

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Thursday, 10<sup>th</sup> November, 2022

*The House met at the Senate Chamber,  
Parliament Buildings, at 2.30 p.m.*

*[The Speaker (Hon. Kingi) in the Chair]*

### PRAYER

### QUORUM CALL AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Kingi): Clerk, can you determine if we have quorum please? Kindly ring Division Bell for three minutes.

*(The Division Bell was rung)*

### PAPERS LAID

**Sen. (Dr.) Lelegwe Ltumbesi:** Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate, today, 10<sup>th</sup> November, 2022-

#### ANNUAL REPORT ON STATE OF JUDICIARY AND ADMINISTRATION OF JUSTICE

Annual Report on the State of Judiciary and the Administration of Justice for 2021/2022.

#### AUDITOR-GENERAL'S REPORTS ON FINANCIAL STATEMENTS OF VARIOUS ENTITIES

Report of the Auditor-General on the Financial Statement of Makueni County Fruit Development and Marketing Authority for the year ended 30<sup>th</sup> June, 2018.

Report of the Auditor-General on the Financial Statement of Makueni County Fruit Development and Marketing Authority for the year ended 30<sup>th</sup> June, 2019.

Report of the Auditor-General on the Financial Statement on projects implemented in Mukaa Ward of Makueni County Government for the Financial Year

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2018/2019.

Report of the Auditor-General on the Financial Statement of Wajir County Disaster Management Fund for the year ended 30<sup>th</sup> June, 2019.

Report of the Auditor-General on the Financial Statement of Wajir County Bursary Fund for the year ended 30<sup>th</sup> June, 2019.

Report of the Auditor-General on the Financial Statement of Samburu County Executive Staff Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2019.

Report of the Auditor-General on the Financial Statement of Nyeri County Elimu Fund for the year ended 30<sup>th</sup> June, 2019.

Report of the Auditor-General on the Financial Statement of County Government of Kisumu Bursary Fund for the year ended 30<sup>th</sup> June, 2019.

Report of the Auditor-General on the Financial Statement of Siaya County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2019.

Report of the Auditor-General on the Financial Statement of Wajir County Bursary Fund for the year ended 30<sup>th</sup> June, 2020.

Report of the Auditor General on the Financial Statement of Wajir County Climate Change Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Wajir County Disaster Management Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Wajir County Bursary Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Wajir Water and Sewerage Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Kericho County Executive Staff Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Kericho County Alcoholic Drinks Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Meru County Assembly Alcoholic Drinks Control Board for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Siaya County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Trans Nzoia County Youth and Women Development Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Tavevo Water and Sewerage Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on Special Municipality of Mwatate Fund/Board for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Municipality of Malindi for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Vihiga County Assembly Members and Staff Mortgage and Car Loans Scheme Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Vihiga County Trade and Enterprise Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Amatsi Water Services Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Kericho Water and Sanitation Company Ltd the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Kisumu County Trade Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Kisumu County Car and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Kisumu County Youth Women and People with Disabilities (PWDs) Fund for the year ended 30<sup>th</sup> June, 2021.

Thank you, Mr. Speaker, Sir.

### COMMUNICATION FROM THE CHAIR

#### VISITING DELEGATION OF CLERGY FROM NYANDARUA COUNTY

**The Speaker** (Hon. Kingi): Hon. Senators, I would like to acknowledge the presence in the Speaker's Gallery, this afternoon, a visiting delegation of clergy from Nyandarua County, who are in the Senate on a courtesy call.

Hon. Senators, I request the delegation to stand so that they may be acknowledged in the Senate tradition.

*(The delegation stood in their place)*

*(Applause)*

Hon. Senators, on behalf of the Senate and my own behalf, I extend a warm welcome and wish them a fruitful visit.

Thank you.

#### VISITING DELEGATION OF BUSINESSMEN FROM INDIA AND THE DEMOCRATIC REPUBLIC OF CONGO

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**The Speaker** (Hon. Kingi): Hon. Senators, again, I would like to acknowledge the presence in the Public Gallery, this afternoon, of a visiting delegation of businessmen from India and the Democratic Republic of Congo, who are in the Senate on a courtesy call.

Hon. Senators, on behalf of the Senate and my own behalf, I extend a warm welcome and wish them a fruitful visit.

Thank you.

*(Applause)*

I will allow the Senator for Nyandarua County to give welcoming remarks.

*(Sen. Methu, walked to the Dispatch Box)*

*(Sen. Cheruiyot spoke off the record)*

**Sen. Methu:** Thank you, Mr. Speaker, Sir. It is the Senate Majority Leader who advised me to be contributing from the dispatch box. I do not know why he is changing his mind today.

Mr. Speaker, Sir, I would like to join my fellow Senators and yourself, in welcoming the clergy from Nyandarua County who are here. They had come to pray with me. With them, is my own spiritual leader, Bishop (Dr.) Joseph Macharia, who is the Bishop of Africa Inland Church (AIC), in which I am an elder. They are here with a delegation of Bishops from Nyandarua County. At the Speaker's Gallery we have-

Bishop Stephen Kahora	-	Bishop of Anglican Church of Kenya (ACK), Nyahururu Diocese
Bishop Ayub Kihotho	-	Bishop of AIPC, Nyandarua
Sheikh Salim Waweru	-	Ol Kalou Mosque
Bishop (Dr.) Kathari	-	Bishop of Full Gospel Church.

I wish to state that had it not been the hand of God, I would not be a Senator today. These men of God in the Speaker's Gallery walked with me in this difficult journey.

We really take them with a lot of gratitude as they pray for all of us. They always pray for His Excellency the President and peace to prevail in this country. Indeed, they fasted, prayed and walked with me throughout the campaign period.

Mr. Speaker, Sir, you know that I was running against very difficult competitors. Competing with a former a Cabinet Minister (CS) who was a appointed CS when I was born, looked impossible and insurmountable. In the eyes of an ordinary man, it never looked like I would become a Senator.

However, these men of God believed in me, prayed for me, have been with me, and have supported me. As I serve the people of Nyandarua County as their Senator, I ask them to remember me in their prayers, keep on praying for our people in Nyandarua County, the leadership of Kenya and the President of the Republic of Kenya.

Some of us might think that we are overdoing it. We are not overdoing it. We are here because of the grace of God and the fact that He allowed us to be here. It is not that the rest were not prayerful, our journey was just more difficult

I thank them and thank you, for allowing them to be here. Since they prayed for me to come here, I wanted them to come and see where they brought me.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Kibwana, proceed.

**Sen. Kibwana:** Thank you, Mr. Speaker, Sir. I extend a warm welcome to our friends and investors who have come to Kenya and decided to pay a courtesy call to this Senate. I welcome them. Kenya is a beautiful country. They are all welcomed to invest in different sectors. We have Senators from different counties in here. I also wish to ask them to travel to different counties to explore different investments.

Kenya is a free country. We welcome all kinds of investors as long as the kind of business they are doing is genuine and legit. Welcome to Kenya.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Next Order, please.

## STATEMENTS

**The Speaker** (Hon. Kingi): Sen. (Prof.) Tom Ojienda, SC, proceed. He is not in the House. His Statement is deferred.

### THE STATE OF RICE FARMING IN KISUMU COUNTY

*(Statement deferred)*

Sen. Crystal Asige, proceed.

### SAFETY OF LEARNERS IN SPECIAL NEEDS EDUCATION INSTITUTIONS

**Sen. Crystal Asige:** Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Education regarding safety of learners in specialneeds education institutions.

In the Statement, the Committee should-

(1) State the safety measures put in place in education institutions for children with special needs to ensure the safety of learners with disability from such hazards as fires, terrorist attacks and natural calamities.

(2) Elucidate on whether staff working in special needs education institutions have undergone emergency response training to serve as first responders in the event of an emergency in the said institutions.

(3) Explain whether personnel of emergency response agencies such as the paramedics, police, fire fighters, the Kenya Defence Forces and other rescue and

emergency service providers are, in their training, sensitized on how to handle persons with disabilities in emergency situations.

(4) Describe the kind of training, if any, that children living with disabilities in special needs education institutions are taken through to aid them in responding to emergency situations.

(5) Explain whether parents and caregivers of children living with disabilities are taken through any form of training on handling of such children in the event of emergencies, stating how often, all the above such trainings are provided.

Mr. Speaker, Sir, allow me to give a brief genesis of this Statement. Not many people know this, but on the 13<sup>th</sup> October 2022, in Uganda, there was a special education school named Salama School for the visually impaired that burnt down. I am sorry, but I cannot stop shedding tears as I say this because that school burnt down on the 13<sup>th</sup> October just after midnight. Eleven children with visual impairment died and six were badly injured on that night.

The fire was caused by an alleged arson attack in the middle of the night in that boarding school. As I said, 11 children with visual impairment or blindness were burnt to death in the middle of the night. I cannot imagine how difficult it was for them and the excruciating experience they had to undergo.

If Senators in this House and people listening to me this afternoon can just close their eyes for ten seconds and imagine that this place was engulfed in flames right now, what would you do, especially if the person to your left and to your right is also blind and visually impaired? Would you then reach out your hand to save someone and guide him out of this House to a safer place?

Mr. Speaker, Sir, the 11 visually impaired children in Uganda were burnt so badly beyond recognition that their parents had to wait three weeks after this fire in order to get their remains. It just happened a week ago. I asked myself what Kenya is doing to prevent such a situation. Instead of being reactive, how proactive are our emergency services in such situations, specific to people and children with disabilities.

I hope that none of our institutions of learning such as Thika School for the Blind, Likoni School for the Blind and others will ever have such experience. We do not want to read horror stories in the newspapers in Kenya.

I thank you, Mr. Speaker, Sir, for this being a House of reflection.

**The Speaker** (Hon. Kingi): Sen. Onyonka, the Floor is yours.

**Sen. Onyonka:** Mr. Speaker, Sir, I would like to emphasize that after listening to Sen. Crystal Asige raise the issue on how we can be sensitive to people with visual disability or impairment, it makes sense for the Committee responsible to take this matter seriously.

We need to relook at the standardization of our buildings and ask ourselves whether windows and doors are well designed to ensure that such people can have easy access in case of an emergency. This is a very sensitive issue and we need to look into it urgently.

I thank you.

**The Speaker** (Hon. Kingi): Sen. Cheruiyot, please proceed.

**The Senate Majority Leader** (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir, I agree with our colleague who has just spoken on Sen. Crystal Asige's Statement. There is need for us to be sensitive to children with special needs. Listening to her, it struck me how on many occasions, because life is normal for us, we imagine that is how it is for everyone. Perhaps, there are special needs children in many institutions across our counties.

Mr. Speaker, Sir, on many occasions, we do not sit back to reflect and consider in which way are they being considered in the buildings that are being done and the county programmes. Part of the articles in the Constitution on devolution and that which it intended to achieve is to bring service closer to the people and to give people the chance to self govern away from Nairobi.

Mr. Speaker, Sir, the Committee on Education may want to even go a step further and consider this Statement because many of the millions of shillings that we devolve to the county each year are meant to aid in the construction of Early Childhood Education (ECDE) classrooms. How many of those ECDE classrooms are built in a manner conducive to children with special needs? What is the ratio of children with disabilities who are not able to attend normal schools with the other children? How many such facilities are being developed?

I know the Senator for Homabay County, Sen. M. Kajwang', has a Bill before this House that was read the First Time early this week on vocational training centres. Perhaps as we consider that Bill, we must also think about PWDs because it is also providing the legislative framework for counties to develop vocational training centres. As we do so, we may want to also consider during Committee of the Whole how those centres can either additionally have classrooms that are smart enough to have students that are gifted differently or build institutions altogether.

The special skills that we are providing to the young people who do not join colleges and universities are critical. I believe this special lot of young children deserve to be also given that kind of an opportunity. I believe when Sen. M. Kajwang' or the Committee that is considering this Bill comes back with that report, this is one thing together with our colleague Sen. Crystal Asige, they should look into.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Shakila Abdalla, the Floor is yours.

**Sen. Shakila Abdalla:** Thank you, Mr. Speaker, Sir, for giving me this opportunity to add my voice on what our Visually Impaired Person (VIP) has said regarding the impaired people. I remember very well that there was a law, which was passed stating that any building in this country, school or institution should be sensitive to PWDs and that law was reversed.

It is high time we look into that law. The Committee should look into that law and see how best they can revert it and enforce that all the buildings, schools, institutions and shopping centres are PWDs friendly so as to avoid such scenarios in future.

I thank you.

**The Speaker** (Hon. Kingi): Sen. Muma, please proceed.

**Sen. Mumma:** Thank you, Mr. Speaker, Sir. I rise to support the statement by Sen. Crystal Asige.

I happen to be a parent of a child with a severe disability. I would like to confirm that children with disabilities have difficulties being included in education in this country. For children with severe disabilities, it is even worse. Parents have to come together sometimes, and come up with their own institutions because we do not have public institutions to provide for them. The missionaries and private actors, including non-state actors and Non-Governmental Organisation (NGOs) have built more schools for persons with disabilities than our own Government has done.

Mr. Speaker, Sir, the rights of PWDs are anchored in the laws of this country as well as the Convention on the Rights of Persons with Disabilities, which we ratified. In fact, Kenya participated in the development of that law. Kenya was one of the countries that was at the forefront in shaping that convention.

That Convention provides for inclusive education. This means that the design of the education, pedagogy, teaching, the training of teachers, the provision of the infrastructure in the schools and also the infrastructure in public spaces is supposed to be inclusive. However, we have failed to implement inclusive provisions in regard to Persons with Disability (PWDs)

I thank Sen. Asige and urge that Committee together with the Committee that is in charge of implementation of treaties and agreements, to use the law that we have, which is very good; and hold accountable both the Ministry and even the county governments. This is because both have some infrastructure of the sort that they develop and is supposed to be accessed by the public.

I support.

**The Speaker** (Kingi): Proceed, Sen. (Dr.) Murango.

**Sen. (Dr.) Murango:** Asante sana, Bw. Spika, kwa kunipa nafasi hii kuchangia Taarifa ambayo imetolewa na Sen. Crystal Asige.

Ninaunga mkono kauli iliyotolewa na Kiongozi wa Walio Wengi katika Seneti kwa sababu sheria nyingi zinatungwa na zile zinafaa kutungwa ndipo ziweze kutumika. Wahandisi wengi wanaopitisha ile michoro inayotumika katika ujenzi wa mijengo mingi katika kaunti, hawatilii maanani kwamba wanafaa kuzingatia sheria ili wale watu ambao wanaoishi na ulemavu wa wanaweza kuingia katika mijengo hiyo.

Ninasema hivyo kwa sababu ukienda leo kuna michoro ya nyumba ambayo ilipitishwa na wahandisi lakini watu wanaoishi na ulemavu hawawezi kuingia ndani.

Tunapoendelea kutunga sheria ambazo hazitiliwi maanani, hakuna kitu tutabadilisha katika nchi hii. Tunapotunga sheria na zile zilizoko za kusema kuwa majumba yajengwe yakiwa na nafasi nzuri ya usafiri kwa watu walio na ulemavu zizingatiwe vilivyo. Lazima Seneti ambayo ndio inaangalia maslahi ya kaunti tuhakikishe kuwa sheria hizo zinatumika vilivyo.

**The Speaker** (Kingi): Sen. Wambua, you have the Floor.

**Sen. Wambua:** Thank you, Mr. Speaker, Sir, for this opportunity to also comment on the Statement by Sen. Crystal Asige.



I have listened to my colleagues talk about laws and provisions in the Constitution, and international treaties that bind us nationally in providing care to our children. It should come out naturally that any government, any human being must be driven, not only by law, but also conscience to provide care for our children with disability.

In our Constitution, Article 43(3) states that: -

“The state shall provide appropriate social security to persons who are unable to support themselves and their dependants.”

This is the basis of all laws on the protection of children and PWDs. The government has a duty of care to ensure that these children have access to education, health care and free movement.

I have visited a number of schools in my county for children with special needs. Even as you talk about these children, there will be need for us also to address the issue of the caregivers. These people who are charged with the responsibility of taking care of these children with special needs; we ought to give them an environment that is conducive to provide that care in the first place.

I thank Sen. Crystal Asige for being at the forefront to fight for PWDs and not leaving any child behind.

**The Speaker** (Kingi): Sen. Tobiko, you have the Floor.

**Sen. Tobiko:** Thank you, Mr. Speaker, Sir. I rise to support the Statement by our “VIP” Sen. Crystal Asige that all Kenyan, whether physically challenged or able-bodied persons have the right to access facilities and services as provided by Government.

There are parents who are at home with such children with special needs because they cannot access good education or facilities that will enable them to get education. This particularly affects mothers and the female caregivers. In most instances, you find situations where those ladies with physically challenged children are abandoned by their spouses. They are left to take care of these children alone.

When it comes to the national level and institutions, we must try as a country to level the ground for every Kenyan. This is so that every Kenyan has a chance and is enabled to access services, opportunities, buildings and schools.

It is high time even the parents who take care of the physically challenged children are also given a stipend to take care of these children on behalf of the Government of Kenya.

Sen. Crystal Asige, you are following a noble course. It is good because you have not let the disability to affect your achievement or self-actualization.

I hope those at home are getting a good example and taking her as a role model; that nothing should stop them from achieving what they must achieve as God gives them opportunity.

**The Speaker** (Kingi): Please proceed, Sen. Madzayo.

**The Senate Minority Leader** (Sen. Madzayo): Asante, Bw. Spika. Ninampa kongole Sen. Crystal Asige kwa hii Taarifa.

Mambo ya ulemavu ni ya kusikitisha sana. Hakuna familia katika Kenya, jamii au marafiki ambao hawajaona familia ama kukumbwa na janga hili la kuwa na mtoto au

watoto walemavu. Mimi nimmoja wao kwa kuwa tuko na mmoja ambaye pia hali yake ni hali ya ulemavu na ya kusikitisha.

Pia ingekuwa vyema kufikiria kuongeza idadi ya walimu wanaoweza kufundisha watoto walemavu. Ingekuwa muhimu kuhakikisha usalama wao hatari inapotokea. Wakati mwingine watoto hawawezi kutembea. kunaweza kuwa na hatari kama ya moto, mafuriko au nyumba kuporomoka. Itabidi wawe na haraka ya uzaidizi kuona kwamba madhara kama hayo hayatawapata watoto walemavu katika nchi hii.

Mwisho, ninatoa kongole kubwa sana kwa rafiki yangu mmoja kule Mombasa - Bw. Hasu - ambaye ndiye mwenye ile kampuni ya Mombasa Cement. Ni kampuni ya kutengeneza simiti iliyoko katika kaunti yangu ya Kilifi. Sijaona binadamu kama huyo. Kenya nzima, ni yeye amejitokeza kwa nguvu zake zote kusaidia watoto walemavu. Ana shule kubwa inayoitwa Sahajanand Special School iliyoko Mtwapa,. Shule hiyo ina watoto walemavu zaidi ya 1,000. Kuna wale waioweza kuongea, kutemebea, kusikia na kuona. Ako na watoto walio na ulemavu wa aina mbalimbali.

Anawachunga hao watoto wasiopungua 1,000 kwa hali na mali. Anagharamia elimu yao ikiwemo kulipa mishahara ya walimu. Wasioona kama dadangu, Sen. Crystal Asige, wanafunzwa na vifaa spesheli. Wasiosikia pia wanafunzwa kivyao. Wasio na uwezo wa kutembea lakini wanaona na kusikia, wanapewa mafunzo pia kwa shule hiyo.

Ni shule ya ajabu. Mwenye hiyo shule angesaidika na kutambuliwa. Naomba Mwenyezi Mungu ampe maisha marefu aendeleo kuwasaidia hao watoto walemavu.

La mwisho, ningependa wanaojiweza kokote humu nchini, waige mfano wa Hasu wa Mombasa Cement. Ikiwa una uwezo na pesa, hakuna haja ya sisi kukutambua kama tajiri ilhali hakuna hata mtoto mmoja mlemavu unayemsomesha au kumpa usaidizi wa aina yeyote.

*(There was a technical hitch)*

**Sen. Joe Nyutu:** Thank you, Mr. Speaker, Sir, for the opportunity to contribute to the Statement by Sen. Crystal Asige. I thank her for making this important Statement.

As the Chair of the Committee on Education, I need to make a few comments. The issue of children with special needs is a very serious matter. In most traditions and cultures of our people, parents are forced to hide these children at home. It is important that when we come to institutions of learning, we should make enough provisions for these learners.

I thank the Government because through the Kenya Institute of Special Education (KISE), teachers at the primary school level have been undertaking further training in special needs education. Most primary schools have centres for learners with special needs.

Sometimes a learner or the parent will not fully accept that their children have special needs. It would be important for teachers to be trained in special education in the teacher training colleges, so that they are empowered to handle kids with special needs. Some of these children will be hidden at home and come to school as normal kids, yet

they have special needs. That is why every teacher should study at least a unit in special needs education.

Those that have mental health issues could be taken advantage of. It is important that we have some laws protecting these children against people that may want to take advantage of them.

Every educational institution should ensure their buildings are friendly. The approval of buildings for educational institutions should have a requirement that all buildings are friendly to all the learners with special needs. It is a high time we started looking at these learners as our children and give them the appropriate care they need.

Again, I thank Sen. Crystal Asige for this progressive Statement. I support anything and everything that will be there for our learners with disability and those with special needs.

**Sen. Kavindu Muthama:** Asante, Bw. Spika. Ninakushukuru kwa kunipa fursa ya kuchangia Taarifa hii ya Sen. Crystal Asige.

Watoto na watu wazima wanaoishi na ulemavu wanakumbwa na shida nyingi haswa wanaposafiri. Usafiri ni mgumu kwao kwa sababu wanatembea na kusafiri kwa njia ngumu sana. Wanaosukumwa kwa *wheelbarrows* na *wheelchairs* wanapata matatizo mengi sana wanaposafiri.

Ni lazima amri itolewe ili waweze kulindwa. Watoto aina hii wanapoenda shuleni, pia wanapata matatizo mengi upande wa mawasiliano haswa wale visiwi. Walimu nao hawawezi kuwafunza kwa Lugha ya Ishara ambayo wangepahamu. Wanapitia shida hata upande wa vyakula. Wengi wao wamezaliwa katika familia zisizojiweza. Unapata mama hawezi kuondoka nyumbani kwa sababu akiondoka, yule mtoto atabaki bila mtu na anaweza kubakwa. Mama hawezi kutoka kwenda kumtafutia yule mtoto chakula. Kwa hivyo, mama na watoto wanakosa chakula.

Ninaomba Serikali iangalie zaidi familia zenye watoto walemav. Serikali iangalie mapato yao na ikiwezekana, hizi familia zisaidiwe ili kujikimu kimaisha na hata kusomesha hawa watoto.

Wanapata shida kupata matibabu. Mtoto anapokuwa mgonjwa, inabidi mamake ambebe hadi hospitalini. Wazazi wengine hawana uwezo wa kukomboa gari ama boda boda. Unakuta mama amebeba mgongoni mtoto mzito kwa sababu ni mtoto wake.

Nashukuru sana Sen. Crystal Asige kwa kuleta Taarifa hii. Namatumai ukipelekwa kwenye kamati ambayo inastahili, watahakikisha kwamba Serikali itachukua hatua.

Bw. Spika, naunga mkono.

**Sen. Ali Roba:** Mr. Speaker, Sir, sometimes back, I was invited as a Governor to participate in an event for Persons with Disability (PWDs) in Isiolo. We were requested to have a competition on the wheelchairs that were provided to everyone. It is then that I realized the difficulty that people go through.

In my life, I have seen people who had been okay a day before and completely disable the following day. Those were adults. So, disability can affect anybody. For us as a House to think about the welfare of PWDs, beginning with children and adults, and

legislate in favour of those who are disabled, there is a thin line between disability and wellness.

You can attend your Senate session today and by evening you are disabled. That is the reality of what happens in our lives. For those of us who are well and have the opportunity to be in this Senate to legislate on issues of PWDs, it is a great opportunity.

Thank you Sen. Crystal Asige for being consistent. You can bank on our support because you have close visibility of the issues affecting PWDs. We are lucky to have you in this Senate. We will support you by all means, including fast-tracking legislation that you will propose as well as us proposing for the sake of making sure that the welfare of PWDs is taken care of.

Mr. Speaker, Sir, I support. Thank you.

**Sen. Faki:** Asante, Bw. Spika, kwa kunipa fursa hii kuchangia Taarifa iliyowasilishwa na Sen. Crystal Asige. Naunga mkono Taarifa hii ya Sen. Crystal Asige kwa sababu mambo yanayoangaziwa katika Taarifa hii ni ya kimsingi.

Nilibahatika kuwa mwanachama wa Rotary Club of Mombasa. Kila baada ya wiki mbili, huwa tunakwenda kuwalisha watoto walemavu katika Shule ya Port Reitz. Ukiona wale watoto wanavyoishi, utagundua kwamba ipo haja ya kuwasaidia ili waishi angalau maisha mazuri kidogo.

Wakati tunapokwenda kuwatembelea wanafunzi katika Shule ya Port Reitz ambayo ni ya watoto walemavu, huwa tunapata kuwa walimu hawatoshi ukilinganisha na idadi ya wanafunzi. Mbali na kuwapelekea chakula, sisi pia huwalisha watoto wale ili kuhakikisha kuwa kila mtoto anapata chakula cha kutosha.

Madarasa yaliyojengwa ni ya kawaida ambapo mtoto mlemavu hawezi kuyafikia. Vile vile mahali pa kwenda kujisaidia hapajatengenezwa vizuri ukizingatia kuwa watoto hao ni walemavu. Kwa hivyo, mambo yanayopaswa kufanywa yatasaidia pakubwa kuhakisha kwamba wanafunzi wenye ulemavu wanakuwa na nafasi sawa kama wanafunzi wengine.

Ningependa kusema kuwa Mhe. Hasu wa Mombasa Cement ametoa mchango mkubwa kwa watoto walemavu. Amejenga shule ambayo ndio kubwa katika Bara la Afrika kusaidia watoto walemavu. Shule hiyo ina karibu watoto 1,500 ambao wanakula na kulala pale.

Wengine wana ugongwa unajulikana kama *microcephalus*. Ukiangalia kichwa ni kidogo kuliko kichwa cha mtoto wa kawaida. Hao ni tofauti na wale ambao wana vichwa vikubwa ambao wanajulikana kama *hydrocephalus* kwa Kiingereza. Sijui kwa Kiswahili wanaitwa vipi. Bw. Spika, utatusaidia hapo.

Wale wenye vichwa vidogo wanajulikana kama *microcephalus*. Ukiwaona, utajua kwamba Mwenyezi Mungu huumba amtakaye kwa njia ambayo anaona ni sawa.

Watoto hao wote wako katika shule ya Mhe. Hasu na pale wanapata kila kitu. Nafikiri kuwa hata Serikali haijafikiria kuwasaidia watoto kama hao. Watoto kama hao hawako katika sehemu za Pwani pekee kwa sababu wanapatikana kote nchini Kenya. Ikiwa kuna wazazi ambao wana watoto walemavu kama hao, ni bora wawapeleke kule ili waweze kusomeshwa.

Mwisho, Bw. Spika, ni kwamba wakati watoto hao wanapokua, ni vigumu sana kupata vyeti kuonyesha kwamba ni walemavu. Lazima mtoto kama huyo alipe Kshs1,500 katika hospitali za kaunti ili apewe cheti cha kuonyesha kwamba ni mlemavu, ndiposa aweze kupata marupurupu ama fadhila zingine za kuonyesha kwamba ni mlemavu.

Katika jamii, sisi tunatakikana tuwasaidie zaidi kuliko tunavyojisaidia sisi wenyewe.

Bw. Spika, naunga mkono Taarifa hii.

**Sen. Mandago:** Mr. Speaker, Sir, I rise to support the Statement by Sen. Crystal Asige on the safety of children with disability in our learning institutions. The safety of the children with different disabilities in this country is not only limited to the physical security or access to institutions of learning. Their safety should also include the assistive devices that they use.

In this country, we can comfortably say that we have let down PWDS because we have only one assessment centre which is the Kenya Institute of Special Education KISE. For one to assist a PWD with correct assistive devices, there is need to assess that child or person, so that you can prescribe the correct assistive device.

If we want these children to be safe, we need to improve on the assessment centres in this country. There is need to expand the assessment facilities in this country, so that all Kenyans do not have to go to the KISE.

The KISE has shortage of experts who can do proper assessment of children with various disabilities, so that proper corrective and assistive devices can be given.

Considering the contribution of Sen. Crystal Asige in this House on matters disability, I urge the Minority Whip to consider putting Sen. Crystal Asige in the correct committee, so that her expertise can help this House and the whole population of PWDS in this country to get better services in terms of accessing buildings and many other things.

Safety is also about the buildings we use and institutions of learning that these children go to. If they are not properly designed and the rest do not have that working knowledge of PWDS, it is only proper that we get somebody with the knowledge and skills in that sector to assist this Senate. That will help us have proper designs and accessible structures for PWDS, be it children or adults.

Mr. Speaker, Sir, as I support this Statement, I request the Committee to take this matter seriously with a view of coming up with legislation. They should also consider reviewing the existing legislation to enhance the punishment that would be meted on those who refuse to comply with the Act.

I support.

**The Speaker** (Hon. Kingi): Hon. Senators, for those who still wish to have a bite at these requests, I believe that you will have an opportunity when the Report is tabled by the relevant Committee. For now, we shall move to the next request. Sen. (Prof.) Tom Ojienda, proceed.

## THE STATE OF RICE FARMING IN KISUMU COUNTY

**Sen. (Prof.) Tom Ojienda, SC:** Mr. Speaker Sir, I rise, pursuant to Standing Order No. 53(1), to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the state of rice farming in Kisumu County.

In the Statement, the Committee should-

(1) State the steps the County Government of Kisumu has taken to secure and improve rice production, processing and marketing in Kisumu County, outlining county funding initiatives for rice farmers, including plans for expansion of rice irrigation schemes, subsidies for rice farmers and reduction of field and storage losses

(2) Outline measures, if any, undertaken by the county in value addition in rice production and processing such as the construction and operationalization of rice mills;

(3) Give a detailed report on the state of rice cooperatives in Kisumu County, especially the marketing of the rice sub-sector in the county to attract both local and foreign markets in a manner beneficial to rice farmers in the county;

(4) Ascertain the state of projects that pertain to agriculture, irrigation and cooperatives in Kisumu County in terms of their operational and technical capacity and functionality as had been envisaged during the launch and completion of the various agricultural, irrigation, and cooperatives projects;

(5) Summon the County Governor to explain the way forward in addressing the plight of farmers in Kisumu County to move the *modus operandi* from agricultural donations and distribution of livestock like dairy cows and goats to farmers to concrete policy formulation and implementation aimed at addressing the perennial core challenges plaguing agriculture, irrigation and cooperatives in Kisumu County; and

(6) State the measures being undertaken by the Ministry of Agriculture and Livestock Development and Ministry of Cooperatives and Micro, Small, and Medium Enterprises Development in expanding the rice irrigation schemes in Kisumu County to put more land under rice production, especially in the Kano plains, and to improve the state of rice cooperatives in Kisumu County.

**The Speaker** (Hon. Kingi): Can we hear from Sen. Sigei?

Okay, we will hear from Sen. Kibwana.

AUSTERITY MEASURES IMPOSED BY IMF ON  
DEVELOPING COUNTRIES

**Sen. Kibwana:** Mr. Speaker Sir, I rise, pursuant to Standing Order No. 53(1), to seek a Statement from the Standing Committee on Finance and Budget on austerity measures imposed by the International Monetary Fund (IMF) on developing countries including Kenya.

In the Statement, the Committee should: -

(1) State the reason the IMF has imposed austerity measures on developing countries including Kenya while warning rich countries against austerity measures,

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explaining the safeguards put in place to ensure the measures do not escalate poverty levels in developing countries;

(2) Explain the extent to which the austerity measures imposed by the IMF affect Kenya's capacity to borrow loans from global lenders noting that the country is still reeling from the effects of the COVID-19 Pandemic which devastated the economy and increased the cost of living;

(3) Give a breakdown of the proposed austerity measures to be applied and which will directly lead to fiscal budget tightening and adjustment in Government expenditure, citing the targeted sectors;

(4) Clarify to the Senate whether the Ministry has plans to ensure that the measures do not put vital public services at risk and exacerbate poverty and inequality; and

(5) Recommend that the IMF austerity program be tabled in the Senate and in each of the 47 county assemblies for scrutiny.

I thank you, Mr. Speaker Sir.

#### THE NEED TO REDESIGN THE NITHI BRIDGE ON MERU- NAIROBI HIGHWAY

**Sen. Kathuri:** Mr. Speaker Sir, I rise, Pursuant to Standing Order No. 53(1), to seek a Statement from the Standing Committee on Roads, Transportation, and Housing regarding the need to redesign a section of the road on the Nithi Bridge on the Meru-Nairobi Highway and the construction of a modern bridge. In the Statement, the Committee should: -

(1) State the steps, if any, that the Ministry of Roads, Transport and Public Works has taken towards redesigning and realignment of the bridge and approaching lone sections to ensure the safety of its users, considering that in the last 10 years, over 27 accidents have occurred on or near the bridge resulting in about 68 fatalities, 98 injuries, and 27 slight injuries;

(2) Indicate while providing timelines what plans the Ministry has for the construction of a modern bridge on that spot.

Mr. Speaker Sir, allow me two minutes' to make some comments on this Statement.

This bridge is between Chuka Town and Meru Town. As you have heard, we have lost 68 people on this killer bridge in the last ten years. The previous governments promised us hot air. For the last ten years that I have been around as a legislator, we have been petitioning the Government to redesign this road and remove the very dangerous curve but nothing has happened in all those years.

I hope this Government, under His Excellency Dr. William Samoei Ruto, will do something. I remember he committed during the campaigns that he will ensure that his Government starts the new bridge within the first year.

I have a lot of trust in him and his Government. I hope that this will be done. My colleague from Tharaka Nithi County, Sen. Gataya, knows that this bridge is in Tharaka

Nithi but we share the road. He can attest that it is very dangerous. The people of Meru and Tharaka Nithi will be very happy to know that this matter is now before this Senate. I will work closely with Sen. Gataya to ensure that we put more pressure on the relevant Ministry for this road to be redesigned and we get a new bridge.

I am happy that the Chairperson of the Standing Committee on Roads, Transportation, and Housing is in the House. I will ask him to take this matter with the seriousness it deserves and help our people so that we do not incur any losses through deaths.

I thank you, Mr. Speaker Sir.

**Sen. Cheptumo:** Mr. Speaker, Sir, I rise to commend and support the Statement by the Deputy Speaker. What the Hon. Member is raising is a problem which is extreme in our country. The Committee in charge of transportation should go beyond what has been raised. We have lost many lives and there are specific hot spots in our roads. If we ask every Senator here to mention the hotspots in their areas, they will mention two or three where people lose lives.

It is important for the Ministry in charge to do this in every county. In my county – Baringo, there is a notorious spot where we have lost many people. When I was the Member of Parliament (MP) for Baringo North, we went there with the then Director of Kenya Rural Roads Authority (KeRRA) in order to study it. This House should pronounce itself on this matter. The Ministry in charge should go across the country to visit those areas.

Mr. Speaker, Sir, the other areas with that problem are those surrounding rivers. We have lost many people whenever it rains and floods. It is important that we prevent deaths of our people than witness it happen. This should be done. I urge my good friend, our Chairman for the Committee on Roads and Transportation that when his Committee invites the Minister for Roads and Transport, a former Member of this House, I would like to be present in that meeting so I articulate the issues affecting Baringo County in addition to the ones that have been raised by our Deputy Speaker.

Mr. Speaker, Sir, I support.

**The Speaker** (Hon. Kingi): Proceed, Sen. Mandago.

**Sen. Mandago:** Mr. Speaker, Sir, I support the Statement by the Senator for Meru on that bridge. I had the opportunity to travel that route when I was a public servant. I realized that the accidents that occur on that bridge are attributed to the design of that road and not the carelessness of the drivers. There is no way you can have a “Z” kind of turning on a bridge, on a descending hill and expect the drivers to manoeuvre that turn.

The redesign and construction of that bridge should be taken as a matter of urgency by the State Department of Roads. It is important to note that the loss of lives has resulted in broken families, others have become orphans as children have been left without parents and cannot continue with education. We cannot afford to continue losing lives if the matter has been raised for the last 10 years.

I urge the Chairperson of the Committee on Roads and Transportation in this House to take that matter seriously alongside other roads that have similar issues of



design. Other than taking immediate remedial measures of redesigning and constructing the bridge, the responsible engineers who designed those roads should be held to account. I am sure that in their professional ethics, safety is paramount in the design of our roads. Therefore, they should take seriously the matters of design so that we do not lose lives as a result of design errors.

**The Speaker** (Hon. Kingi): Sen. Munyi Mundigi, proceed to read your Statement.

HIGH CESS LEVIED ON TRANSPORTERS OF MUGUKA  
CARGO FROM MBEERE IN EMBU COUNTY

**Sen. Munyi Mundigi:** Mr. Speaker, Sir, I rise, pursuant to Standing Order 53(1), to seek a Statement from the Standing Committee on Tourism, Trade and Industrialization regarding the high cess levied on transporters of *Muguka* cargo from Mbeere in Embu County.

In the Statement, the Committee should-

(1) State the measures the Government has put in place, if any, to harmonize cess levies on *Muguka* on transit to Mombasa and its environs.

(2) State the measures being put in place, if any, to strengthen *Muguka* cooperative societies with the aim of facilitating members to access loans that will enable engage in activities to improve their business.

(3) Table a progress report on those Kapingazi and Kamumu Dams that have been earmarked to be supplying water for *Muguka* farming as well as other domestic use.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Faki.

**Sen. Faki:** Asante, Bw. Spika. Nimesikia Mhe. Munyi Mundigi, Seneta wa Embu akizungumzia swala la *Muguka*. Swala hili kwa watu wa Mombasa limezua utata kwa sababu ulaji wa *Muguka* umeharibu nyumba nyingi na vijana wengi sana. Hao vijana badala ya kufanya kazi wanarandaranda, wanawacha mabibi zao nyumbani---

**The Speaker** (Hon. Kingi): What is your point of order, Sen. Kathuri?

**Sen. Kathuri:** Bw. Spika, Seneta wa Mombasa anajua hii kilimo ndio imewezesha watu wake wafaulu. Hio pesa inayodaiwa inachukuliwa na serikali ya Kaunti ya Mombasa kwa kiwango kikubwa sana.

Naomba nimfahamishe kwamba *miraa* siku hizi ni mmea kama kahawa, miwa, majani chai, korosho na mnazi. Asiharibu mmea unaotulea huko Meru sababu *Miraa* na *Muguka* ni moja. Achunge hiyo laini anayopitia kwa sababu ni nyembamba sana.

**The Speaker** (Hon. Kingi): What is your point of order, Sen. Kathuri? I am struggling to get it.

**Sen. Kathuri:** Mr. Speaker, Sir, mine was a point of information. I was informing Sen. Faki that he is defaming a cash crop and it is "bread" to many people in Meru and Embu counties. I have planted 15 acres of *Muguka*. I had a discussion with Sen. Faki sometime back on the farming of *Muguka*. I went as far as offering him one acre of my farm so that he can also benefit from the crop.

*(Laughter)*

**The Speaker** (Hon. Kingi): Sen. Faki, kindly, proceed.

**Sen. Faki:** Bw. Spika, singependa kujulishwa chochote na Seneta wa Meru kwa sababu najua athari za *Miraa* na *Muguka*. Vijana wengi wameathirika na mambo haya. Mbali wanalia kwamba ushuru na kodi wanazotozwa ziko juu, ningependekeza ziongezwe maradufu ili mmea huo usiweze kufika Mombasa na Pwani kwa jumla ili vijana wetu waokoke. Kila kijana ambaye amemaliza shule hukimbia kukaa kula *Muguka*. Wengi hawataki kufanya kazi na wengi hawataki kuoa.

*(An Hon. Senator spoke off record)*

Hawataki kuoa kwa sababu uwezo wao wa kushika nyumba umeathiriwa na mmea huo.

**The Speaker** (Hon. Kingi): Senator for Laikipia, what is your point of order?

**Sen. Kinyua:** Bw. Spika, nimemsikiza ndugu yangu, Sen. Faki. Kitu chochote duniani kikizidishwa huwa na tahadhari yake. Ni vizuri Sen. Faki awafunze vijana kutoka Pwani. Hayo maneno ya kusema kuwa vijana wameshindwa kushika nyumba si kwa sababu ya mmea ule. Mtu mzima akiamua kutafuta *Miraa* au *muguka*---

**The Speaker** (Hon. Kingi): Sen. Kinyua, I did not give you an opportunity to lecture us on *Muguka*. What is your point of order?

**Sen. Kinyua:** Ukipitisha kile kiwango ambacho kimekubalika kwa kitu chochote hata maziwa, chakula ama kingine, kinaleta madhara. Vijana wetu wa pale Pwani waambiwe ya kwamba ule mmea si mbaya lakini wasipitishie kiwango kinachohitajika.

Ni mmea mzuri na unaletea nchi yetu ya Kenya mapato mengi. Kwa hivyo---

**The Speaker** (Hon. Kingi): What is this that Sen. Faki said that is out of order?

**Sen. Kinyua:** Amesema vijana wa Pwani wameshindwa kushika nyumba. Wanapaswa wajipange vizuri ama tuwatumie vijana waweze kuwasaidia kushika nyumba.

**The Senate Majority Leader** (Sen. Madzayo): On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): What is your point of order, Sen. Madzayo?

**The Senate Majority Leader** (Sen. Madzayo): Asante Bw. Spika. Kiswahili ni lugha ambayo tunaelewa sote lakini kusema ya kwamba vijana hawawezi kushika nyumba ni Kiswahili ambacho mimi mwenyewe pia kimenishinda kuelewa.

*(Laughter)*

Sijui alikuwa anamaanisha nini maanake ni Kiswahili. Tutashika nyumba kwa hivi ama tutafanya namna gani?

*(Seneta Madzayo alifanya ishara ya kushika)*

Afafanue vizuri ili tuweze kuelewa kushika nyumba ni vipi? Wale vijana kutoka Pwani wote tunajua pia wanakula *Muguka* alivyosema Sen. Munyi Mundigi wa Kaunti ya Embu. Ningemuuliza aweze kufafanua zaidi.

**The Speaker** (Hon. Kingi): Sen. Faki, kindly make the House understand what you meant by “vijana *hawawezi kushika nyumba.*”

**Sen. Faki:** Bw. Spika, kushika nyumba ni neno la kistaarabu linalomaanisha kwamba wameshindwa kustarehe na wake zao. Ukiniambia kustarehe ni nini, ni bwana kumingilia mke wake wa halali ama yule kimada ambaye yuko naye.

(Laughter)

Bw. Spika, hili swala la Miraa na *Muguka* ni nyeti katika eneo la Kaunti ya Mombasa na tumelizungumzia. Tuko na utafiti ambao umefanyika unaonyesha athari hizi za mimea hii miwili. Ni kama bhangi. Bhangi ilipigwa marufuku kwa sababu ukivuta bhangi inafanya kichwa chako kuruka.

Kwa hivyo, ukila *Muguka* na “miraa” kwa siku mbili mfululizo---

**The Speaker** (Hon. Kingi): Sen. Sifuna, what is your point of order?

**Sen. Faki:** Anavuta bhangi huyu?

(Laughter)

**The Speaker (Hon. Kingi):** Sen. Sifuna, proceed.

**Sen. Sifuna:** Bw. Spika, naamini ya kwamba Seneta anaposimama kuzungumza hapa, lazima aweze kuzungumza maswala ambayo anaweza kudhibitisha. Sidhani ya kwamba Seneta wa Kaunti ya Mombasa - ambaye namheshimu sana - anaweza kutoa idhibati yoyote kuonyesha kwamba uvutaji wa bhangi unapelekea watu kuruka vichwa. Hiyo ndiyo hoja yangu ya nidhamu.

**The Speaker** (Hon. Kingi): Sen. Faki, proceed and conclude your contribution.

**Sen. Faki:** Bw. Spika, unilinde kwa sababu haya mambo ninayozungumzia hapa ni mambo ambayo ni nyeti na yanaathiri sana watu wa Kaunti ya Mombasa. Ni wazi kwamba tunao utafiti ambao umefanyika na hata ikitakikana, ninaweza kuwasilisha stakabadhi hapa jumanne ya kuonyesha athari za Miraa na *Muguka*.

Hatusemi kwamba ni biashara kwa hivyo watu wafanye. Kama ni biashara anzeni kununua nyinyi wenyewe kwanza Kaunti za Meru, Embu na Tharaka Nithi. Uzianeni kwanza kule mpaka iwaenee ndipo mtuletee sisi Kaunti ya Mombasa. Haiwezekani kwamba mmea kama huu ambao unaathiri vijana wetu uruhusiwe kuuzwa kiholela kama unavyouzwa sasa.

Ninaunga mkono Kaunti yetu ya Mombasa iongeze kodi ya mimea hii miwili ili tuweze kulinda vizazi vijavyo vya watu wa Kaunti ya Mombasa na Kaunti zingine jirani kama vile Lamu. Hata katika Kaunti ya Lamu, mimea hii miwili imeathiri sana jamii.

Hatuwezi kunyamaza hapa na kusema kwamba kwa kuwa watu wanapata chakula na wanalipa *school fees*--- Kwetu sisi ni kama biashara haramu.

Tungependa maswala haya yazungumziwe kisawasawa. Si lawama kwamba tunalipisha kodi nyingi kwa mimea hii. Tunataka ile kodi iongezwe ili mimea hii isiweze kufika kaunti ya Mombasa na kuathiri vijana wetu wa kike na kiume.

**The Speaker** (Hon. Kingi): Sen. Tabitha Mutinda, please proceed.

**Sen. Tabitha Mutinda:** Mr. Speaker, Sir, thank you for this opportunity. I would like to contribute on this issue of *Muguka* and *Miraa*.

I highly dispute what Sen. Faki has stated that *Muguka* is a product that is spoiling the youths in Mombasa County. As leaders, it is their responsibility to ensure that their youths in Mombasa County and other areas are able to use the product *Muguka* to the levels that are needed. You do not bring blame games because you do not know how to use products.

Between *Muguka* and hard drugs, which one is on extreme levels? The *Muguka* product is a cash crop in this country. It coming from my region, Meru county, for that matter, is a product that we highly respect because it is improving the livelihoods of our people in Meru, Tharaka Nithi and Embu Counties.

So, the Senator should not mislead this House and his youths in the Coastal region by stating that it should be put aside and not be a market product in Mombasa County. It is a product like any other in this country. It is your choice to decide either to use it or not. It is your personal choice to use items like cigarettes and alcohol.

At the end of the day, as Kenyans, this is our economic product and we should be looking at how to add value to this “*Muguka*” product.

(Applause)

**The Speaker** (Hon. Kingi): Sen. Gataya, please proceed.

**Sen. Gataya:** Thank you Mr. Speaker, Sir. I support the Statement by Sen. Munyi Mundigi from Embu County who has brought a very pertinent issue on *Muguka*.

*Muguka* is a crop just like any other; coffee, tea or *mnazi*. It should be accorded the very respect that we accord other crops. We have thousands of people in Tharaka Nithi, Embu and Meru Counties whose livelihood depend on *Muguka* and *Miraa*.

I dispute the allegations by Mombasa County Senator that *Muguka* is a drug. I would advise Sen. Faki to bring a legislation to outlaw *Muguka* through my Committee, because I am the Chair of the Committee on Delegated Legislation. I am sure it is not going to see the light of the day.

So, I believe *Muguka* and *Miraa* should be accorded the right attention. Those in Mombasa County or any other part of this country that are chewing *Miraa* should be given freedom to do so without any intimidation.

Mr. Speaker, Sir, in a rejoinder, there was a Statement that was raised by my senior the Senator of Meru County, Sen. Kathuri about Nithi Bridge. I confirm that Nithi Bridge is in my County. It is a national disaster and a monster that has claimed very many lives.

It is high time the Government acts upon this bridge to save lives.

Mr. Speaker, Sir, this bridge serves a number of counties, all the way from North Eastern, Marsabit, Isiolo, Meru, Embu and Tharaka-Nithi. It is a national disaster.

I am happy that the Senator for Meru County brought up this issue. I urge the Committee on Roads and Transportation, to move with speed and find a way to ensure this bridge is redesigned in order to save lives.

I remember during his campaigns, the President promised that in his first 100 days, the Nithi Bridge will be redesigned. I trust his word. I am sure this will be prioritised once the Government settles. Nonetheless, he should get a report through the Chairperson of the Committee on Roads and Transportation, so that we can have a bridge that does not kill people.

**The Speaker** (Hon. Kingi): Proceed, Sen. Shakila Abdalla.

**Sen. Shakila Abdalla:** Bw. Spika, asante kwa kunipa fursa hii. Ninafikiri daraja linaweza kuchangia kwa ajali kwa kiasi fulani, lakini madereva wa miraa pia wanaendesha magari vibaya. Wanaendesha magari kama ndege. Ukikutana na magari ya miraa barabarani, usipochunga, watapita na wewe.

**The Speaker** (Hon. Kingi): Hon. Senator, just confine yourself to the Statement by the Senator for Embu County, on the issue of *Muguka*. The issue of that bridge---

**Sen. Shakila Abdalla:** Ni sawa, Bw. Spika. Ninaelekea huko.

Kitu kingine ambacho ningependa kuongezea ni kwamba, utakuta hata vijana wadogo wa shule wanatumia *pocket money* kununua *muguka*. Pakiti moja ya *Muguka* inawezapatikana kwa shilingi 50. Utapata mtoto amekula *Muguka* hadi macho yake yametoka kama ya ngombe. Halafu unashindwa mtoto huyo amekula nini ama amefanya nini? Ni kwa sababu ya hiyo *Muguka*.

Bw. Spika, ukweli ni kwamba, *Muguka* inaadhiri vijana. *Muguka* inasababisha ulevi na inafaa idhibitiwe. Bila kufanya hivyo, tutawapoteza vijana wetu kwa *Muguka* na *miraa*.

Afadhali hata miraa. Ni kama *Muguka* huwekwa kemikali ndani yake wakati inapokuzwa. Ndio sababu utakuta vijana wakila kidogo tu, akili zao zinabadilika na macho yanatoka nje. Unapata mtoto hawezi hata kula chakula. Kwa hivyo, bila shaka, *Muguka* iko na adhari fulani.

Ningependa iwapo Mhe. Faki ataweza, kuleta ripoti hiyo ya kudhibitisha kwamba *Muguka* inasababisha ulevi, ndiposa tuiweke kwenye kundi la ulevi, isitumike kama mmea.

(*Sen. Kathuri spoke off-record*)

**The Speaker** (Hon. Kingi): The Senator has already yielded to her seat. Proceed, Sen. Abass.

**Sen. Abass:** Thank you, Mr. Speaker Sir. As much as we appreciate that *Miraa* is a cash crop for our brothers in Meru and Embu counties, it is also a social problem within the consuming communities like Coast, Wajir and Northern Kenya.

Most students have dropped out of school because of consuming *Muguka*. It has been proven that *Muguka* is actually a drug. It can be proven beyond reasonable doubt, that it is a drug. It has destroyed the social and public---

**Sen. Kathuri:** On a point of order, Mr. Speaker, Sir!

**The Speaker** (Hon. Kingi): What is your point of order, Sen. Kathuri?

**Sen. Kathuri:** Mr. Speaker, Sir, this is a House of records and honour. Members of this House should really speak to the facts.

I stand under Standing Order No.105, on responsibilities for statement of facts. We should not spend the whole afternoon criminalizing crops which are a livelihood to many Kenyans, without facts. Sen. Faki, Sen. Shakila Abdalla and now Sen. Abass cannot get away with it.

Mr. Speaker, Sir, I want Sen. Abass, the Senator for Wajir County, to bring documents of facts, showing that *Miraa* and *Muguka* are drugs. A lot of research has been done in this country and even in the United Kingdom (UK), before the ban.

I want Sen. Abass to bring a research paper to this House, showing that *Miraa* is a drug. That way, we can then confine ourselves and own what we speak. Otherwise, if we continue speaking just for the sake of pleasing the Gallery, then we are doing the wrong thing.

Mr. Speaker, Sir, I seek your indulgence. Apply Standing Order No.105, so that the hon. Member can furnish this House and the community with evidence. I can see Members are digressing from the Statement sought by Sen. Munyi Mundigi. Please, apply Standing Order No.1 and stop this debate.

*(Laughter)*

I am indulging the Speaker and not commanding him.

Mr. Speaker, Sir, please, protect this crop because Senators here are digressing. If you have a social problem with a crop--- You can even take coffee and get drunk. There is a time I took three *minazi* while in Mombasa County and got a stomach upset. It is because of overindulgence. If you eat a lot of food such as ugali, your stomach will be bloated.

Mr. Speaker, Sir, please protect the communities in Meru, Tharaka-Nithi and Embu counties, which grow this crop, so that Kenyans do not have a problem with it.

We have now talked to the Government to expand our markets in Somalia, Democratic Republic of Congo (DRC), Eritrea and other countries. However, if these countries are to hear this debate here today, then our region is going to get into problems. We will not be able to improve the livelihoods of our people.

Mr. Speaker, Sir, I seek your indulgence. For record purposes, let Sen. Abass table his research showing that *Miraa* or *Muguka* is a drug.

*(Sen. Abass stood in his place)*

**The Speaker** (Hon. Kingi): Sen. Abass, kindly take your seat. I will give you an opportunity after I have ruled.

Hon. Senators, it is true that under Standing Order No.105, responsibility is attached to the Senator making a statement of fact, to be able to substantiate that fact. In the absence of substantiation, then, you cannot proceed to make that statement of fact.

However, if you are convinced that the fact can be substantiated, though not instantly, then I can give you a certain time to substantiate.

Therefore, Hon. Senators, as you contribute to this request for statement, bear in mind that if whatever you say is a statement of fact, I shall demand that you substantiate.

For example, we have called *Muguka* all manner of names. I believe that as you do that, you will be able to table a document to substantiate whatever statement of fact you would have made. So, as you make your contributions, bear that in mind.

Proceed, Sen. Abass.

**Sen. Abass:** Thank you, Mr. Speaker, Sir. A lot of research has already been done on *Miraa*. The fact is that if consumed, *miraa* is a stimulant that affects its consumers. I request for time to bring the research paper.

I know *Miraa* has destroyed my society.

I am a living testimony. I can attest that one time I consumed *Miraa* and the effect it had on me. As much as I appreciate that it is one of the cash crops that brings a lot of money from exporting, it is destroying especially the consumers.

Therefore, Mr. Speaker, Sir, I ask for some time to produce some documents.

I thank you.

**The Speaker** (Hon. Kingi): Hon. Senators, I can still see a number of you are eager to contribute. However, looking at the way the debate is moving, we are better off engaging when the report is made by the committee, so that those who want to defend or oppose can come to the Floor of this House armed with documents to prove the statements of facts they make.

As it is this afternoon, I have had a lot of general statements of facts. Now that we are going to have an opportunity to debate the report that will be brought by the relevant committee, let us wait for that opportunity. As we wait for that opportunity, Senators for Mombasa and Wajir counties, kindly prepare your documents accordingly, so that at that particular juncture we will not have interruptions because some are seeking to have you substantiate your statements of facts.

**Sen. Faki:** Point of order!

**The Speaker** (Hon. Kingi): Sen. Faki, your point of order about what?

*(Sen. Faki spoke off record)*

Sen. Faki, allow me to finalize. This matter is grave. That is why I gave latitude for quite a number of you to ventilate your thoughts before the House. However, we cannot casually trade statements on this matter without cogent evidence to prove what we are saying. Therefore, even for the Members who have expressed the need to continue contributing, I am afraid we are going to slip back to the general statements.

That is why I have ruled that since this matter is going before the committee, it shall table a report. If you need to input on the report, nothing will prevent any Senator here from appearing before the committee to make their case. If you do not present yourself before the committee, you will still have an opportunity to do so when the report

is tabled before the House. When you make your contributions, make sure you have your documents that will enable you to substantiate all that you have said.

It is so ruled.

**Sen. Wambua:** Mr. Speaker, Sir, we are properly guided. However, I want to plead with you especially on the application of Standing Order No.105. For instance, if Sen. Faki rises and says that he will take alcohol, get drunk and become unstable, he is responsible for the facts of his statement. However, I think we will be stifling debate in this House by asking him to go and bring a report that confirms his utterances.

On this matter of *Muguka* or *Miraa*, sensitive as it is, what has been said on this Floor are facts. It is fact that *Muguka* is a source of income. That is a fact---

**The Speaker** (Hon. Kingi): Sen. Wambua, kindly take your sit. Sen. Faki, during his contribution, said he is willing to table findings on what he was alleging. Likewise, Sen. Abass said he is willing to table documents to buttress his arguments. Why should we then curtail them?

Sen. Wambua, I have made a ruling on this matter. You need not to conclude because you are reopening the debate.

**Sen. Wambua:** No, I am not.

**The Speaker** (Hon. Kingi): Let us rest that matter there.

Hon. Senators, I have a communication to make.

*(Interruption of debate on Statements)*

## COMMUNICATIONS FROM THE CHAIR

### VISITING DELEGATION FROM ALLIANCE HIGH SCHOOL

**The Speaker** (Hon. Kingi): Hon. Senators, in the Public Gallery, we have students from Alliance High School, the school I went to, and they are accompanied by their teachers who are in the Senate on an educational tour. In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them, and on behalf of the Senate and my own behalf, wish them a fruitful visit.

### VISITING DELEGATION FROM RIVER BANK PEFA SOUTH B ACADEMY

**The Speaker** (Hon. Kingi): Hon. Senators, also in the Public Gallery, we have 40 pupils from River Bank PEFA South B Academy, accompanied by three teachers, who are in the Senate on an education tour. In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them, and on behalf of the Senate wish them a fruitful visit.

I thank you.

*(Applause)*

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I will allow one Senator to welcome the guests. Proceed, Sen. Methu.

**Sen. Methu:** Mr. Speaker, Sir, I am sure the Deputy Speaker is comfortable now that I am speaking next to him.

On behalf of Senators here, I rise to welcome the pupils from River Bank PEFA South B Academy and the students from Alliance High School, that the Speaker attended. As I welcome them, especially the students from Alliance High School, I would like to remind them that all of us here used to work hard in primary schools in order to go to Alliance High School. Now that they are in that school, they should make the institution proud just as you, Mr. Speaker, have done. You have risen the ranks and I am sure you have made the school proud.

I welcome and wish them the best of luck. I am aware that we have some candidates who will be sitting for national exams. The rest should start getting ready because we need you in the future. You are the future of this country and the generations to come.

I thank you.

**The Speaker** (Hon. Kingi): Let us now have Sen. Osotsi.

## STATEMENTS

### RIISING CASES OF INSECURITY IN VIHIGA COUNTY

**Sen. Osotsi:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations on the rising cases of insecurity in Vihiga County. In the Statement the committee should—

(1) Explain the reasons for the recent rise in cases of insecurity and a wave of violent attacks on business people and other residents in parts of Vihiga County, particularly, Cheptulu market where a business man was recently shot dead by a heavily armed gang; as well as the surrounding areas of Kaimosi, Chaviriga and Makuchi.

(2) State the measures being taken by both levels of Government to assure residents of Vihiga County of their safety and outline actions taken by the Ministry of Interior and Coordination of National Government to equip police officers with the necessary resources to undertake their work.

(3) Update the Senate on the actions taken by the police in investigating and apprehending the perpetrators of the past crimes reported in the area and specifically, cases of rape of students especially of Kaimosi University. Murder, theft and the recent break in at Magnum hotel in Vihiga County.

(4) Outline the disciplinary action taken against specific police officers who have been identified for inordinate delay in responding to public outcry over insecurity in the County.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Ali Roba, proceed. The next Statement is Business for the coming week and any Member of the Senate Business Committee (SBC)

can deliver it. Sen. Madzayo, read the Statement. As a Member of the SBC, you can go ahead.

*(The Speaker consulted the Clerk-at-the-table).*

BUSINESS FOR THE WEEK COMMENCING  
TUESDAY, 15<sup>TH</sup> NOVEMBER, 2022

**The Senate Minority Leader** (Sen. Madzayo): Thank you, Mr. Speaker Sir.

*[The Speaker (Hon. Kingi, left the Chair)]*

*[The Temporary Speaker (Sen. Mumma) in the Chair]*

This is a Statement by the Senate Majority Leader. I do not need to go that direction.

Mr. Speaker, Sir---

**Hon. Senator:** It is Madam Temporary Speaker.

**The Senate Minority Leader** (Sen. Madzayo): Madam Temporary Speaker, I apologise profusely.

**The Temporary Speaker** (Sen. Mumma): Proceed.

**The Senate Minority Leader** (Sen. Madzayo): Madam Temporary Speaker, pursuant to Standing Order No. 57(1), I hereby present the business of the Senate for the week commencing Tuesday, 15<sup>th</sup> November, 2022. Before I proceed with the Statement, allow me to take this opportunity to welcome Hon. Senators back from the short recess.

I trust that they benefited from the induction programmes that were held during the recess period for the Senate Business Committee and for all Senators on processing of legislative business.

On Tuesday, 15<sup>th</sup> November, 2022, the Senate Business Committee will consider and approve the business for the day, which is projected to contain business that will not be concluded from today's Order Paper, and any other business scheduled by the Senate Business Committee.

The Order Paper for Wednesday, 16<sup>th</sup> November, 2022, and for Thursday, 17<sup>th</sup> November, 2022, will contain business that will not be concluded on Tuesday, 15<sup>th</sup> November, 2022, and on Wednesday, 16<sup>th</sup> November, 2022, respectively, as well as Petitions and Statements and any other business scheduled by the Senate Business Committee.

Two Bills have already been read a First Time, the County Vocational and Training Bill (Senate Bills No. 3 of 2022) and the County Governments Additional Allocations (No. 2) Bill (Senate Bills No. 4 of 2022). The Bills were committed to the Standing Committee on Education and the Standing Committee on Finance and Budget respectively.

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Much concern has been expressed on the Floor of this House on processing of Bills by Standing Committees. Further, concern has been expressed on the need to expeditiously consider and conclude on the County Governments Additional Allocations Bill.

I, therefore, urge all Standing Committees to observe the requirements of Standing Order No. 148 and to table reports within the set timelines. More specifically, I urge the Standing Committee on Finance and Budget to consider the County Governments Additional Allocations (No. 2) Bill (Senate Bills No. 4 of 2022) as a matter of urgency and to table a report on the Bill at the earliest opportunity.

Concerning other business of the House, there have been numerous Statements sought from Standing Committees pursuant to Standing Order No. 53(1) and others referred to Standing Committees pursuant to Standing Order No. 52(3). I take this opportunity to urge respective Standing Committees to expeditiously consider these Statements and to table reports as necessary. Committee Chairpersons may also use the mechanism available under Standing Order No. 56(1) to apprise the House on matters for which respective committees are responsible.

I thank you and hereby lay the Statement on the Table of the House.

*(Sen. Madzayo laid the document on the Table)*

**The Temporary Speaker** (Sen. Mumma): Next Order.

## MOTION

### PROMOTION OF MENTAL HEALTH FACILITIES FOR MOTHERS

THAT, AWARE THAT according to the World Health Organization, globally 10% of pregnant women and 13% of women who have just given birth experience a mental condition, referred to as perinatal depression, which is higher in developing countries with 15.6% during pregnancy, and 19.8% after child birth;

FURTHER AWARE that women who go through still birth and those that lose their children during delivery are taken to the general maternity ward where other mothers with healthy babies are recovering, causing them mental anguish and adversely impacting their mental health;

NOTING THAT integrating mental health care into primary healthcare settings requires training in psychiatric care and providing consulting support to primary care providers, considering that there are not enough mental health care providers to meet the current and growing need for mental health services;

APPRECIATING THAT the Health Act under section 6 (1) (b) provides that every person has a right to reproductive health care which includes the right of access to appropriate health care services that will

enable mothers go safely through pregnancy, childbirth, and the postpartum period which should include the integration of mental health in perinatal care as recommended by the National Mental Health Taskforce in its “Mental Health and Wellbeing towards Happiness and National Prosperity” report;

NOW THEREFORE, the Senate urges the Ministry of Health in collaboration with the Council of Governors to:

(i) ensure that all county health facilities with maternity wings, allocate a separate ward for recovery for the mothers who have gone through still birth or those that have lost their babies during delivery;

(ii) facilitate continuous mental health training and the provision of counselling support in the perinatal wards for all primary care providers in all counties;

(iii) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who lose their children through a miscarriage, during delivery, or through still birth; and,

(iv) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who are suffering from perinatal and postpartum depression.

*(Sen. Kibwana on 09.11.2022)*

*(Resumption of debate interrupted on 09.11.2022)*

**The Temporary Speaker** (Sen. Mumma): Hon. Senators, we now resume debate on this Motion which was interrupted on Tuesday 8<sup>th</sup> November, 2022. As at the rise of the House, Sen. Chimera, was contributing to the debate and has a balance of 14 minutes. Do we have Sen. Chimera here?

I welcome contributions by other Members.

Sen. Okenyuri, proceed.

**Sen. Okenyuri:** Thank you, Madam Temporary Speaker. I would like to first congratulate the Mover of the Motion for a well thought out Motion. Sexual reproductive health and rights is a matter I hold dear to my heart.

Access to this right was adopted in Cairo in 1994 under the Millennium Development Goals (MDGs) number five on maternal healthcare. Twenty-eight years down the line, we are still battling with issues of insufficient facilities and resources, lack of properly trained medical staff and psychosocial support to the women who deliver children. These children are potential voters for the Hon. Members in this House.

Madam Temporary Speaker, allow me to emphasize on the need for women to deliver children in comfort because there is pleasure in celebrating women who are giving birth to another life.

You can imagine an environment where women who have given birth successfully are celebrating, while those who have had miscarriages have to go home sad because they have nothing to go home with. It is very ironical. I can equate that scenario to having a wedding and a funeral in the same compound. Are we celebrating or mourning? I can only imagine the trauma that the women who lose their pregnancies go through in sharing the same facility with those who are celebrating their bundles of joy.

There is need to isolate these kind of mothers and rehabilitate them back to the society, so that they can restart parenting. There is need to separate the mothers who are mourning the loss of their children from mothers who are celebrating their bundles of joy. For those reasons, I urge the Hon. Members in this House to support this Motion because sexual reproductive health and rights of women are very important. They solely lie on the Floor of this House.

Allow me to quote the words of Thoraya Ahmed Obaid, the Executive Director of the United Nation Population Fund (UNFPA) from a conference that she addressed in Cairo in 2014. She stated -

“Hon. Members, you have the key to life and death. Whatever decisions you make here are key to life and death of our voters.”

That is how serious this matter is. I support this Motion and urge Members of goodwill to support the implementation of the suggestions that have been made even if it means funding. We need to establish the proposed facilities in the different counties. That means that we will have to dig deep into our pockets to support the different county governments in the establishment of these facilities.

Thank you.

**The Temporary Speaker** (Sen. Mumma): Sen. Wakili Sigei, you have the Floor.

**Sen. Wakili Sigei:** Madam Temporary Speaker, I rise to support the Motion by Sen. Kibwana on this important issue.

Statistics have shown us that there is a very huge gap in maternal healthcare in Kenya. According to the finding of the 2019 UN Task Force, Kenya, has a very huge gap in terms of maternal healthcare. It is timely that such a Motion is placed before the House.

I wish to encourage the Members that in as much as we are going through challenges in our health sector, it is one of the priority items that we must look into and push our Government both at the National and the county level, to ensure that finance, attention and priority is placed on this important aspect of our healthcare.

Statistics have shown that one out of 10 people suffer from a mental disorder. This is not only specific to the issues of maternal healthcare; it goes beyond that. A 2019 research on mental health ranked Kenya fifth in Africa with the highest levels of mental disorders. I, therefore, urge Sen. Kibwana to escalate this Motion beyond just the issue of maternal healthcare. She can focus on the broad issues affecting mental health in our counties and beyond.

The requisite support that we are seeking is beyond the finances. We should look at the challenges that these mothers go through. In Bomet County, if you were to go to Longisa County Hospital, you would witness a mother celebrating a new-born, while

another mother seated or sleeping next to her is mourning the loss of her new-born. It is not an easy experience. It is not something that you would like to have an extended experience in. I ask our county governments to ensure that we have separate wings or beds where they can manage the victims of such situations. That is extremely important.

The investment in maternal health sector cannot be gainsaid. The future of a nation is determined by examining the maternal and child mortality rates and the concept of maternal mental health. Promotion of maternal mental health facilities will help us secure future generations. It can only be better if and when we push to have such a Motion and prioritize it.

The recommendations that Sen Kibwana is seeking are going to help not only the mothers or parents who have gone through child loss but their partners as well. I beseech that besides looking into the mental health of grieving mothers, we should also consider their partners. Aside from the mother, the male partners or fathers who have lost new-born babies are also highly affected by the challenges that the mother goes through. We should also look into ways of supporting such partners, so that we manage the mothers who are victims as well as their partners who are also victims by extension of the situation.

I support this Motion and congratulate Sen. Kibwana for this timely Motion that is before the House.

**The Temporary Speaker** (Sen. Mumma): Sen. Shakila Abdalla, you have the Floor

**Sen. Shakila Abdalla:** Thank you, Madam Temporary Speaker, for giving me this opportunity to support this Motion that is before the House. I congratulate Sen. Kibwana for this timely Motion. Kenya is suffering because Kenyans are going through a lot. Such issues affect the mental health status of many Kenyans; a majority of whom are quiet and suffering in silence.

Mental health for mothers is a very important issue, which needs to be looked into deeply. The state of mental health facilities in this country is wanting. There is a big shortage of mental health facilities. If you go to Mathare or Port Reitz hospitals, you will be shocked at the state of those facilities. I personally have a sick family member whom we have been taking to Mathare and Port Reitz hospitals. Every time he goes to those hospitals, he gets out worse than when we took him in there because of the poor state of those facilities.

It is high time that all the counties have psychiatric doctors. The wards in the hospitals should cater for the patients with mental disorders because it is a disease like any other and a growing concern in the country. We need to have specialists who can treat mental disorders countrywide. The counties should ensure that they can treat the mental health related disorders in their counties.

This is to ensure that they cater for these diseases in their counties and that we are here to serve all the sick people equally.

The psychiatrists are very expensive. You are sometimes forced to take your patient to a private doctor who charges almost Kshs10,000 for consultation only before buying medication.

If our hospitals including those in the counties can be improved, they will serve a good deal to the patients suffering mentally. It is high time we accept as a country that mental illness is here with us. We need to face and deal with it accordingly.

**Sen. Tabitha Mutinda:** Thank you Madam Temporary Speaker. I rise to support the Motion on Promotion of Mental Health Facilities for Mothers by Sen. Hamida.

I am proud of her for bringing this Motion at this particular time. The issue of mothers is very important. Health issues are sensitive and fundamental. Every Kenyan needs good medical and health services. As a mother, motherhood is godly. It is a blessing and natural. Every woman looks forward to being a mother. As a mother, losing a child is very devastating.

Health being a devolved function, our counties should ensure that they set aside facilities that will assist our mothers who have lost their babies. It is a very sad moment. The best thing is to ensure that we offer basic facilities by psychiatric professionals as a country.

There should be specific spaces for mothers who have lost their kids. It is sad that this has not been put in place. As a mother is undergoing this loss and being in the same space with one that is celebrating, what do we expect? It is total sadness. I urge the Ministry of Health (MoH) in conjunction with the Council of Governors (CoG) to urgently look at facilitating these services.

This is an ongoing issue. It can be addressed very fast by setting aside those particular rooms and the hospitals facilitating the qualified personnel. As much as the loss has occurred, we should not go to the extent of losing that mother through mental illness.

**Sen. Methu:** Thank you, Madam Temporary Speaker. I rise to support the very good Motion before the House. I have not had an opportunity to contribute when you are the Speaker. I take this first instance to congratulate you. You have been doing very well and I am proud that students from my school are doing very well. I congratulate you.

This is a very well-thought-out Motion. I congratulate Sen. Kibwana. Mothers are beautiful people who give life. It breaks our hearts that the people who give life are not celebrated enough.

I have been looking at statistics, which someone spoke about. Inclusive of mothers who require mental health support after getting a stillbirth or losing a baby, the whole Republic has less than 500 accredited mental health workers. These are supposed to take care of a population of about 50 million. They are supposed to take care of babies, the young, the old, women, men and everyone. Just 500!

As we look at the far-reaching recommendations of the Motion, I would also encourage that we expound on it. It should not be limited to mothers only, but the different groups. As I sympathise with the mothers, I have had that sad and unfortunate experience. My sister underwent this challenge, which was why I stayed behind to support this Motion.

It was very difficult for us to even get her a private specialist to help her. When you have carried a baby for nine months and are going home without it, is the greatest height of pain. I was trying to console her and I know how difficult it is.

As we propose special wards for mothers who have undergone this kind of unfortunate incidences, I am in support and I agree to the proposal number one which says –

“Ensure that all county health facilities with maternity wings allocate separate wards for recovery for the mothers who have gone through still birth, all those who have lost their babies during delivery.”

The wards should be accompanied by specialists, so that we do not cure one problem and create another. We should not separate them from the others, so that they go to a certain corner. We know that such things have happened.

I looked at how Nyandarua County, where I come from, was dealing with the COVID menace. They were not getting a new ward. They would push the people to a certain corner and call it the isolation ward. At some point, men and women were sharing a ward at the main county hospital in Nyandarua.

As we talk about getting separate wards for our mothers, it should be accompanied with specialists who will be working in those wards. They should not feel like we have rejected them or we are not sympathizing enough. As we get the separate wards, they should be accompanied by specialists who will be taking care of them. These will include and not limited to counselling support.

Madam Temporary Speaker, in terms of training, there is a research that was done by the International Journal on Mental Systems. In terms of capacity and training on the current 500 mental health service providers, unfortunately, most of them are not literate enough in terms of job description and the scope of service they are supposed to deliver.

You are a mental health worker, but you are not offering sufficient services that commensurate to the problem that you are supposed to cure. In that case, I also encourage that we train our mental health workers seriously. This will enable them to have enough capacity to deal with the menace.

Additionally, let us train more health workers. Right now, private practitioners are extremely expensive. A Senator mentioned that they are expensive and rare; you will not even get them.

Madam Temporary Speaker, I support the Motion. I wish that the people in charge of our implementation mechanism in Parliament will ensure that this is implemented immediately. This is not something that can wait, as health is devolved. This is a matter that should be taken up immediately and we pass this Motion.

*(Interruption of debate on the Motion)*

## MESSAGE FROM THE NATIONAL ASSEMBLY

### APPROVAL OF AN MP FOR APPOINTMENT TO THE PSC

**The Temporary Speaker** (Sen. Mumma): Hon. Members, I have a Message from the Speaker of the National Assembly to the Senate on the approval of a Member of Parliament for appointment to the Parliamentary Service Commission (PSC).

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“Pursuant to the provisions of Standing Order No.41 (1) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly: -

WHEREAS, the National Assembly, by a resolution passed on Tuesday, 8<sup>th</sup> November, 2022, approved a Motion on the appointment of seven Members to the Parliamentary Service Commission;

AND FURTHER, WHEREAS the Senate on Wednesday, 9<sup>th</sup> November, 2022, considered and approved the Motion with amendment by deleting the name of the Hon. Sen. Dullo, CBS, MP and substituting therefore, the name of the Hon. Sen. Omogeni, SC, MP, and requested the National Assembly to consider the appointment;

IN ACCORDANCE with the provisions of Article 127 (2) of the Constitution, by a resolution passed on Thursday, 10<sup>th</sup> November, 2022, the National Assembly approved the appointment of the Hon. Sen. Omogeni SC, MP to the Parliamentary Service Commission under sub-section (c)(2) of the said Article.

NOW THEREFORE, in accordance with the said provisions of the Standing Orders, I hereby convey the aforementioned resolution of the National Assembly.

This, therefore, concludes the bicameral approval of the appointment process and paves way for the swearing in of the seven Members of Parliament to the PSC.”

Members, we now continue with the debate. Let us now listen to Sen. Mariam Omar.

*(Resumption of debate on the Motion)*

**Sen. Mariam Omar:** Thank you, Madam Temporary Speaker, for giving me this chance. I thank Sen. Kibwana for bringing this Statement on the Floor.

Postpartum Depression (PPD) is a mood disorder affecting women after delivery. PPD in Africa is estimated to be about 10 to 28 per cent, while locally in Kenya, it is about 10.6 to 13.5 per cent.

The feeling of this depression is more intense and lasts longer than those of baby-blues. Postpartum Depression is characterized by the worry, sadness and tiredness that many women experience after having babies. The symptoms resolve within a few minutes or days.

Globally, PPD is estimated to be between 10 to 20 per cent. However, comparing to developed countries, a higher rate is reported. This is attributed to a little emphasis placed on postnatal care and mental health care issues.

Women who suffer from PPD are often diagnosed with intensive depression. Accompanying symptoms may include feelings of anger, crying more than usual, withdrawal from their family, distress and detachment from their babies. They even worry that they will injure their babies and get a feeling of guilt of not being good mothers.

Women in Mandera County can expect more kids in their lifetime due to high fertility rate. Fertility rate in Mandera County is higher than the national rate, which is 3.9 per cent. Additionally, Mandera County has higher birth rates as compared to the national rate.

Mandera County is one of the 15 counties that account for 60 per cent of maternal death in Kenya. The latest estimate of the counties maternal death rate is 3,795 per 1,000 living babies. This is the highest in the county.

Child death rate in Mandera County mirrors the national trend. However, neonatal death rate is slightly higher and death rate of infants under five years is slightly lower.

The solution to PPD is to have screening tools in hospitals in all counties. These tools can be used during the prenatal period to screen mothers during clinic visits. Further, research should also be done for early detection of PPD, especially in Arid and Semi-Arid Areas (ASAL), where access to basic health care service is a challenge.

Finally, Madam Temporary Speaker, all counties must also build separate wards and provide counselling services for these women.

**The Temporary Speaker** (Sen. Mumma): I now call upon the Mover to reply.

**Sen. Kibwana:** Madam Temporary Speaker, I have taken note of all the contributions by my colleagues. I promise to walk the talk and clear the path for implementation. It is worth noting that prenatal depression, just like other mental illnesses, is treatable because there are effective interventions that can be delivered.

I have also taken note that we require well-trained caregivers or professional counselors to assist. However, well-trained non-specialist health providers can also do the work. I have also taken note that the taskforce on mental health reported that 75 per cent of Kenyans are unable to access services.

There is need for adequate resourcing of health facilities to introduce, and where available, improve the quality of mental healthcare services to pregnant women, those that have just delivered and all mental cases to be attended to. Sen. Crystal Asige said that PwDs should also be considered.

What touched me most is the story of a mother who gives birth to a mentally ill child. Where does she go and how does she get assisted? For her to cope with the situation, they may also require some counseling and support, so that they do not suffer from depression.

They should also not hide the fact that they have children with special needs. Therefore, we mothers should not be ashamed of what we have delivered. We should go out and speak to all mothers that such children are God's blessings. In short, we should accept our children.

Once again, I appreciate all my colleagues for their contributions. I hope that all counties will implement what has been said, like having separate facilities for mentally disturbed mothers.

With those few remarks, Madam Temporary Speaker, I thank you and beg to reply.

**The Temporary Speaker** (Sen. Mumma): Hon. Senators, pursuant to Standing Order No.84 (2), this Motion does not concern counties. I will, therefore, proceed to put the question.

*(Question put and agreed to)*

**ADJOURNMENT**

**The Temporary Speaker** (Sen. Mumma): Hon. Senators, there being no other business on the Order Paper, the Senate stands adjourned until Tuesday, 15<sup>th</sup> November, 2022, at 2.30 p.m.

The Senate rose at 5.08 p.m.