



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FIRST SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, NOVEMBER 10, 2022 AT 2.30 P.M.

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair-

- i.) **Visiting delegation of businessmen from the Democratic Republic of Congo and India**

“Honourable Senators

I would like to acknowledge the presence, in the Public Gallery this afternoon, a visiting delegation of Businessmen from India and the Democratic Republic of Congo who are in the Senate on a courtesy call.

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

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

I thank you.”

- ii.) **Visiting delegation of Clergymen from Nyandarua County**

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, a visiting delegation of Clergymen from Nyandarua County who are in the Senate on a courtesy call.

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

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

I thank you!

iii.) **Visiting delegation of Teachers and Pupils from Riverbank PEFA South B Academy.**

“Honourable Senators,

In the public gallery, we have 40 pupils from Riverbank PEFA South B Academy, accompanied by 3 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 and on my own behalf, wish them a fruitful visit.

I thank you!”

iv.) **Visiting teachers and students from Alliance High School**

“Honourable Senators,

In the public gallery, we have students from Alliance High School, accompanied by their 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 and on my own behalf, wish them a fruitful visit.

I thank you!”

4. **MESSAGE FROM THE NATIONAL ASSEMBLY ON THE APPROVAL OF A MEMBER OF PARLIAMENT FOR APPOINTMENT TO THE PARLIAMENTARY SERVICE COMMISSION**

The Temporary Speaker (Sen. Catherine Mumma, MP) conveyed the following Message from the National Assembly-

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 46 (3) and (4), I have received the following message from the Speaker of the National Assembly

regarding the approval by the National Assembly of a Member of Parliament for appointment to the Parliamentary Service Commission.

Pursuant to the said Standing Orders, I now report the Message-

PURSUANT to the provisions of Standing Order 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, 8th November, 2022, approved a Motion on the appointment of seven (7) Members to the Parliamentary Service Commission;

AND FURTHER WHEREAS, the Senate on Wednesday, 9th November, 2022 considered and approved the Motion with amendment by deleting the name of **“The Hon. Sen. Fatuma Adan Dullo, CBS, MP”** and substituting therefor the name of **“The Hon. Sen. Erick Okong’o Mogeni, 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, 10th November, 2022, the National Assembly approved the appointment of the Hon. Sen. Erick Okong’o Mogeni, SC, MP to the Parliamentary Service Commission under sub-section (c)(ii) 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 the way for the swearing-in of the seven (7) Members of Parliament to the Parliamentary Service Commission.

I thank you.”

5. **PAPERS**

The following Papers were laid on the Table of the House: -

- i.) Annual report on the State of Judiciary and the Administration of Justice for 2021/2022.
- ii.) Report of the Auditor General on the Financial Statement of Makueni County Fruit Development and Marketing Authority for the year ended 30th June, 2018.
- iii.) Report of the Auditor General on the Financial Statement of Makueni County Fruit Development and Marketing Authority for the year ended 30th June, 2019.

- iv.) Report of the Auditor General on the Financial Statement on Projects implemented in Mukaa Ward of Makueni County Government for the Financial Year 2018/2019.
- v.) Report of the Auditor General on the Financial Statement of Wajir County Disaster Management Fund for the year ended 30th June, 2019.
- vi.) Report of the Auditor General on the Financial Statement of Wajir County Bursary Fund for the year ended 30th June, 2019.
- vii.) Report of the Auditor General on the Financial Statement of Samburu County Executive Staff Mortgage Scheme Fund for the year ended 30th June, 2019.
- viii.) Report of the Auditor General on the Financial Statement of Nyeri County Elimu Fund for the year ended 30th June, 2019.
- ix.) Report of the Auditor General on the Financial Statement of County Government of Kisumu Bursary Fund for the year ended 30th June, 2019.
- x.) Report of the Auditor General on the Financial Statement of Siaya County Alcoholic Drinks Control Fund for the year ended 30th June, 2019.
- xi.) Report of the Auditor General on the Financial Statement of Wajir County Bursary Fund for the year ended 30th June, 2020.
- xii.) Report of the Auditor General on the Financial Statement of Wajir County Climate Change Fund for the year ended 30th June, 2020.
- xiii.) Report of the Auditor General on the Financial Statement of Wajir County Management Fund for the year ended 30th June, 2020.
- xiv.) Report of the Auditor General on the Financial Statement of Kenya Urban Support Program – Kisii Municipality for the year ended 30th June, 2020.
- xv.) Report of the Auditor General on the Financial Statement of Kisii County Covid-19 Emergency Fund for the year ended 30th June, 2020.
- xvi.) Report of the Auditor General on the Financial Statement of Kisii County Emergency Fund for the year ended 30th June, 2020.

- xvii.) Report of the Auditor General on the Financial Statement of Nairobi City County Alcoholic Drinks Control and Licensing Board for the year ended 30th June, 2020.
- xviii.) Report of the Auditor General on the Financial Statement of Siaya County Alcoholic Drinks Control and Licensing Board for the Financial Year ended 30th June, 2020.
- xix.) Report of the Auditor General on the Financial Statement on Special Municipality of Mwatate Fund/Board for the year ended 30th June, 2020.
- xx.) Report of the Auditor General on the Financial Statement of Homa Bay Municipal Board for the year ended 30th June, 2020.
- xxi.) Report of the Auditor General on the Financial Statement of County Assembly of Nyeri Car Loan & Mortgage (Staff) Scheme Fund for the year ended 30th June, 2020.
- xxii.) Report of the Auditor General on the Financial Statement of Makueni County Fruit Development and Marketing Authority for the year ended 30th June, 2020.
- xxiii.) Report of the Auditor General on the Financial Statement of Wajir County Climate Change Fund for the year ended 30th June, 2021.
- xxiv.) Report of the Auditor General on the Financial Statement of Wajir County Disaster Management Fund for the year ended 30th June, 2021.
- xxv.) Report of the Auditor General on the Financial Statement of Wajir County Bursary Fund for the year ended 30th June, 2021.
- xxvi.) Report of the Auditor General on the Financial Statement of Wajir Water and Sewerage Company Ltd for the year ended 30th June, 2021.
- xxvii.) Report of the Auditor General on the Financial Statement of Kericho County Executive Staff Mortgage Scheme Fund for the year ended 30th June, 2021.
- xxviii.) Report of the Auditor General on the Financial Statement of Kericho County Alcoholic Drinks Fund for the year ended 30th June, 2021.
- xxix.) Report of the Auditor General on the Financial Statement of Meru County Assembly Alcoholic Drinks Control Board for the year ended 30th June, 2021.

- xxx.) Report of the Auditor General on the Financial Statement of Siaya County Alcoholic Drinks Control Fund for the year ended 30th June, 2021.
- xxxi.) Report of the Auditor General on the Financial Statement of Trans Nzoia County Youth and Women Development Fund for the year ended 30th June, 2021.
- xxxii.) Report of the Auditor General on the Financial Statement of Tavenu Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- xxxiii.) Report of the Auditor General on Special Municipality of Mwatate Fund/Board for the year ended 30th June, 2021.
- xxxiv.) Report of the Auditor General on the Financial Statement of Municipality of Malindi for the year ended 30th June, 2021.
- xxxv.) 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 30th June, 2021.
- xxxvi.) Report of the Auditor General on the Financial Statement of Vihiga County Trade and Enterprise Fund for the year ended 30th June, 2021.
- xxxvii.) Report of the Auditor General on the Financial Statement of Amatsi Water Services Company Ltd for the year ended 30th June, 2021.
- xxxviii.) Report of the Auditor General on the Financial Statement of Kericho Water & Sanitation Company Ltd the year ended 30th June, 2021.
- xxxix.) Report of the Auditor General on the Financial Statement of Kisumu County Trade Fund for the year ended 30th June, 2021.
- xl.) Report of the Auditor General on the Financial Statement of Kisumu County Car and Mortgage Scheme Fund for the year ended 30th June, 2021.
- xli.) Report of the Auditor General on the Financial Statement of Kisumu County Youth Women and People with Disabilities Fund for the year ended 30th June, 2021.

(Sen. (Dr.) Lelegwe Ltumbesi, MP, on behalf of the Senate Majority Leader)

6. STATEMENTS**a) Pursuant to Standing Order 53(1)**

- i.) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought a statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the state of rice farming in Kisumu County.
- ii.) Nominated Senator (Sen. Crystal Asige, MP) sought a statement from the Standing Committee on Education concerning safety of learners in special needs education institutions.
- iii.) Nominated Senator (Sen. Hamida Kibwana, MP) sought a statement from the Standing Committee on Finance and Budget concerning austerity measures imposed by the International Monetary Fund (IMF) on developing countries, including Kenya.
- iv.) The Senator for Meru County (Sen. Kathuri Murungi, MP) sought a statement from the Standing Committee on Roads, Transportation and Housing regarding the need for redesigning the section of the road on the Nithi Bridge on the Meru- Nairobi Highway and the construction of a modern bridge.
- v.) The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the rising cases of insecurity in Vihiga County.
- vi.) The Senator for Embu County (Sen. Alexander Mundigi, MP) sought a statement from the Standing Committee on Trade, Industrialization and Tourism regarding the high cess levied on transporters of “Muguka” cargo from Mbeere in Embu County.

b) Pursuant to Standing Order 57 (1)

The Senate Minority Leader on behalf of the Senate Majority Leader issued a statement on the business of the Senate for the week commencing Tuesday, 15th November, 2022.

7. MOTION - PROMOTION OF MENTAL HEALTH FACILITIES FOR MOTHERS

Order read;

Motion made and Question proposed;

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. Hamida Kibwana, MP – 8/11/2022)

Debate interrupted on Tuesday, 8th November, 2022 resumed;

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Before the Question was put and pursuant to Standing Order 84 (1), the Speaker ruled that the Motion did not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

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;

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- (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.

And there being no other business on the Order Paper, the Temporary Speaker (Sen. Catherine Mumma, MP) adjourned the Senate at ten minutes past five O'clock without Question put, pursuant to the Standing Orders.

- 8. SENATE ROSE – at ten minutes past five O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Tuesday, November 15, 2022 at 2.30 p.m.*

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