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THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Wednesday, 19th February 2025

The House met at 9.30 a.m.

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

PRAYERS

QUORUM

Hon. Deputy Speaker: Hon. Members, there is no quorum and I direct that the Quorum Bell be rung for 15 minutes.

(The Quorum Bell was rung)

Hon. Deputy Speaker: Serjeant-at-Arms, you may stop ringing the Quorum Bell. Hon. Members, we may begin. Hon. Omboko, I have been told that you are the one who is laying the papers.

PAPERS

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Deputy Speaker, I beg to lay the following papers on the Table:

1. Information on Programmes Outputs, Performance Indicators and Targets for the FY 2025/2026 and the Medium-Term, from the National Treasury and Economic Planning.
2. Annual Report and Financial Statements of Kibabii University for the Financial Year ended 30th June 2023.
3. Annual Report and Financial Statements of the Public Service Commission for the Financial Year ended 30th June 2024.
4. Annual Report and Financial Statements of the Salaries and Remuneration Commission for the Financial Year ended 30th June 2024.
5. Quarterly Economic and Budgetary Review Report in the 2024/2025 Financial Year for the period ending 31st December 2024, from the National Treasury and Economic Planning.
6. The Thirteenth Report on the Status of Compliance of the Public Service with Values and Principles in Articles 10 and 232 of the Constitution from the Public Service Commission.
7. The Citizen Satisfaction and Impact Evaluation Survey Report for the year ended June 2024 from the Public Service Commission.
8. Annual Reports and Financial Statements for the financial years 2018/2019, 2019/2020 and 2020/2021 from the Ministry of Roads and Transport.
9. Reports of the Auditor-General and Financial Statements for the Financial Year ended 30th June 2024, and the certificates therein for the following institutions:
 - (a) Business Registration Service – Official Receiver.
 - (b) Kenya School of Law.
 - (c) Registration of Certified Public Secretaries Board.

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- (d) Kenya Shipyards Limited.
- (e) Kenya Space Agency.
- (f) Political Parties Fund.
- (g) State Department for Diaspora Affairs.
- (h) The Public Benefit Organisations Regulatory Authority (PBORA).
- (i) Kenya Accountants and Secretaries National Examination Board.
- (j) Agricultural Development Corporation.
- (k) Veterinary Services Development Fund.
- (l) National Cereals and Produce Board Car Loan Fund Scheme.
- (m) Kenya Institute of Special Education.
- (n) State Department for Arid and Semi-Arid Lands and Regional Development.
- (o) Intelligence Service Development Fund.
- (p) Kenya Medical Practitioners and Dentists Council.
- (q) Kenya Biovax Institute Limited.
- (r) State Department for Youth Affairs and Creative Economy.
- (s) Kenya National Qualifications Authority.
- (t) State Officers and Public Officers Motor Car Loan Scheme.
- (u) State Department for Higher Education and Research.
- (v) HELB Students Loan Self Protection Scheme (SLSPS).
- (w) East Africa Tourist Visa Fee Collection Account.
- (x) Consolidated Fund Services – Salaries, Allowances and Miscellaneous Services.

Hon. Deputy Speaker: Next Order.

QUESTIONS AND STATEMENTS

ORDINARY QUESTIONS

Hon. Owen Baya had requested for the deferment of his Question to next Wednesday, which was granted.

(Question 1/2025 deferred)

So, we move to the next Question by Hon. Samuel Atandi. Are you ready?

Question 2/2025

DISMISSAL OF MR REUBEN OMONDI OWINO BY TSC

Hon. Samuel Atandi (Alego Usonga, ODM): Hon. Deputy Speaker, I rise to ask the Teachers Service Commission (TSC) the following question:

Could the Commission:

- (a) Explain why Mr Reuben Omondi Owino of Personal No.459139, a former teacher at Madede Primary School in Alego Usonga Constituency, was dismissed from the service?
- (b) When is the Teachers Service Commission reinstating Mr Reuben Owino following his acquittal by the Magistrate Court in Siaya on 29th June 2018 due to lack of evidence?
- (c) Provide timelines when the Commission will reinstate Mr Owino.

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(d) Outline measures that have been put in place to ensure that Mr Owino receives all accrued remunerations from 1st March 2018 to date.

Hon. Deputy Speaker: The Question is to be replied to by the Departmental Committee on Education. The Chairman is not here. Is there anyone from the Departmental Committee on Education who can commit on behalf of the Chairman? It will be responded to before the Committee. Someone should commit on behalf of the Committee.

Hon. Omboko Milemba (Emuhaya, ANC): I will talk to the Chairman, Hon. Melly, to give a reply to that Question. Possibly in the next two weeks. Thank you.

Hon. Deputy Speaker: Okay, thank you. Let us go to Statements. We have a request for statement by the Member for Chepalungu, Hon. Victor Koech. Are you here? You may proceed.

REQUESTS FOR STATEMENTS

OPERATIONALISATION OF ADMINISTRATIVE UNITS IN CHEPALUNGU CONSTITUENCY

Hon. Victor Koech (Chepalungu, CCM): Thank you. Hon. Deputy Speaker.

Pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairman of the Departmental Committee on Administration and Internal Affairs regarding delays and inconsistencies in the operationalisation and gazettelement of various administrative units.

The inconsistencies in the alignment of administrative and political boundaries continue to disadvantage residents of Chepalungu Constituency in critical areas such as access to services, recruitment opportunities and security. For instance, Chepalungu Division that was proposed for operationalisation in 2007 remains inactive. Similarly, whereas Kongasis Division was gazetted in June 2017, operations in the administrative units are yet to commence. That denies residents the much-needed government services.

The inconsistencies in the administrative boundaries in Nyagores Ward are notable. Some administrative units in Nyagores Ward fall politically within Chepalungu Constituency, but within Bomet Central Constituency administratively. The misalignment creates significant disadvantages, especially in recruitment exercises such as of teachers and the Kenya Defence Forces (KDF). Residents, particularly from Kyogong and Itembe locations, are often excluded or face logistical challenges.

It is against this background that I request the Chairperson of the Departmental Committee on Administration and Internal Affairs to address the following issues:

1. The status of operationalisation of the above-mentioned administrative units to improve service delivery and address security concerns in Chepalungu Constituency.
2. A detailed report on the delay in operationalising gazetted units and a timeline for their activation.
3. Measures taken to realign administrative boundaries in affected areas to ensure consistency with political boundaries, particularly in Nyagores Ward, to prevent residents from being disadvantaged during key processes such as recruitments.

Hon. Deputy Speaker: The Departmental Committee on Administration and Internal Affairs will respond to this request for statement.

Hon. Omboko Milemba (Emuhaya, ANC): Further, I also undertake to inform the Chairman of the Departmental Committee on Administration and Internal Affairs, Hon. Tongoyo. He is my neighbour.

Hon. Deputy Speaker: The Member for Gilgil would like to say something.

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Deputy Speaker.

I thank Hon. *Mandazi* for that request for statement. Although it is just for his constituency, so many administrative units have been gazetted over the years. Some date back from 2017, including over ten in Gilgil. Koelel and Kamathatha are examples. There are so many. As the Committee answers with a statement, they can have a general overview of all gazetted units that have not been operationalised. That is so that we do not keep on asking about them for every constituency.

Units will have been evaluated by the time we get to gazettment. They take into account the populations and all the other factors. Hon. Deputy Speaker, my plea is that you direct the Chairman to do an overview of all the others in other regions.

Hon. Deputy Speaker: Member for Taita Taveta.

Hon. Haika Mizighi (Taita Taveta County, UDA): Thank you, Hon. Deputy Speaker. I also commend Hon. *Mandazi* for bringing the issue on the Floor of the House.

Indeed, the delay in making them operational has caused a lot of inconveniences in so many ways. We are affected even in Taita Taveta. Some are ready but not operational. We miss opportunities in cases of recruitment and such matters. As the Committee gives answers to those questions, I also agree that they look at it in the entire country.

Hon. Deputy Speaker: Therefore, I direct that the Departmental Committee on Administration and Internal Affairs not only responds to the request of statement by the Member of Chepalungu, but also to all the other administrative units in all the constituencies. We appreciate you for raising this, Hon. Victor Koech. I hope the Table Office will ensure that the clerk of the relevant Committee also puts it on the agenda of the Committee.

The next request for statement is by the Member for Nakuru Town East, Hon. Gikaria. You may proceed.

DISAPPEARANCE OF MR BRIAN MAKORI ODHIAMBO

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Deputy Speaker.

Pursuant to the provisions of Standing Order 44(2)(c), I request for a statement from the Chairman of the Departmental Committee on Tourism and Wildlife, regarding the disappearance of Mr Brian Makori Odhiambo.

Mr Brian Makori Odhiambo of ID No.3072005, who is a resident of Manyani area in Kivumbini Ward in Nakuru Town East Constituency, accessed Lake Nakuru National Park on 18th January 2025 with the intent of fishing for family consumption and sale of surplus fish. Upon gaining entry, he came across a Kenya Wildlife Service (KWS) Land Cruiser vehicle on patrol. He exited the park immediately.

The KWS officers on patrol pursued him. Upon finding him at a residential plot, they assaulted and dragged him back to the park. Efforts to trace him in various police stations within the area, including Bondeni Police Station, have proved futile. His mother was informed that he had not been presented to a police station. On 19th January 2025, residents of Manyani area were permitted to search for Mr Odhiambo at the KWS premises to no avail.

According to a police report, Mr Odhiambo's mobile number was triangulated to be within Nakuru Town. It was later switched off around a forest in Bahati Constituency. Since then, his whereabouts remain unknown, leading to protests within the area. It is against this background that I request for a statement from the Chairperson of the Departmental Committee on Tourism and Wildlife on the following:

1. A report on the status of investigations into the circumstances that led to the unlawful assault and arrest of Mr Brian Makori Odhiambo by KWS officers.
2. Measures the Government is putting in place to ensure Mr Brian Odhiambo is found and reunited with his family.

3. Actions being taken to ensure perpetrators of the crime are arrested and prosecuted without delay.

I thank you.

Hon. Deputy Speaker: Hon. Member for Rarieda, I see you have an intervention.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Thank you, Hon. Deputy Speaker. I only wish to lend my voice and support for that request for a statement, and to add that I am aware that the case of Brian Odhiambo was actually litigated in court in case number E003 of 2025. However, the court came to the conclusion that they could not issue orders of *habeas corpus* because it was not demonstrated that he was in the custody of the respondent. And for that reason, I think it is appropriate to broaden that search, as requested by Hon. Gikaria, so that we can get to the bottom of it.

It is in the context of some of those unexplained disappearances, and I think it is appropriate that we as the august House, must come and ensure that whenever such an incident occurs, we bring all the institutions that can possibly come together, so that we can get to the bottom of it. We hope that Mr Brian Odhiambo will be found alive. But in any event, he must be found.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Member for Chepalungu, you also seem to have an intervention.

Hon. Victor Koech (Chepalungu, CCM): Yes. Thank you so much, Hon. Deputy Speaker. As I rise to support the case of Brian, who disappeared and no one has ever produced him or even have a trace of him, I equally have two cases involving my residents. One is Hilary Muge and the other one is Elvis, popularly known as Elvis Chepkosa. He was here in Nairobi seeking medication and when they were returning home, a figure intercepted them around Mai-Mahiu.

It is two months now and there is no trace of him. We have gone to all the hospitals and even mortuaries to look for him. We have also gone to all the police stations. The families, as I speak, are in agony as they are not getting any solutions from all the offices that they have gone to. It is upon us to sit and ask all the security agencies to help those families because it is either they are still alive and no one is telling us where they are, or they are dead. Where are they? That is the question that I am asking, and I do so on behalf of the families.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. This matter shall be handled by the Departmental Committee on Tourism and Wildlife. Again, like we said, the Clerks-at-the-Table will pick up the other additional information that has been given by the other Members who have contributed.

Before I move to the next Order, I wish to recognize the presence of Kiota School from Dagoretti North Constituency, Nairobi County. On behalf of the Speaker and the entire National Assembly, we welcome you to Parliament. Thank you.

(Applause)

Hon. Pkosing, I can see you have an intervention.

Hon. David Pkosing (Pokot South, KUP): I thank you, Hon. Deputy Speaker. I do not want to correct your direction, but I want to seek for a clarification. Hearing Hon. Gikaria's question, it seems like it is a security question and not a tourism question. If they were going to see some animals or trees, it could go to that Committee. But those are disappearances. Therefore, I want to seek your clarification whether that question should have actually gone to the security committee and not tourism committee. I thank you, Hon. Deputy Speaker. I am speaking from experience of sufficient time in this House.

Hon. Deputy Speaker: I think the reason this was initially marked to the Departmental Committee on Tourism and Wildlife is because he was arrested by wildlife rangers, and he was last seen in their custody. Of course, if they took him to court...

That is why there was additional information given by the Member for Rarieda and the Member for Chepalungu. They actually raised that it is the other security agencies who should also participate in helping. Hence, the reason why I have ruled that when that issue appears before the Committee, the supplementary statements that are being given by the two other Members should also be taken into consideration. That is to the effect that other security agencies would be involved. So, it may as well be that it will also end up in the Departmental Committee on Administration and Internal Affairs but it will begin at the Departmental Committee on Tourism and Wildlife because that is where the offence was committed.

Thank you.

We can move to the next Order.

BILL

Second Reading

THE INSTITUTE OF SOCIAL WORK PROFESSIONALS BILL (National Assembly Bill No.17 of 2023)

Hon. Deputy Speaker: Mover of the Bill, Hon. Joshua Kimilu. You may proceed to move. Thank you.

Hon. Joshua Kimilu (Kaiti, WDM): Thank you, Hon. Deputy Speaker for giving me this opportunity. I beg to move:

THAT, the Institute of Social Work Professionals Bill, (National Assembly Bill No.17 of 2023), be now read a Second Time.

Hon. Deputy Speaker, the Institute of Social Work Professionals Bill has been there. People have been waiting for this Bill and today, I am happy to get the opportunity to introduce it. This Bill comes at a time when the Kenyan Blueprint for National Development, Kenya Vision 2030, is getting stabilized as the time goes by. A central pillar in Kenya Vision 2030 focuses on the social section within which various programs and services for the Kenya population are encompassed. Most of those programs such as child protection, social protection, care for our populations and other vulnerable groups in our communities are executed by the social workers. Social workers have been playing other significant roles in the sector, hence the envisioned law from this Bill will gradually strengthen their service delivery in our nation.

This Bill will consolidate the overall focus of Kenya Vision 2030 and beyond. The Bill takes into consideration the importance of a strong social welfare service provision in Kenya. It has come at a result of long consultations with different stakeholders, including generic social workers, medical social workers, social workers in child protection, social workers in community settings, social work research, and social work education in our universities. Professional social workers such as the Association of Social Work Educators in Kenya, the Kenya National Association of Workers and the Kenya Medical Social Workers Association were all involved in the consultations.

I want to thank Kenyans because during our public participation, so many Kenyans came out and contributed to this Bill. I want to let the House know, as well as Kenyans, who a social worker is. A social worker is a trained professional who provides professional social services to different individuals in need. He or she operates within a framework of well defined ethical code...

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Hon. Eve Obara (Kabondo Kasipul, ODM): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order, Hon. Eve Obara?

Hold on a minute, Hon. Kimilu, I have a point of order. Do you have a point of order, Hon. Eve Obara?

Hon. Eve Obara (Kabondo Kasipul, ODM): Yes.

Hon. Deputy Speaker: What is your point of order? You may proceed.

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you very much, Hon. Deputy Speaker. You have actually acknowledged the students up here from Kiota Primary School and I want to take this opportunity to welcome them personally because my grandson is sitting up there and it is the first time he is coming here.

(Applause)

Kiota School, we welcome you here and, at the same time, thank the teachers and the school for taking their civic responsibility seriously. To the students, please, make the best of this learning experience. We have seen schools here and I see others coming in. We also welcome them.

Thank you very much, Hon. Deputy Speaker. Welcome and please continue shining out there. Thank you.

Hon. Deputy Speaker: You may proceed Hon. Kimilu. Yes, Hon. Eve Obara.

Hon. Eve Obara (Kabondo Kasipul, ODM): Okay. The grandson is Harry Obara.

Hon. Deputy Speaker: Hon. Kimilu, you may proceed.

Hon. Joshua Kimilu (Kaiti, WDM): Thank you, Hon. Deputy Speaker. I was in top gear before I was interrupted by the grandson. I also welcome him here.

Hon. Deputy Speaker, I was trying to explain who a social worker is. A social worker handles distinct children and gives hope to our youth as they navigate the challenges of contemporary society. A social worker also empowers our very needy women in society. They also fight for their rights and seek justice for the voiceless, among many others. In villages, social workers are all over trying to assist the voiceless.

I want to talk about social work, education, and training in Kenya. It has grown tremendously since Independence in 1963. Several public and private universities today have undergraduate and postgraduate social workers training programme. Graduates from those training programmes constitute the social service workforce in Kenya.

The Bill will, therefore, help regulate the provision of social workers services, which have for a long time been provided in a disjointed *ad hoc* manner, despite the existence of social workers training programmes.

Let me speak about some of the roles and designations of social workers. Those are programme officers, researchers on social issues, social welfare officers, social planners, extension workers and community mobilisers. This one is common in the counties because social workers mobilise communities. They are also gender mainstreaming advocates. In addition, they are rehabilitation specialists, probation and alternative correction officers and child welfare officers

Social workers also work in medical and psychiatric settings as medical social workers and mental healthcare workers. If you go to our hospitals, especially Kenyatta National Hospital, you get social workers are in all the wards dealing with the welfare of the sick people.

The Bill will also help regulate social work practice. Those areas have been infiltrated by personnel without prerequisite training in social work and social service. That is why we want to align the Bill with the law so that we can avoid every other person saying he or she is a social worker.

With the Social Work Bill in place, the social service workforce in both the public and private sectors will be improved tremendously, alongside the social service beneficiaries. The professionalisation of social work services in the social service sector will now be prioritised and enhanced. Once the Bill becomes law, social workers who will be rendering those services will be required to operate in conformity with the values of their profession and ethical standards therein.

If put in place, the value and quality of services provided will be improved and the dignity of the clientele enhanced. This will also provide sound service ethos in the social service sector, just as it happens in other professions like engineering, human resources, law and medicine. That is because they have organisations that regulate those sectors.

A major outcome of this Bill is that it will provide the Government, through the line ministry, with tangible indicators for the performance and contracting of their staff in the social service sector.

A specific section in the Bill for additional training for those wishing to serve as social workers is an important provision for the staff development of the social service profession in Kenya. This will, therefore, make staff more accountable and provide clear measures to streamline social service provision in Kenya.

Equally important, is the fact that with the passing of this Bill, social worker service in Kenya will be more accountable and respected, just as it happens in other countries that have social work service Acts in place, like the USA. I was there last year in October and I went through their Act. I noted that it has helped the country. It is also in Zimbabwe. In South Africa, the South African Social Service Profession Act 110 of 1978 provides for the establishment of the Social Workers Professional Association. Other countries that have a similar law are Singapore and Canada.

The Bill will also bring order and provide tangible mechanisms to address cases of indiscipline or misconduct among some of the social welfare workers. The regulation in place and the structure specified in the Bill to address such cases will, in turn, ensure that the social welfare services by social workers are rendered in a highly professional manner. This, by extension, will also enhance discipline and commitment of social workers and staff in the civil service and also in the private sector.

Social workers are key agents of change in Kenya's development governance structure with regard to the implementation of Government's social and welfare policies at the national level, and in county governments, where they serve as community development officers and mobilisers, social protection officers, social development officers and child protection officers. Social workers are in courts, hospitals and in counties doing a tremendous job.

Hon. Deputy Speaker, allow me, very briefly, to summarise the critical benefits of the proposed Institute of Social Work Professionals Bill. The Bill will thrive better if it is regulated by the law, as is the case with other professions like, as I said, law, medicine, engineering and many others.

The Institute of Social Work Professionals Bill will also ensure that the contribution of social workers towards Kenya's socio-economic development is recognised through professional delivery of social services. Social workers will be empowered to effectively contribute to the Government development agenda and the social welfare obligation for the people of Kenya, as specified in the Constitution of Kenya. Social workers will be empowered to effectively contribute to the Government's development. The Bill will also solidify the broad contribution of social workers in the social pillar of Kenya Vision 2030, and the Government's Big Four Agenda.

Hon. Deputy Speaker, the Bill will also give social workers a strong voice in the events towards realisation of the global Sustainable Development Goals, to which Kenya is a significant signatory and is committed.

Through the Institute of Social Work Professionals Bill, (National Assembly Bill No.17 of 2023), social worker practitioners and consumers of social work services will be protected from unethical and incompetent personnel who have over the years undertaken social work responsibilities to the negative effect of social workers' clientele. Since Independence, social workers have made efforts to have such a Bill enacted, and the time has come. I want to encourage Members and my colleagues in this House to support the Bill because it will help social work practitioners to be regulated in terms of training and practice. They will also have their practice entitlements such as licensing and proper regulation in line with the global trade and social work provisions. Social work services can be accessed and delivered efficiently since a clear ethical code of practice governing the profession of social work will be adhered to. Social work will be protected. Research in the social work profession, with requisite training and sound social work values, will be based on professionalism.

The proposed Institute of Social Work Professionals Bill, (National Assembly Bill No.17 of 2023), is crucial in maximising the enhancement of professional social work services and social work training in Kenya. Our society will greatly benefit if the provision of social services by social workers is well-regulated and backed up by law. I went round my constituency of Kaiti to meet with social workers. Thousands of them appeared and asked me: “*Mheshimiwa*, how can you make this dream a reality?” I want to thank the Departmental Committee on Social Protection for the support they have given to this Bill. When I appeared before the Committee, Members received my constituents’ input positively. We contributed a lot to this Bill. I thank the Chairperson, Hon. Alice Ng’ang’a, Members of the Committee and Kenyans for the support they have given to this Bill.

As I said, Kenyans appeared in large numbers during the public participation on this Bill. I also got so many messages on my phone from people trying to contribute and asking about this Bill. I want to thank all the Kenyans who contributed to this Bill. I want to tell them that it is time for them to see this Bill through. Some Members of this House have social work background, and they interact with social workers on the ground. I know that those Members also need to give their contribution.

Hon. Millie Odhiambo and myself did a lot together for this Bill to become a reality. She is in the House. I want to request her to second the Bill.

Hon. Deputy Speaker: Hon. Members, with your permission, before the Seconder proceeds to second the Bill, because we value our children who come here, we need to recognise them before they leave the Public Gallery. I would like to recognise the presence of students from JM Kariuki Secondary School from Bahati Constituency, Nakuru County.

(Applause)

I call upon Hon. Irene Mrembo Njoki, the Member for Bahati, to welcome them on our behalf.

Hon. Irene Njoki (Bahati, JP): Thank you, Hon. Deputy Speaker. I warmly welcome the students of JM Kariuki Secondary School from Bahati Constituency. The school was named after the late JM Kariuki. As their Member of Parliament, I want to request them to work hard. I fully support you. I commit myself to ensuring that you get the best from whatever we provide. Let me also thank the teachers for ensuring that they fulfilled the dream of these students by bringing them to Parliament. For those of us who come from rural areas, this is not something that is simple. It motivates the students. I want to assure them that we will continue to work with them. All I expect from them is hard work and commitment to ensure that they become doctors, lawyers, Members of Parliament, speakers, *et cetera*. I wish you a fruitful visit.

Ahsanteni sana. Karibuni.

Hon. Deputy Speaker: Thank you very much. Hon. Members, as I mentioned earlier, from time to time, we may have to interrupt our proceedings because there have been instances when students sat in the galleries and left before we recognised them. I believe this is something that we can do for our children. We must always ensure that we acknowledge their presence even if it means interrupting our proceedings.

The Secunder may now proceed.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Deputy Speaker. I rise to second the Institute of Social Work Professionals Bill, (National Assembly Bill No.17 of 2023), that has been sponsored by Hon. Joshua Kimilu. Before I say anything, I also wish to join my colleague in welcoming the students from JM Kariuki Secondary School from Nakuru County. Their school is, indeed, named after a great man who did a lot for this country. I hope the students will take the opportunity to be inspired and encouraged by the works of JM Kariuki. I also want to let you know that you have a great Member of Parliament in the name of Hon. Irene Mrembo, who, as you can see for yourself, is doing excellent work in Parliament. If you go back home, please, tell your friends that women are capable. As you can see, she is doing excellent work as a woman leader, and we hope to see many more women leaders in this House. Hon. Irene Mrembo has encouraged you to work hard and become lawyers and other professionals. One other profession you can join is social work. That is why we are moving this Bill.

Hon. Deputy Speaker, Hon. Kimilu mentioned that we have worked very closely with him on this Bill. This Bill is very dear to my heart because my late mother was both a trained nurse and a trained social worker. I grew up seeing the work that social workers did. My mother used to receive poor, suffering and vulnerable children, and she would help and counsel them because of her calling in social work. She placed many young people at Starehe Boys Centre. In those days, there was no Federation of Women Lawyers (FIDA), the Cradle or Non-Governmental Organisations (NGOs) that were doing that work. I think there was probably *Maendeleo ya Wanawake* and the Child Welfare Society, of which my mother was a member and worked at. So, because there were very few organisations, the persons who worked very closely with the people to deal with the ills of society then were social workers. They continue to do excellent work.

The pathway that the country has taken is to specifically recognise each profession. We have laws for lawyers, engineers and other professionals. It is important that we also have one law specifically for social workers so that we can regulate the industry and prevent quacks who wake up one morning and decide to call themselves social workers. We must have a clear law on social workers to regulate the way they operate.

We are going through many challenges as a society. Many people in our country are projecting their issues and anger on others. That is why I am very forgiving towards the people who are abusing the former Prime Minister and saying all manner of nasty things about him. On my way here, I listened to Milele FM. The presenter was celebrating and congratulating their supposed candidate from Djibouti. I did not take it very badly. I moved on to Kiss 100 FM because we have options. I listened to Milele FM because it has nice music but, when they started attacking *Baba*, I moved on. However, I understand them because people are projecting their frustrations on others. That is why we need social workers and counsellors to help people to manage their frustrations.

The challenges that we are facing are not unique to just Kenya. They are global. There is a global economic crisis. Whatever happens in Ukraine affects Kenya. Whatever happens in the United States of America (USA) affects Kenya. We have seen what has happened since President Trump returned to the White House. With one Executive Order, 1,000 Kenyans lost their jobs. How do you expect those Kenyans to deal with such a situation? They will certainly be frustrated, and they may project their anger on other people. They will look for the easiest

person to attack. At the moment, the sexiest and trendiest person to attack is Raila Amolo Odinga. He has always been the easiest person to attack in the country. I just want to thank him for absorbing all the anger and continuing to be the statesman that he is.

I want to thank the Mover of the Bill. I know many Members want to speak to this Bill. I want to congratulate Hon. Kimilu. I would like to re-emphasise that when you talk about social work, you touch a very special place in my heart because my mother took care of me and my seven siblings, in addition to helping many struggling young Kenyans. She was widowed when our firstborn was in Standard VII, and she raised all the eight of us. We had decent schooling and almost all of us went up to university and beyond. Because of that, that profession is very special to me.

With those remarks, I beg to second the Bill and, once more, congratulate the Member for bringing it to the House.

(Question proposed)

Hon. Deputy Speaker: Members wishing to contribute can press the intervention button. Member for Suna West, you are the first one on the list.

Hon. Peter Masara (Suna West, ODM): Thank you, Hon. Deputy Speaker. First, I want to congratulate Hon. Joshua Kimilu for bringing this Bill. It is long overdue because for any profession to be recognised and respected, it must have a regulatory framework. Once this Bill is enacted, it will enable social workers in Kenya to be well-equipped to serve even in the international market.

Giving an educated person a practising licence is like adding value to their academic qualifications and experience. Secondly, once social workers are regulated, they will have work ethics. They will have a body to deal with discipline issues and issuance of certificates. Once we have such an authority in place, it will bring sanity to that particular field. Consumers of social workers' services will be protected. If a social worker misbehaves or goes against their work ethics, there will be a body to correct them.

The Kenyan market is shrinking and, therefore, we need to equip our people so that they can search for work outside our boundaries. Giving social workers practising licences and recognising their work through a professional body will enable them to increase their chances of getting employment across the world.

Social workers from different professions such as the medical sector, the Judiciary and even the education sector, will be recognised. Currently, very few people can differentiate between social workers in the medical field, those in the education sector, and those working in the Judiciary.

I urge my colleagues to support this Bill. Let us fast-track its enactment so that Kenyans that are working in that field can also enjoy their profession.

Hon. Deputy Speaker: Member for Kipkelion West, did you want to speak to this Bill?

Hon. Hilary Kosgei (Kipkelion West, UDA): Thank you, Hon. Deputy Speaker. I want to add my voice to this Bill as a Member of the Committee that sat through the presentation by Hon. Kimilu. As our colleagues have said, this Bill is long overdue. We went through the Bill at length last year. I ask the House to pass this Bill so that social workers can establish their Council that will be responsible for vetting them and cleaning up the register of professional social workers, so that it is not as amorphous as it is right now.

The Bill is divided into Nine Parts, including the Preamble. It highlights the merits of establishing the proposed institute and the board. The Bill is long overdue. We support it as a Committee.

With those remarks, I support.

Hon. Deputy Speaker: Member for Nyatike, Hon. Tom Odege. Has he left? There he is.

Hon. Tom Odege (Nyatike, ODM): Thank you, Hon. Deputy Speaker. Allow me to congratulate my brother for coming up with this timely Bill. As a country, we have lagged behind for so long. We are trying to classify and ring-fence social work for the professionals. This has already been done in all the developed countries in the world. Most of the social workers who are now coming into the country to train our people got their training in the USA. We have been doing social work but we did not know it was such an important profession that needed recognition and protection. Giving social workers an Act that can protect the services that they give to our people is timely. Social workers play a key role in the healthcare and education sectors. They also play a key role in the communities. It will give us the key element that we lack as a country if we encourage our people to train as social workers and protect themselves. The Government can also recognise them as professionals. They will be given duties and jobs that are commensurate to the services we get from them. This will make it a more attractive profession and a ladder for people who will employ themselves or get employed to strengthen the functions of our counties.

Looking at the county governments currently, the key services they offer are based on social activities. If we have people who are trained in those areas, the counties will be better. They will be offering very key services to our people. A majority of us have not realised that our people need those services. Recognising and professionalising issues related to social work is timely. It is good for our people.

As the Majority Whip has put it, she witnessed her mother practice social work, which helped their homestead. She saw it. If social work helped them from the family level until eight of them got educated, why do we not also encourage ourselves to make it more attractive to most of our people? We should professionalise and protect it. Social work services are needed. Our people will also enjoy quality social services within our counties and families.

With those remarks, I support.

Hon. Deputy Speaker: Hon. Members, I acknowledge the presence of students from Rockside Academy from Embakasi East Constituency, Nairobi County, and Kenvic School from Kajiado North Constituency, Kajiado County, who are seated in the Public Gallery.

(Applause)

I call upon Hon. Ngogoyo to welcome them on our behalf.

Hon. Onesmus Ngogoyo (Kajiado North, UDA): Thank you, Hon. Deputy Speaker. I rise to welcome the students from the two schools – those from Rockside Academy of Embakasi East Constituency, and those from Kenvic School of Kajiado North Constituency.

The Kenvic School is a very good performing school in Oloolua Ward in Kajiado North Constituency. As the area Member of Parliament, I tell them that Parliament is a good place to work. Decisions for this country are made here. I urge them to work hard so that some of them who are seated in the Public Gallery or their schools can come to represent Kajiado North Constituency in this House. It is one of the places where ideas are generated and policies are validated. As parliamentarians, we make decisions that affect the whole country from this small place.

Welcome very much. Work hard in your studies. I am sure some of you will one day find yourselves seated where I am seated. I am happy to welcome all the students who are seated in the Public Gallery, and specifically those from Kenvic School.

Hon. Deputy Speaker: Next to speak on the Bill is the Member for Marakwet West, Hon. Timothy Toroitich.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you for giving me an opportunity to contribute to this very important Bill.

I thank Hon. Kimilu for the progressive legislation that seeks to recognise and protect social workers in this country. A regulatory framework is essential in determining a sector's output. Lawyers in this country discharge their duties without any compromise because they have a professional body that regulates the conduct of individual lawyers. It would be very important for social workers to have a body to regulate them. They must also be able to stipulate a certain kind of professionalism in the performance of their duties so that they can work properly within a legal framework.

Hon. Deputy Speaker, as a lawyer, you are aware that a probation officer submits a probation report in a court of law before sentencing is meted out to an offender. Sometimes, those probation officers are compromised so that they submit false reports about offenders.

Clause 29 of the Bill clearly provides for the discipline that should be observed by members of the proposed body. It says that a person who is registered under this Act commits an act of professional misconduct if the person engages in corrupt practice, among other professional misconducts that are listed thereunder. An innocent person may be charged in a court of law. When the court issues a directive to a particular officer to prepare a probation report, the officer is required to perform his or her duties professionally. He or she must issue a report that is not compromised. That way, innocent individuals who find themselves before a court of law will be protected. Such report must meet a certain threshold when the court weighs it.

Hon. Deputy Speaker, the only concern I have with this Bill is that it does not provide a clear definition of 'social work.' The Bill also limits its scope to officers serving in the health, education and social services sectors. I believe there are other officers who serve as social workers in other departments. That definition should be reviewed to accommodate more service sectors.

I also congratulate the Member on the aspect of funding. Many professions in the country want to depend on the Exchequer for funding. The Bill talks about the board having its own sources of revenue. That is commendable. Clause 34 talks about the source of funding for this body. It identifies the sources as 'such monies or assets as may accrue or vest in the Council in the course of performance of its powers or functions, and such monies as may be payable to the Council pursuant to the Act as donations or gifts.' The Council will not depend on the Exchequer for funding. I believe this is the way to go for professional bodies in this country, instead of them depending on the Exchequer.

With those remarks, I support the Bill, to which I will propose amendments during the Committee of the whole House.

Hon. Deputy Speaker: Member of Rarieda, Hon. Otiende Amollo.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Thank you, Hon. Deputy Speaker. I rise to support the Bill by Hon. Joshua Kivinda Kimilu. I have gone through the Bill and I wish to express my support for it in the shortest possible time.

I am a son of a volunteer worker who served the public voluntarily for 40 years, when he was alive. I support the idea of social work and, perhaps, the distinction being that a volunteer need not be paid. However, it might bring in the element of pay once we use the term 'social work.' I have gone through the Bill. I think it needs some fine-tuning around the definition of social work, registration of a social worker, the institute for social work, and the offences.

Particularly, the definition needs to be shielded from other areas that are sometimes described as 'social work.' People sometimes loosely call the oldest profession, which is sex work, 'social work.' Sex workers are sometimes loosely referred to as social workers. We must shield and ring-fence the definition in such a way that there is no possibility of such confusion

arising. I see Hon. KJ, in whose constituency perhaps many of those workers reside, protesting. He did not hear that.

(Laughter)

With those remarks, I support.

Hon. John Kiarie (Dagoretti South, UDA): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order?

Hon. John Kiarie (Dagoretti South, UDA): Hon. Deputy Speaker, I am kindly seeking protection. You know that Hon. Otiende Amollo is a man of letters. He studied language very well, but the point he was making is so serious that he did not have to water it down with a cheeky comment. The truth of the matter is that social work is the oldest profession in the world, but the cheeky comment he has made has the effect of diluting the main point he wanted to make. Allow me to not repeat what he has said because it was totally out of context.

(Laughter)

Thank you very much.

Hon. Deputy Speaker: Hon. Members, I think Hon. Otiende Amollo has just said that we need to have a proper definition of who ‘social workers’ are, because there are various categories of workers out there who claim to be social workers. I do not think he made any bad insinuations.

(Laughter)

Hon. Members, allow me to interrupt our debate to recognize the presence of students from Gilgil Day Secondary School from Gilgil Constituency, Nakuru County, who are seated in the Public Gallery. I would like to request Hon. Martha Wangari, the Member for Gilgil Constituency, to welcome them on our behalf.

Hon. Martha Wangari (Gilgil, UDA): Thank you very much, Hon. Deputy Speaker. Allow me to also thank the Office of the Clerk because it has been very helpful and efficient in ensuring that we are able to clear our schools to visit Parliament. We are doing very well in this Session and I hope that we can maintain the status quo.

Allow me to join you in welcoming the students from Gilgil Day Secondary School. We had another team yesterday. As I said, that school is quite big. So, we split the students into two groups. The first group came yesterday. I just want to wish them well. As they hold their mantra that ‘Knowledge is Power’, I hope they will learn something today as they observe the proceedings of this House. I also encourage them because in just a few years, we will have some of them becoming Members of Parliament while others take up other leadership positions. I hope we can be very good role models to them and to other kids who visit Parliament.

Hon. Deputy Speaker, I thank you for indulging me to welcome the students to the House.

Hon. Deputy Speaker: Thank you very much. Next is the Member for Kitui South, Hon. Rachael Nyamai. Hon. Members, remember that I am picking those who have pressed the intervention button. That is the only way to indicate that you are interested in this particular debate.

Hon. Rachael Nyamai (Kitui South, ODM): Thank you, Hon. Deputy Speaker, for giving me this opportunity. I would like to say, at the outset, that I support this Bill, which has been proposed by Hon. Joshua Kimilu. This Bill concerns the social workers professionals, and

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it intends to ensure that the profession is more organized by ensuring that people get registered in order for them to provide the best services possible as envisaged in this proposed law that the Member has worked very hard to develop.

Hon. Deputy Speaker, I listened to Hon. Joshua Kimilu as he moved this Bill. He told the House the kind of people who were engaged during public participation, and what he would like to achieve from this draft law. I realized that it is a very important Bill. It is important to note that as much as we value construction, Information Technology and Communication (ICT) and medicine, among other professions that are very important for our country's development, those sectors cannot succeed without the support of soft skilled professionals, amongst whom are social workers. This Bill intends to regulate that profession. There is the possibility of anybody who assists within a community to feel that they are social workers even though they may not have any form of training in social work, or belong to any organization that offer social work services. They just say that they are social workers. This Bill is going to ensure that that profession is taken seriously, it is regulated and that professionals in the sector are registered, and that the quality of the services offered becomes better than it is today.

I noticed that Hon. Joshua Kimilu tried to identify various categories of social workers. He talked about those who are in the health sector. Social workers serving within the health sector would be different from social workers serving in the construction sector, for example; because the latter category would be dealing with safety and other matters. I believe this Bill will properly classify social workers based on the specific profession that each category supports. That way, actors in every category will be able to get the requisite training so that they can serve better and professionally.

Hon. Deputy Speaker, the Bill also proposes the possibility of social workers participating meaningfully in national development. Once the social workers have been categorized, and once the source of funding for the respective activities has been properly identified, it will be possible to link them with the relevant departments where they will be most useful. I believe this will not only open opportunities for social workers locally, but also internationally, where such professionals will be needed. If people would like, for example, to get an opportunity to work abroad, they will not just say that they are social workers. They will have to state their classification, produce evidence of training and registration. As a country, we will have properly organized and equipped our social work professionals with relevant skills that will enable them to get employment anywhere in the world.

This Bill also gives social workers a voice. At this moment, you realize that if social workers are working within, for example, the engineering sector, they may be seen to be inferior to the engineers. Bosses within those institutions would feel that since they deal with engineers, they should only budget for the engineers, and not budget for soft skilled aspects, within which social workers fall. This Bill seeks to ensure that once social workers are registered, they are hired in an organized way. That way, their voice will be heard and their numbers will be bigger. They will not just be two or three in an institution which has thousands of people. This will give them value, a voice and enhance the possibility of proper remuneration.

I also realize that the Bill seeks to ensure that social workers' unethical practices are dealt with very well. One of the reasons as to why I support this Bill is that there are so many unethical practices within the social work sector. I would like to give an example of social workers working, for example, in mental institutions, where there are so many allegations of patients being mishandled by social workers. This Bill seeks to ensure that in case of any unethical practices, the perpetrators are dealt with as per the law.

Hon. Deputy Speaker, the world is changing fast. What used to be called 'social work' 10 years ago, what is social work today and what will be social work in another five years, will be different. This is because of the changing world situation where people experience different

things so fast because of the ever-evolving technology in terms of computer software, emergence and application of Artificial Intelligence in day-to-day activities, and so much information being pumped into the communities. This Bill seeks to ensure that matters related to such evolution are handled.

I am also very much encouraged to note that this Bill does not request for funding from the Exchequer. I think this is one aspect that the House has taken seriously – that people cannot just organise themselves into professional bodies, hook themselves up with a government ministry, or public institution, and seek to be given a budget line within the national budget. This Bill proposes that the professionals are going to finance themselves by making sure that they are organized, so that they will seek for donations. They will have to come up with written proposals to generate funds from elsewhere, so as not to rely on public funds. For example, at the moment, we are struggling to get money for TB drugs, HIV drugs and other health challenges.

Hon. Deputy Speaker, Hon. Kimilu has come up with a very important Bill. I would like to congratulate and support him. I also encourage other Members to support the Bill. There are social workers of different sectors. There are those who work in hospitals, gender experts, those who work with probation officers, and others who deal with people who have been in prison for long and have been released, but are not able to deal with the situation. Those are professionals who need to be trained well so that they can deal with the category of people that they are supposed to deal with. Child welfare officers need to be given special training on communication skills with children and how to deal with traumatised children.

I congratulate the Hon. Member for Kaiti for coming up with this important Bill. I support it.

Thank you, Hon. Deputy Speaker for giving me a chance.

Hon. Deputy Speaker: Thank you. The Member for West Mugirango, Hon. Stephen Mogaka.

Hon. Stephen Mogaka (West Mugirango, JP): Thank you, Hon. Deputy Speaker for giving me this chance.

At the outset, I express my support for this Bill and congratulate the sponsor, Hon. Kimilu, for a well-thought-out and well-crafted Bill.

As a lawyer, I know that unless a profession is defined, its registration provided for in law and a legal framework for the operation of that profession is provided for by law, then the practitioners do so in vanity. I want to thank the sponsor of this Bill for making that legal framework happen. I urge my colleagues to support this Bill.

Social workers have been working voluntarily. In fact, many of them have been carrying the tag ‘social worker’ without any clear definition of what is social work. I know in hospitals, prisons, society and even in our faith-based organisations, we have volunteers who do a lot of social work. This Bill provides a framework for mainstreaming all social workers so that they are recognised in the law, and their certification provided for and protected. This will also create a mechanism for us to distil the professionals from quacks. Many at times, people masquerade as professionals, whether medics, lawyers or social workers, and bring those professions into disrepute. This Bill will now sift the professionals and separate them from the pretenders so that, that profession is recognised.

I thank the Hon. Member for bringing this Bill during the 13th Parliament. It is during a Government whose Manifesto outlines that every hustle matters. Indeed, social workers are hustlers in their own right and until now, there was no legal framework for their hustle to be recognised. Therefore, this Bill is properly aligned with the Manifesto of the Government of the day. It would be falling on fertile land. It is my prayer that this Bill gets assented to and becomes an Act of Parliament, so that the social workers hustlers can also find protection in the law.

Hon. Deputy Speaker, I support.

Hon. Deputy Speaker: Thank you. Hon. Members, let us try and keep our submissions brief. I can see there is quite a bit of interest in this Bill. The Member for Alego Usonga, Hon. Atandi.

Hon. Samuel Atandi (Alego Usonga, ODM): Thank you, Hon. Deputy Speaker, for giving me the opportunity.

At the outset, I support the Bill as presented. We all understand the role of social workers. They play a huge role in working with our communities in the areas of poverty alleviation and working with people to sort out community issues. The Bill is very good. I also support professional bodies to self-regulate. This is the way those bodies can effectively serve their members. I have gone through the Bill and a few areas need to be rectified.

I have seen that there is heavy Government involvement in the affairs of the institute when it is set up. I tend to think that one of the things that should be avoided is the involvement of the Government. One of the professional bodies that I like is the Law Society of Kenya (LSK). It is one self-regulating professional body. You will never find Government agencies being part and parcel of the Council. In the Committee's Report on this Bill, I have seen a proposal for a cabinet secretary to be a member of the council, the principal secretary and the Commission for University Education. Those are Government entities that should never be part of a professional body. In any case, if there is going to be Government participation, it should only come at the end when we are talking about disciplinary actions, and when members go against some of their objectives.

The Bill is good. It is going to professionalise social work and make it respected and recognised. It will enable members to be certified to serve in all parts of the country.

Hon. Deputy Speaker, I support.

Hon. Deputy Speaker: Thank you, Hon. Members. I can see I have Members left on the queue. Let us have the Member for Embakasi East, Hon. Babu Owino.

Hon. Babu Owino (Embakasi East, ODM): Thank you very much, Hon. Deputy Speaker.

I would like to contribute to this Bill but, before I do that, I take this opportunity to welcome students of Rockside Academy. I want to advise them together with other students who are here. It is only education that shall help them in life. Through education, they will help their parents who are struggling to look for fees. It is said that the only thing that can replace a book is the next book. Therefore, make sure you work hard, and you shall reach the city of victory through education. Thank you.

As I contribute to this Bill on professionalising social workers, I want to state that social workers are ignored. They have been ignored for a very long time. Most professions in this country have a body that protects them. Lawyers have the Law Society of Kenya (LSK), doctors and medics have the Kenya Medical Practitioners and Dentists Union (KMPDU), while teachers also have a body that protects their interests.

[The Deputy Speaker (Hon. Gladys Boss) left the Chair]

[The Temporary Speaker (Hon. Martha Wangari) took the Chair]

It is, therefore, in the interest of social workers to have a body that shall protect their interests. Social workers must be treated with utmost respect.

In addition to that, if possible, we should also fight for their salary increment. Those are people who are doing a lot in the community and society to better it and yet, they are paid very little amount of money, not forgetting they have responsibilities to meet like school fees and other bills.

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I support the Bill by Hon. Kimilu. Thank you. God bless you.

The Temporary Speaker (Hon. Martha Wangari): Thank you. The next chance goes to Hon. Haika Mizighi, Member for Taita Taveta.

Hon. Haika Mizighi (Taita Taveta County, UDA): Thank you, Hon. Temporary Speaker for giving me this opportunity to contribute to this Bill.

At the outset, I would like to congratulate Hon. Kimilu, the Member for Kaiti, for recognising that group of professionals known as social workers. Often, those individuals go un-recognised and are overlooked and so, I am pleased that he has brought this Bill to the Floor of the House for discussion.

Social workers help people to overcome many challenges. Given the current state of the world, individuals are facing numerous difficulties - whether due to climate change, economic issues or health crises. As a result, social workers are essential in providing support, protection, advice and advocating for change.

It is, therefore, a high time we recognise and support those professionals so that they can enhance their services, which are greatly needed. I fully support Hon. Kimilu for bringing this important Bill.

Thank you very much, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Thank you very much. Next is the Member for Kitutu Masaba, Hon. Clive Gisairo.

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon. Temporary Speaker.

First, I take this opportunity to congratulate Hon. Joshua Kimilu for bringing this timely Bill. Professionalising the institution of social work will address many issues at once. It was not until I became a Member of Parliament that I understood that nearly all Kenyans are vulnerable, especially when it comes to Government services.

The challenges we faced with the new university funding model stem from the fact that all applicants are considered vulnerable. Similarly, the new Social Health and Insurance Fund (SHIF) is experiencing difficulties because everyone involved is classified as vulnerable. Once we professionalise that body and grant it the authority it deserves, we can take it to the grassroots level. This will ensure that everyone recognise this, as a professional organisation, and those serving as social workers will feel appreciated for their contributions. Additionally, we would be able to create a comprehensive database of all vulnerable cases within local communities, streamlining Government operations and making them more accessible.

Hon. Temporary Speaker, even when it comes to issuing bursaries, my fellow Members of Parliament can attest that every case seems to claim extreme neediness. However, with an established database, we can categorise those cases effectively. Those databases will be protected, as the Bill proposes penalties for any misconduct. That provision will hold accountable any social worker who engages in unethical behaviour or misclassifies individuals.

We are witnessing a rise in suicide cases, particularly among our youth. Additionally, cases of femicide are often not identified in a timely manner because social work has been viewed as a useless profession and so, it is not taken seriously. By professionalising this field, we can empower social workers to identify those urgent cases, bring them to light and resolve them promptly and, hence, mitigating cases of suicides, murders, and other social problems.

This is a Bill that we should all support. Once it is passed and becomes law, we must develop structures to implement it down to the smallest administrative units such as wards. A comprehensive database should be created, allowing anyone who wants to help the vulnerable to easily access the necessary information. Whether it pertains to medical assistance, education, or security, individuals can access that data to make informed decisions that can benefit the community.

I thank Hon. Joshua for his efforts. We fully support this Bill. Let us all rally behind it and ensure its implementation.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Next is the Member for Gichugu, Hon. Gichimu.

Hon. Gichimu Githinji (Gichugu, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to support this Bill, that has been sponsored by Hon. Joshua Kimilu, the Member for Kaiti.

I want to associate myself with the sentiments that have been expressed by previous Members who have contributed to this discussion. This is a crucial Bill that is aimed at professionalising the social workers' sector in our country, which has been somewhat left hanging and disorganised for a while. This Bill offers us the opportunity to weed out quacks within the profession of social workers. We have individuals in this field who are well-trained and possess diplomas, degrees, master's degrees and doctorates. Therefore, the sector needs to be sanitised and professionalised.

Like other professions, social work should not depend on the exchequer for funding. It should be self-regulating. The regulations that are necessary for that professionalisation have already been outlined. I believe provisions will be established to ensure that those regulations are implemented, thus allowing the sector to effectively self-regulate. Regarding the regulatory aspect, I intend to propose an amendment, in consultation with the Bill's sponsor, so that the regulations are developed by the Cabinet Secretary, in consultation with the Council. This will allow the Cabinet Secretary, as defined in the Bill, to have a say in the consultation with the Council, which is the main regulatory body.

Furthermore, in consultation with the sponsor of the Bill, it is important to provide a clear definition of the term "social worker" as the Bill currently defines "social work." Providing a clear definition of a social worker is critical.

Under Clause 5, I will also seek to amend the text by removing subsection (m) to prevent any ambiguity for the institute, ensuring it cannot act outside the provisions already specified in this law. We need to create legislation with clarity and finality, so that any additional requirements and post-enactment can only be established through regulations. The Act itself cannot leave room for anyone or the institute to act as they please.

Finally, under Clause 27, as it has been the norm in various professions, I believe that if a certificate has been cancelled or suspended, it should not be necessary for an individual to submit that report to the regulating body. We should maintain a database which shows the status of every member of that institute. This is to ensure that by a click of a button by any citizen, one can know whether someone is qualified and has a valid, suspended or cancelled certificate. This will help us avoid a situation whereby, someone is penalised Ksh500,000 for not submitting a cancelled or suspended certificate to the Council. For example, in the legal profession, you only need to check the Law Society of Kenya (LSK) Website to find out whether an advocate is qualified to practice law. That way, it will be very easy to know a genuine practitioner and we will not subject people to unnecessary penalties.

Hon. Temporary Speaker, with those few remarks, I support this Bill, but with amendments that I will propose during the Committee of the whole House. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Hon. Ochanda.

Hon. Gideon Ochanda (Bondo, ODM): Thank you, Hon. Temporary Speaker.

Other than the issue of certification, properly categorising this profession and making sure that they self-regulate, there are many other things that the Bill ought to have recognised. Since the Bill did not recognise some of the areas, it is important that the nation recognises them. One of the areas that need recognition is the critical role that social workers play in the different professions. Those workers are involved in technical areas in different sectors including, roads, water and dams. Many of the projects in those sectors can only work when social workers are involved. All the technical projects that we do, interface with human beings.

For the projects to succeed, that interface must be properly understood, recognised and constantly checked. There are many projects that have been done, even by the Government, but with very little background on the community needs. The projects are done without considering the social aspects. Additionally, the communities do not understand them very well. The best way some of those things can be done is through social workers.

Some authorities, for example, the National Irrigation Authority, have a complete office which does research before they implement any project that involves communities, rather than what we popularly call public participation. This has worked very well for them. The best way we can sustain public participation is through social workers. Those are the persons that have a constant touch with the communities. Many technical departments do not recognise them and that is exactly where we go wrong. Like I mentioned earlier, when we do not recognise them in projects like construction of bridges, we end up doing wrong things. This is because, sometimes, the public participation that we do is not sufficient. We do not have proper legislation on how public participation should be conducted. They are done in an instantaneous way, where, people are invited on a specific day, discuss some issues and that is the end of it. Nobody takes them through the intricacies of what the projects have. This is where social workers become important and very critical. They can be the constant face of technical work across communities by constantly checking the opinions of the communities. This is because many of the projects that we deal with, interface with human beings.

A good example of why social work is critical is that of a Kenyan lady who moved into Germany sometime back, with her small baby. Once she arrived there, her details were recorded. Little did she know that there is a system in place in Germany that tracks children. When the baby turned six years, she was shocked to find a social worker in her house asking the whereabouts of the child. She needed to know whether the child was in school or not. Those are some of the areas where social workers can help us in a better way than how we casually look at things.

The social workers can also help with the issue of data by strategically placing them alongside the social health workers. There is some data out there that is supposed to help governments, whether in the county governments or National Government. This is for purposes of properly identifying the needs of the people and how to address them.

Therefore, the idea of social workers having their place is very critical and necessary. I also call upon the technical departments and agencies that deal with communities and people, to involve social workers in their projects. The best interface they can ever have is to have the social workers in their departments such that there is a connection between what they do and the needs of the communities.

I support the Bill. I, however, believe that there are aspects that need to be improved, particularly the element of interface between the technical areas that we do in the country and the people.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Hon. Members, as had been guided earlier, for those coming in, if you intend to speak to this, you will press the intervention and not the regular button.

Hon. Member for Makueni, you have had a problem with your card.

Hon. Suzanne Kiamba (Makueni, WDM): Thank you, Hon. Temporary Speaker for giving me this opportunity to support this important Bill.

I would like to start by congratulating Hon. Joshua Kimilu for bringing this important Bill on board. This is because social workers are among the oldest professions. It is unfortunate that it has taken so long for the profession to have a legal framework. I am a social worker, and when I talk about them, I do so with a lot of affection and commitment. I thank Hon. Kimilu, for seeking to ensure that the profession is regulated, recognised and protected.

I have been a social safeguard specialist for over 23 years. We have been working without the protection of such a legal framework. As many of us have said, social work is the glue that holds other professions together. There are other professions that ignore the input of social work and the outcome is sometimes, very limiting.

I would like to emphasise on the aspect of technical areas. This is because I have operated in scenarios where engineers and doctors are regarded as very important people. While I acknowledge that they are very important, it does not negate the role of a social worker. Once again, I congratulate Hon. Kimilu, for coming up with this Bill. This is because in most scenarios, there is emphasis on technical professions, where people take work to be very mechanical and think that they can change this world by doing things the way they like.

Nevertheless, as one of the Members has said, to bring about transformational development, you have to work with the social workers. This is because even the public participation that we do, even here in Parliament, is of low quality. I have observed several of them and I can confirm this. We do it in a mechanical way because we focus on the technical skills and approach it professionally without any community analysis and change. I believe that if this profession is recognised and standardised, each and every sector will learn a lot from it. For example, if you are a doctor and you do not have social skills or use the skills from the other people, you may end up treating people of non-existent diseases. This is because, sometimes, what people say is not what they suffer from. You need a social work expert to analyse some of those issues so that you can get to the root cause of the problem.

There is also the issue of inclusion where, currently, we live in a society that has several cadres and divisions. There is division between men and women, old and young, and sick and healthy. It is the role of the social worker to narrow down those divisions so that communities can move and achieve their objectives.

Therefore, this is a valuable Bill. I am happy that it has come to the Floor of the House, through Hon. Kimilu. I am sure that it will change many things. When I worked as a social safeguard specialist, one of the challenges we faced was the issue of inclusion, especially on the issues of disability, gender and elderly people. You will realise that in most projects, even for this country, sometimes, only a small segment of those people benefits and majority of the people are excluded. However, if we recognise this profession, we will ensure that it is integrated into other professions so that we have transformational development as we facilitate change.

The issue of remuneration is also very important. Because of this profession being taken casually, it has resulted in some employers giving professional sociologists token payment instead of professional payment. If we pass this Bill, we will have a situation whereby those who are professional sociologists are recognised like other professionals. This would add a lot of value to our communities.

With those few or many remarks, I support this Bill. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Hon. CNN.

Hon. Charles Nguna (Mwingi West, WDM): Thank you, Hon Temporary Speaker, for giving me this opportunity to add my voice to this Bill.

At the outset, I congratulate my brother, *Mheshimiwa* Kimilu, for coming up with such an important Bill. It may seem simple, but it is very important for our country.

In both developing and developed worlds, we live in a world full of discrimination, conflicts, disasters and inequalities. Therefore, there is a need for social work to provide technical, financial and moral support. Social workers play a very key role in terms of providing services that governments cannot meet because of other financial obligations. Hence, they need to be recognised. Establishing, that professional body will provide financial, moral and technical support to workers. That body will also stop the issues of exploitation of social workers, as it will have a voice to protect the basic needs and rights of social workers. I feel

that it is very important that, as we do this, we should ensure that we not only present this Bill on the Floor of the House but also, implement it practically, and come up with that professional body.

For one to be a social worker, you must possess certain traits. Some of those traits are not gained in school, and there is no place where one goes to inculcate them into their brains. However, counsellors and professionals with those traits are needed to assist in handling some of those vulnerable people. In so doing, we will come up with proper data of all the people who need social support. That body will play a key role in implementing those few things. For us to help the people who have been discriminated against, who are facing conflicts, poverty and inequality in terms of gender, we need social workers.

With those few remarks, I fully support this. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Member for Kericho County, Hon. Kemei.

Hon. Beatrice Kemei (Kericho County, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to add my voice to this very important Bill.

I thank Hon. Joshua for bringing it forth. I come from Kericho County where we have very many tea estates. The workers in the tea estates need protection, and it has not been provided for adequately. When this Bill goes through, those workers will be registered so that they can benefit as a group. I appreciate the fact that their rights will no longer be violated. Discipline is very important. I, specifically, appreciate where it is noted in this Bill that those who engage in negative practices such as nepotism, tribalism and other acts of discrimination in the discharge of professional functions will face disciplinary action. This is very important because in places like the tea estates, there is so much discrimination, especially nepotism, which is rampant. There are also leaders who use their positions to obtain sexual favours. I remember I came here to seek for a statement from the Departmental Committee on Labour on why we have so many cases of sexual discrimination and sexual issues in the tea estates. With that professional body, I am sure that issue would be sorted out.

I support this Bill. I only have an issue with the definition of who a social worker is. The Bill only has the definition of social work, but who is that social worker?

The passage of this Bill will also stop cases of exploitation that are very rampant. In this country, we have so many social workers, but their welfare is not tended to. There is also the health sector, where we have so many social workers, but their environment is not looked into, and whatever they do is not even appreciated. Therefore, with this Bill, and when they come together under that professional body, I am sure they will work hard, their spirits will be lifted and whatever issues they have will be sorted out.

I support the Bill. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Kitui West, Hon. Nyenze.

Hon. Edith Nyenze (Kitui West, WDM): Thank you, Hon. Temporary Speaker for giving me this opportunity to also air my views on this Bill.

From the onset, I congratulate *Mheshimiwa* Joshua Kimilu for coming up with the Institute of Social Work Professionals Bill, (National Assembly Bill No.17 of 2023).

Social workers, especially in Kenya, work in a variety of roles. Some of the roles include raising awareness in different areas, assessing needs of the lowly, and providing support to them. This is, therefore, a very important Bill that will ensure that the social workers profession is regulated, supervised, and that there are controls and balances concerning that profession.

The social workers also handle our destitute children and give hope to our youth. They also do a lot in navigating the challenges of the society and empower the very needy women in our society. They, especially, deal with the needy people. It is very important to regulate their

work and also have refresher courses that are regulated by their Institute. This will ensure that no one is exploited because those are lowly people who are exposed to exploitation. Some rogue people can get into the profession and pretend to be qualified and, in the process, mistreat the people they are supposed to assist. This Bill would, therefore, ensure that there are regulations, follow-ups and proper training for anyone claiming to be a social worker. This will ensure that our people are well taken care of and social workers are remunerated. If they receive proper pay, they will not be tempted to ask for money from those they assist. Social workers in developed countries, especially those in the health sector, are highly paid and recognised. That profession is recognised as crucial; thus, they are well remunerated and regulated. This Bill will help us improve the profession and reduce suffering among our people.

Social workers deal with issues such as disabilities and encourage the sick, especially those with Human Immuno-deficiency Virus (HIV), to take their anti-retroviral drugs (ARVs). That is because some people do not see the need to do so. If they do not take their ARVs, their lives are shortened. Social workers should be recognised by a body that will have checks and balances, so as to regulate and supervise what they do.

Thank you, Hon. Temporary Speaker. With those remarks, I congratulate Hon. Joshua Kimilu for bringing this timely Bill.

The Temporary Speaker (Hon. Martha Wangari): Before the next speaker, allow me to recognise students in our Public Gallery from a school with a very interesting name: Kamuwongo Secondary School in Mwingi North Constituency, Kitui County. I will indulge Hon. Makali Mulu to say something to the students.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Temporary Speaker. It is Kamuwongo Secondary School. That is how we pronounce it down there. On behalf of my colleague, Hon. Nzengu, whose constituency they come from, I take this opportunity to welcome the teachers and students to the National Assembly. It is good that they have come to see what we do here. My prayer is that, in future, one of them will be seated here serving the nation.

Best wishes to Kamuwongo Secondary School. You are most welcome.

The Temporary Speaker (Hon. Martha Wangari): On behalf of the Speaker and the entire House, I welcome you to observe the proceedings of the House. The last Member who seems to be interested in this Bill is the Member for Embakasi West, Hon. Mark Mwenje.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Temporary Speaker. At the outset, I congratulate Hon. Kimilu for bringing this very important Bill.

Social workers in developed countries have a very well established system. In countries such as the United Kingdom (UK), Germany and United States of America (USA), social workers are the backbone of the vulnerable in those societies. You only find social workers in hospitals in Kenya. They are in Mama Lucy Kibaki Hospital, Kenyatta National Hospital (KNH) and Kenyatta University Teaching, Referral and Research Hospital (KUTRRH).

They usually assist patients who have hospital bills and cannot raise the funds. Those patients are referred to them. Unfortunately, we do not have a regulatory framework of how they can assist vulnerable communities. Without social workers in some hospitals, bodies of the deceased can lie there for months. Some private hospitals in Nairobi hold on to bodies for six months. I have a case in my constituency, but I do not want to mention the hospital. A patient has a bill of Ksh500,000. The family lives in a house, where they pay rent of Ksh2,500 per month. Yet, they are expected to raise such an amount. This will not happen.

This is an important Bill because it will not just deal with hospitals bills, but also the issue of social protection. We have the *Inua Jamii* cash transfers. Social workers should identify vulnerable members of our community and ensure that they are supported.

We allow everyone to apply for a bursary, but we know some people deserve a bigger share than what we give them. We are able to give between Ksh5,000 and Ksh10,000 to

orphans in Nairobi, but there are people who need slightly more. Social workers will help us. More importantly, they will upgrade the Community Health Promoters (CHPs) who are doing a commendable job. However, they should also be trained as social workers so as to work well within our communities. It is time we pushed out the Non-Governmental Organisations (NGOs) in as much as they do a lot of work. The Government must now come in and occupy that space. We allowed that space to be taken over by various NGOs, who have been doing a commendable job. Unfortunately, they are unable to do what the Government is supposed to do for vulnerable communities.

This is a timely Bill. I hope Hon. Kimilu will allow a few amendments so as to strengthen it. It will be a game-changer for members of our community.

Thank you, Hon. Temporary Speaker. With those remarks, I support the Bill.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, as earlier guided, if you intend to speak on this, use the intervention button. More Members are walking in. Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I also thank Hon. Kimilu for bringing this important Bill on social workers.

During our time at the university, we studied sociology as a subject, while others studied social work. This meant that they specialised with social matters. People have been trained for many years in our universities. The proposal by Hon. Kimilu is to establish a regulatory framework so that social work is regulated. I appreciate him because such a Bill has never come to the House.

We have many Acts of Parliament which regulate different disciplines. We have laws for lawyers and doctors. The medical field in particular, has many laws regulating it. There are laws for nurses and community health workers, which we recently passed. This is a step in the right direction. This Bill is important because we will know the qualified social workers in this country.

Social workers play a very key role in matters relating to our people. For instance, with the Social Health Authority (SHA) and the Social Health Insurance Fund (SHIF), there have been controversies in terms of assessment using mobile phones. Once you fill in your details, SHIF establishes how much you should pay. Some people are complaining that they are given very high figures while others get low figures. Many people have attempted to manipulate the system to get a low amount. Naturally, that should be the work of a social worker who can conduct an assessment based on the characteristics of a household and determine how much they should pay. As Hon. Mwenje has said, social workers are used in hospitals to determine the capacity of families to pay. Many times, when my people end up in Kenyatta National Hospital (KNH), they see how helpful social workers are. They talk to the families and recommend waivers of bills. This has been of much assistance to most families. Therefore, this Bill is very important.

There is a caution I would like to be applied in the new way of doing things. In the earlier days, some associations were drawing money from the Consolidated Fund. Since, this is a membership association, I request Hon. Kimilu to ensure that they do not draw money from the exchequer. They should use their contributions to sustain that association. All said and done, this is a very important Bill. We must thank Hon. Kimilu for coming up with this initiative. I look forward to it being fast-tracked to become an Act of Parliament.

Thank you, Hon. Temporary Speaker. With those many remarks, I support.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Member for Central Imenti, Hon. Kirima.

(Hon. Rahim Dawood consulted other Members)

Hon Rahim, break the *kamukunji*.

Hon. Moses Kirima (Central Imenti, UDA): Thank you, Hon. Temporary Speaker.

Firstly, I support the Institute of Social Work Professionals Bill of 2023. The sponsor of the Bill, who is my colleague, Hon. Kimilu, has done a good thing. I have gone through it but it lacks the description of who a social worker is. Everything else is okay, because the Bill is enriching our laws to cater for social workers through the Institute of Social Work Professionals. That institute will train them to become professionals. They will earn some remuneration for the work they do, and get a practicing certificate.

Social workers work in a voluntary system, although the Government engages them. They work under very difficult conditions, especially when a court assigns a social worker to assess a charged person awaiting judgement. The social worker is often required to go to remote areas with unfavourable working conditions. They are even exposed to security risks at the end of the day. It is risky if a court sends a social worker, without armed security accompanying them, to assess a person who has committed a violent crime. We can only imagine the kind of risks a social worker faces to fulfil the obligation of the institution that is sending him.

We have a broad spectrum of social workers. Currently, there are those who are engaged by the National Government and county governments to go into homes and assess people with minor illnesses like diabetes, blood pressure and so on. Even the area managers are social workers. Nobody pays them and yet, they serve the society. I insist there is need to define the term “social worker” to include all those who do social work for free.

Thank you, Hon. Temporary Speaker. With that, I support the Bill and *heko* to the Mover.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Member of Narok North, Hon. Pareyio.

Hon. Agnes Mantaine (Narok North, JP): Thank you, Hon. Temporary Speaker, for giving me an opportunity to support this Bill. Before I go on, I want to congratulate Hon. Joshua Mwilu for bringing it. This Bill is very important because it is recognising the people who assist the needy at the grassroots.

The Temporary Speaker (Hon. Martha Wangari): For the record, it is Joshua Kimilu. Not Mwilu.

Hon. Agnes Mantaine (Narok North, JP): Kimwilu?

The Temporary Speaker (Hon. Martha Wangari): Kimilu.

Hon. Agnes Mantaine (Narok North, JP): Thank you, Hon. Temporary Speaker. I am happy to see this Bill because I work with communities at the grassroots. Social workers will be advisors to our people once we promote them. People will have someone to run to, especially those from communities that still practise female genital mutilation. Some communities still force their daughters to get married. Sometimes, they have no one to run to. Social workers should be well-trained professionals so as to guide, advice and counsel people with problems.

With those reasons, I support the Bill. Their welfare should be looked into and they should be paid salaries. They should be recognised because they work in our communities.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Member for Kabondo Kasipul, Hon. Obara.

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you, Hon. Temporary Speaker, for giving me an opportunity to support this Bill. I do not know how to make the name of my constituency, Kabondo Kasipul, to stick in people’s minds. It is not Kasipul Kabondo.

At the onset, let me congratulate our colleague, Hon. Kimilu, for coming up with this Bill. We all know the kind of work a social worker does in a community. This is the first person of contact for people who are facing challenges in the community. Their impact cannot be

under-stated. Hon. Kimilu, this was a good idea that should have been here like yesterday. In this Bill, he has proposed to establish a regulatory framework for social work professionals. This is welcomed. He has picked very important issues like formalising social work professionals or creating a structured way of managing them. This is something that should have been done. I am happy that he has come up with this.

First, there are a few highlights I want to pick about the establishment of the Institute of Social Work Professionals. Who are they? What are their qualifications? What to look for if you want to recruit or employ somebody? At what level are they supposed to enter the job market? This is taken care of in the establishment of the Institute of Social Work Professionals.

Secondly, is the registration and licensing of social workers. It is critical that they are licensed so that we can know them and the area they work in. Is it medical or agricultural? We trace certified ones through their registration number. We know there are many quacks around. Only certified social workers will be allowed to practise. This will ensure that only qualified individuals provide social work services, thereby improving the quality of social welfare support to our people.

Thirdly, and most interesting, is the code of ethics and disciplinary measures. The Bill outlines the code of ethics for social work professionals with a clear guideline. I have seen they have taken care of their professional development and training standards. This Bill provides for the continued professional development of social workers. It is the same way lawyers and accountants have their continued development studies. Learning is a continuous process. People are expected to continue improving and adapting to new ways of doing things. That is what professional development and training standards will do.

Another profession is social work, research and advocacy. The institute will be responsible for promoting research and advocacy in social work. This is very important, as it will focus on evidence-based practises and policies that address social issues that are affecting our people. By supporting research and advocacy, the Bill aims to strengthen the role of social work in national development and social policy formulation. As I said earlier, the work of a social worker is not properly respected in our communities.

On establishment of standards for social work education, the Bill has set minimum standards for educational institutions that are offering social work programmes, so as to ensure consistent high-quality training across the field. Those standards are intended to create a uniform foundation of knowledge and skills for social work graduates that are entering the profession.

Once again, I support the Bill and thank the Hon. Member for coming up with it. I urge Members to adopt it so that it can become an Act of Parliament.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Member for Igembe Central, Hon. Karitho.

Hon. Daniel Karitho (Igembe Central, JP): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this very important Bill. If it becomes an Act of Parliament, it will provide for the establishment of the Institute of Social Work Professionals and Board. I also want to congratulate the Member for introducing it.

Social workers play a very crucial role in the society, especially in enlightening communities and assisting the vulnerable. They are an integral part of the society. It is very important to have a board that will regulate that institute.

As the Mover of the Bill has indicated, we need to regulate that sector, so that we can have professionals who know what they are doing in that field. For example, we have social workers who move around in our villages testing our health status. They check our blood pressure, sugar levels and other ailments. It is important to have certified social workers who

will give correct information to the Cabinet Secretary and Government on the status of health matters.

We have social workers who play a very crucial role in our hospitals. They identify vulnerable families that have lost their loved ones who are detained in mortuaries. Those social workers go an extra mile to establish the financial capacity of the bereaved, so that they can be assisted through waiver of hospital Bills. Those people are very important and they should have a regulatory framework. A board is being established to manage them so that they can give quality services to the people.

Thank you, Hon. Temporary Speaker. I support.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Ruku, the Member for Mbeere North.

Hon Ruku GK (Mbeere North, DP): Thank you, Hon. Temporary Speaker. Firstly, I want to congratulate the Member for coming up with this very important Bill. If you look at it, you will realise that it aims to stimulate the social work sector. That will encourage the young people to join that profession.

Other professionals like lawyers and bankers have bodies that regulate and help to grow. This Bill will promote professional development and growth of social workers so that they can maintain professional standards in that sector. It will help in creating policies that will advance development. It will also aid in scrutinising Government policies to ensure that they support social workers.

In this country, we have witnessed unrests in our learning institutions like secondary schools and universities. Once this Bill becomes law, those professionals will help that sector by ensuring that there are minimal unrests, especially in the education sector, so that things can run in a well-guided manner.

This Bill is key in unifying social work professionals, strengthen their practise, promote development of social work standards and advocate for social policies that will advance social justice and human rights.

Thank you, Hon. Temporary Speaker. With those remarks, I support.

The Temporary Speaker (Hon. Martha Wangari): Very well. The Member for North Imenti, Hon. Dawood.

Hon. Rahim Dawood (North Imenti, Independent): Thank you, Hon. Temporary Speaker. At the outset, I want to support Hon. Joshua Kimilu for bringing the Social Work Professionals Bill. It is a good Bill that will create the Institute of Social Work Professionals. I have an issue with the social work professionals' examinations which the Hon. Member has proposed.

We know there are many social workers who have no qualifications and yet, they have been doing social work for a long time. We need to think about acquired expertise. As has been said, many social workers may not have gone through college or university, but they have on-job experience. I want the Hon. Member to think ahead so that social workers with no qualifications are given certificates and registered by the Institute of Social Work Professionals.

The Bill says that to be a social work professional, you should be of good conduct. This is good. Definitely, one must be of good conduct to do social work. It talks of paying a prescribed fee. This will give a leeway on what the actual prescribed fee will be. I wish it has proposed a specific amount which social workers can afford to pay. If the fee is so high, some social workers will not be in a position to pay for registration as professionals.

Clause 18(1)(c) of the Bill states:

“(c) has successfully undergone a prescribed certificate, diploma, degree or research course of instruction and has passed the appropriate examination conducted or prescribed by the institute in-”

I propose we change this because social workers are very important. They keep the country cohesive. They work where nobody else wants to and they are not paid. I propose we put a figure to their work so that if one wants to become a social worker, they will know how much to expect at the end of the day or month. That is besides the gratification that they get from doing a good job.

It will be very good if the Hon. Member considers the education aspect, prescribed fees and remuneration. In the next stage, I will suggest amendments to this Bill. I agree it is a very good Bill that is supporting our social work professionals.

Thank you, Hon. Temporary Speaker, and best of luck to the Hon. Member.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, there being no more interests in this Bill, I call upon Hon. Joshua Kimilu to reply.

Hon. Joshua Kimilu (Kaiti, WDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. In replying, I want to congratulate all the Hon. Members for supporting this Bill. It had a lot of interest and they have given good suggestions for amendments. It is important that, as the Bill becomes law, it is well polished.

Regarding, Hon. Dawood's concern on examinations, the Bill has taken care of that. Later, I will talk to him so that he can fully understand the examination issue. As most Members have said, it is true that social workers are everywhere in this country, especially in hospitals. They do a lot of work and contribute to the welfare of society. Most of them volunteer and it is high time we regulated that sector so that they can benefit. This Bill is an important umbrella because it covers all the sectors of social work, including hospitals and courts. It negates the need to come up with individual Bills for different sectors of social work. If it is passed into a law, it will regulate that sector.

I also want to thank Kenyans for the support they gave during public participation on this Bill. I equally thank some lecturers who walked me through this process, for their very good suggestions and contributions. I cannot fail to thank a lecturer in the Public Gallery, Madam Phyllis, for following the proceedings of this House. She supported the drafting of this Bill. I also want to thank my constituents of Kaiti Constituency. I got so many calls from them congratulating me. I want to thank them for their support. I am ready to work for them and ensure that all their interests are well covered.

Hon. Temporary Speaker, pursuant to Standing Order 53, I request that the putting of the question be deferred.

Thank you, Hon. Temporary Speaker. I beg to reply.

The Temporary Speaker (Hon. Martha Wangari): Thank you very much. We will put the question in the next appointed time.

(Putting of the question deferred)

Hon. Members, we will, therefore, move to the next Order.

BILL

Second Reading

THE GOLD PROCESSING BILL (National Assembly Bill No. 46 of 2023)

The Temporary Speaker (Hon. Martha Wangari): Hon. Bernard Shinali.

Hon. Benard Shinali (Ikolomani, ODM): Hon. Temporary Speaker, I beg to move:

THAT, the Gold Processing Bill, (National Assembly Bill No. 46 of 2023), be now read a Second Time.

Hon. Temporary Speaker, when I introduced this Gold Processing Bill, I did it with the main purpose of creating a legal and institutional framework for gold processing in Kenya. The import of this Bill is to revise the scope and application of the Mining Act (No. 12 of 2016), so as to exclude the exploration and exploitation of gold from the ambit of the Mining Act.

The objective of the Bill seeks to create a legal framework for collecting, purifying, smelting, fabricating, homogenising, sampling, registering, monitoring and transporting of gold or gold products. Additionally, the Bill will establish an institutional framework for collecting, purifying, smelting, fabricating, homogenising, sampling, registering, monitoring, and transporting of gold or gold products. Specifically, the Bill sets out three things.

First, is to establish regulatory mechanism of gold processing activity. Second, is to create the Gold Processing Corporation. Lastly, is to align Kenya's gold processing with international standards.

Part II of the Bill seeks to establish the Gold Processing Corporation to oversee gold processing that entails collecting, purifying, smelting, fabricating, homogenising, sampling, registering, monitoring and transporting of gold or gold products. The corporation will also establish and regulate Kenya's national gold standards and facilitate international accreditation of gold refineries, while producing research for the development of gold mining value chain in Kenya. With the current processing results showing presence of huge deposits of gold in Kenya, we are going to see investment of large-scale miners.

Miners in Kenya largely operate without environmental and mining permits as a result of unrealistic and improper policies and regulations, as well as lack of systems to enforce the current laws on this sector. This is coupled with lack of incentives to miners to comply with the legal requirements. This Bill seeks to provide for proper infrastructure for enforcement and incentives for artisanal small-scale miners and large-scale miners. It will address the gap between policy and reality in the sector.

Hon. Temporary Speaker, the establishment of an institutional framework ensures oversight, better resource management and policy implementation, while fostering collaboration across county governments and the National Government in gold processing and resource policies. Formalisation speaks not only to presence of legislation, but the activation and enforcement of it by authorities and the extent of their success. Activation of such a policy depends to a large extent, on complex institutional administrative structures at the national and local levels, which this Bill provides. It is establishing a Gold Processing Corporation for persons and companies that are licensed to operate gold processing plants in various parts of Kenya. With this kind of legislation framework, Kenya will operationalise its first international accredited gold refinery. Highly processed gold can be sold in high-premium markets internationally.

Hon. Temporary Speaker, in a comparative jurisdictions analysis, it is established that Russia, the fifth largest producer of gold globally, recently passed a Bill on gold mining free delivery thus adding on its general mining laws to cover, specifically, the regulation of gold mining and processing. The country saw the need to encourage individual miners to get into the business of gold mining and processing to increase revenues from gold production and increase job creation. Similarly, Sudan has seen gold contributions to the GDP increase to over 20 per cent up from 1 per cent after the establishment of a gold refinery to handle gold processing in the country. Currently, gold accounts for more than half of Sudan's exports, making it the fourth largest producer in Africa.

What is happening in Russia and Sudan is due to the realisation that countries with rich gold reserves provide management through their treasury and enjoy the critical role it plays in supporting countries' economies and stabilising their currency. Comprehensive regulations of

the gold sector in Kenya would enable the country to accumulate a gold reserve and eventually benefit from it. Gold reserves attract foreign exchange, contribute to financial stability, unify exchange rates, and contribute to the global influence a country has. Countries with gold reserves often have regulations governing the exploration, extraction and processing of gold. Those laws, just like the Gold Processing Bill, will address environmental protection, safety standards and permits that are required for mining operations.

In Kenya, the Mining Act No.12 of 2016 provides for the exploration and extraction of gold, while the enactment of the Gold Processing Bill, 2023 would now provide a comprehensive law of gold processing. Increased revenue by regulating and formalising gold processing in Kenya would generate significant revenue from taxes, licences and royalties, as seen in the case of Sudan.

The Bill also proposes value addition through gold processing locally. This will add value to our gold, thus increasing the earnings compared to exporting unprocessed minerals, specifically gold. It amounts to exporting our jobs as well. Further, a structured framework encourages both local and international investors to engage in gold processing and related industries. This Bill will create a conducive environment for financial and Government institutions to support gold mining activities in Kenya through funding facilities.

The Bill will help us establish a framework to cap illegal gold transportation through our porous borders to black markets. The sale of gold to black markets makes us miss out on revenue and investment opportunities to create jobs for our citizens. With this Bill, the country can combat illegal gold mining, gold smuggling, and environmental degradation that can be a serious threat to our national security and environment.

Lack of proper structures like cooperatives to bring together artisanal and small-scale miners has resulted in failure to give royalties to gold-producing areas. This leaves gold-producing areas impoverished, with little to no transformation. With the Bill, we are establishing a clear mechanism to track gold and get royalties back to gold-producing areas to spur socio-economic development, while enhancing the country's revenue to run Government initiatives across the country.

The gold processing plants that are proposed in the Bill will stimulate the economy for job creation and skills development, especially for our youth. Job opportunities will be created in the gold processing plants. There will be research and regulatory bodies. Licencing requirements, as established under this Bill, mandate plans for training Kenyan citizens to build a skilled workforce.

As we pursue development, the need for sustainable practices and initiatives for development cannot be over-emphasised. This Bill has set requirements for environmental and social impact assessments to minimise ecological damage. Similarly, mining companies and gold processing plants will be responsible for proper waste management and adhering to international standards that reduce harmful effects of gold processing.

In conclusion, once passed, this Bill will help establish a structured, transparent framework for Kenya's gold sector that will undoubtedly boost our country's economic growth. This framework will enhance international competitiveness, economic growth, and enhance standards, thus strengthening our gold mining industry for long-term benefits. I strongly urge this House to pass this Bill to consolidate Kenya's position and competitiveness in gold mining, and bring the benefits to our communities in regions which are endowed with gold.

With those remarks, I beg to move the Bill. I request the Hon. Member for Shinyalu, Hon. Ikana, to second. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Hon. Member for Shinyalu, proceed. Give him the microphone.

Hon. Fred Ikana (Shinyalu, ANC): Hon. Temporary Speaker, I beg to second.

This is a very important Bill that has been proposed by my brother and neighbour, Hon. Shinali, on gold processing. Allow me to start by restating a very well-known fact that Kenya is a very rich country in the amount of gold deposits that are spread across the country. The gold deposits in the country are spread and are not limited to just Shinyalu and Ikolomani. There are many gold deposits in Migori, Turkana and many other parts of this country.

I second this Bill because it creates a framework through which we shall ensure that our young people and investors who are in the field of gold mining will generate resources and gain full value of the potential that exists in this sector.

One of the key issues that is being addressed by this Bill is sustainability and safety. We realise that every so often there have been incidents of many deaths that are occasioned by collapsing gold mines not just in Shinyalu, but also across the country. The issue of safety has been well addressed in this Bill. We are hopeful that if Parliament enables us to enact this legislation, we shall ensure that the safety of our young men who are involved in gold mining is safeguarded.

Hon. Temporary Speaker, you will realise that most of those who are engaged in that business are exploited by the bigger players. Why is that so? It is because we do not have sufficient legislation to safeguard their interests in ensuring that the value attained from the raw materials that they extract from the gold deposits is accrued back to them. This Gold Refinery Bill shall ensure that the gold sold from this country is sold in processed form and not as raw material, thus generating foreign exchange for the country, creating additional employment positions for many unemployed youths, and stabilising our currency, which has been volatile recently.

Finally, I am very confident that through the additional resources that will be generated by our country, we shall be able to reduce our very huge debt burden to our taxpayers. You will also note that we have listed specific countries that have undertaken similar legislations, and we have seen the benefit that have been accrued from those legislations. We have given an example of Russia and Sudan, and we know that if we follow the same path, the contribution of gold to our Gross Domestic Product (GDP) shall significantly increase.

With those few remarks, I second this very important Bill.

(Question proposed)

The Temporary Speaker (Hon. Martha Wangari): The first chance will go to the Member for Kakamega County, Hon. Elsie Muhanda.

Hon. Elsie Muhanda (Kakamega County, ODM): Thank you, Hon. Temporary Speaker, for giving me this chance to put my voice to this Bill.

First, I thank Hon. Shinali for coming up with such an important Bill. I come from that area, as I was born in Bushiangala, which will greatly benefit from this Bill. This Bill touches on research and development. Currently, gold mining in Shinyalu, Ikolomani and other areas is being done in a very unstructured manner. Sadly, we recently lost our dear brothers: Franklin Alulu from Shitoli, Isaac Likami from Lirhembe and Boniface Alubala from Shinyalu. They died while mining, the reason being that they were mining in unsafe areas. The gold shafts in those mining areas are not safe. Those miners are mining without proper artisanal skills. When we lost those members, it was difficult to rescue them because we lack the requisite rescue skills. I support this Bill. I know it will go a long way in supporting our miners all over Kenya who are mining in a very unstructured way.

Thank you very much, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Very well. The next chance will go to the Chairman of the Departmental Committee on Environment, Forestry and Mining, Hon. Gikaria.

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Temporary Speaker. First, let me thank my brother, Hon. Bernard Shinali, Member of Parliament for Ikolomani, for bringing this very important Bill. As a country where mining has not been taken seriously, what Hon. Shinali has done will go a long way in transforming and regulating the mining sector.

I thank His Excellency the President for accepting to have a relevant police unit within the Ministry. They have also set up a Directorate of Criminal Investigations (DCI) unit. Most of our precious strategic minerals, particularly gold, find their way out of the country. It is unfortunate that gold continues being smuggled out, and we only get very little money from it. Hon. Shinali's Gold Processing Bill will go a long way in addressing this problem.

The functions of a corporation that is mentioned in the Bill will include: Collecting samples, purifying, smelting, fabricating, registering, refining, monitoring and transporting. This has been lacking to the extent that most of our gold is taken out of this country raw, and we do not get value from it. As Hon. Ikana has indicated, as a Committee, we were projecting that the mining sector could significantly contribute to the Gross Domestic Product (GDP). The national standards for operating a gold refinery have been clearly stipulated in the Bill. We had an opportunity to visit a few countries, including China, and saw what happens there. This could go a long way in assisting even the locals, particularly the artisanal miners.

Hon. Temporary Speaker, you understand the process of extracting gold from underground. It has been done haphazardly. As a Ministry, they started co-operatives for the artisanal miners so that they can reap the maximum benefits, away from the middlemen. For instance, a gram of gold that an artisanal miner has, which may go for around Ksh40,000 in the market, is bought by middlemen for only Ksh5,000 or Ksh3,000. This is becoming unacceptable. As Hon. Shinali has indicated in his Bill, the international accreditation will help this country. Not only is gold mined here in Kenya, but also in our neighbouring countries. They can have their gold come here for processing and accreditation. This will give Kenya a very strong position in the Continent.

We were asked why we are trying to minimise the wage bill and where we will get funds. We will ask the National Assembly to allocate money for this purpose. The corporation will, of course, have a way of receiving gifts, grants and donations to sustain itself.

The Bill includes provisions relating to the application of processing licenses. Currently, if you ask for a license to trade in gold, it will take years to get one, even though it costs only Ksh2,000. You have to be sent from one office to another one. This Bill simplifies that process. I know of a colleague who has been trying to get that license for the last 25 years. He came to my office complaining. We assured him to give us time until this Bill goes through, as it simplifies the process of acquiring a license to trade and/or process gold.

My Committee had the opportunity to conduct public participation on the Bill. The Clerk of the National Assembly placed an advert in our local dailies on 20th October 2023, inviting people to submit their memoranda as enshrined in Article 118(1)(b) of the Constitution and Standing Order 127(3)(c). We also invited the State Department for Mining and the National Gender and Equality Commission to present their views. Additionally, the Committee visited Kericho, Kakamega, Migori, Kilifi, Taita Taveta and Kwale, where we received oral submissions from the public. We had a very engaging conversation, particularly with artisanal miners who expressed their enthusiasm about the Bill. If passed, they believe it will address many of the challenges that they face.

We considered the Bill with a lot of thought and held no fewer than eight meetings before concluding that it should proceed to the Floor of this House. Furthermore, we had the opportunity to visit South Africa, which has a big mining expo, particularly on gold. If you look at how much the gold sector contributes to South Africa's GDP, you will not believe it.

Hon. Temporary Speaker, our country has vast gold resources. Following an extensive aerial geo-survey, we identified 971 different minerals, 27 of which are classified as strategic minerals, including gold. This Bill proposes amendments to the Mining Act to incorporate those 27 strategic minerals. If enacted, our country will significantly reduce its reliance on borrowing. The contribution of gold to the GDP is projected to increase to 7 or even 8 per cent. Besides the contribution to the national revenue, the royalties collected will benefit both the county governments and local communities that are engaged in mining.

This Bill seeks to reduce the bureaucracy in the licensing process. Currently, obtaining a license for a gold business is a cumbersome process. One must secure consent from the landowner, county government, and multiple other agencies, leading to unnecessary frustrations. Many people struggle for years before acquiring a license. We are now trying to simplify this process. If someone wants to invest in the gold sector, they should not have to wait 25 years to get the necessary license.

With those remarks, I fully support my brother, Hon. Bernard Shinali, for coming up with such a good Bill. We will start with the gold sector, and then we will expand to include other minerals thereafter.

The Temporary Speaker (Hon. Martha Wangari): Hon. Osoro.

Hon. Silvanus Osoro (South Mugirango, UDA): Hon. Temporary Speaker, I must start by appreciating Hon. Shinali for coming up with such a progressive Bill as far as this very precious mineral called gold is concerned. I speak as a person who has some little interest in that area, with practical experience of what goes on in that business.

Running that business is a challenge in itself. Assembling the machinery, people, and everything that comes with it are uphill tasks. Right from the point of purchasing land, there is something called the prospecting licence. You get an individual acquiring a huge tract of land in terms of the prospecting licence. For example, in places like Siaya and Kitigu in Kakamega County, a single person may hold a prospecting licence for a large tract of land that is granted by the Ministry of Mining, Blue Economy and Maritime Affairs. Because of lack of harmony and cohesion between different departments of Government, or even county governments and the national Government, an innocent buyer may unknowingly purchase that piece of land without realising that it contains gold deposits. When the person decides to invest in their land, the prospecting licence holder may suddenly appear accompanied by police officers or mining officers. They will then claim that they are the only ones with the exclusive right to mine in that area, and that they should be given a certain amount of money before the owner can mine their own land. That is the challenge we are experiencing.

There is also the issue of the county governments, as Hon. Gikaria has said. One has to pursue other licences from the county government. I will be very particular about one county government. Some county governments introduce certain levies to miners because the system is not synchronised. About two weeks ago, some small company that I have an interest in was told to remit about Ksh20,000 for transportation of materials from where the stones were being picked to the processing site. That was only limited to that particular company. This was in Kakamega County. Those are the challenges that people who engage in this business undergo.

Sometimes, big investors or foreigners come to engage the locals. They call themselves artisanal miners. They use our young people without the necessary particulars or proper structures. That whole system has not been synchronised in a way that you can know who takes what, who should be paid what, and what the risks are. Even getting to the reef is a different world altogether. I will confess that people dig several metres deep and there is a different world altogether down there. We even have street lights down there in the process of looking for that precious gold. The risks that come with mining need to be checked. That is why this Bill is very important. We need to look at many things during the Committee of the whole House Stage.

I have had keen interest in this business for the past seven years. I know what it takes. I have seen people taking advantage of the lack of knowledge or exposure of our young people in those areas where we have such precious stones. But because I have been keen on this industry, I know that the precious stone is found in Vihiga and Siaya counties. It is not found in large quantities in Migori County. That area mostly contains copper at the border between Migori County and other counties. I have tried to engage in that line as well, but the process of even getting a mining licence is very difficult. To date, no single person has a pure mining licence. They only issue a processing licence. So, you have a processing licence, but you do not have a mining licence. In fact, it is only a prospecting licence. Where do they expect you to get this product or rather stones to process them so that they can give you such? We also have cartels in the business. They sponsor people to take investors to court. They use police officers and such.

The Bill will re-align the systems of operation of the gold mining sector. I confess that we have a precious stone in this country. It gets up to 89 per cent in some areas. It is almost at 92 per cent in Siaya. It is about 86 per cent in Vihiga. You can really invest in this place. This will help. We have a reef in Kitui that is not tapped and the county government declines to give licences because they have no clear structures. They decline to even dispose of such pieces of land. I have displayed my interest in this Bill because I have vast experience on what this whole thing is all about.

I congratulate Hon. Shinali and tell him that we must put our heads together as we move to the next step, that is, right from the point of acquiring land, licencing, processing, safety, and finally disposal and selling the export. Even that line is also a challenge. We have many middlemen and comen midway when you are doing the exports. By the time you want to dispose of one kilogramme of gold in this country, trust me, you will have lost a lot of money in paperwork. They will say: "Oh, you need this stamp. Oh, you need this-and-that. You need to go to this place. Oh, somebody else needs to sign." You may not sell your gold unless you become a crook. You will end up making losses. We must include that element in this Bill.

With that, I congratulate Hon. Shinali and say that we support them entirely. Going forward, we will make sure we harmonise such laws to befit the interest of the people and investors too. Do not chase investors away. Do not own up land and say: "This is my land! You cannot just come." Embrace them and let us grow together as a people.

The Temporary Speaker (Hon. Martha Wangari): Member for Migori.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you for giving me this opportunity. I come from a gold mining area called the Macalder Mines of Nyatike Sub-county in Migori County. Gold is very dear to me. My house is about five or less minutes' walk to the gold site in Nyatike. There are so many challenges. I congratulate Hon. Bernard Shinali for bringing the Bill. I support it in totality. It will help us if there will be any amendments. Kindly, allow the amendments to take place.

Small-scale miners all over the country, not only in Nyatike, are frustrated when it comes to licences. Initially, licences for small-scale miners were Ksh20,000. It was moved to Ksh500,000 and yet, those are young people who do not have any other source of income. They are subjected to paying Ksh500,000 without notice. In other words, the Government is trying to say that gold mining is for the rich, and the poor should just be their workers.

We have a county committee called small-scale miners' association or something like that. However, the mandate is not given to county governments. The mandate and all the functions are put under the national Government. What is the essence of having that committee when the national Government makes all decisions and yet, small-scale miners live down at the county level?

You have to go to the portal to apply for a licence. The majority of those small-scale miners have not gone to school. Probably, there is no electricity or internet network where they

live and yet, they are forced to apply through a portal. That is a disadvantage to our young people who do mining.

(Hon. Dorice Donya spoke off the record)

The Temporary Speaker (Hon. Martha Wangari): Continue, Hon. Fatuma.

Hon. Fatuma Mohammed (Migori County, Independent): Last year, royalties that were supposed to be divided in this country were Ksh8 billion, which money was given only to Taita/Taveta, Kilifi and Mombasa counties. That left out Migori, Samburu and Garissa counties, and the rest of the country that does mining.

Hon. Temporary Speaker, I would like to put it across that in Nyatike Sub-County, Migori County, we have blue sapphire, copper, gold and so many other minerals and yet, the county as well as the small-scale miners receive nothing. It is very unfair that this cannot be distributed equally and yet, we also participate in building the country.

It takes up to four years to get a licence. By the time you get a licence, you are out of business.

(Hon. Dorice Donya spoke off the record)

Hon. Temporary Speaker, my neighbour here is insisting that she wants to inform me.

Hon. Dorice Donya (Kisii County, WDM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Dorice, what is your point of order?

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Temporary Speaker. You know, she is talking of the licences and saying that she does not understand those people in the county. Just to inform her, they have the committees...

The Temporary Speaker (Hon. Martha Wangari): What is your point of order?

Hon. Dorice Donya (Kisii County, WDM): I am informing her that through the national Government...

The Temporary Speaker (Hon. Martha Wangari): Do you want to be informed, Hon. Fatuma?

Hon. Dorice Donya (Kisii County, WDM): Okay. Do you want to be informed?

Hon. Fatuma Mohammed (Migori County, Independent): Hon. Temporary Speaker, I did not say I do not understand the county. I said that the county governments are not given the full mandate. So, if she wants to inform me on other areas, I will allow her to inform me.

The Temporary Speaker (Hon. Martha Wangari): That would be a fishing expedition because she has already told you what she wants to inform you about. You either accept the information or continue because other Members are waiting.

Hon. Fatuma Mohammed (Migori County, Independent): Let me allow her to inform me. Information is power.

Hon. Dorice Donya (Kisii County, WDM): Women are the best. They are wise and appreciate information. Thank you, Hon. Temporary Speaker.

On the licensing part, the national Government, through their directors who do nothing, has decided to delegate the responsibility to the County Committee on Mining to give licences to the miners. Shockingly, they even do not give the licences to the miners, but to the buyers. Let them do their work and give the miners the licences so that it can be a win-win situation.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Continue, Hon. Fatuma.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you for the information. The bottom line is that the small-scale miners are not protected by the rules and regulations that govern the mining sector. I am requesting the Government to look into the security and the life-threatening conditions that they work under. Like in Macalder Mines, we do not even have lights. Our women, after going through the tiring mining process, retire home and their gold is taken away from them by thieves and some are even raped on the way.

Hon. Rahim Dawood (North Imenti, Independent): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hold on, Hon. Fatuma. Hon. Rahim, what is possibly out of order?

Hon. Rahim Dawood (North Imenti, Independent): Hon. Temporary Speaker, the information Hon. Donya has given is completely wrong. She is misinforming the contributor because the licences are given by the Ministry of Mining, Blue Economy and Maritime Affairs and not anybody else. So, why is she misinforming the contributor? It should be expunged, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): I would like to hear from the Chairperson, Hon. Gikaria.

Hon. David Gikaria (Nakuru Town East, UDA): It is true, Hon. Temporary Speaker. It is important to have facts right. For you to get a licence, it only comes from the national Government under the Ministry of Mining, Blue Economy and Maritime Affairs. So, the licences that are usually given at the counties are consents for somebody to prospect. If you want to do prospecting of gold or copper, you have to get a consent. However, the proper licence has to come from the national Government and that is the Ministry of Mining, Blue Economy and Maritime Affairs. There is a State Corporation to that effect.

The Temporary Speaker (Hon. Martha Wangari): Hon. Donya, did you say the licensing is at the national level?

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Deputy Speaker. What I can attest to is that the Member just wanted to speak. He did not listen to what I said, which is that counties have mining committees. True or false? Do they have those committees, Hon. Chairperson?

The Temporary Speaker (Hon. Martha Wangari): Hon. Dorice, address the Chair.

Hon. Dorice Donya (Kisii County, WDM): Sorry. That is what I said. I connected the national Government and the county governments. So, the Member looked at his watch...

The Temporary Speaker (Hon. Martha Wangari): Hon. Dorice?

Hon. Dorice Donya (Kisii County, WDM): Yes.

The Temporary Speaker (Hon. Martha Wangari): I heard you very well and you had actually said that the licensing is being done at the county level using the delegated powers from the national level. So, the actual situation is what the Chairperson has confirmed, if you agree. You have eaten into the time of Hon. Fatuma.

Hon. Fatuma, kindly wind up.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker. I agree with the Chairperson. What I am complaining about is not where the licences are being processed from but, rather, it is about the duration involved. When a small-scale miner applies for a license, it takes four years. For example, a person who applied two years ago is still waiting! That person applied when it was Ksh20,000, but it has been hiked to Ksh500,000. What will happen to that person? They have to go back and apply again and wait for another four years. By the time they get the license, they will be out of business. They will be old and tired, or any other issue may have arisen. So, I request the Government to note that the small-scale miners are the backbone of the economy in this country.

Gold is a very precious item to the rich and even to the poor. I request the Government not to just support the rich investor only. Let it support the small-scale miners because they are the majority.

The Temporary Speaker (Hon. Martha Wangari): Hon. Fatuma, if you wish to contribute next time, you will have a balance of four minutes.

ADJOURNMENT

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, the time being 1.00 p.m., this House stands adjourned until Wednesday, 19th February 2025, at 2:30 p.m.

The House rose at 1.00 p.m.

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