the charlatans. Those charlatans, who are coming out of colleges and are not properly qualified, let them be qualified. What we are saying is this: We should train them for a year and also tie them down here. They should be affirmed like specialists and be paid a certain amount.

With those few remarks, I thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): The Nominated Member, Hon. Sankok.

Hon. David ole Sankok (Nominated, JP): Thank you very much Hon. Deputy Speaker for giving me this opportunity because I came to this House very early so that I could contribute in support of this Bill.

I would like to start by congratulating Hon. Gladys Wanga for bringing such an important Bill. She is a survivor of cancer and she has seen it fit to bring this Bill so that we can save other cancer patients. Hon. Gladys Wanga is an aspiring governor and noting that health services are devolved, it will be important for her because she is very passionate about saving others who may have been affected by cancer.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Are you trying to campaign for her?

Hon. David ole Sankok (Nominated, JP): You know, we have to package our message, so that it can go down well.

Cancer is almost becoming a pandemic in Kenya. As we stress so much on infrastructure; building of Level 5, Level 6 hospitals and purchasing of radiology equipment, we also need to focus so much on the human resource part of it. You can have too many radiology machines, you can have very beautiful infrastructure, but without the necessary and relevant personnel, we will not go anywhere. That is why I support this Bill in terms of training of our medical personnel, so that we have them in the relevant field to save our people from dying of cancer.

I want to request Hon. Wanga to look at the Bill in terms of formation of medical services commission which was brought before this House. I am sure most of the problems we have is the training of relevant medical officers and also in the placement of the said medical personnel in the

immediate areas of our country. We do not have to have all our specialists being in Nairobi City alone.

This House must come up with relevant policies to make sure that, as we train our oncologists, let us not commercialize it and end up with only the rich accessing training. We should come up with funds to ensure that we train our personnel and, as the Bill is indicating, we should be guided down, so that if we train a medical officer on oncology who is working in Wajir, he/she will have to go back to Wajir and stay in that hospital for about ten years. It should be like a contractual training.

The Jubilee Party was elected on the basis that it will form a digital government. We also need to have a digitalized medical consultation and have tele-medicine. We can even go further and have a digital hospital even if it is in the capital city so that doctors can consult whenever they have patients via the digital channels. If we train, we will not be losing as a country. We will be gaining instead because we can even have foreign exchange in terms of medical tourism. We can be the hub for East, Central and even the whole of Africa in terms of medical tourism for those who are seeking medical treatment for cancer.

With those very many remarks, I support this particular Bill.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Let us now have the Member for Eldas, Hon. Keynan Adan.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Temporary Deputy Speaker. Pursuant to Article 43 of the 2010 Constitution, provision of proper health care is the cardinal responsibility of any civilized Government.

I want to take this opportunity to thank Hon. Wanga. Having served with her as a Commissioner, I know the challenges she has gone through. As a survivor, I want to thank her for thinking outside the box and bringing this Bill. That is because cancer today is the number one killer even before the Covid-19 crisis came into being. In counties like Wajir where I come from, there are too many deaths that are attributed to cancer even without proper diagnosis. The object and reason of this Bill is to update the existent of the Cancer Prevention and Control Act by bringing in new definitions like what my good friend, Hon. Sankok has alluded to - digitization of Government services. It is one of the critical components of the Jubilee Administration. I know Hon. Wanga is not in Jubilee but right now, there is something we call cohabitation and co-operation. I thank you for bringing this Bill because we are adding value to the realization and implementation of the Jubilee agenda by having the Government services digitized.

Secondly, by bringing in the definitions of e-world and tele-medicine, these are things that we ought to have done and it is part of the modern day medical services. As we attempt to deal with this, we must think of the issue of brain drain. That is what Hon. Shakeel Shabbir has just alluded to. This country is not short of some of the best brains, but because of the way we treat them, they move to other parts of the world. If you go to the United States, the United Kingdom and other developed countries, some of the best medical practitioners are Kenyans. The reason they cannot be accommodated here is because of lack of facilities, incentives, proper training, proper accommodation....

(Hon. (Ms.) Gladys Wanga consulted with several Hon. Members)

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Order, Hon. Wanga! Hon. Gladys Wanga, it is your Bill. You must also have decorum with the understanding of the House

so that Members can really... you know what I mean. These Members who are disturbing Hon. Wanga, you should know that a Bill is being moved and if she wants to consult, she must go behind, do the necessary and cross over. So, Hon. Wanga, please allow your Bill...

Hon. (Ms.) Gladys Wanga (Homa Bay CWR, ODM): Yes, thank you.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Temporary Deputy Speaker. I am sure you will compensate the two minutes that you have taken out of my five minutes.

(Laughter)

Hon. Temporary Deputy Speaker, one of the things that we must be prepared to address right now is — and I thought the greatest lady from Siaya would be around to listen to the great contributions from many Members so that as you look at this, it will even inform amendments. By the way, do not just be contented with the provision that you have given, because Members might generate more critical suggestions that will enrich the Bill. That is why it is imperative that the Mover of the Bill should be around. We need to look at this from two aspects, both curative and preventive dimensions. This has correlation with the Bill that we just passed today by Hon. Swarup Mishra.

Commercialisation of cancer-related cases is one of the things that are in that particular Bill and the mushrooming of cartels. For instance, you go to a particular facility and the doctor or the medical practitioner there is not adequately prepared to diagnose this. Cancer has become a lifestyle disease. Today, it is only the rich who can access cancer-related medical services. Some few years ago, it was difficult to talk about cancer. It was an abomination; it was a curse but today, it is a reality. It is a lifestyle disease. It is something that we must live with. What we need to do as the leadership of this country, pursuant to Article 43 of the Constitution, is to provide an enabling environment in order to assist Kenyans who have been affected by this particular disease. This is something that can happen to anybody.

Hon. Temporary Deputy Speaker, I want to thank Hon. Gladys Wanga. Look at it, you belong to the privileged class and that is why today you are surviving by the grace of God. Look at the common people on the ground and suggest further amendments that can inform the county governments because healthcare is devolved, so that they are also obligated by law to provide these critical healthcare services. If you do not do that, a healthy nation is a critical aspect for development. It is a critical ladder for the development of any country. This is why health is a global issue and I am glad that this has come. I am also told that you aspire to be a governor. But, before you even reach there, can we force the current governors to properly prepare the ground and have the necessary health facilities for cancer-related cases?

I thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. The Member for Funyula, Hon. (Dr.) Wilberforce Oundo.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker, for this opportunity to contribute. Let me also take this opportunity to thank Hon. Gladys Wanga for sponsoring the Bill before us today. Proper health is one of the basic needs of a human being. It is one of the issues that are contemplated in the Constitution of Kenya as being a basic need and a basic requirement.

As we focus on Coronavirus, we are losing an extremely important fight. That is the fight for the control and management of cancer. We seem to be so overburdened or overexcited, so to speak, with Coronavirus to the extent that we have forgotten the major killer in this country, being

cancer. The impact of cancer is beyond medical, it is much more. For instance, the psychological effect knowing that in many cases cancer has no treatment is more or less like a death sentence. It is an economic issue because the cost of treating cancer in this country and elsewhere in the world is exorbitant and beyond the reach of many families. As much as the National Health Insurance Fund (NHIF), for those who can afford, pays part of the bill, many times families are left on their own to try and find out how to sort out the bills. As elected Members of Parliament, and I am sure my colleagues will know, we attend so many *harambees* raising funds for treatment of cancer.

Hon. Temporary Deputy Speaker, the amendments being proposed in this Bill are timely and good. However, the greatest challenge is not necessarily training. The University of Nairobi (UoN) and many other medical schools have opportunities to train, but many of the students and medical practitioners would not, probably, wish to go into this training because of lack of adequate equipment as well as lack of the ability to diagnose early enough. Many of them feel so hurt that whatever much they do, they can only offer palliative care to a dying patient, who they know very well they are not going to save.

That is why the issue of e-health being proposed in this Bill could be a game changer. In the absence of testing equipment in the remote villages of Sio Port, Port Victoria, Wajir, Eldas, or wherever it is, the matter can be forward to a dedicated centre somewhere in Nairobi or major hospitals. This would assist in diagnosis and results are returned in a timely manner and as such, any intervention measures can be undertaken early. Off course, we must guard against the issue of cyber security because medical records are private and confidential. The fear of them being leaked or the system hacked is real and we must, as we devise a system, put this in mind to avoid a situation whereby your medical records become public knowledge even before you know your results.

On the issue of county governments, it is necessary that we sit down and reflect, as a country. With due respect to my colleagues who wish to become governors in the next term, we were extremely wrong to have devolved healthcare. It is a debate that we must have and have soberly without fear of reprimand or political reprisal. We must have that debate.

With those few remarks, I support the Bill and request my colleagues to support it as well. I thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Let me have the Member for Navakholo, Hon. Emmanuel Wangwe, who is also the Majority Chief Whip.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Temporary Deputy Speaker. I want from the outset to support the Bill and thank my colleague Hon. Gladys Wanga for these wonderful thoughts. It is not easy to think and come up with a Bill which subscribes to these kinds of standards.

I support this Bill because of what is happening in our society. Today, everywhere you look, including ourselves here, in one way or the other, we have been affected by cancer. This is something that is real and which we must look at.

One thing that makes me happy about this Bill is the linkage it has with the Bill that we passed this morning — The Health (Amendment Bill) by Hon. Swarup Mishra which establishes medical tourism. When you look at this Bill Hon. Wanga is proposing to us, it will enable that Bill to achieve its main objective as it is. Personnel are key to achieve medical tourism. When we want to bring in more and more patients into the country, they will be attended to by personnel. She is proposing that we have various cadres of oncology training which is very key because the healthcare standards of our country will be very high. With that in mind, we will be growing as a

country in terms of economy and at the same time, in terms of our health. We will also be able to compete with the rest of the world.

Hon. Temporary Deputy Speaker, as we talk about oncology, it is a key area where as a representative of the people of Navakholo, I want to thank one, Prof. Wasike, who is a professor of oncology and who I shared with this Bill before I came here. He was very happy and embraced it. He said that it would bring relief to the medical staff who are constrained in terms of the ratio of doctors to patients. This means that they will offload some responsibilities to lower professionals to help manage people suffering from cancer.

One thing that Hon. Wanga thought of and which is good, is the issue of telemedicine as read together with e-health. This means that if you are in the village where I come from, it will be easier for people to go to the nearest medical centre, get online and be assisted from as far as India or Europe. A medical professional can observe the kind of suffering the patient is undergoing. Therefore, anchoring this into law will ease the burden of travelling from Kenya to another country or from Kakamega to Nairobi simply because you want to see an oncologist who could have read your image online and advised the doctor wherever you were. It will save time and costs in terms of expenses.

I thank Hon. Wanga for thinking on our behalf and on the behalf of many Kenyans to make it possible for us to look at the issues of cancer from that perspective. Medical health care is very expensive. The moment you resolve the issue of medical costs, it will ease the pocket of each and every Kenyan in terms of being able to live a better life.

Cancer is both a hereditary and a lifestyle disease. I wish to remind all of us that as we look at the solution of attending to cancer patients, let us also improve on our lifestyles. Let us be careful in terms of how we live such that if we are taking too much of a certain substance which can cause cancer, we should avoid it. With regard to cancer that is hereditary, we can leave it to genetics to take its course. However, on the issue of lifestyle, let us invite nutritionists so that we can learn how to live better.

With those few remarks, I beg to support the Bill.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): I now give the Floor to the Member for Molo, Hon. Kimani Kuria.

Hon. Kuria Kimani (Molo, JP): Thank you very much, Hon. Temporary Deputy Speaker.

From the outset, I congratulate my Chairperson of the Departmental Committee on Finance and National Planning for coming up with this very great Bill.

From the outset, Kenya has invested a lot in infrastructure in terms of buildings. If you go to every constituency in every county, each governor is building a dispensary here and another one there. The next thing they have done with the help of the Ministry of Health is to buy a lot of equipment. No wonder we have the current case of the Managed Equipment Service (MES) that has been supplied across the country.

Hon. Temporary Deputy Speaker, I served on the Public Accounts Committee. You and I had the privilege of visiting some of those hospitals across the country and you will agree with me that a very small dispensary somewhere in Siaya has all this equipment worth millions of shillings. The surprise was that there were no personnel to operate this equipment. Therefore, the Bill by Hon. Wanga states that we must hire and train those professionals. It is the only way we will fight cancer and streamline our health sector. It is probably because it is very easy to get kickbacks on those constructions and buying of this equipment and probably not the same, if we are recruiting those professionals that the emphasis has not been on the personnel.

I am a little disappointed at what COVID-19 has done to this country. It has not only exposed the rot in our health sector, but more importantly, for the last few months, the Ministry of Health has been reduced to the Ministry of Coronavirus. Even though this pandemic affects very many people and causes very many deaths, cancer alone kills 30,000 people every year. In as much as we are very afraid of COVID-19, we have recorded 500 deaths in six months. However, 30,000 people die every year. If the emphasis of reporting of contact tracing and monitoring the behavior of COVID-19 is the same that we use for the other infectious diseases that we know, they can be prevented and treated. If we could give cancer the same attention that we have given COVID-19, then it would be a thing of the past.

After COVID-19, I look forward to a time when we will have a weekly, fortnightly or monthly address by the Cabinet Secretary for Health saying how they have dealt with cancer, malaria, diarrhea and Human Immunodeficiency Virus (HIV). These diseases have killed more Kenyans than COVID-19 will ever kill, even if it transmits as much as it has done in other countries.

The issue of e-health cannot be timely. During COVID-19, we thought that we could not address our business virtually. However, we had a lot of committee sittings and transacted a lot of business in the comfort of our offices and homes. This shows that Information and Communication Technology (ICT) is the way to go not only in terms of holding our meeting via Zoom but also in terms of healthcare, tourism, education and every sector. Therefore, this Bill cannot be timely. Let us encourage Hon. Wanga and support this Bill. Let us pass it. Most importantly, let us see its implementation towards curing this disease and the monster called cancer in this country once and for all.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well said. Let me have the Member for Igembe South, Hon. Mwirigi Paul.

Hon. John Paul Mwirigi (Igembe South, Independent): Asante sana, Mhe. Naibu Spika wa Muda. Nimesimama kuchangia Mswada huu ambao umeletwa na Mhe. Gladys. Umekuja wakati mzuri. Utaaidia Wakenya wengi kutoka kule Mashinani ambao tunawakilisha katika Bunge hili.

Mhe. Gladys amesema kunafaa kuwa na mafunzo ya ugonjwa wa Saratani. Huu ni ukweli, kwa sababu watu wengi husafiri kutoka kule mashinani na wanaenda nchi za nje kutafuta matibabu, ilhali tuko na watafiti wa kutosha katika taifa hili. Kitu ambacho kimekosa ni mafunzo kuhusu huu ugonjwa wa Saratani na wale ambao wanafaa kuwa wanashinikiza yale matibabu katika zile hospitali zetu katika kaunti.

Wakati ambapo haya mafunzo yataidhinishwa na kusisitizwa yawe yakifanyika hapa na watafiti wengi wafunzwe, watu wengi katika taifa hili watajua hali zao za afya. Wakati mwingine, mtu hugundua ya kwamba ako na Saratani akiwa katika kiwango cha mwisho. Hili jambo hufanya familia nyingi kutumia hela nyingi maanake wanagundua ugonjwa katika dakika ya mwisho. Wakati ambapo haya matibabu yatakuwa yanaangaziwa wakati mgonjwa anaenda hospitalini na pia huu ugonjwa utakuwa wa kwanza kuangaliwa, watu wengi watapona kwa sababu watakuwa wanajua hali zao mapema pale hospitalini. Hospitali zingine zina vifaa vya kutosha lakini hakuna wataalam wakuzitumia kwa sababu hawajapewa mafunzo ya kuwawezesha kutumia zile mashine zinazotumika kufanya utafiti wa ugonjwa huu.

Bi. Spika wa Muda, jambo jingine ni kuwa, Serikali ilioko sasa, katika *manifesto* yake, ilikuwa imeangazia sana kufanya kazi kidijitali.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Member for Igembe South, I have a member on intervention. The Member for Central Imenti, do you have an issue?

Hon. Moses Kirima (Central Imenti, JP): No. Hon. Temporary Deputy Speaker, I wanted to contribute.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): When you want to contribute, you do not press the intervention button. Now my intervention is clear. Carry on Hon. Mwirigi.

Hon. John Paul Mwirigi (Igembe South, Independent): Bi. Spika wa Muda, Serikali ya siku ilikuwa imepanga kufanya kazi kidijitali. Vile vile, Mswada huu unaangazia jinsi ambavyo vile wahudumu wa afya wanaweza kupata mafunzo ama matibabu kutoka hospitali zingine, ama kutoka kwa watafiti wengine walio na ujuzi zaidi. Wakati ambapo vipimo vilivyochukulia kutoka hospitali moja vimetumwa kule, hakutakuwa na haja ya mtu kutembea kuenda hospitali nyingine iliyo mbali ilhali anaeza kupokea matibabu mahali alipo.

Katika nchi yetu, watu wengi wanaugua Saratani na ikiwa Serikali itasisitiza jambo hili liweze kufanyika, watu hawa wataweza kupata matibabu. Naomba...

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Paul Mwirigi is the youngest Member of the National Assembly. The youth should emulate him. You are doing very well.

Let me have the Member for Alego-Usonga, Hon. Atandi.

Hon. Samuel Atandi (Alego-Usonga, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. From the outset, I would like to congratulate my sister, Hon. Gladys Wanga, for sponsoring this legislation. Because this legislation deals with cancer, let me begin by passing my condolences to a family of a great man, Mr. Lucas who rested yesterday. He was my teacher. He died from cancer complications.

Hon. Temporary Deputy Speaker, cancer is killing a lot of people in this country. Cancer is killing our people, not because we are unable to treat it but because by the time you are diagnosed with cancer, it is too late in the day. This Bill is trying to cure this problem. When you start visiting clinics and health centers, in most cases, you are suffering from illness but in the end, after visiting for close to two or three years, by the time it is detected that you are suffering from cancer, it is actually too late in the day.

Therefore, the thinking in this Bill that oncology training should be given to all cadre of healthcare professionals is something that will help us a great deal in ensuring that everyone in the healthcare sector is able to detect cancer. Hon. Temporary Deputy Speaker, cancer is not really a serious disease. It only becomes serious because by the time it is detected, it is too late. I would really like to support this legislation that everybody in the healthcare chain is going to have some little knowledge of cancer. That is going to help.

Secondly, when you talk to leading oncologists in this country, the likes of Prof. Abinya, they will tell you that cancer medication is universal. The way oncologists would treat cancer in Kenya is the same way those in America, China, and the USA would. They use the same method. It is, therefore, important we advance the principle of telemedicine and ensure that we treat our patients through the use of technology.

I know that in most cases, for oncologists to make a decision on what method of treatment should be given to a cancer patient, they do what is called teleconferencing where they talk to their colleagues in other countries and compare notes and decide together the method to employ on a particular case.

When my colleague, the late Member of Parliament for Kibra was in the initial stages of his cancer, I remember talking to these professionals and they told me that initially they had to do a teleconference and were able to come up with the medication or treatment.

Employing technology in addressing cancer issues is really going to help because then a patient who is sick in Mur Malanga Health Centre where I come from would actually be attended to by a specialist in Nairobi and vice versa. Therefore, the two approaches in the Bill: to employ telemedicine and technology in treatment of cancer, and to ensure that all our health professionals be it from diploma in clinical medicine and others are trained will help us to manage cancer issues.

Cancer is a normal disease that should not kill our people. It is a disease like malaria. What matters is how we approach its treatment. This Bill is going to help us a great deal.

Thank you, Hon. Temporary Deputy Speaker and thank you Hon. Gladys Wanga for sponsoring the Bill.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Let me get the Member for Ainabkoi, Hon. Chepkut.

William Chepkut (Ainabkoi, Independent): Hon. Temporary Deputy Speaker, thank you very much for giving me this opportunity. I rise to support this legislation by the iron lady of Parliament, Hon. Gladys Wanga.

Indeed, cancer is a killer. As much as we are addressing COVID-19, which is a global pandemic that has never been witnessed by mankind, cancer is indeed a crisis that has never been witnessed by mankind.

Hon. Temporary Deputy Speaker, permit me before I contribute to pronounce my heartfelt sorrow. Yesterday we buried David Kamau Maina who died of cancer complications.

Hon. Wanga, I am happy with this legislation. It is true that you have talked about telemedicine, e-health, technology and digital infrastructure as key. I have talked times and again about the Moi Teaching and Referral Hospital in my constituency that serves 22 counties. That is why I have been fighting for allocation of money to be given to the Moi Teaching and Referral Hospital to enable us to buy the latest highest resolution machines, MRIs and others.

My father was killed by cancer. I took him to Mumbai, India. He died of liver cirrhosis and it was cancer. There are curative and preventive measures, but it is good to build capacity. Kenya has skilled personnel. I want us to give the highest incentives, packages and so on and so forth, so that they have total commitment in treating our people who are suffering from cancer.

Secondly, this is indeed a relief. You know when we legislate into the legal framework according to Articles 43 and Article 44, and His Excellency the President is very key on universal healthcare... The National Hospital Insurance Fund (NHIF) must reduce subscription fees from Ksh500 to Ksh300 so as to make it affordable to our citizens, more particularly in urban settlement. It is because those are very poor people. They do not get any income.

Tomorrow I will be going to Munyaka and Kapsoya. We are taking money to cushion them. There are diseases due to lifestyles, heredity and foods. We must be going to hospital now and check on these diseases more often.

I end my contribution. I rise to support this Bill in totality. Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well.

Hon. Members, it is also good that you be referring to the articles of the Constitution. You talked of Articles 43 and 44 of the Constitution. Let us make sure it speaks to what we are talking about. That is quite in order.

When she was moving, Hon. Wanga talked about breast cancer and cervix cancer. Let me hear from the ladies. Let me hear the Member for Likoni. Is she in the House? Hon. Mboko Khamisi, you have the Floor.

Hon. Mishi Mboko (Likoni, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. From the outset I want to congratulate Hon. Gladys Wanga for bringing this Bill. Before we had several Motions, even in the last Parliament, talking about cancer. Today we are talking about this Bill brought by her. I congratulate her.

It is known and it is in public domain that cancer has robbed so many Kenyans – the young, the old, the poor and the rich. The likes of Bob Collymore and even our colleague here, Hon. Okoth, who also died from cancer. I want to agree with what Hon. Gladys Wanga has just said that there is need to have some training so that we can have more medical personnel in oncology. It is because this disease is a very serious one and there are a lot of people suffering from it. But when we look at the number of oncologists we have in this country, it is really pathetic. For instance, before devolution, the Coast General Hospital in Mombasa, used to have only one oncologist who could be there to cater for the entire region. The other counties like Kilifi and Kwale did not have any. Even today, it is unfortunate that we still have counties which do not have even one oncologist. So, you just wonder how these people survive with the many cases of cancer increasing day by day.

Apart from just having more oncologists in the various cadres like the radiation oncologists, therapy oncologists and nurses who are also doing oncology, we also need to have some satellite clinics. These satellite clinics can be there so that Kenyans can access some services like free screening, early diagnosis, palliative care and also being taught about cancer. Up to now there are some communities which do not believe that cancer exists. An instance is where I come from. Cervical cancer causes women to bleed throughout. People say it is witchcraft and call it *muruo*. They call it *muruo* to imply someone has been bewitched. We must do awareness and sensitization meetings so that our communities can understand cancer. I want to agree with Hon. Gladys Wanga that we need to adopt the e-health concept so that information on cancer is disseminated to our citizens. I also want to agree with her that many people do not know where to seek treatment when they have a certain level of cancer and others just visit local clinics at the grassroots that do not offer such services. Our people must be given such important information.

Hon. Temporary Deputy Speaker, we need to go beyond medical treatment of cancer and look at the welfare of people suffering from cancer. Their families take loans and fundraise to take them to India for treatment which is very costly. They become bankrupt and develop depression and some end up committing suicide. When HIV/AIDS started, we had a lot of focus on how to address it. It is time we put more focus on cancer because it is killing people every day. Most people who have passed on from COVID-19 are as a result of cancer-related complications. Cancer should not just be treated like any other disease. It must be given more focus.

I want to congratulate Hon. Wanga for coming up with this Bill. Cancer should be declared a national disaster. People would even prefer HIV to cancer because they would take their drugs and lead normal lives. It is very difficult for cancer patients because as much as chemotherapy and other medications help reduce the pain, they have many side effects on their bodies. I want to agree with Hon. Wanga that there are a lot of policy changes that must be upheld and implemented by the Government.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Jared Okelo, you have the Floor.

Hon. Jared Okelo (Nyando, ODM): Thank you, Hon. Temporary Deputy Speaker. At the outset, I want to congratulate my sister, Hon. Gladys Wanga, for bringing this Bill. She is my sister both in this House and in the village. She is known to many. I remember with nostalgia that both my father and mother died in 1997 and 2001 respectively because of cancer. This is a subject that I am passionate about to address the plight of cancer patients.

We need to quickly debate and pass this Bill so that cancer patients can have a future and hope. Law is essential in implementing a number of globally agreed best practices. Cancer is a global problem and it is not an exception for any country. It is not a respecter of any person, social status or origin. We must collectively address the challenges and imponderables that come with cancer as a disease. It needs a multi-sectoral approach. As a House, we have been very proactive when it comes to enacting pieces of legislation that address these issues. The Ministry of Health (MOH) and the Council of Governors, because this is a devolved function, and any other person who should be part and parcel of this, must collectively approach the issue of cancer so that for once, we can confine it into history books. We must ensure healthy lives and promote healthy wellbeing for all ages.

That goes deep into what cancer is all about. A lot has been said. Even though there is no specific cause of cancer, at least there are peripheral issues that surround the upsurge of cancer. One of them is the use of cigarettes and alcohol. Therefore, nothing stops this House, now and in future, to levy excise duty on cigarettes and alcohol to deter uncontrolled usage by citizens of this country. If we do not do that and continue promoting it through advertisements, at the end of the day we will lose more lives as a country.

We must provide access to affordable and essential medicine and vaccines. Cancer just like the Human Immunodeficiency Virus (HIV) and Acquired Immunodeficiency Syndrome (AIDS) should not be a death sentence. We know a lot of research has gone into HIV and cancer. A lot of medicine has been innovated that will help to push people as they wait to breath their last, but there are many who cannot afford them. So, what can we do as a country to make available the necessary medicine and make it affordable? That is where telemedicine comes in. If you were to visit a doctor, just by greeting him, you will spend Ksh6,000. The telemedicine approach will enable us to pay less for the same services that would otherwise be physically got. We need to involve ourselves, as a county, on matters of research. At the moment we are battling COVID-19 and we are looking at the USA and Oxford University in the United Kingdom (UK) to come up with a vaccine that will help us fight the virus. Why can Kenya not be involved? I know we work closely with the CDC and KEMRI. Why can we not also have a lot of funds for research, so that at the end of the day Kenya can also be hailed as one of those countries that helped address the plight of the world?

Finally, we need to see how best we support palliative care centres. Most of the people who have...

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Let us learn how to plan our time. It is on record that you support.

The Member for Matuga, the Hon. Tandaza sawa.

Hon. Kassim Tandaza (Matuga, ANC): Asante sana, Mhe. Naibu Spika wa Muda, kwa kunipa fursa hii ili niweze kuunga mkono ---

(An hon. Member spoke off record)

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): There is a Member who, for me, is making noise. You are not on intervention. Carry on Hon. Member.

Hon. Kassim Tandaza (Matuga, ANC): Asante sana, Mhe. Naibu Spika wa Muda kwa kunipa fursa hii kuunga mkono Mswada huu wa maana ambao ikiwa utatekelezwa, utaweza kuokoa maisha ya watu wengi katika nchi hili. Ni jambo la kuhuzunisha sana unapoangalia takwimu za wataalam wa ugonjwa wa kansa kama ilivyotajwa awali. Wataalamu ni takriban arobaini nchi nzima kati ya watu takriban milioni hamsini. Takwimu zinasema twapoteza watu elfu thelathini kila mwaka. Hizi ni takwimu zinazotoka kwa wale amabao walipata fursa ya kuenda hospitalini na ikajulikana kitaalamu kuwa wanaugua kansa. Ninavyojua ni kwamba wengi wanaugua ugonjwa huu huwa wanafariki bila kwenda hospitali kwa sababu ya gharama ya kwenda hospitali na ya kuchunguzwa. Mara nyingi, wagonjwa wa kansa huwa inasemekana kuwa hutolewa kipande cha nyama sehemu ambazo ugonjwa upo.

Ikiwa ni mgonjwa ambaye anatoka, kwa mfano, sehemu ninakotoka za Kwale kama Shimba Hills, Lungalunga ama Tiribe, mtu huyu kufika mahali ambapo anatolewa kile kipande cha nyama ndio kiweze kuletwa Nairobi ndio kufanyiwa huo utafiti baadaye kisha arudi apate majibu yale kwa yule daktari. Mara nyingi huwa wengi wanavunjika moyo na wanaacha kufuatilia. Hatimaye labda atapatiwa tu madawa ya kupunguza maumivu na kusema labda ni Mwenyezi Mungu ndiye amepanga hali hiyo.

Kwa hivyo, Mswada huu utahakikisha kwamba kuna wataalam wa kutosha. Pili, si lazima kuwe na huo utalam wa kwamba ile zahanati atakayoenda mgonjwa kuwe na utaratibu wa kuona ni vipi atafikiwa mtaalam huyu mahali pale alipo bila kugharamika mtu kusafiri, aidha kuenda hospitali kuu, kama Coast General Hospital kule kwetu, na hatimaye kuja Nairobi katika Kenyatta National Hospital, ambayo gharama yake hawa hawawezi kupata ule usaidizi na kujulikana ni saratani ya aina gani na inahitaji matibabu aina gani. Lakini si hapo pekee, kwa sababu hata ikiwa ataambiwa kweli ni saratani na matibabu ni haya, gharama ya matibabu bado iko ghali na mtu yule bado hatasaidika.

Upande mwingine, kwa wale wataalamu ambao tunasema wapatiwe mafunzo, tatizo kubwa ambalo tunalijua ni kwamba hatimaye hawawezi kutoa huduma hizi kwa sababu ya vile wanavyochukuliwa. Saa hizi kuna sehemu zingine katika nchi hii ambazo madaktari na wauguzi wa kawaida wanagoma kwa sababu ya kukosa mishahara. Kwa hivyo, ikiwa tutaweza kufundisha hawa wataalamu wa saratani, pia lazima serikali kuu na zile za kaunti wawalipe vilivyo ili wafanye kazi zao. Haisadii mtu kuwa na utalamu lakini asiweze kuutumia kwa sababu aidha hana vifaa ama yeye mwenyewe hapati marupuru yanayomtosheleza.

Asante sana kwa hayo niliyoyanena. Naunga mkono Mswada huu na ushughulikiwe vilivyo.

The Temporary Deputy Speaker (Hon. Jessica Mbalu): Order Members. You know how to catch the Speaker's eye. It is lack of decorum and out of order to start raising hands or shouting. We take that as noise. Let us have the Member for Endebess, Hon. Pukose Robert.

Hon. (Dr.) Robert Pukose (Endebess, JP): Thank you, Hon. Temporary Deputy Speaker, for allowing me to contribute to this Bill. At the outset, I want to support the Bill by Hon. Wangwa. This is a very important Bill and I know she tried to introduce it in the last session. It is good that it has reached this stage where we are able to actualise its passage.

This is a very important Bill on the training of various cadres in the management of cancer. I think it will also be important, as much as each county is going to have an oncologist, to also have someone assisting the oncologist. Having an oncologist alone without someone to assist with diagnosis will not work. I hope Hon. Wangwa will consider having a pathologist. You need a

pathologist to make the diagnosis so that the oncologist can treat. The biggest challenge that we have in this country is wrong diagnosis. Many people go to hospital and the diagnosis they get is not clear, so they receive poor treatment. By the time the patient gets proper diagnosis, the cancer is at an advanced stage. You are talking about stage 3 or, if better, stage 2. So it is important that every county has a pathologist with equipment. I hope that Hon. Wanga will consider that.

In the health Bill by Hon. Mishra, which we passed on Tuesday, we talked about the CS introducing policies that will actualise referral locations. For this case, we want the CS to introduce policies on standards. The role of the CS and the Ministry Headquarters is to develop standards so that we can have uniform standards within the country. This is so that the Cabinet Secretary (CS) should be able to introduce policies that will guide the training of pathologists, oncologists, nuclear physicists and all that is brought in. However, we have to actualize it through the policy so that after the training, each county must have the various cadres. This is so that these cadres are bonded so that if somebody comes from the county, you are bonded for a certain period, taken for training and after you are trained, then you can go back to give the services.

Hon. Temporary Deputy Speaker, when you look at the issues of cancers you are talking about - for what is recorded, that is in the records, for both Moi Teaching and Referral Hospital (MTRH) and also in Nairobi - we are talking of an incidence's rise of 28,000 per year. Those are only reported cases and in it you are talking of a mortality rate of around 22,000 per year, which translates to around 78.5% of those who are dying. This is even a higher percentage compared to those dying from COVID-19 because with those dying from COVID-19, you are talking about 95% healing. Moreover, those going into intensive care and whatever are about 5%. Therefore, in this case you are talking of an even higher percentage of cases that once they get cancer, you have about 78.5% mortality rates for those infected. Therefore, I think it is important that this is given a priority. In addition, with the issue of now bringing in on telemedicine, we should look at how we actualize it through the policy and it should be well guided because even if somebody is in the rural areas, that is fine. However, who is going to take the specimen for you to send it to various places and that proper interpretation to be done? I think the issue of accessibility is a very important one. Otherwise, I want to support. This is a very noble Bill.

Thank you Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Let me have the Member for Taita Taveta, the County Women Rep. the Hon. Mizighi Munene.

Hon. (Ms.) Haika Mizighi (Taita Taveta CWR, JP): Thank you Hon. Temporary Deputy Speaker for giving me an opportunity to add my voice on this very important Bill. We have seen how cancer has continued killing our people and we have also seen how cancer has continued raising our poverty levels because of the huge bills cancer patients incur on treatment. I am happy we are discussing this Bill today because it is really timely. On that note, I wish to really congratulate Hon. Gladys Wanga for bringing it here.

Hon. Temporary Deputy Speaker, it is really sad that in this century, as a country, we have very few oncologists and healthcare providers for cancer treatment. I listened carefully while Hon. Wanga was moving this Bill and it is really shocking that we have very few of them. Therefore, I really want to support that it is time that we trained more of these healthcare providers and oncologists.

In addition, I also want to support that we should include cancer treatment as part of the primary healthcare provisions. Moreover, I also want to say I am proud to be discussing this Bill because I am one of the people who have lost a close family member. Last year, I lost my father due to cancer-related issues. Therefore, this brings me lot of joy because I feel I am doing justice

to him and many other people who have lost their loved ones because of cancer. Therefore, I want to say that cancer should not be a death sentence in this country. Therefore, I support and thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Let me have the Hon. Member for Mwea.

Hon. Josephat Kabinga (Mwea, JP): Thank you, Hon. Temporary Deputy Speaker. At the outset, I congratulate my sister Hon. Gladys Wanga for bringing up this amendment to the Cancer Prevention and Control Act of 2012 to strengthen training given to the personnel that deals with the prevention, diagnosis and management of cancer (Oncology). Investing in training and ensuring there is adequate personnel of cancer treatment in our counties will not only ensure that patients are treated but also built the capacity of the personnel out there. As it is, a number of the medical personnel in our counties are not well versed with the indicators and signs of Cancer. As a result, they misdiagnose and make patients end up in advanced cancer stages. If they had capacity, these patients would be diagnosed at early stages and put to the right medication as opposed to the case that we have currently.

Investing in cancer treatment is not only a health issue but also an economic and social issue. On the health side, we have had personnel whom we have invested heavily in this country ending up being incapacitated or succumb to cancer and so we lose revenue in terms of investing in those humans. These are professors, engineers, doctors and some are rice farmers in my own constituency.

Socially, we know that this is one country where too many people are traumatized due to cancer. We have too many families that have been affected. Economically, anybody who goes to India knows that Indian flights are characterised by many Kenyans who go there for treatment. A lot of foreign exchange is lost. It is high time as a country we sit and do Maths. Look at the amount of money that we are losing, see how much money we need to invest and ensure that such money is no longer lost. Once we do that, we will come up with a policy and encourage our county governments to invest more in the cancer infrastructure.

I would even propose that we go ahead and come up with a special grant that would be competed for by counties that are putting a lot of investment in that area. Telemedicine and e-health is the way to go. Most Kenyans today have internet connection, whenever they have certain signs they check with the internet. If we can build that capacity both with the medical personnel and also create awareness, we can save this country a lot of revenue that otherwise goes out of ignorance and a lack of knowledge by both our medical personnel and patients who seek cancer treatment. This is because most of the times they have no idea. They live with it thinking it is normal to have lumps and they end up dying.

Thank you. I support.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Members, we are debating the Cancer Prevention and Control (Amendment) Bill (National Assembly Bill No.65 of 2019) by Hon. Gladys Wanga. I can see this Bill has received a lot of interest from Members, like Hon. Tonui Kiprotich who is the Member for Bomet Central, Hon. Wambilianga Nanjala - Bungoma (CWR), Hon. Kirima Nguchine - the Member for Central Imenti, Hon. Gitau Wairimu - Nyandarua (CWR) and Hon. Oduol Adhiambo, Nominated Member among other Members who were ready to contribute today.

Hon. Members, this is a House of rules and procedure. Dictated by the time, the debate for the Second Reading on this Bill has a balance of one hour and one minute. So, Members you can prepare for the next time when this Bill will be slotted in our Order Paper.

ADJOURNMENT

Hon. Members, the time being 1.00 p.m., the House stands adjourned until this afternoon, at 2.30 p.m.

The House rose at 1.00 p.m.