



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

VOL. IV NO. 11

THE HANSARD

Thursday, 27th February 2025

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Serjeant-at-Arms, ring the quorum Bell. We have no quorum to transact business.

(The Quorum Bell was rung)

Order, Hon. Members, we now have quorum. Clerk-at-the-Table, proceed.

COMMUNICATION FROM THE CHAIR

RECOGNITION OF VISITING DELEGATION

Hon. Speaker: Hon. Members, I wish to introduce to you a delegation from the Senate of the Kingdom of Lesotho, who are seated in the Speaker's Row. They are -

1. Sen. Khoabane Theko, Chief Whip/Leader of Delegation;
2. Sen. (Dr) Thabiso Lebese;
3. Sen. Tumane Matela;
4. Sen. Mamolapo Majara;
5. Sen. Makholu Moshoeshoe;
6. Sen. Mawinnie Kanetsi;
7. Sen. Seabata Motsamai;
8. Sen. Leboea Khoaele; and,
9. Mr Tseliso Molise, Clerk of the Senate of Lesotho.

The delegation, accompanied by one other officer from the Senate of the Kingdom of Lesotho, is visiting our Parliament for a week-long capacity-building programme on legislative leadership and governance at the Centre for Parliamentary Studies and Training (CPST). On my behalf and that of the National Assembly, I welcome them to Parliament and wish them fruitful engagements during their stay in the country.

In the same breath, allow me to welcome the following institutions seated in the Public Gallery:

1. Kilifi County Comrades Association, Kilifi North, Kilifi;
2. PCEA Mother Esther Girls' Boarding Centre, Kajiado West, Kajiado;
3. Mboru Comprehensive School, Mwingi Central, Kitui; and,
4. Benson School, Westlands, Nairobi.

On my behalf and that of the House, we welcome them to the House of Parliament. The Hon. Member from Mwingi Central has requested for an opportunity to welcome a school from his constituency. You may proceed and extend the welcome to all the others.

Hon. Gideon Mulyungi (Mwingi Central, WDM): Thank you, Hon. Speaker. On behalf of Parliament, I welcome all the schools present in the Public Gallery. I encourage all of you to aspire to be future leaders and Members of Parliament.

Hon. Speaker: Thank you. Next.

PAPERS

Hon. Speaker: Leader of the Majority Party.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Reports of the Auditor-General and Financial Statements of the National Governments Constituencies Development Fund (NG-CDF) for the year ended 30th June, 2024 and the certificates therein in respect of the following constituencies:

- | | |
|-----------------------|------------------------|
| (a) Balambala; | (w) Mandera North; |
| (b) Banissa; | (x) Manyatta; |
| (c) Baringo Central; | (y) Mbeere South; |
| (d) Central Imenti; | (z) Mogotio; |
| (e) Cherangany; | (aa) Molo; |
| (f) Chuka | (bb) Msambweni; |
| Igambang'ombe | (cc) Mwala; |
| (g) Eldama Ravine; | (dd) Nakuru Town |
| (h) Endebess; | West; |
| (i) Galole; | (ee) Narok East; |
| (j) Ganze; | (ff) Narok North; |
| (k) Garissa Township; | (gg) Narok South; |
| (l) Igembe South; | (hh) Sigor; |
| (m) Ijara; | (ii) South Imenti. |
| (n) Kacheliba; | (jj) Tarbaj; |
| (o) Kaloleni; | (kk) Tigania East; |
| (p) Kilifi South; | (ll) Tigania East; |
| (q) Kiminini; | (mm) Turkana South; |
| (r) Lamu East; | (nn) Turkana West; |
| (s) Lamu West; | (oo) Wajir East; |
| (t) Machakos Town; | (pp) Wajir North; and, |
| (u) Malindi; | (qq) Westlands |
| (v) Mandera East; | |

2. Reports of the Auditor-General and Financial Statements for the year ended 30th June 2024 and the certificates therein in respect of:

- (a) Bomas of Kenya;
- (b) Civil Servants Housing Scheme Fund - State Department for Housing and Urban Development;
- (c) Consolidated Fund Services - Pension and Gratuities - The National Treasury;
- (d) Council of Governors Mortgage and Car Loan Fund;
- (e) Council of Governors;
- (f) Deposit Insurance Fund - Kenya Deposit Insurance Corporation;
- (g) Kenya Airports Authority;
- (h) Kenya Roads Board Fund;

- (i) National Authority for the Campaign Against Alcohol and Drug Abuse;
- (j) National Biosafety Car Loan and Mortgage Fund;
- (k) National Museums of Kenya;
- (l) New Kenya Co-operative Creameries Limited;
- (m) Nuclear Power and Energy Agency;
- (n) Parliamentary Car Loan Scheme Fund – Parliamentary Service Commission;
- (o) Parliamentary Mortgage Scheme Fund – Parliamentary Service Commission;
- (p) Policyholders Compensation Fund Car & Mortgage Scheme;
- (q) Policyholders Compensation Fund.
- (r) Public Service Commission Car Loan Scheme;
- (s) Receiver of Revenue -recurrent – The National Treasury;
- (t) Registration of Certified Public Secretaries Board;
- (u) State Corporations Appeal Tribunal;
- (v) State Department for Energy;
- (w) State Department for Immigration and Citizen Services;
- (x) State Department for Petroleum;
- (y) The National Assembly; and,
- (z) The National Heroes’ Council.

Thank you, Hon. Speaker. I beg to lay.

Hon. Speaker: Thank you. Next!

NOTICE OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE

Hon. Speaker: Hon. (Dr) Namoit Ariko, Turkana South.

SECURITY SITUATION IN TODONYANG, TURKANA COUNTY

Hon. John Namoit (Turkana South, ODM): Thank you, Hon. Speaker. Pursuant to Standing Order 33(1), I seek leave for the adjournment of the House to discuss a definite matter of urgent national importance regarding the security situation in Turkana County.

On 22nd February 2025, more than 20 fishermen lost their lives and a significant number were reported missing, following an ambush by suspected Ethiopian militia popularly known as *Dassanech* in Todonyang, Turkana County. The militia targeted the unarmed fishermen, as they were fishing at a place known as Lopeimukat and Natira, near River Omo. Sadly, intermittent networks within the area delayed the request for help from the residents. The security agencies have since enhanced security and commenced investigations on a possible clash between Turkana and *Dassanech* fishermen. *Dassanech* is an Ethiopian community living in the Todonyang area. Todonyang is situated at the shores of Lake Turkana, close to the Kenya-Ethiopia border, and has faced perennial conflicts and insecurity over the years.

In 2011, 43 people were killed by the militia. In addition, in 2020, Merille bandits suspected to be from Omo in Ethiopia attacked residents in Todonyang intending to raid livestock. This attack led to the loss of lives and livelihood. In 2021, a massacre occurred when a foreign militia killed 37 Turkana pastoralists inside Kenya’s territory. The security situation has severely disrupted essential services in the area, significantly impacting development in the region. The conflict has also caused unrest and concerns regarding the negative impacts of this issue in the affected border region.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

It is against this background that I seek leave for the adjournment of the House to discuss this matter of great national concern to explore possible lasting solutions.

Hon. Speaker: Do you have the necessary support?

(Several Members stood in their places)

The support is overwhelming. Thank you. You may take your seats. Hon. (Dr) Ariko, you will be called upon to move your Motion at 6.00 p.m. this afternoon. So, at 6.00 p.m., you be ready to move your Motion.

REQUEST FOR STATEMENT

Hon. Speaker: Hon. Joseph Gitari, Member for Kirinyaga Central.

INSECURITY IN KIRINYAGA

Hon. Joseph Gitari (Kirinyaga Central, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the alarming rise of insecurity in Kirinyaga Central.

Over the past two months, residents of Kirinyaga Central have witnessed a distressing surge in violent crime, including broad daylight robberies, assaults, and even fatal attacks. On Friday, 3rd January 2025, Mr William Mbogo of ID No.0500645 and his wife Mrs Joyce Mbogo of ID No.6091807 were violently attacked and robbed outside Mutuma Block in Kirinyaga Town, moments after closing their M-PESA shop. The next day, on 4th January 2025, Stacy Nyakio Kinyua, a 13-year-old girl was raped and murdered in Kibingo, with her body being discovered later in a thicket. On 24th January 2025, Mr Peter Karimi was fatally shot while attempting to rescue Ms Gladys Nyambura who was being attacked. Incidents of robbery with violence, mugging, assaults, and tragic loss of lives being witnessed have spread fear, panic, and apprehension all over the county, especially in Kerugoya Town. On 11th February 2025, four suspected criminals were apprehended by an irate crowd in Kerugoya Town while trying to steal from an M-PESA shop, and their vehicle was torched. Residents no longer feel safe to move about freely and businesses have been forced to cease operations early impacting the livelihoods of the residents.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. A report on the status of investigations into the killings of Ms Stacy Nyakio Kinyua and Mr Peter Karimi as well as the robbery and violent attack on the Mbogo family.
2. The specific measures being put in place to strengthen security in Kerugoya Town and Kirinyaga County to curb the rising cases of violent crime.
3. Reasons for the apparent inadequacy of security agencies in the region, particularly in Kerugoya Town, and what steps are being taken to address this concern.

Hon. Speaker, your office is very swift in approving these Statements. Apart from this, I have received some more information that is not in the Statement. There is an officer from Karaini Police Post who is attacking people with an iron bar. He has broken the leg of one person from the Karaini area and another one is suffering injuries and is being treated in...

Hon. Speaker: Hon. Gitari, your Statement is limited to what the Speaker approved and you have read it as I approved it. Any additional information you want to put on record,

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

you wait until you receive the response, and then you can bring it in your supplementary requests.

Hon. Joseph Gitari (Kirinyaga Central, UDA): I stand guided. Thank you.

Hon. Speaker: Hon. (Amb) Francis Sigei, Member for Sotik. Sorry, before you stand, Ambassador, Chairman of the Departmental Committee on Administration and Internal Affairs, Tongoyo. Give him the microphone.

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Speaker, we can respond to the Statement in two weeks.

Hon. Speaker: Hon. Tongoyo, I expect beyond that. You will assure the House that you will step out and communicate with the Inspector-General to tell his people on the ground to engage in some remedial conduct as you bring the Statement next week.

Hon. Gabriel Tongoyo (Narok West, UDA): I will do that, Hon. Speaker. You instructed us to call the Inspector-General on Monday over the Sakaja issue...

Hon. Speaker: You can combine this.

Hon. Gabriel Tongoyo (Narok West, UDA): I know we will have an opportunity to pass the same and if the Member wishes, he can as well maybe attend so that we are able to have some intervention undertaken.

Hon. Speaker: Hon. Gitari, the Inspector-General will be before the Committee on Monday. You can go there and prosecute your Statement.

Hon. Karemba.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Speaker. As you put the Chairperson of the Departmental Committee on Administration and Internal Security to task to invite the Inspector-General of Police, I am concerned because I sought for a Statement in the past, which has not been responded to.

Hon. Speaker: On security?

Hon. Muchangi Karemba (Runyenjes, UDA): Not on security, but on agriculture regarding the escalating prices of animal feeds. I raised that matter before we went on recess, but I have not been...

Hon. Speaker: Was that before the long recess?

Hon. Muchangi Karemba (Runyenjes, UDA): Yes.

Hon. Speaker: It died there. You better resurrect it.

(Laughter)

You are free to resurrect it and bring it back

Hon. Muchangi Karemba (Runyenjes, UDA): Alright. I will go back to the drawing board.

Hon. Speaker: Okay. Hon. Sigei.

STATUS OF UPGRADING THE NEW KCC MILK PROCESSOR PLANT IN SOTIK CONSTITUENCY

Hon. Francis Sigei (Sotik, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives regarding the status of upgrading the New Kenya Cooperative Creameries milk processing plant in Sotik Constituency.

Between 2018 and 2022, the Government spent approximately Ksh2 billion to modernise some of the New Kenya Cooperative Creameries factories in seven counties to build capacity for dairy farmers. Among these, the Sotik Factory, which is a milk processing

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

plant, was modernised as it serves dairy farmers from Bomet, Narok, Kericho, Nyamira and Kuresoi. The upgrading of the plant was projected to increase earnings of the dairy farmers from Ksh850,000 to Ksh1.5 billion a year, and increase the processing capacity of the plant from 60,000 litres to 100,000 litres of raw milk per day. However, since its upgrading by the Government, those projections are yet to be realised and the welfare of its employees over the years has stagnated considering the high cost of living standards.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives on the following:

1. A report on the status of upgrading the New Kenya Cooperatives Creameries factories, particularly the Sotik Milk Processing Plant, including the current earnings of dairy farmers since its upgrading, and measures put in place to implement buying of milk from dairy farmers at Ksh55 to increase their earnings and attract more deliveries.
2. The steps taken to address the low wages of casuals at the New Kenya Cooperatives Creameries factories considering the high cost of living and inflation in the country including payment of overtime allowances as required by the law.
3. The measures put in place to create participation by the dairy farmers to be more involved in the processes of the New Kenya Cooperative Creameries for effective operations and success.
4. A report on the products produced at the Sotik Milk Processing Plant and plans put in place to vary the type of products manufactured, including plans for the maintenance of the machines processing products such as *mala*.

Hon. Speaker: Thank you, Amb. Sigei. Is the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives present? Member for Chepalungu.

Hon. Victor Koech (Chepalungu, CCM): Thank you, Hon. Speaker. As I rise to support the request for a Statement by Hon. Sigei, it is important for this House...

Hon. Speaker: I thought you were raising your hand as a Member of the Departmental Committee on Trade, Industry and Cooperatives. Are you a joyrider?

Hon. Victor Koech (Chepalungu, CCM): I have risen as the Member for Chepalungu.

Hon. Speaker: You can joyride.

Hon. Victor Koech (Chepalungu, CCM): Thank you, Hon. Speaker. All the milk we produce in Chepalungu Constituency goes to the Sotik Milk Processing Plant. As I rise to support him, this House has always allocated money to buy milk from the ordinary mwananchi. It is sad that for the second year running, the amount of money between Ksh30 and Ksh40 that was used to buy milk in the past years is still the amount that the Sotik Milk Processing Plant is buying milk from the mwananchi. That is why this Statement is very important, dear and close to our hearts. The only reliable source of income in Chepalungu Constituency is milk. It is important that we put the Departmental Committee on Trade, Industry and Cooperatives to task to ensure that what we allocate in this House goes directly to the mwananchi. It is sad that we are still buying milk from the common mwananchi at Ksh35 while the President and this House have set a target of buying milk at Ksh50 or above.

Hon. Speaker: Is there any Member of the Departmental Committee on Trade, Industry and Cooperatives in the House?

(Hon. Richard Yegon raised his hand)

Hon. Yegon, I do not want debate on a Statement. Hon. Adagala, are you a Member of the Departmental Committee on Trade, Industry and Cooperatives?

Hon. Adagala Beatrice (Vihiga County, ANC): Yes.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Hon. Speaker: Can you bring a response in two weeks?

Hon. Adagala Beatrice (Vihiga County, ANC): Thank you, Hon. Speaker. We are guided.

Hon. Speaker: Thank you. Next is the Member for West Mugirango, Hon. Stephen Mogaka.

CONSTRUCTION OF BITUMEN ROADS IN NYAMIRA COUNTY

Hon. Stephen Mogaka (West Mugirango, JP): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding construction of bitumen roads in Nyamira County.

Hon. Speaker: If you want your constituents to know what you are saying, why not just say tarmac roads? Do you think villagers know what bitumen roads are?

Hon. Stephen Mogaka (West Mugirango, JP): Thank you. I will call them black roads if the word “tarmac” is not audible. Thank you for that guidance because the constituents need to know that we are talking about tarmac roads.

Hon. Speaker, road infrastructure development is vital in the economic development of a country. Unfortunately, there has been a disparity in the construction of tarmac roads in various counties, Nyamira County included. For instance, the roads in West Mugirango Constituency have been in dire need of upgrading to tarmac standards for over 15 years, but continue to be ignored whenever budgets are made despite other neighbouring constituencies and counties benefitting from road works. The delay in rehabilitation has caused significant challenges to road users and has severely affected residents by hindering the flow of human traffic, goods and services within the area.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

1. Report detailing all roads that have been approved for upgrading to tarmac standards in Nyamira County, specifically in West Mugirango Constituency, which is the county headquarters, including the status of construction of those tarmac roads, if any.
2. I am seeking to know measures being taken by the Government, including affirmative action, to address disparities in road infrastructure development, particularly in the deprived West Mugirango Constituency.
3. I seek information from the Committee Chairman on the long-term plans being implemented to rehabilitate and expand critical roads in West Mugirango Constituency, Nyamira County. Given that this is the county headquarters, it is unacceptable that while adjoining counties and constituencies have bitumen roads, the roads leading to the headquarters are muddy.

I thank you for giving me the opportunity to make a request for this Statement.

Hon. Speaker: Chairman, Departmental Committee on Transport and Infrastructure.

Hon. George Kariuki (Ndia, UDA): Thank you, Honourable Speaker. We will respond in about two weeks.

Hon. Speaker: Two weeks?

Hon. George Kariuki (Ndia, UDA): Yes.

Hon. Speaker: Hon. Milemba Omboko.

DELAYED ALLOWANCES TO TEACHERS CONTRACTED TO OVERSEE 2024 NATIONAL EXAMINATIONS

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker. I rise to request for a Statement from the Chairperson of the Departmental Committee on Education regarding the delay in payment of allowances to teachers contracted to oversee 2024 national examinations and assessments.

The Kenya National Examinations Council (KNEC) contracted teachers to oversee the 2024 Kenya Certificate of Primary Education (KCPE), the Kenya Primary School Education Assessment (KEPSEA), and the Kenya Certificate of Secondary Education (KCSE) examinations in various roles, including as centre managers, supervisors, and invigilators. Although the results for these examinations have since been released, the contracted teachers have yet to receive their allowances for the services they rendered.

These teachers have expressed considerable frustration and dissatisfaction over KNEC's delay in disbursing their payments, an issue that remains unresolved despite numerous requests and interventions by the teachers. It is claimed that the delay is due to insufficient or incomplete details provided by the teachers who invigilated and supervised the 2024 national examinations and assessments. However, while the KNEC Chief Executive Officer (CEO) has dismissed claims of data loss regarding the national examination officials, there has been no progress in resolving their outstanding allowances.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Education on the following:

1. Reasons for delay in settling allowances of centre managers, regulators, supervisors, examiners of the 2024 KCPE, KEPSEA, KCSE examinations long after release of the results of the said examinations and assessment tests.
2. Status of all registers and data maintained by the Kenya National Examinations Council (KNEC). Does KNEC have complete and accurate records from all 2024 national examination centres, including details of contracted centre managers, invigilators, supervisors, and examiners?
3. Action being taken by the Ministry taking to ensure the timely payment of allowances to teachers contracted to oversee national examinations before the start of the 2025 national exams. Additionally, what measures are in place to prevent recurring delays in such payments, given that teachers continue to suffer from these delays even though the results were released a long time ago?

Hon. Speaker: Yes, Hon. Pukose. Is it on the same issue?

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Speaker, I stand to support this request for a Statement by Hon. Omboko Milemba, who is a former teacher, trade unionist, and a Member of Parliament for Emuhaya.

It is very unfortunate that this is not the first time this issue is happening. Normally, even before students sit for their exams, they pay examination fees. This means that the money is available, and there should be no reason for teachers, who serve as examiners, invigilators, and centre managers, to wait for long periods. You know, they spend their money to go to those places to invigilate or to supervise the examinations, yet they are forced to endure long delays before being compensated. This situation is deeply unfair and must be addressed urgently.

More often than not, even as you travel home, you will find teachers approaching you, whether in Kitale or elsewhere, expressing their frustration over delayed payments. This is a persistent issue that must be addressed. The Chair of the Committee must take decisive action to ensure that such delays come to an end once and for all.

Hon. Speaker: Hon. Dorothy, you want to join right on this?

Hon. Dorothy Muthoni (Nominated, UDA): Hon. Speaker, I stand in support of this important request for Statement. Teachers are the backbone of education in this country. It is extremely frustrating for teachers to invigilate, supervise, and serve as centre managers with

the hope and expectation that their dues will be paid immediately after they complete their duties, only to face prolonged delays in receiving their rightful payments.

The Kenya National Examinations Council is hiding behind flimsy excuses. It is high time we called upon KNEC to step up and ensure teachers are paid in a timely manner to facilitate a smooth flow of examination marking and supervision in the coming years. We urge both the Ministry and KNEC to prioritise the prompt payment of supervisors, centre managers, and invigilators within the shortest time possible.

Hon. Speaker: Chairman, Departmental Committee on Education. Leader of the Majority Party, that is a matter that you should in effect take up. The money is paid by students. It is ring-fenced. It is for printing exams, transporting exams, paying invigilators, paying markers. It is not money from a budget from this House. It is not money from the exchequer. It is ring-fenced money. Why do they delay paying the teachers? I think it should be taken up at your level to find out why this happens.

You know, each one of us here has a relationship with a teacher. You are either taught by a teacher, a son of a teacher, a brother of a teacher, sister of a teacher, or your campaign manager was a teacher. I would direct you, do not leave it to the Chairman, Departmental Committee on Education. Take it up yourself and bring us a comprehensive Statement, not only about the unpaid bills, but future conduct of examinations in relation to this matter.

Next, yourself now.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. Most obliged. I will make sure we get a Statement from the Kenya National Examinations Council and the Ministry of Education because as you rightly say, students have already paid for the exams. Most of those in private schools, as you remember during the 2017 campaigns, the then President, Uhuru Kenyatta, committed that all students in public schools would have their examinations paid for by the Government of Kenya.

So, I probably want to believe maybe there are extra challenges on the public sector schools, but we will get a formal and comprehensive statement to give next week, or later the week after Tuesday.

BUSINESS FOR WEEK COMMENCING
TUESDAY, 4TH MARCH, 2025

Now to the usual Thursday Statement, on behalf of the House Business Committee, I rise pursuant to Standing Order 44(2) (a) to give the Thursday Statement on the House Business Committee scheduling of work for the week commencing next week.

With regard to business scheduled for Tuesday next week, the House is expected to continue with the consideration of The National Police Service Commission (Amendment) Bill (National Assembly Bill No.23 of 2024) and the Basic Education (Amendment) Bill (National Assembly Bill No.59 of 2023) at the Second Reading. Additionally, debate will be undertaken on the following Motions, some of which are listed in today's Order Paper:

1. Reconstitution of lapsed committees.
2. Consideration of the Report of the National Dialogue Committee and the Report of the Multisectoral Working Group on the realisation of the two-thirds gender principle.
3. Report on the Public Petition on legal recognition and protection of e-hailing motorcycle riders and delivery personnel.
4. Report on the state of security in six counties of the North Rift-
 - (a) Baringo;
 - (b) Elgeyo Marakwet;
 - (c) Turkana;

- (d) West Pokot;
- (e) Samburu; and,
- (f) Laikipia.

Hon. Speaker, I wish to remind the House that following the extension of time granted last week, we ought to conclude with the consideration of the 2025 Debt Management Strategy before the end of next week. I see the Vice-Chairperson of the Public Debt Committee, but I do not see Hon. Makali Mulu and Hon. Shurie in the House. Even though, they are well apprised. I think they have had a Committee sitting on the same. Once the Liaison Committee tables its report, the same will be prioritised for debate in the course of the week. This will pave the way for consideration of the Budget Policy Statement in the subsequent week.

Finally, the House Business Committee will reconvene next Tuesday, 4th March 2025, to schedule business for the rest of that week. I wish to lay the Statement on the Table of the House.

Hon. Speaker, I know Tuesday we will have the funeral service of one of our colleagues, the late Hon. Malulu Injendi, and quite a number of Members may be planning to attend. Therefore, it will be a light afternoon, because we may not all go to Malava and make it back by 2.30 p.m. House sittings will proceed as usual, but with light business. I wish all those who will be travelling with us to Malava safe travels, as well as to those travelling the day after tomorrow to Baringo to lay to rest the late Senator for Baringo this Saturday. We continue praying for their families, as we condole with them, to have the fortitude and strength to continue with their lives in the absence of our departed colleagues. We also pray for the constituents of Malava Constituency and Baringo County who have lost Members who represented them in this House and the Senate.

Hon. Ruku GK (Mbeere North, DP): Point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Ruku.

POINT OF ORDER

APPEARANCE OF CABINET SECRETARY FOR HEALTH BEFORE THE HOUSE

Hon. Ruku GK (Mbeere North, DP): Thank you, Hon. Speaker. I rise on a point of order pursuant to Standing Order 83, read together with Standing Order 42A(5). The latter provides that the Leader of the Majority Party shall inform the House of the date, time and order in which a cabinet secretary shall appear to reply to Questions and provide reports to the House and committees. I listened carefully to the Statement by the Leader of the Majority Party on the business for next week, but I did not hear any mention of appearance of a cabinet secretary before this House, particularly the Cabinet Secretary for Health. The country is facing a potential crisis in the health sector, with private hospitals having threatened to cease attending to patients under the Social Health Authority (SHA) because of various unresolved concerns.

While it is the duty of the Ministry of Health to deal with health matters, we Members of Parliament, as the representatives of the people, have found ourselves on the first line of defence. Kenyans are bashing us for the failures in the health sector. Kenyans think that since we are the ones who passed the laws that transitioned the National Health Insurance Fund (NHIF) to the Social Health Insurance Fund (SHIF) and SHA, we ought to take responsibility when things do not work, and not the Ministry of Health. When we passed the Social Health Insurance Act and created SHIF and SHA, we intended that our people would easily access quality and affordable healthcare. However, the perennial and unresolved teething issues affecting the transition from NHIF to SHIF and SHA are limiting the enjoyment of right to

health under Article 43(1)(a) of the Constitution and by extension, the right to life under Article 26 of the Constitution.

I hope that in a Statement, the Leader of the Majority Party would, as a priority, inform us that the Cabinet Secretary of Health will appear before this House next week to address the many concerns by Kenyans and health facilities regarding service delivery under SHA. I humbly seek your indulgence and direction that the Cabinet Secretary for Health be summoned to this House next Wednesday, 5th February 2025 to address the many issues affecting the health sector.

Hon. Speaker: Hon. Ruku, what you have read appears to be a Statement that should have reached my desk for approval. In the guise of a point of order, you have sought a Statement and that is not very honourable.

Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I agree with you that Hon. Ruku is completely out of order. He seems to be requesting for a Statement under the disguise of other things. First, Hon. Ruku has not filed any Question or request for a Statement for the Cabinet Secretary for Health to appear before this House. Under the Standing Orders, the Leader of the Majority Party cannot on his own volition invite a cabinet secretary to appear in the House to be questioned by Hon. Ruku. I only do that pursuant to Hon. Ruku filing a Question or a request for a Statement. The only health-related Question that has been filed this session is by the Member for Yatta, Hon. Robert Basil. The issues he wanted addressed were comprehensively addressed by the Statement tabled on Tuesday by Hon. Pukose, the Chairman of the Departmental Committee on Health. Hon. Ruku is seated right where he was seated when Hon. Pukose was reading that comprehensive Statement. I invite Hon. Ruku, if he has issues, to get a copy of the Statement from the Table Office. If there is anything that was not addressed, he is at liberty to file a request for Statement or a Question that the cabinet secretary can come and answer.

For the information of the House, all Questions and Statements that were sought last year lapsed. In addition to the Question to the Ministry of Health, there are another 22 Questions, at least one per ministry. We are waiting for the departmental committees to finish the consideration of the BPS. Cabinet secretaries have been shuttling between this House and the other House because of the budget-making process. As soon as we finish with the BPS, we will schedule cabinet secretaries. The Cabinet Secretary for Roads and Transport has the highest number of Questions. Three Questions have already been filed. Other ministries have one Question each. It is not a very efficient use of time to invite a cabinet secretary to address one issue. So, we will begin with the Cabinet Secretary for Roads and Transport when we finish with the BPS.

I invite Hon. Ruku to read the Statement by Hon. Pukose. If there are issues he feels were not addressed by that Statement, he can raise a Question or a request for a Statement, and we will cause the Cabinet Secretary for Health to appear and answer anything else that Hon. Ruku would want answered.

Hon. Speaker: Hon. Ruku.

Hon. Ruku GK (Mbeere North, DP): I, carefully, listened to the Chairman of the Departmental Committee on Health, Hon. Pukose, and the issue of health even requires that we suspend all the business of this House so that we can get it right as far as the health sector is concerned.

Hon. Speaker: Hon. Ruku, you either file a Question, request for a Statement or seek a motion of adjournment provided for under the Standing Orders. Whichever you request, I will give it consideration. That is how the House functions. Your emotions notwithstanding, the House does not act that way. I have mentored you well. You have been sitting with me in my office for many minutes asking how things are done, and I always tell you.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Yes, Hon. Bowen.

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you, Hon. Speaker.

Almost a week ago, you directed us, the chairpersons of departmental committees, to consider the Budget Policy Statement (BPS) which we are currently doing, and we are almost concluding. The Leader of the Majority Party has also given us business for the next week, including conclusion of the BPS. However, there is an issue that I want you to address. That matter also requires the attention of the leadership of the National Assembly led by Hon. Kimani Ichung'wah, and probably the leadership of the Senate. On Tuesday, we met the Ministry of Water, Sanitation and Irrigation to consider the BPS, and on the same Tuesday, the Senate also wrote to the Ministry asking them to appear before them on the same issue of the BPS.

Articles 95 and 96 of the Constitution outline the roles of the National Assembly and Senate, but we do not see where the Senators fit into the budget-making process. As the departmental committees, once we are done, we present our reports to the Budget and Appropriations Committee, which is then transmitted to the National Treasury and Economic Planning. After interrogating the ministries on the BPS, I do not know where the Senate committees take their reports to. Do they send their reports to the Budget and Appropriations Committee of this House, or where do they submit them? There is confusion.

If there are other laws that require Senators to ask the ministries to appear before them in the budget-making process, it is good that we harmonise them and involve the leadership of both Houses, National Assembly and the Senate, so that, where possible, we can do a joint sitting of the departmental committees of the National Assembly and the Senate. It is very confusing to call the same Ministry to appear before us on the BPS, and then the Senators call the same Ministry again. I do not know where they come in. So, I am seeking your direction as our Speaker and the Chairman of the Parliamentary Service Commission.

Hon. Speaker: It seems like that is Hon. Kirima speaking though I cannot see you, properly.

Hon. Moses Kirima (Central Imenti, UDA): Thank you, Hon. Speaker. As a rejoinder to what has been said by my colleague, I want to state that Parliament is so much seized of the situation of Articles 95 and 96 of the Constitution. This is a matter that has come before this House several times. As a country, we are pursuing the policy of austerity measures to ensure we cut costs on unnecessary expenses. Can this House come out clearly and advise the Executive? I believe the problems we are undergoing are being entertained by the authorities and those with powers to execute and implement the Constitution as it is. The Senate has assumed the role of this House, duplicating committees, calling the agencies and departments that should not be appearing before them, and trying to create work that does not exist for themselves. They are supposed to meet only two times per year to deliberate on revenue allocation between the national Government and the county governments. Can it come out clearly? There is a lot of confusion in all aspects.

Let us come to marking where we park cars. You find that it is marked, possibly through the advice of the Chairman of the Parliamentary Service Commission. The Senate has no role in even going to park down there, for they are supposed to be overseeing the county governments, and they should be seen there more than here. We brought them to live and work in Nairobi, yet their work is upcountry. So, my colleague is saying that someone is duplicating work, and it is upon us to cut costs. Are we cutting costs by doing double work in the same Parliament? I call upon the Executive and the Parliamentary Service Commission, led by the Speaker of this House, to ensure that we are not duplicating work anymore.

Hon. Speaker: The Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, the issue raised by Hon. Kangogo Bowen is quite important. To directly answer Hon. Bowen, the Senate's role in the

BPS is restricted to only one Ministry, the National Treasury and Economic Planning, because they have a role in the consideration of debt management, which affects counties. They also have a role on the BPS because the Division of Revenue Bill, as you are aware, goes to both this House and the Senate. Therefore, they have a role.

Hon. Speaker, you are a former Senator, so I will be cautious with my words. I was just wondering: Has it taken the Senate too long to acclimatise themselves with the new Constitution and understand their role and mandate? We have no problem with the Senate calling or summoning the Cabinet Secretary for the National Treasury and Economic Planning to deal with the Debt Management Strategy Paper or the BPS, concerning the Division of Revenue Bill. However, I just received a copy from Hon. Kangogo Bowen, signed by the Clerk of the Senate, inviting the Cabinet Secretary for Water, Sanitation and Irrigation, Eng. Eric Muuga, to appear before the Committee on Tuesday, 4th March 2025 at 11.30 a.m. The agenda is to deliberate on the proposed policies, programs, and expenditure ceilings of the State departments under the Ministry's purview, not the county governments, and the implementation status of the 2024/2025 Budget as of 31st December 2024. The entire agenda is misplaced because this is work that should be done by the Departmental Committee on Blue Economy and Irrigation of the National Assembly. I agree with Hon. Kirima that it is not just a waste of public resources, but also a waste of the valuable time of the Senators and the Cabinet Secretary.

I want to speak to the cabinet secretaries. If you are a cabinet secretary and receive two invitations; one from the departmental committee that oversees you and your Ministry and one from another House that oversees governors and county governments, you have the option to decide where to appear and know which side of your bread is buttered. You must know which House has the authority to impeach you and which one does not. That should make it easy for any cabinet secretary who has invitations from both the Senate and the National Assembly on matters of the BPS or any other matter. The key point is that the people who oversee you are the people's representatives, not those who represent counties. When those who represent the people summon you, have your priorities right. I will advise this particular cabinet secretary. If he has an invitation from the Departmental Committee on Blue Economy and Irrigation of the National Assembly and he has another one from the Senate...

Hon. Members: Repeat that.

(Applause)

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, with your indulgence, I am being told to repeat. If a cabinet secretary of the national Government is not a Member of the county executive committee (CEC), particularly this one who has a letter dated 25th February, has an invitation from the departmental committee that oversees him, he should know which side of his bread is buttered. Appear before the House that oversees you. Give it priority over any other House. They can spend their time as they wish. We cannot dictate how they spend their time. To close it, we must tell the Executive to give priority to the National Assembly, especially on matters touching on the budget-making process. We do not want to fight our colleagues. As a former Senator, you and the Speaker of the Senate have led us well in having consultative processes to avoid squabbles between both Houses.

Yesterday, Members raised issues concerning the Road Maintenance Levy Fund (RMLF). They do not control any funds. They do not want to control even a single shilling or cent of the RMLF. We are just protecting our constitutional mandate to oversee the national Government institutions like the Kenya Rural Roads Authority (KeRRA), the Kenya Urban Roads Authority (KURA) and the Kenya National Highways Authority (KeNHA). We have not asked for money to go to the Members of Parliament. I have never heard them asking for

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

money. They do not manage money for the maintenance and construction of roads. It is managed independently by the regional managers in charge of KURA, KeRRA, and KeNHA. They have their procurement teams that procure anything they want. Members of Parliament have nothing to do with the road funds.

Hon. Speaker, we do not want to pick quarrels with anyone, but we must remain truthful to our Constitution. I believe Senior Counsel, Hon. Otiende Amollo, would agree with me. He was among the drafters of the Constitution 2010. I can see him raising his hand. I rest my case to be helped by him.

Hon. Speaker: Hon. Otiende Amollo.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Thank you, Hon. Speaker. Leader of the Majority Party, who almost became Leader of the Minority Party, has reminded us that you are a former Senator which is true. I am sure your allegiance to the Senate is historical, but to this House, is present which carries the day.

Hon. Speaker: My allegiance to the law and Constitution is permanent.

(Laughter)

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Hon. Speaker, that, must be tried on an hourly basis. The issue raised by Hon. Kangogo Bowen goes beyond what he has raised; the Budget Policy Statement. It goes to the jurisdiction of the Houses of Parliament. I urge you to issue an authoritative Communication in this House founded on Articles 94 and 95 of the Constitution. What I have noticed is an overreaching situation. It is not only in that committee, but also in the committees that we serve where a particular State department is supposed to appear, but we are told there is a simultaneous invitation by another committee of the Senate. If you examine keenly, you cannot see the nexus among that committee, the work of the counties and jurisdiction of the Senate.

I believe this House endeavours to confine itself to its jurisdiction. When the Constitution says that we have no role in the impeachment of governors, this House has never tried to play a role. We watch from afar like the rest of Kenyans. When the Constitution says that in the impeachment of the President or the Deputy President, our role is limited to the initiation and we are not the trial chamber, we restrict ourselves to that initiation. This is something that many Kenyans do not understand. When I was out there, many Kenyans asked me why the National Assembly did not give the erstwhile Deputy President an opportunity to defend himself. We did not allow lawyers to come. This is because Kenyans do not understand that our role is restricted to initiation of the impeachment process. The Senate is the trial chamber, and we respect that.

Reciprocally, the Senate must respect where the jurisdiction lies in the National Assembly. Firstly, failure to do so results in creating difficulties for the Government to work. Government cabinet secretaries, principal secretaries and other officials are permanently being invited to the two Houses of Parliament. They cannot even do their work. Secondly, it results in a very dangerous situation where one House of Parliament can make a recommendation while the other one makes the opposite recommendation. The ultimate effect is to reduce the final effect of Parliament which should not be allowed to happen.

It must be remembered that when a committee of this House or Senate summons an officer of the Government, they have the powers of the court. However, that committee must address itself as to why it is given the powers of the court. A criminal court cannot summon someone on an environmental matter and vice versa. The committees of the Senate and the Senate must first address and ask themselves whether it is within their powers, before they assume the powers of the court. I wonder. We have many litigants. Some people call them busybodies, but I do not call them that. We encourage people to go to court. But I do not know

why these free-court-going persons have never challenged the assumption of jurisdiction by the Senate on matters that do not belong to them. Until they do so, the commencement point...

Hon. Speaker: Many of them are either vexatious or surrogates.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Yes, indeed, many of them are surrogates. They are inspired by things other than respect for the Constitution.

Hon. Speaker, the starting point to bring sanity is an authoritative Communication from you. This will help some of these Government cabinet secretaries and principal secretaries. They do not know where to seek refuge. If they get it, they might rely on it and say they heard a Communication from the National Assembly. Then, it will be up to the Senate or anybody else to challenge it in court.

I submit, Hon. Speaker.

Hon. Speaker: Hon. Keynan.

Hon. Adan Keynan (Eldas, JP): Hon. Speaker, I am glad because Hon. Otiende Amollo was part of the drafters of the Constitution 2010. I believe he still has some of the notes that led to the inclusion of the Senate in it.

The Senate that I had in mind, the one that came later on towards the tail end of the sitting we had in Naivasha and the one that I see now, are completely different. Luckily, I am speaking from experience. The Senate that we had in the first Bomas draft, the one that was ultimately included in the Constitution 2010 and the one that I see, are completely different. The only thing that comes to the fore is an attempt to illegally create a constitutional niche that does not exist for the Senate.

The Senate is one of the Houses of Parliament. You can be here today as a Member of the National Assembly and be a Senator tomorrow. We do not want to bad-mouth them. It is a respectable House. However, one thing that we will not accept is to create an avenue for chaos. The technical people in the ministries, whether they are cabinet secretaries, principal secretaries or chief executive officers, are operating in a very difficult environment. I am glad because the Leader of the Majority Party had spoken to this today. It is high time that we ask the Senate to be accountable to the Constitution and rule of law. This is not a sign of weakness, but of nobility and adherence to the rule of law. Even in our villages and homes, the person who has the power of the purse and firing is the ultimate authority. The National Assembly has the power of the purse and firing or sacking.

The only thing that is missing, Hon. Speaker, is the flair. I want to address the Leader of Majority Party because he is the appointing authority of many chairpersons of committees. By saying that, I am not in any way demeaning. When you sit on your job because of the fear of the unknown, somebody outside there runs away with your mandate. When they do so, we run around and say that the Senate has run away with our mandate. Chairpersons of committees, do not be afraid of the Leader of Majority Party, Leader of the Minority Party or the Whips. Work in line with the mandate of your committee. Even where you want to assist the Government, you can still do so within the confines of your mandate. Here we are today, even issues that are within the confines of the National Assembly committees are being adjudicated at the Senate, simply because our Members have failed to discharge their mandate. That must be addressed.

The other bit is that right now, this House is being bashed. Hon. Speaker, I am glad you are here. You have seen it. You have been a Senator, you have been in the Judiciary, you have been in the Executive, and now you are here. Tomorrow, God knows what you will be. It is high time you guided this House. Guide this House to a constitutional path that will respect the mandate of the Senate and that of the National Assembly. I know that over the last two years, you have been attempting to avoid that jurisdictional conflict between the Senate and the National Assembly, but this must be reciprocated. It is not coming. I know you have tried. I know there is a Bill. What we are approaching right now is madness. We expect respect and

reciprocity. We also expect tolerance from our colleagues so that whoever is a Senator, should also know that there are colleagues here who have the constitutional mandate to do certain things.

Lastly, we have gone through this Constitution for the last 10 years. You remember when we were passing it, we said 80 percent was good. I remember the words that we used that 20 percent was illegal. It is time to dissect and go through the 20 percent that is not helping us in any way, do away with it, and make a constitutional change. Hon. Otiende Amollo, along with other legal brains and many others, should step forward and propose an amendment. This is not cowardice nor naivety, it is a necessity to ensure that the country is run in accordance with constitutional provisions, and that everyone respects the Constitution

Cabinet secretaries and other groups out there, just as Hon. Kimani Ichung'wah has said, if you are being forced to execute an illegal mandate, refuse. Nothing will happen to you. That is where we are headed.

(Hon. Silvanus Osoro spoke off record)

Hon. Speaker: Hon. Osoro, on the same issue?

Hon. Silvanus Osoro (South Mugirango, UDA): Yes, Hon. Speaker. First and foremost, it is interesting to have you preside over when the Senate is being discussed, having served in that House. That really shows a lot of comfort and the independence of institutions. Hon. Speaker, the formation of devolution in Kenya clearly sets out different responsibilities and roles across the various structures of governance. The mandate of each House in our bicameral Parliament is clear in the Constitution of Kenya.

Yesterday, I saw a Senator on the Floor of the House using serious, derogatory and even vulgar language against a cabinet secretary. This is simply because they failed to appear before their committee regarding matters of the Budget Policy Statement. After a cabinet secretary appears before a Senate committee, then what happens? What next? The Senate has no single responsibility as far as the budget-making process is concerned. That is what came out clearly yesterday, that perhaps, they do not know their responsibility when they are equipped with immense work under the counties. I look at it in a layman's point of view that while the National Assembly is supposed to handle matters of national security, the Senate, alongside with the county assemblies, should be calling county askaris to ask what happens in the counties. Because what happens as far as devolution is concerned is bad, to say the least.

Yesterday, we had a discussion. Right now, there is conflict. Governors have an issue with the National Assembly, the Senate has an issue with the National Assembly, and some independent bodies also have issues with the National Assembly. What is it that the National Assembly is not doing right that has caused issues with the Senate and other sections of the Government? This is why we are seeing the governors, in conjunction with the Senate, pushing for some funds under the Road Maintenance Levy Fund (RMLF) to be allocated to the county governments. However, we all know that it will take the Members of Parliament, and even the public, a microscope to truly see what the county governments are doing with these funds. While everything funded by the National-Government Constituencies Development Fund (NG-CDF) is visible to the public, you would need a microscope to see what counties are doing. I mentioned here yesterday that at some point, you will see governors, something I have said on several occasions, moving around in convoys of 50 vehicles, some with 20, and some with 15 vehicles. One vehicle carries a chair, another carries a carpet, another carries goons, and another one carries chairs. The Senate should be focusing on that. They should be summoning governors and asking them why that is happening, rather than interfering with the work of the National Assembly, acting *ultra vires*, beyond their limits and responsibilities, when we are

supposed to have distinct roles for each institution. This is also why we have several matters in court.

When we pass legislation here, you often see the Senate rushing to court. I must thank you, Hon. Speaker, for the mediation process you have been facilitating between the National Assembly and the Senate. However, time and again, they take us to court over matters we pass on this Floor. Whenever we act beyond our mandate, they go to court. Do they also want us to go to court?

We implore upon the cabinet secretaries to ignore some of these summonses and know where their place is. Their place is in the National Assembly. When the Senate wants to ask cabinet secretaries questions, they should call upon the CECMs in Nairobi, Kajiado, Mombasa and other counties, and ask questions. They should have called the CECM of Environment in Nairobi to ask them why their government littered a road, and blocked the Kenya Power offices at Stima Plaza. That is their role.

I do not understand why the framers of the Constitution, framed it to appear like the Senate is the Upper House, when it is clear that their responsibility is to engage with the county governments and the county askaris. When we call the Inspector-General of Police, they should call the county inspectorate with their *rungus*. When we call the cabinet secretaries here, they should be busy calling the CECMs. When we handle anything related to national health matters, they should focus on calling the clinical officers from the dispensaries. That is where their limits lie. They should know their jurisdiction and not interfere with this House.

Hon. Speaker: Let Hon. Elachi have the Floor followed by Hon. Ochieng' then we close.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker.

Sometimes, it is very sad for Kenya. When Kenyans were passing this Constitution, they thought that with two Houses and county governments, we would reduce poverty and rebuild our country, Kenya. But it seems every human being, including me, you, Hon. Speaker... Let me thank the Senate of the 13th Parliament because they tried their best to build the foundation of how we can work together in this Constitution and ensure the Senate stays within the roles that the Constitution has clearly outlined, and what it is supposed to do in this dispensation.

The National Assembly should also perform its role as per the Constitution. But now, the Senate that we have faces a challenge because most of the senators are young. The Senate, where I was, is a place where you must have wisdom on how to make the country to move forward. The Senators we have today should be in the National Assembly. This is their House. The Senate needs people who have been in this House, and have seen everything that happens in this country so that they can help us navigate through what we are struggling with.

Today, we have more poverty because most of the sitting governors came from this House to be governors. Even if we say they carry seats, they came from this House. Why can we not be different and do things better? I will go back to what Hon. Caroli Omondi said that it is time we change the Constitution and especially in terms of the division of revenue. Money must be divided in the counties and channelled through constituencies. Governors should be given 10 or 20 per cent for administration. The rest must go to development.

When the Senate grills cabinet secretaries and generate reports after one year, do they ask themselves what they delivered? What the Senate delivers is critical after they summon a cabinet secretary and ask them questions in the presence of the media. What is this output that the Senate can table that has changed something in the functioning of the national Government?

I humbly request you to sit and discuss with the Speaker of the Senate. Let us have a harmonious... If we talk about broad-based Government, the Senate must understand what it is. We want development. We are tired of these dramas.

Hon. Speaker: Hon. Ochieng'.

Hon. David Ochieng' (Ugenya, MDG): Thank you so much, Hon. Speaker. The issue we are dealing with, for me, is both structural and legal. At times, it has been fuelled by the courts. I have said here and I want to repeat that in the USA, for over 20 years now, there has not been a single time when the courts agreed to preside over any matter presented before them by either the House of Representatives against the Senate or vice versa. Every time the courts have been asked to preside over any matter between these two Houses, they have refused. That, it is their matter and they should deal with it.

In 2013, when the first Senate in the 2010 Constitution was inaugurated, many people ran for the senatorial position only to come to the Senate to realise that is not what they wanted to do. That is the reason we see most of the Senators running for gubernatorial seats. People who run for Senate seat do not understand the role of the Senate. That is the reason why Senators are voted and after two or three years, they want to either do the National Assembly's work or be governors. So, we need to do civic education so that those who run for the Senate know what they are going into. When they come to the Senate and realise that it is only dealing with matters of the counties and not the whole country, they should not be shocked. We have issues on the role of the Senate that causes problems whenever Senators come and realise that their job is limited to counties.

I am impressed by the way you have handled the issue of Senate since you became the Speaker. You have tried to steer this House towards the direction of not bashing the Senate. Let us not talk to them as if they are not our brothers. However, at some point in time, you will have to put your foot down and say this is where we draw the line. We will not allow the Senate to keep on belittling this House every time in their chambers. It is insulting. We cannot have the Senate bashing the National Assembly every single week as if there is something wrong we have done to them. I want to request you to sit down with your colleague on the other side so that we can have some decorum. Let us have a way of dealing with each other. We are all adults working within the law. It cannot go on *ad infinitum*.

You appointed me twice to the Mediation Committee and whenever we went there, we dealt with very mundane issues of ego, who is big and who is small, and not the law. Unless that is sorted out through a constitutional amendment, this matter will depend on you, as our Speaker, to guide us. However, I want to implore upon Senators to know their limits and what the law says about the Senate so that we do not get into confusion every now and then. I beg to support.

Hon. Speaker: I will give you direction in due course on this issue, either next week or the week after.

(Hon. Makilap spoke off record)

I have closed that, Hon. Makilap.

Hon. Members, I want to acknowledge students who are seated in the Speaker's Gallery. They are Michinda Boys Secondary School from Molo Constituency, Nakuru County. We also have students seated in the Public Gallery from Mailua Comprehensive School, Kajiado Central Constituency, Kajiado County and Mitoone Day Secondary School, Buri East Constituency, Meru County. We also have in the Public Gallery the Voice of Kibra from Kibra Constituency, Nairobi County,

On my behalf and that of the House, we welcome the students, teachers and the Voice of Kibra to Parliament.

(Applause)

Next Order.

(Several Members stood in the aisles)

Hon. Speaker: Hon. Members on their feet, take your seats. Disband the unlawful *kamukunji* there and take your seats. Is that the Member for... That is not Hon. Koimburi. Is it?

BILLS

Second Readings

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

(Moved by Hon. Bernard Shinali on 19.2.2025 - Morning Sitting)

(Debate concluded on 26.2.2025 - Afternoon Sitting)

(Question put and agreed to)

THE NATIONAL POLICE SERVICE COMMISSION (AMENDMENT) BILL (National Assembly Bill No.23 of 2024)

(Moved by Hon. Peter Masara on 26.2.2025 - Afternoon Sitting)

(Resumption of debate interrupted on 26.2.2025 - Afternoon Sitting)

Hon. Speaker: At Order 9 on resumption of debate, the record shows that Hon. Mulyana had nine minutes to go. Is he in the House? He seems not and, therefore, he forfeits his slot.

Hon. Beatrice Elachi, are you queuing for the National Police Service Commission (Amendment) Bill?

Hon. Beatrice Elachi (Dagoretti North, ODM): Yes.

Hon. Speaker: Go ahead.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker.

I rise to support the National Police Service Commission (Amendment) Bill. I want to thank Hon. Masara for what he has done by bringing this amendment Bill on the Floor of the House. The Bill will look at the mental health of the police officers. In the memorandum of objects and reasons, the Bill recognises that in the execution of their tasks, police officers work in potentially confusing roles, alternating between law enforcement and public service. I want to pick on the issue of public service. I know that at times we have really vilified this sector and especially, anyone who asks to be a police officer. If there is work that is respected so much all over the world, it is the work that our police officers do every day. It is sad how we sometimes treat our police officers. I know there are some officers with challenges in terms of how they deal with issues. However, that does not mean that we demonise the entire sector until people wonder whether it is our brothers and sisters who took the jobs. Police officers are members of our families.

[The Speaker (Hon. Moses Wetang'ula) left the Chair]

[The Temporary Speaker (Hon. Omboko Milemba) took the Chair]

As we talk about mental health today, the police force is the most affected. I know they have challenges with their salaries. They are salaried civil servants who I know struggle with the same issues that affect the teachers. If I may remember, Margaret Kobia started a very good programme post-COVID, to ensure that all civil servants have a place they can go to, a wellness unit, when they are stressed. She is the one who started the unit. I am hoping the unit is still functional in the civil service. It was supposed to help every civil servant who has challenges and who feels stressed to talk to someone just to receive counselling. That is what the police also need.

The police encounter many other challenges. They take care of us, but even providing them with uniforms and boots is a challenge. I wonder whether they have an insurance cover for themselves and their families. You wonder whether we appreciate the work they do. It is a very sad scenario. One of the things that we need to push for in this amendment Bill is to ensure that we improve the working environment for all police officers.

I want to thank Mr Gilbert Masengeli, the Deputy Inspector-General of the Police (DIG). When he was serving as the acting Inspector-General of the Police, he tried to encourage promotions in the police ranks. You would see police officers getting excited and saying that they wished to serve. The current IG, Mr Douglas Kanja, has also continued the process. They are trying to see how to promote officers who came in 10 or 15 years ago and have never been promoted. I encourage them to continue doing that.

We need to assist with the welfare of the police. I will give you an example. The officers who man the State House gate are from the General Service Unit. They have challenges. I plead with the State House Comptroller to consider the challenges they are facing. Many young children and students live in State House and they do not know the other side of life because their fathers are officers of the Government. However, those children can also receive bursaries. They are in my constituency and I feel they deserve to get bursaries, and to benefit from the President's Award. The officers should also receive allowances for nights spent away from their duty stations. Many officers who work in that sector find it very difficult to get allowances for nights spent away from their duty stations. So, if we want the civil service to work hard for a better Kenya, we must incentivise workers and mitigate some of the factors that result in stress.

Hon. Peter Masara also talked about the oversight authorities such as the Kenya National Commission on Human Rights (KNCHR), the Directorate of Public Prosecutions (DPP) and the Ethics and Anti-Corruption Commission (EACC). Why not establish courts martial for some of those officers like in the military? While in the course of duty, they sometimes get caught up in exchanges of fire while dealing with dangerous criminals. We should realise that they go through a lot of stress. When they find themselves in such situations where there are exchanges of fire with dangerous criminals and they are called to appear before the Independent Policing Oversight Authority (IPOA), they should be given an opportunity to explain themselves.

Some of those officers once protected our lives, but they lose their jobs because they killed someone in the course of duty. They may not get their jobs back after an appeal process. If they have to go home, let them do so with dignity after having explained their side of the story as per Article 50 of the Constitution.

Some police officers are very stressed. After they are trained, they are usually first deployed to volatile areas like the borders of Mandera or Tana River where terrorist attacks are prevalent. We lost very young officers some years ago who had just come out of training and were sent to Tana River. They were all killed by terrorists. Others have stayed in those areas

for more than seven to eight years and are begging for support. They are stressed and need psychological support.

We established the National Police Service Commission (NPSC) because we thought it would take better care of the police officers. However, considering the current situation, I am sure the police are wondering why they have a commission because of the issues they have to deal with without any recourse. The NPSC has to balance issues of promotions and appointments. They also merged the National Police Service and the GSU. However, there is still competition. The lower cadres are suffering.

Hon. Peter Masara proposed that we try and see if we can promote the values and principles espoused in Articles 10 and 232 of the Constitution. If we followed the values in our Constitution, we would have a better police force.

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

The Temporary Speaker (Hon. Omboko Milemba): Hon. James Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I rise to support the National Police Service Commission (Amendment) Bill, 2024, whose objective is to provide for mental wellness and the mental well-being of police officers.

It is being acknowledged that police officers face mental health challenges. That fact has been borne out by what we often experience. We read in newspapers about police officers committing suicide or homicides, where some of them kill their seniors. Those stories are publicised every day. Those that we read about in the papers are probably just a tip of the iceberg. If some police officers go to the extent of killing other officers and themselves, what about those who are suffering silently? What is happening to their families? If a person has a mental illness, even his family suffers. That matter needs to be addressed. Therefore, the Bill is timely.

It is not only the officers or their families who suffer, but also the public that they interact with. The handling of people who come into contact with the police is important. Although what happens is not documented, we know of the brutality that police officers sometimes mete out. We may start to think that that is probably how police officers are. However, that may just be an expression of undiagnosed mental illness because their actions appear pathological.

We blame them, but we do not realise that they may be in need of help. It is possible that a number of officers work while unwell and in need of mental health care. We should ask ourselves why we suspect that some police officers are unwell. We just imagine that it is some condition, but it has not been documented. The magnitude of the problem has not been brought out. If implemented as proposed, this Bill may address these issues.

There are some things that may be obvious to us, but are very important. For example, do we do character suitability check before we recruit police officers into training? What is the curriculum of their training to protect them from the nature of the work they do? Police officers work for long hours in difficult conditions and are faced with horrendous circumstances. What they go through is often a matter of life and death. People cannot remain mentally stable if every time they are out in operations their lives are in danger. They are often faced with high tension and physical trauma. We know instances where whole troops of police officers have been eliminated. What happens to those who survive? Do they remain well? They also witness mutilated bodies when we call them to crime scenes. Do they remain well after such incidents? Do they get counselling? Do we do psychoanalysis on the effects of these incidents? We must look into the psychological trauma that they suffer from. The result is that many officers are working under severe depression that expresses itself in cases like homicide and suicide.

Anybody who is exposed to extreme horrendous conditions can suffer Post-Traumatic Stress Disorder (PTSD) and they need care. Is the care currently available to our officers? I

would not be surprised if amongst police officers, you have a higher incidence of physical illnesses like high blood pressure. They can also develop personality disorders like emotional numbness and psychopathic tendencies. We blame them without realising that they need care. Additionally, salaries and housing of police officers have always been an issue. I am quite sure that there are no systems in place to look after them in this regard.

The establishment of psychosocial units and formulation of programmes to promote mental health and well-being of police officers, as proposed in Clause 3 of the Bill, is something we must support. This will help to provide police officers with mental health and wellness resources. Mental illness is one of the most difficult and expensive health conditions to address. It also tends to be chronic once it sets in. Do our police officers have appropriate health facilities that look after mental illness? I am aware of a hospital that has been put up. However, all we can see is a new building that has not been operationalised. There is need for every county to establish well-equipped centres in the offices, camps and training colleges to deal with this matter, as stated in the Bill.

In conclusion, I urge Members to support and pass this Bill. It will not only become law but will also provide the funds to take care of police officers, including their working conditions, pay, psychosocial support and medical care. This Bill will provide the basis for that funding.

With that, Hon. Temporary Speaker, I support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Paul Mwirigi, followed by Hon. Farah Maalim.

Hon. John Paul Mwirigi (Igembe South, UDA): Thank you so much, Hon. Temporary Speaker, for giving me the opportunity to speak on this Bill. This is a well-thought-out Bill that seeks to establish psychosocial support centres so that we can maintain the mental wellness of our police officers.

This Bill seeks to curb wastage of Government resources, especially litigation costs for damages caused by officers when they are not in their right mind. If these centres are established in every county, police officers will get a good place where they can go, refresh their minds and go back to their workstations when fresh. When the officers are not in the right mind, they may do something irrational, and people may accuse them of using excessive force whereas they are suffering from stress. If these centres are established, they will help the officers to reduce stress and motivate them to do their work even better.

These centres will also reduce cases of suicide, which we have encountered from many police officers. Some officers take their lives and even massacre the people they are supposed to protect, because of the stress they go through. Therefore, through these centres where the Government will provide counsellors, police officers will work without causing unnecessary chaos. Additionally, counselling will improve the morale of the police officers to work for this republic. If you are demotivated, it is very difficult to work. However, if officers are motivated through counselling, they will be even more productive in their work.

This is one of the best Bills that will help this country to save resources. The proposed amount of money to build the centres is only Ksh950 million, which is just a drop in the ocean. The Government spends a lot of money defending the stressed officers who have cases in court. If we have these centres, they will help us to save some resources. This will also put Kenya in the realm of Africa whereby we will have the best practice within Africa. Internationally, Canada, the United States and the United Kingdom have centres where their officers are counselled and oriented with what is happening. They are refreshed after encountering crimes or terrorists. They are also counseled on family matters and then they go back to their work stations. Kenya will be one of the best countries in the African region.

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

The Temporary Speaker (Hon. Omboko Milemba): Hon. Farah Maalim.

Hon. Farah Maalim (Dadaab, WDM): Thank you Hon. Temporary Speaker, for giving me this opportunity to weigh in on this issue. As a son of a policeman, I grew up in police lines. My father was recruited into the colonial police force in 1956. Often, I visit the house where we grew up with my late sister and my two brothers, and it is the same room in Garissa Administration Police Lines, which was occupied by one family. The room was the kitchen, bedroom, our sitting room, my study room and everything. My dad would spend most of the nights outside there, where there was a mat. This time when I went to visit the same place, I found two officers living in the same room. It has not changed 62 years after Independence.

(Hon. Rebecca Tonkei left the chamber without bowing)

The Temporary Speaker (Hon. Omboko Milemba): Hon. Member for Narok, we have to respect the House. Come back and do the correct thing; you cannot afford to prejudice the House that much.

(Hon. Rebecca Tonkei bowed at the Bar)

Thank you.

You may proceed, Hon. Farah.

Hon. Farah Maalim (Dadaab, WDM): Hon. Temporary Speaker, during those days, I remember police officers used to be given ration by the Government, a rollover from the colonial practice. They used to be given canned beef, and sardines (tin fish) which were collected for every family from a Government distributor. For the officers from pastoralist areas, they used to be given dates and ghee. With a very heavy heart, I want to say that our policemen were better off under the colonial administration than they are under independent Kenya.

Their salaries, remunerations, living conditions, the risks they take and the lack of insurance when they die in the line of action and the horrible living conditions, particularly housing, is bad. It pricks the conscience of everybody, including myself, when I see the kind of conditions the men and women who are supposed to be awake the whole night to protect us and make sure we are safe, are living in. They are living in the most unsafe conditions. It is no wonder we are asking for psychosocial intervention.

(Hon. Beatrice Elachi consulted loudly)

The Temporary Speaker, protect me from the ladies who are making a lot of noise, starting with Hon. Elachi.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Elachi, limit your consultations.

Hon. Farah Maalim (Dadaab, WDM): You are very loud with your group, Hon. Elachi and Hon. Fatuma.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Farah, allow me to run the House, you are not on the seat.

Hon. Farah Maalim (Dadaab, WDM): Let me say this for the benefit of the young people who never witnessed this. In those days, I remember my mother used to go to the Government distributor and pick the rations, which were given to every police officer. This was basically a rollover from how the colonialists treated our policemen. My mother used to go to a butchery every day and pick a pound of meat so that we could have a balanced diet. We used to be given canned beef from the Kenya Meat Commission. We had dates and the children of police officers and the police officers themselves used to have a balanced diet.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Today, we see a police officer on the beat from morning until evening. Nobody cares whether they have had a cup of tea or lunch. The presumption is that they will have it at home. Our officers face a lot of challenges. The houses they live in are in such a despicable situation that they do not have privacy. Sometimes you find a policeman with his wife and another policeman with his wife living in one room that is separated by a piece of cloth. It has two beds, one on one side and the other one on the other side, and still we expect them to protect us. We bash them all the time. This is a nation that has perfected the art and passion of bashing police officers.

(Hon. Beatrice Elachi consulted loudly)

I still have a problem with Hon. Beatrice Elachi because she is very loud, anyway.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Farah, proceed. That is a moderated consultation.

Hon. Farah Maalim (Dadaab, WDM): This is interesting. I expect utmost silence. I think Beatrice Elachi is not soft; she is still loud.

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Farah. You are a ranking Member and I expect a better way of handling this matter.

Proceed.

Hon. Farah Maalim (Dadaab, WDM): Hon. Temporary Speaker, there are three professions in this country where the absolute sacrifice is made by the people who man those professions. Kenyans, including Parliament, are always castigating our teachers. We know what teachers go through to get us to be what we are. They are always complaining about our doctors and our nurses. I come from a medical family and I understand. Somebody can receive a call at 3.00 in the morning. This can be a lady with a breastfeeding child. She has to go to the hospital and can stay there until the following day at around midday or even in the afternoon. Professionals like doctors, police officers, nurses and teachers deserve better than what we give them right now as a country.

We will try and deal with the psychosocial support. I support the amendment to the Act to do that, but what will psychosocial intervention help an officer who has hunger pangs after being on duty the whole night without dinner and does not have money to eat in a restaurant? They also need to feed their families yet they earn so little. It is my humble plea to this House and country to take good care of our police officers. They work in areas such as north eastern Kenya, where there are improvised explosive devices (IEDs) planted by terrorists, and they end up losing their lives in environments some of them have never seen before. We do not compensate them well. When they die, their children suffer because there is no fund to take care of their education and their welfare.

Hon. Temporary Speaker, I beg you to give me an additional five minutes, if you do not mind.

The Temporary Speaker (Hon. Omboko Milemba): I will give you a minute.

Hon. Farah Maalim (Dadaab, WDM): What will you do with the rest? There are very few Members willing to contribute.

As Members of Parliament, we are so conscious of what happens to our colleagues when they come here for one term and then lose elections. We see them in the streets, and we are pushing for them to get a certain minimum pension. That is the reason we want to contribute towards an insurance system to, at least, give us a guarantee for our health once we are out of Parliament. That way, when you are out of Parliament, you can still enjoy the medical cover we currently have.

Think of a young police officer, maybe 28 or 30 years old, killed on the streets of Nairobi. His wife, four or five years younger than him, with two or three children end up as

orphans. Do we have a system to take care of those children? We do not. It is a pity. This Bill is limited to provision of psychosocial services to police officers.

The Temporary Speaker (Hon. Omboko Milemba): Very well, you have had your bite. Hon. Adan Keynan, another ranking Member, proceed.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Temporary Speaker. A police officer is a law enforcement officer. Pursuant to Article 243 of the Constitution, the functions of the National Police Service include:

1. Provision of assistance to the public when in need.
2. Maintenance of law and order.
3. Preservation of peace.
4. Protection of life and property.
5. Investigation of crimes.
6. Collection of criminal intelligence.
7. Prevention and detection of crime.
8. Apprehension of offenders.
9. Enforcement of law and order.
10. Any other duty that may be prescribed by the Inspector-General of Police.

This Bill is timely. I thank Hon. Masara for thinking out of the box and coming up with this pivotal legislative proposal aimed at introducing far-reaching reforms to the National Police Service in Kenya. The Bill seeks to enhance the welfare, professionalism and accountability of the Police Service, while fostering community relations.

One of the key provisions in the Bill is on the issue of mental health and the wellbeing of police officers. Recognising the psychological toll of the work of a police officer, the Bill mandates NPS to prioritise mental health and wellbeing of police officers by implementing structured counselling, psychological support and wellness programmes. It is true that our police officers have been neglected over the years yet they provide a pivotal service to the public. It is said that a country without a professionally trained and adequately funded police is a country that does not have peace and tranquillity. There are countries that have survived without a military force, but no country has survived without a police force. The work of police officers is very difficult. They deal with the public and criminal elements. Part of their job is to prevent criminal activity, collect and synthesise criminal intelligence and protect the public. This requires a lot of psychological support and wellness programmes to reduce stress-related incidents and enhance officers' morale and performance. Without morale, it is difficult for the officers to execute their day-to-day jobs.

Another aspect of this Bill is to enhance oversight and accountability. One of the things that we have struggled to have over the years is an accountable, professionally trained and well remunerated police officers that meet the test of time. Kenya is a premier republic that prides itself in enforcement of the law and order within the confines of the Constitution. Unless you are adequately trained, you will not have proper understanding of the Constitution. The Bill seeks to fortify oversight and accountability mechanisms within the NPS by ensuring fair, impartial and transparent handling of complaints. It is two-way. They protect the public. There are complaints against the public, and at times, there are complaints against police officers. Accountability must be put on a scale that is fair to police officers and to the public. When I see individuals outrightly condemning the police, I empathise and sympathise with the police because their work is difficult. As legislators, we must come out and support good police officers. Not all police officers are bad. We have some of the best brains in their midst. Therefore, I urge the Kenyan public to desist from collectively condemning the police. They are human beings and are there for us. They do their work by protecting and supporting us under very difficult circumstances. It is high time Parliament, pursuant to Article 243 of the Constitution, went out of its way to adequately fund police officers. That is the only way we

can have an accountable, resilient and ever-ready police service. We removed them from the ambit of the big giant called Office of the President, so that they can have their own accountable system to take care of their day-to-day activities.

Once this Bill is passed, and I hope it will go through, it is expected to curb incidences of misconduct, promote ethical policing and rebuild public trust in the law enforcement agency. It is a critical component that the public has faith in our police service. The public must appreciate the work of police officers. That will only happen if there is understanding. The public must have adequate information as to what it entails to be a police officer. Police officers must also appreciate what they are expected to do. That is what it means to have an accountable, professionally run, well-funded and grounded police service that meets the test of our constitutional requirement.

The Bill also provides for professional development and capacity building, which means continuous education. To enhance competency and effectiveness of a police officer, the Bill emphasises continuous professional development through regular training, skill enhancement programmes and leadership development initiatives. This is one of the benchmarks of individual capacity building. Every profession requires continuous training.

The other bit is the strengthening of community policing. In a bid to foster harmonious relations between law enforcement and the public, the Bill advocates for community policing as a proactive strategy. This proactive engagement between the police officers and the local community will create a culture of trust, cooperation and problem-solving. In this world bedevilled with challenges like criminal activities, cybercrimes and many other issues, we need cooperation between the public and the police. There must be an avenue, and that avenue is this Bill. It is an accepted, law-centred, law-driven and law-placed mechanism that this Bill attempts to provide. This will enable the police officer to function as expected.

This Bill also represents a significant step forward in reforming the Kenya policing framework by enhancing the police officer welfare, professionalising law enforcement and strengthening community partnership. This is the Nyumba Kumi Initiative, which is an administrative mechanism. Once this Bill is passed, it will be anchored in law. This is critical and, therefore, what we expect.

Luckily, in our Constitution, there is something called public participation. The framers of the current Constitution were neither naive nor feeble. They thought outside the box and recognised the need to engage the public. It is two-way. The police officer, as part of the Kenyan society and the law enforcement community, is expected to understand and appreciate the ecosystem in which they operate. That ecosystem is unique. It is filled with criminals and law-abiding citizens, and there is also public expectation of what the police officer is supposed to do.

That notwithstanding, there are a number of things that we must also take into account because it is one thing to legislate. The issue of funding and resource allocation, as I have alluded to, must be addressed comprehensively. We can legislate, and we have legislated in the past, but this must come with a proactive and practical funding programme, for this Bill to have a meaning. Once we talk about the stakeholders involved, this bit must also be collectively approached through public education. We must also look at conflict resolution between the public and the police.

Finally, as part of our police diplomacy, our police officers are right now in Haiti. This country has prided itself on providing some of the best police officers. As we approach the 2025/2026 Budget, I beseech my colleagues to reallocate funding from other sectors...

The Temporary Speaker (Hon. Omboko Milemba): Very well. You have done well, ranking Member. Let us allow other Members to also contribute. Great speak. Hon. Catherine Wambilianga and then Hon. Nyamai.

Hon. Catherine Wambilianga (Bungoma County, FORD-K): Thank you, Hon. Temporary Speaker. I also rise to weigh in on this Bill that seeks to improve the wellness and welfare of police officers.

It is common sense and we can see that our police officers are not living a good life. Despite this, it is unfortunate that we have not addressed their challenges, particularly as key leaders in this country. These are people who have taken good care of us, helping us whenever we have issues. We call them to maintain order when we have matters in our villages and homes, yet their welfare and wellness have not been taken care of.

I support Hon. Masara who brought this Bill. Policemen go through a lot, especially in matters mental illness. Most of them find themselves in a corner, especially when faced with situations. They have nobody to go to, yet it is us, the public and legislators, who should help them. Our police officers have gone through very difficult situations. For example, when there is an accident on the road, they are faced with a very difficult situation. They are the ones we call to remove the bodies. When there is drowning, we call them to remove the bodies for us. But at the end of the day, nobody seeks to sit down and counsel them. They get back to their homes with their normal problems, which even emanate from the poor salaries that they get. With such situations, a police officer goes home to meet his family while they are very stressed, such that whenever there are any issues, they sometimes result into causes of suicide. This is something that us as legislators, should look at.

I support the fact that they have established a wellness centre that will care for them. When I was young, I had a brother who was a police officer. We could visit him, but the conditions under which they lived were terrible. The Government has tried to improve on that, but it is still not good enough. They still share beds and houses, and so much has happened. These are our own children whom we have educated and we expect them to also have good lives. When they get home, they also need to have peace that everybody else gets. In our opinion, officers are only verified. Nobody respects them because we imagine these are just officers who should take care of us. However, as legislators, we should look at their welfare and see what we can put in place to cushion them from a number of issues.

The fact that we are also seeking to establish wellness centres in counties, I feel that the Government should allocate enough resources. In support of the previous speaker, Hon. Keynan, we should reallocate some funds from other ministries and put into the police officers' welfare. This will enable them to have centres where they can go and get relieve.

I support this Bill and hope that its implementation will follow. We pass Bills here in Parliament, but implementation becomes a problem. Once we pass this Bill, we believe the Government will take it up and ensure it is implemented.

The Temporary Speaker (Hon. Omboko Milemba): The Member for Kitui South, Hon. Rachael Nyamai.

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Thank you very much, Hon. Temporary Speaker, for this opportunity to support this very important Bill by Hon. Masara. This Bill seeks to enhance the work done by the National Police Service and the Inspector-General, in order to provide better working conditions for our police officers.

I start by appreciating the contributions of Hon. Keynan and Hon. Farah Maalim for clarifying the importance of this Bill. These police officers, who take care of everyone from the President to our own villages, are not just officers. They are our children, grandchildren, nieces, nephews, husbands, boyfriends and girlfriends. They have offered themselves to go to the most dangerous places and to work at night when people are asleep. For example, in my constituency, police officers working in Ikutha and Mutomo go to Mutha and all the way to the border, a place called Konekaliti. They go to places without chiefs or assistant chiefs, yet people have occupied there, and we expect them to give us the best.

With that background, we must ensure that their mental health is taken care of. These police officers are the ones who collect bodies of people who have disagreed in their homesteads, fought and killed each other. The police officer will be the first to come and collect those bodies. When there is a road accident, they are also the ones who collect those bodies. Maybe, they do not get after-service counselling to get those bad images off their minds. They do it every other day. The police officers are exposed to the collection of bodies all over the country, picking bodies that have decomposed and delivering them to mortuaries. We need to make sure that we pass this Bill by Hon. Masara to ensure that we provide the funding that is needed.

We have a very good National Police Service Commission and wonderful officers like the Inspector-General of Police, Mr Kanja, and Mr Masengeli. However, what can they do without proper funding? I support this Bill that will ensure that our police officers... Please give me a minute, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Please add the Member two minutes.

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Thank you, Hon. Temporary Speaker. In the interest of time, we need to provide money for the police officers. We need to ensure that the camps are properly equipped not only with the equipment that is required for relaxation, but also the human resource that is needed to give them the training that they need.

We should also ensure that there is a proper link between the police officers and community. I hope that beyond this Bill, we can even have an open day for our police officers within our sub-counties and counties where they make use of the money. We hope it will not only be provided for by the Budget and Appropriations Committee, but also, we would like a budget line to be provided so that we can support them and ensure that money is provided for them. I would also like to see a situation where their retirement is properly planned. They should not be worried because they work in far-flung places, and when they come home, they are not even sure of their benefits.

When we take care of the police officers, we will ensure that their families and children are taken care of and the community's well-being is good. I would like to give an example of a young man from my constituency who lost his job. I have written back and forth letters to the Inspector-General of Police. He was serving as a police officer, and went back home and found that his wife was not at home, and his family had disintegrated. Because of that, he started drinking. I believe that what happened to him was not fair because this is a sick man who is drinking alcohol out of frustrations. We need to be careful with disciplining police officers which I can see is part of this Bill. They should not be punished so harshly, without establishing the reason they have become indisciplined. We need to look at the issue of police officers who drink alcohol. Some of them do it because of a situation that they find themselves in.

I support this Bill fully. I hope it will be passed by this House, so that we can provide the camps that are needed and take care of the mental health of our police officers.

Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute.

The Temporary Speaker (Hon. Omboko Milemba): Very well. The Vice-Chairperson of the Departmental Committee on Administration and Internal Affairs, Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I rise to add my voice to this very important Bill by Hon. Masara.

Police officers are first responders who are responsible for law enforcement and public safety. They also provide emergency services by responding to calls and investigating crimes. They patrol areas to detect and prevent crime. They are expected to write an incident report at the end of the day. As Members of this House, legislators and leaders in this country, if there is a profession that we have given a raw deal in this land, it is our men and women in blue; police officers.

This amendment is progressive or forward-looking. More importantly, it addresses three cardinal areas. Firstly, it is about accountability across the police force. Secondly, it addresses the role of leadership of those who command police officers. As leaders in this country, what is our responsibility in the process of having a good police service?

The second aspect of this Bill addresses the welfare and well-being of our men and women in uniform. In odd hours, rain, dusty areas and dangerous locations, we call upon these men and women to provide public safety and security. They are poorly armed sometimes. They are ill-equipped, and the terrain does not favour them. Because it is their duty, many people think that police service is about employment, but it is a calling. In many developed countries across the world, police officers are the most well remunerated civil servants. When you try to describe the task or work of a police officer, then you begin to feel that these men or women do more than what the Salaries and Remuneration Commission (SRC) thinks.

Recently, during demonstrations, riots, protests, attacks and even incidences of rustling, the police force was the most blamed. Blatantly, people came out to say they know what happened to demonstrators. What about the police officers who were keeping peace in a particular area on that day? There are those who lost their lives, arms and legs, and loved ones. As a former military officer and a distinguished one for that matter, in a day, when those men and women in the police force are on a beat, in whatever part of the country, they go through so much. They recover dead bodies that have been thrown into pit latrines and sewages. They are the ones who go to the morgue to identify bodies. As a result of that, they go through serious post-traumatic stress disorder. We appreciate it with minimalism because we think it is normal and their job. However, these are fathers, husbands, brothers and sisters. At the end of the day, they are human beings who appreciate soothing words when somebody says: Thank you, well done and it is okay.

When this Bill came before our Committee, we thought through it and invited the stakeholders. We were amazed by the input and appreciation we got. We did not only look at the men and women in blue, but also the civilians. They gave us very serious input on how we will move forward and professionalise our police force in terms of training commanders and constables, so that they can do their job and simultaneously be accountable to those they are supposed to protect and defend.

Police officers give the ultimate sacrifice by putting their lives on the line. On social media, there is an incident in north eastern where a police vehicle was hit by an improvised explosive device (IED), and some officers were injured. People on social media might think that they were careless or they did not have vehicles, but on the other side, a family has lost a loved one, and soldiers and commanders have lost their comrades in arms.

That is why the issue of psychosocial support, which has been overlooked for too long, must be addressed, starting from a police station and moving to the highest command level. If we do not do that, we will lose very good men and women who would have made substantial contributions to the well-being of our country. During our interaction, we realised that some issues must be addressed to ensure that our police are effective, professional and efficient when performing their duties. These issues include uniforms, medical support, insurance, pension, housing, rations, and protective equipment.

Finally, some words have been used to describe the men and women in blue as determined, strong, ambitious, brave, heroes, selfless, courageous, friends, daring and responsive. These adjectives describe how policemen or policewomen carry out their duties by putting their lives on the line.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Caroli Omondi. Hon. Peter Kihungi. Then let us have Hon. Fatuma Masito. Is she in the House? Proceed.

Hon. Fatuma Masito (Kwale County, ODM): Asante sana, Mhe. Spika wa Muda kwa kunipatia fursa hii ili niweze kuchangia Mswada huu ambao umeletwa mbele ya Bunge hili na

Mhe. Masara. Mswada huu unalenga kuboresha ustawi na hadhi ya askari wetu. Polisi wetu wanaishi maisha ambayo unaeza dhani wao si binadamu au watu ambao wanatangamana na binadamu. Askari wetu hapa Kenya wana dhiki, hii ndio lugha ambayo naweza tumia ili niweze kueleweka vizuri. Wana dhiki, shida na maisha magumu wakati ambapo wanatuhudumia na pia baada ya kustaafu.

Mswada huu unalenga kudumisha ustawi wao na hadhi yao. Utaweza pia kuwatengea kitengo maalumu cha kuweza kuwashughulikia askari hawa ambao mara nyingi wanapatikana na shida ya msongamano wa mawazo na madhara ya akili. Wanafanya kazi ngumu sana. Unaweza hata kupata askari amefanya kazi hata masaa 24, akikimbia juu na chini. Mara nyingine unapata ameitwa mahali ajali imetokea ambapo hata wewe binadamu wa kawaida huwezi kuangalia yale mazingira ambayo ajali ile imetokea kwa sababu pengine labda mtu ameumia sana ama amekufa kifo kibaya sana. Na sijaona askari akisonga mbali na hali kama hiyo. Wengine unapata wanaenda kuokoa mahali kuna mkasa wa moto na anapambana na mambo mengi.

Mazingira ambayo askari wetu wa Kenya wanaishi ni ya aibu. Ni ya aibu hata ukiyasema kwa mataifa mengine na pia kwa Wakenya. Wanaishi maisha ya kinyama. Unapata askari amepatwa na msongomano wa mawazo kwa sababu hata anashindwa kutunza familia yake kwa sababu mshahara ni duni, hawezi kupata matibabu mazuri na pia hawezi kupatia watoto wake elimu nzuri. Maisha ikiwa hivi, askari watajihusisha na mambo mengi.

Wengi wanaingilia ulevi na kuwa mlevi mkubwa kwa sababu anawaza ameshinda kazi kuanzia asubuhi mpaka jioni lakini mwisho wa mwezi mshahara wake hauwezi kumtosha hata wiki moja. Anakopa na kujipata mwisho wa mwezi analipa madeni tu na anaanza tena kwa kijiti; yaani anaanza moja tena. Anakopa mpaka ifike tarehe thelathini, akipata mshahara, analipa madeni yale na kuendelea kuishi. Je, haya ni maisha ya aina gani ukilinganisha na kazi ambayo askari wetu wanayoifanya ndani ya taifa letu?

Naunga mkono Mswada huu ili iweze kudhibiti. Askari ni baba zetu, dada zetu, na marafiki wetu na tunaishi nao vizuri. Pia wanatufanyia kazi nzuri zaidi. Ninaunga mkono Mswada huu. Natumaini itapitishwa na Bunge hili iweze kusaidia ndugu zetu.

Mhe. Spika wa Muda, asante sana kwa kunipa fursa hii.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Edith Nyenze.

[The Temporary Speaker (Hon. Omboko Milemba) left the Chair]

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) took the Chair]

Hon. Edith Nyenze (Kitui West, WDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to share my views on the National Police Service Commission (Amendment) Bill (National Assembly Bill No.23 of 2024). Let me also take this opportunity to congratulate our colleague, Hon. Masara, for this good Bill. It aims to strengthen what we already have, especially regarding the mandate of the National Police Service Commission to address the mental health and wellbeing of police officers.

This Bill seeks to establish psychosocial units and programs that aim to promote the mental health and wellbeing of police officers. The Bill is trying to insert a clause in 12(a), which requires the Police Commission to provide police officers with mental health services. It also requires the Commission to establish well-equipped centers in offices, camps, training colleges, and communities for police officers to receive psychosocial services. Apart from that, our police officers do a lot of work. They are exposed to harsh environments that they have not been trained in. They are also badly exposed in the social media era.

Apart from creating those centres, we also need to improve their emoluments. Their salaries are very low. They stay in dilapidated houses. Even though we have talked about those

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

issues for a long time, nothing much has been done to improve their housing and increase their salaries.

Psychosocial support is important because exposure to such environments results in mental torture. Some police officers go to harsh areas and stay there for months without taking leave, and when they do so, they are not given enough money to take to their families. They end up being overworked and underappreciated by the people they serve. They correct us, and we do not appreciate it. They work in harsh environments, yet they have nothing to show for it when they return home to their families. Some police officers are posted to hardship areas and stay there for a very long time without transfers. Even if they keep applying for transfers, they are not considered. With time, they become tortured leading to mental illness. Therefore, those centres are important so that they can share their feelings with their supervisors or discuss with their colleagues. They can also air their views, so that they are helped whenever they feel exposed.

I also feel that the training they undergo does not expose them enough to the issues they will face in the course of duty. During training, they should be exposed to the kind of life they will experience at their work stations. We currently have some police officers in Haiti. Some of them were trained in urban areas like Nairobi and they are then taken to very harsh areas, which they have not been exposed to yet they are expected to perform and keep their jobs because job opportunities are very rare. So, one is put in a very harsh environment such that you need some help. This is an important Bill because it will address such issues and improve the welfare of police officers, especially their mental health.

With those few remarks, I support the Bill.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Nyenze. Hon. Mary Wamaua, Member for Maragwa.

Hon. Mary Njoro (Maragwa, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to the National Police Service Commission (Amendment) Bill. As I support and congratulate Hon. Peter Masara, I support my colleagues' views because we need to establish psychosocial support centres in the counties, so that we can address mental health challenges within the police force by promoting professionalism, mental stability and accountability.

We do not only need psychosocial support centres in the police force. If it were possible for the Government, we would have them in all sectors. You will bear me witness that many people are dealing with economic hardships, social media and online pressures, relationship and family struggles, stresses in the work place, substance abuse, unhealthy coping mechanisms, health issues and lack of access to mental healthcare. All workers require psychosocial support to deal with those issues, not only police officers. Through those centres, we will guide, counsel and even get closer to those affected. Depression affects many people such as other public officers and civil servants, as well as children in primary and secondary schools, and students in universities. When a parent is hit hard by tough economic times and cannot provide for his or her children in university or secondary schools, the children undergo such problems. Back in the day when we were in primary school, we did not have to deal with such issues.

I can say without any fear of contradiction that this Bill is crucial so that our police officers, who are experiencing a troubling increase in suicide cases amongst their ranks due to the factors that I have mentioned, can be supported. The proposed amendment Bill provides structured mental health support, potentially reducing incidents of erratic behaviour linked to mental distress. This is crucial for people whose work is to protect us. We should start by looking into their mental well-being so that we can enable them to serve the country better. You can imagine a police officer who is already mentally depressed and is expected to work during the day, rest a bit and at times, go on patrols at night to protect our people because we

still have shortages in staffing. We cannot neglect their mental health bearing in mind that their work is to ensure that we enjoy security as we sleep and that our businesses and places of work are secure. Every Kenyan is entitled to security as a constitutional right.

Before we move to other sectors, we need to start with our Kenyan police officers. That is why I want to congratulate Hon. Peter Masara for having thought about this. The moment we start with this, I know it is going to yield good fruits. Thereafter, the Government should think of how it can trickle down to other sectors so that we can fight the depression and stresses in our working areas.

Hon. Temporary Speaker, I know we have such places in our hospitals, but they are found at Level 4, 5, and 6 hospitals which are not found everywhere in the country. If we can start in every county, we shall assist some of the areas with the little that they have to address psychosocial issues in our hospitals.

I support this and request that when it goes through, let it be implemented to make sure that issues affecting our police officers and others in different working places can be addressed.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Andrew Okuome, Member for Karachuonyo.

Hon. Odipo Okuome (Karachuonyo, ODM): Thank you, Hon. Temporary Speaker for giving me this opportunity. First, the work of police is extremely essential, important, and very necessary. I believe that we do not treat our police officers in a manner commensurate with what they do for us. These are people who face danger every moment they are on duty. Sometimes they work at night, and at times during daytime. In some cases, there are people plotting how to disable them from doing their work of stopping them from illegal actions. Some lose their jobs in the process.

When it comes to their living conditions, some police officers live in shameful residential houses. They live in *mabati* structures with floors that are sometimes cemented, and at times with bare soil. Those are floors to put their beds or mats on. All these are very frustrating conditions.

People's attitude towards police officers needs some corrective action. Some people think of police officers as enemies. They do not realise that they are not enemies. Those who take police officers as enemies are criminals. Sometimes the police may require to move their vehicle systematically and legally. The police need to correct themselves on the issue of bribe taking that occurs occasionally.

I cannot emphasise much more on the problems the police face. On a positive note, police officers provide security. People realise their importance when a problem occurs. Under such cases, everybody looks for them to come and bail them out. Our populace also needs to be educated so that they can realise the importance of the police service. Because of their necessity and what they do for us, police officers need to be paid well. I know one of my colleagues said that they are well paid, but I very much doubt that. These people are not paid well. That is why we see them looking for minor mistakes committed by drivers and ask them for money. We do not need to subject such people providing excellent service to us to such situations where they have to get additional money in the form of bribes. Something needs to be done about that.

I support the idea of psycho-social support centres. These centres should not just be for reaction. They should be used for prevention so that police officers' mental and physical conditions are checked often to ensure they are fit for work. This will enable them to do their work well. These centres should operate continually. In addition, police officers should undergo general medical check-ups, which should include all requirements of wellness of their bodies. I have mentioned the importance of police officers' work and the action we need to take.

Let me emphasise that something should be done about their accommodation. I would like to point out to my colleagues and the Hon. Temporary Speaker that it is almost impossible to live in the *mabati* houses they are provided with in hot places like Moyale. These houses are very hot during daytime and very cold at night. These conditions are intolerable for them. That is why they sometimes get a little upset and begin to do dangerous things like killing their spouses. We need to protect ourselves against such kind of situations by treating our police officers as human beings doing essential work for us.

With those remarks, I congratulate my colleague, Hon. Masara, who brought up this Bill. I support it.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Member for Karachuonyo. Hon. Zainab Mohammed, Member for Migori County.

Hon. Fatuma Mohammed (Migori County, Independent): I thank you, Hon. Temporary Speaker for the opportunity you have given me. I would like to add my voice on the National Police Service Commission (Amendment) Bill. I support it in totality.

It is a Bill that I am very sure every Kenyan would be positive about. The police service has suffered a lot. This kind of treatment would be good for them, considering that our police go through a lot. For example, there is no family connection in the police service. A police officer is transferred every single day. In the process, they lose connection with their parental and marital families. It is very important to take care of their well-being so that they know how to cope with such situations.

The NPS needs assistance with financial management. We agree that their salaries are not adequate. Some join the service when they are very young and unable to take care of their financial needs. They end up with loans that they are unable to service. Social well-being will be important for them because a lot of challenges will be taken care of. We all agree that police officers go through trauma either directly or indirectly. In a situation where a colleague is shot dead next to you, you have to carry him or her. They have hard hearts, but their hearts are also soft. They go through stress. When an officer loses colleagues, they may think the next day it will be them dying. This tortures them directly or indirectly. If this centre is established, such problems will be taken care of, but not solved completely.

Some Kenyans also bring down the self-esteem of police officers. There are situations where one uses mind-altering substances like alcohol or drugs and when the police come to arrest them, they throw words that lower their self-esteem. In such a scenario, a police officer might end up using a gun to finish you for lowering their self-esteem. When officers encounter such challenges, they can turn to the centres to take care of them by talking to them and understanding the situation they are in. What happened at the Westgate Mall, Dusit D2 Complex and Kapedo are living examples. Police officers who were at these areas during the incidents were never taken care of. There are scenarios where police officers shoot colleagues in circumstances that cannot be explained. In most cases, it is because of the trauma, stress and depression they go through. Nobody understands them. When a small argument ensues, a police officer ends up using the nearest weapon which is a gun.

Our police officers get injured during service, but they do not have the means to manage, recover and return to work. They may lose a leg, eye or other parts of the body. When they go to a doctor, they are treated, but no extra service is given. When they realise they have one hand and can no longer hold their gun, they get into depression. They chose the job to defend the people and their country, but unfortunately, they can no longer serve. This sends them into serious depression, which piles up and trickles down to their families. I know finances are inadequate, but we should provide the centres in every polling station instead of the county level. Alternatively, we can try and put up centres at the constituency level and later move downwards to the sub-county level. It might be difficult for a police officer who works in Nyatike, where I come from, to go to Migori where such services are provided. That alone

can be stressful to them, because they have to leave their families and travel for over 60 kilometres to get a centre.

This is a very good Bill. I congratulate the Member who tabled it. I believe all the Members of this House will support it in totality. If there are any amendments that would make it better, we request those with such ideas to bring them forward. Let us support the Bill in totality. It is a good one. God willing, it will help police officers in this country.

Lastly, I congratulate police officers of this country. They are our sisters and brothers and we love them. Sometimes we rub shoulders, especially during *maandamano*, but at the end of the day, we are still brothers and sisters and the country belongs to all of us. We congratulate them. We love and wish them well in their duty.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Gichimu Githinji, the Member for Gichugu.

Hon. Gichimu Githinji (Gichugu, UDA): Thank you, Hon. Temporary Speaker, for the opportunity to contribute to this Bill by Hon. Peter Masara.

The police perform a very important constitutional duty to protect lives and property in this country. A stable country is dependent on a very strong and healthy police service, which is why I support this Bill. Having seen that this Bill has gone through both the Budget and Appropriations Committee, as it is a money Bill, and the relevant departmental committee, it is clear that it has already received support even before reaching this House.

This Bill is important in addressing the challenges faced by our brothers and sisters in the police service. It seeks to improve the management of issues affecting them, ensuring they can withstand the demanding working conditions. It goes without saying that police officers go through traumatising incidents, especially when deployed in volatile areas or conflict zones. We have seen a number of them lose their lives in the line of duty. I will not mention specific locations, as there have been many, particularly in areas affected by tribal conflicts or even external aggressions. A recent case, which is about to be debated, involves Turkana.

These incidents highlight the urgent need to establish centres to address the challenges faced by police officers. There is a critical need for psychosocial support to help these police officers. Some of them carry a lot of burden because they join the force at a young age and may be the sole breadwinners of their families. With their low income, they are often responsible for supporting their entire families, including siblings. At times, poor working and living conditions, stress-related issues and depression, may affect their ability to perform their duties well.

However, this Bill does not seek to address the root causes of the issues that necessitate the establishment of psychosocial support centres. The National Police Service Commission has a huge responsibility to address the welfare issues affecting police officers and causing them stress and depression, which require the kind of support outlined in this Bill.

The National Police Service Commission must adopt innovative approaches in handling the challenges faced by police officers. They should borrow a leaf from this House, where, under the leadership of the Speaker, we have gone the extra mile to contribute from our salaries money to establish a post-retirement medical scheme. The National Police Service Commission should also be innovative and ensure that serving officers contribute little money. Once they leave the service, apart from the pension they normally enjoy upon retirement, they can also enjoy a good medical scheme. This will call for very little contribution every month, so that police officers can live good lives after retirement.

The National Police Service Commission should also come up with a way of supporting families after losing their loved ones in the line of duty. Hon. Temporary Speaker contributed while she was on this other side. Young police officers leave behind very young families with no support. They look upon the police officers for their support and children's education, but

are left devastated. There should be innovative ways of ensuring that the families get support, after an officer dies in the line of duty or while still in employment.

The salaries of police officers is another welfare issue. Some of the issues may not be legislated through an amendment of an Act of Parliament. Others can be addressed through innovative ways by the National Police Service Commission. This will ensure that the welfare of our men and women in uniform, who we call police officers, is looked after.

I support the Bill and believe much more needs to be done. The proposed centres will only look at issues of affected people or those who are most likely to be affected.

Finally, I propose that after establishing county psychosocial support centres for police officers, we need to establish others in due course as resources allow at the sub-county level. This will ensure that police officers do not travel long distances to get services. We have some sub-counties which are too huge, and officers may not have money or vehicles to take them far and wide to seek these services. This is a good start, but with time, we can further devolve them to the sub-counties. The officers who will be employed at the county level can also provide mobile services to the officers at the sub-counties.

Thank you, Hon. Temporary Speaker.

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) left the Chair]

[The Temporary Speaker (Hon. Farah Maalim) took the Chair]

The Temporary Speaker (Hon. Farah Maalim): Member for Kesses.

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to support the National Police Service Commission (Amendment) Bill.

Clause 12 of the Bill addresses needy issues affecting our officers in line of duty. We are not new to uncertain news that run on our screens every now and even on the social media. Police officers take away their lives or those of innocent people as a point of expression of depression, dissatisfaction or frustration. When all these issues are put together, they draw us back to the knowledge that police officers are human beings like every other person.

We all know that we gave ourselves a new Constitution in 2010. However, we are still working on it to ensure that we implement it to the letter. The amendment in this Bill takes us to Article 43 of the Constitution on economic and social rights of Kenyans. As I have said, police officers are Kenyans like everybody else. This Article of the Constitution enumerates a list of rights every Kenyan is entitled to. The first one is the issue of quality healthcare which is not only limited to the aspect of illness and medical attention to ailments, but also includes squarely mental illness. Frustrations are demonstrated by officers where a junior officer opens fire on their colleagues or seniors. As we all know, operations of officers in uniform is a question of orders, instructions and directives. It is a top-down operation. Sometimes instructions are given to people who are already sick. There is no person or quota that is able to evaluate, look at and check the well-being of these people. Sometimes they are given a huge assignment that sounds like a punishment because they have already lost hope in life. It leads to what we are witnessing now. We are losing a lot of officers. Officers kill their families, including innocent children, just to express their frustration. After realising they have done the worst, they take away their lives. We lose a lot.

This particular amendment seeks to establish psychosocial support centres in every county. As Hon. Gichimu said, we need to look beyond counties. Some counties like Marsabit and Isiolo are vast. It is difficult to connect from one far end of the sub-county to the county headquarters. They are two worlds apart. It is time to support such an amendment. Let us secure the lives of the people we expect to secure our lives. Let us ensure they are well and their issues are addressed. We should not only address sickness and mental illness. We also need to

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

understand the causes of these illnesses. One of the causes are the financial or economic challenges they go through. Some of them get employed when they are young only to realise that their expenditure and income do not match. Why? Because during training, there is inadequate time to be taken through financial training. The proposed centres should provide a mechanism of continuous training to ensure that the officers are sensitised on financial management and how to integrate their families in financial decisions so that they can move together.

Some officers take loans, misuse the money and then the loaners come for their necks. Nowadays there are shylocks. Some officers commit everything to shylocks to the extent they realise they are naked. They have no meaning. Their families need school fees and medical care, but there is no money. What remains? They indulge in alcoholism and in the long run, they lose the meaning of life and die. The reason is due to lack of experts to continuously engage them. Officers who go through problems should get a moment to exchange experiences with others who have gone through the same challenges so that they can realise that life has meaning and whatever they are going through is not unique to them.

I support this particular amendment and congratulate Hon. Peter Masara for thinking of solving problems of our police officers. I know my colleagues on the other side. The other day, they were singing *maandamano* and they know the problems they take police officers through. I am happy today because they realise that police officers are our children and we need to cater for their interests. When the officers facilitate their demonstrations, they are also affected by tear gas, stoning and get frustrated. When there are demonstrations, police officers stay all night in the field without food or enough sleep yet they are human beings. We also need to resource police officers well. This House needs to provide sufficient resources for that particular department. It would be meaningless to establish a centre without enough money, personnel and experts. As we discuss the BPS and future budgets, let us give this department the attention it deserves.

Thank you so much. I support this particular amendment.

The Temporary Speaker (Hon. Farah Maalim): Hon. Kosgei, Nominated Member.

Hon. (Dr) Jackson Kosgei (Nominated, UDA): Thank you, Hon. Temporary Speaker.

From the outset, I wish to support this amendment Bill by my friend, Hon. Masara. It touches on very important members of our society. We cannot overemphasise the important role that police officers play. When we talk about psychosocial support, we are addressing their emotional, social lives and mental well-being. We are also referring to their spiritual needs because they are human beings. We must build in them resilience, hope and a sense of national pride. This House should treat it as one of the very important aspects of our society as it touches on our security, both personal and internal security within the country.

The police officers have four basic roles all over the world; to enforce the law, prevent or deter crime, provide emergency response, and provide support system services required by the society. In their line of duty, they face circumstances that affect them as a people, while managing through their roles in the field. My colleagues have contributed and prosecuted in detail some of the areas that need to be addressed when we talk about county centres.

I want to talk about our attitude towards police officers as citizens of this country. We need to look at them and appreciate that they are doing what we would have done individually, which is to provide security for ourselves, our children, properties and our country. Some groups or social movements address the police as enemies of progress and an impediment to freedom. I take this opportunity to implore us that, as we think about supporting the police, we must change our attitude towards them.

After Independence, we used to think of the police being the force of colonial masters. Growing up, we saw police as enemies because they represented a regime that oppressed us. However, we are an independent country and we must be proud of our country. What we see

in the global north is how they respect their police officers in the line of duty as they fulfil their roles and implement the law. We must cultivate a culture of pride in our own country and respect for the law.

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

The Temporary Speaker (Hon. Farah Maalim): The Member of Parliament for Keiyo South, Hon. Gideon Kimaiyo.

Hon. Gideon Kimaiyo (Keiyo South, UDA): Thank you, Hon. Temporary Speaker. I support this Bill. I also appreciate the Member of Parliament for Suna West, Hon. Masara, for thinking about our police officers.

Article 43 of our Constitution guarantees all citizens of this country the right to health. Our police officers work in very hostile environments, which at times brings issues like depression. Their housing and salaries are not adequate. If you look at their working equipment, like the vehicles they use, they are not sufficient. Besides that, some of them are posted to work in very harsh environments. As we know, it is a disciplined force and they do not have any other option, but to serve the country in those places. So, the introduction of this Bill, in a small way, is appreciating the men and women in the police service. I support the Bill as it seeks to amend Sections 10 and 12 of the Police Commission Act.

In other jurisdictions like South Africa and Canada, they have introduced the same law that we are talking about.

The Temporary Speaker (Hon. Farah Maalim): Hon. (Dr) Kimaiyo, I hate to interrupt you. However, it is 6.00 O'clock. Actually, it is 6.00 O'clock and 1 minute. When this debate resumes, you will have eight more minutes. We were meant to have a Motion of Adjournment at exactly 6.00 O'clock. Under the circumstances, I am going to call on Hon. Ariko, the Member for Turkana South, to move the Motion of Adjournment. Essentially, in a Motion of Adjournment, I am sure you understand the rules, you will all contribute. There will be no seconder and a Question will not be put at the end of it. The Motion will be debated for one hour and two or three minutes.

Proceed, the Member of Parliament for Turkana South, Hon. Ariko.

MOTION OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE

SECURITY SITUATION IN TURKANA

Hon. John Namoit (Turkana South, ODM): Thank you, Hon. Temporary Speaker for according me this opportunity to raise my voice on this matter of the Todonyang Massacre. On behalf of my family, the people of Turkana South and the greater Turkana nation, I would like to extend my deep sympathies and condolences to the families of the bereaved in the Todonyang Massacre. May God rest their souls.

On 22nd February, 2025, more than 20 fishermen lost their lives and a significant number of people were reported missing following an ambush by a suspected Ethiopian militia, popularly known as Dassanech militia in Todonyang, Turkana County. The militia targeted the fishermen who were unarmed as they were fishing at a place known as Lopemukat and Natirae near River Omo. It is reported that during the incident, there was an intermediate network blackout within the area that interfered with communication, hence the delayed rescue of the residents. It should be noted that Dassanech is an Ethiopian community living in the Todonyang area and shares the same economic activities with the Turkana people. Todonyang is situated on the shores of Lake Turkana, on the northern side. It is very close to the Kenyan-Ethiopian border and has faced perennial conflicts and insecurity over the years. The first incident that we can account for happened in 2011. As per the Government records - remember Government

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

records may not be true, they normally understate the numbers - in 2011, 43 people were killed by the militia. Again, in 2020, Merille bandits suspected to be from Omo in Ethiopia, attacked residents in Todonyang with an intention of raiding livestock. These attacks have caused loss of lives and livelihoods. Again, in 2021, a massacre occurred where foreign militia killed 37 Turkana pastoralists inside the Kenyan territory.

Hon. Temporary Speaker, remember again that these figures are understated. The security situation has severely disrupted essential services in the area, significantly impacting development in the region. The current attack has led to loss of lives and property. You can imagine 16 boats were taken away. They promised to return five boats, but they have not yet done so. You can also remember the failure of the Government in June. The Government has either been ignoring some of these conflicts or it has always been using a sweet-talking strategy to calm the situation.

Remember again that the Member for Turkana Central raised a Request for Statement in June 2024 when the Kenya Wildlife Service guards killed a fisherman who was trying to eke a living. To-date, no action has been taken by the Government. There is need for them to put in place measures to enhance economic activities within the blue economy sector. People from our neighbouring countries have encroached on Kenyan land, with the support of their authorities, at the expense of peace. The Government of Kenya always ignores or applies sweet-talking strategies in addressing such a critical matter.

I have identified a number of challenges that this community is experiencing. One of them is poor network connectivity within that particular area. There is only one Coast Guard surveillance boat with a small capacity. There are only eight Coast Guard surveillance officers. You can imagine all that terrain across the lake has only eight guards with one boat. There are only a few empowered National Police Reservists (NPRs), leave alone the regular uniformed police officers. The NPR personnel are well-versed with the terrain, but they are very few with no facilities to enable them to provide security in the area.

The alternative source of livelihood for the fishermen is livestock, which is continuously affected by banditry perpetrated by the same militias. We have been making proposals, including the need to enhance authority. Legitimacy and authority of our Government can only be realised when there is law and order in a society. If the community is not feeling the presence of the Government, members of the public will always take charge to protect themselves and their property. The Ministry of Foreign and Diaspora Affairs and the Kenya Revenue Authority (KRA) must establish their presence in that area. The Government should enhance security to encourage offtake of economic activities in those forgotten areas of Kenya.

There is also the issue of initiating food security programmes. The Kenya Kwanza regime was elected on a platform of a number of promises, including enhancement of food security across the country. We are proposing an alternative source of livelihood and economic activity for the county. We also propose enhancement of surveillance by the security agencies, and more so increasing the number of Coast Guard personnel in Lake Turkana. We also require enough vehicles, ammunition and food supplies for the security agencies. That is what is required by the men and women in uniform.

There is need for the Government to deploy the Kenya Defence Forces (KDF) along our borders. The Turkana community always secures our border with three neighbouring countries, but the donkey is now tired. What is the role of the Ministry of Foreign and Diaspora Affairs in actualising some of the United Nations (UN) Security Council agenda? Kenya is a member of the UN Security Council. I read a statement by the UN Secretary General on UN Security Council and picked the following:

“The Security Council reaffirms its commitment to the Charter of the United Nations, including its purposes and principles and the primary responsibility of the

Security Council under the Charter for the maintenance of international peace and security. In this regard, the council reiterates its commitment to address conflict, induced food insecurity, including famine in the situation of armed conflict.”

In that presentation by the United Nations Secretary General, Antonio Guterres, the Security Council reaffirms its commitment to full respect for the sovereignty and territorial integrity of States in accordance with the Charter of the United Nations.

The final statement that I picked is:

“The Security Council reaffirms the primary responsibility of States to protect the population throughout their whole territory and the obligation of all parties to armed conflict to respect international humanitarian law and the need for them to allow and facilitate the rapid and unimpeded passage of humanitarian relief for citizens in need.”

Hon. Temporary Speaker, I would like to register my concern about President Trump’s executive orders. They have affected humanitarian assistance and development funding that the Turkana community used to benefit from the Government of the United States of America. That region has been benefiting a lot from humanitarian funding. Its termination will motivate more conflict between the two territories. A conflict between the citizens of two countries is an international problem, which its Government must take seriously. What the Turkana people are experiencing...

The Temporary Speaker (Hon. Farah Maalim): Give him an additional minute to wind up.

Hon. John Namoit (Turkana South, ODM): Thank you, Hon. Temporary Speaker. As I was saying, the current conflict between the citizens of Ethiopia and Kenya is an international problem that needs the attention of the leadership of this country. However, when the Cabinet Secretary went to Todonyang, he left without taking any action. The Cabinet Secretary for Interior and National Administration cannot account for the day he visited Todonyang. He cannot tell us what he did for the people of Todonyang. We want the Cabinet Secretary to react and do something tangible that we can account...

The Temporary Speaker (Hon. Farah Maalim): Hon. Ariko, I have looked at the Standing Orders and the rules on a Motion for Adjournment on a matter of urgent national importance are very clear. You strictly have 10 minutes to speak to it - I overstepped. Times have changed and you have done your bit.

Hon. Naomi, did you want to contribute to this Motion or the previous debate?

Hon. Naomi Waqo (Marsabit County, UDA): I wanted to contribute to the previous debate.

The Temporary Speaker (Hon. Farah Maalim): Okay, I presume there are Members who would like to contribute to this Motion. If you wish to do so, raise your hand so that I can see you. Hon. Nanok, Member for Turkana West.

Hon. Daniel Nanok (Turkana West, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to add my voice to this Motion. At the outset, I would like to express my heartfelt condolences to the families that lost their loved ones in the bizarre massacre that occurred in Todonyang.

Hon. Temporary Speaker, it is a painful experience. You wake up one morning and embark on a business of fending for the lives of your family and you lose your life. Some people have not been accounted for up to now, and there is nothing to be said. The news broke out on Sunday because the killings occurred on Saturday night. It was shocking. The situation in Turkana County and the greater northern region of this country had remain calm because of the many meetings that had been conducted by the area leadership, and people had agreed with their neighbours to keep peace. We were seeing a semblance of peace and, therefore, people were pursuing development matters. Even in the case of Todonyang, there had been prevalence of peace. A peace deal had been brokered in the last two years. The recent killings occurred

during a period of relatively peaceful coexistence between the people of Turkana North in Todonyang and the people in our neighbouring countries, including the Dessanech people of Ethiopia.

Suddenly, we lost more than 25 people. The story we have heard from people who have visited the area is that the Member for Turkana North is still there. He has been held there since Sunday. He has not been able to come and execute his function of representing the people of Turkana North because of this situation. The Security Committee of Turkana County is held up there. The story we are getting is that the whole area of the Omo River Delta, as it enters into Lake Turkana, is full of stinking human bodies thrown into Lake Turkana. That is the pain that the people of Turkana North and Turkana County are suffering from.

What do we hear? We hear our Cabinet Secretary for Interior and National Administration referring the incident as a small matter, saying that we should show restraint. What do you do when you lose 25 people and you cannot account for more than 30 people, including children and men who were fishing in that lake? This is not a small matter. That is the pain we feel as the people from there. It is time the Government of Kenya did the honourable thing. The border between Kenya and South Sudan, and between Kenya and Ethiopia, is not secured. People cross in and out as they wish. The area where the massacre occurred is Kenyan territory, but because of the peace that had been brokered between the Dassanech and the Turkana communities in Todonyang, the two communities had been living together. Whatever triggered the killings is a matter that needs to be investigated by the two Governments and resolved in a way that protects the lives of the people of Turkana North.

People have lost their livelihoods. Their fishing boats and fishing nets are gone. It is only good that we hear that these people have been given back their nets. The massacre should not be swept under the carpet again, like the many others that have happened before. That is the pain we feel, but for those who have lost their lives, we are sorry. The people of Turkana West, of course, stand with their brothers in Turkana North, and we hope that the Government will step in strongly to get a permanent solution.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Next is the Member for Turkana East. Please, proceed. Give the microphone to the Member for Turkana East.

Hon. Nicholas Ng'ikor (Turkana East, JP): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this Adjournment Motion on the massacre of the Turkana people at Todonyang.

Before I proceed, on my own behalf, my family and that of the people of Turkana East, I send my condolences to the families of those who lost their lives, the people of Turkana North and the great nation of Turkana.

This has become the norm in our country. This Adjournment Motion is a concern for the entire country. However, many Members have already left the chamber. This Adjournment Motion talks about life. We have been discussing similar Motions every year, both internally and externally, but nothing has been done. We still do not know the exact number of people who have been killed, and our Government is quiet about it. The militia who committed the atrocities are still at large. They have even said they will not move from where they are to pave way for the dead people to be counted, but the Government has given it a deaf ear. If this incident had happened elsewhere in the country, everybody would have gone there. However, because it is in Turkana, no one cares.

We have been talking about this for many years. The issue of Todonyang is not new to this House. In the 1970s, 1980s and 1990s, people were massacred in the same area, but no action has been taken to find a lasting solution. The Government goes there, comes back and tells the public that they are doing something, but at the end of the day, they go silent. Time has come for the Government of Kenya to take stock of the security situation in Turkana

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

County. We cannot send our officers to Haiti and Congo yet our people are being massacred along our borders in Turkana. Those incidents are happening between the borders of Ethiopia and Turkana, South Sudan and Turkana, and Uganda and Kenya, but nobody talks about it. For how long more are we going to lose lives in Turkana County without action being taken to find a permanent solution as we address the problem of the massacres happening in those areas?

Even as we talk about international boundaries, on Monday, a Member of this House incited people at a Kabarnet Court, but he is still walking freely. Time has come for the Turkana people to rise. We are fed up. We want to enjoy the right to live in this country like other Kenyans. We need to be protected. Our property...

The Temporary Speaker (Hon. Farah Maalim): As moving and as important as it is, unfortunately, my hands are tied. I do not have any prerogative to give you more time. However, I share your grief.

Next is the County Women Representative for Turkana County.

Hon. Cecilia A Ngitit (Turkana County, UDA): Thank you, Hon. Temporary Speaker for giving me a chance to contribute to this Adjournment Motion.

First and foremost, I pass my sincere condolences to the families of Turkana people who lost their people and property. Secondly, I attest to this House that I went to Todonyang. I personally visited the place. Whatever I am saying here is based on what I saw with my own eyes. What happened at Todonyang is unimaginable and beyond human understanding. We were there in a closed-door meeting without doing anything. The families who lost their loved ones were just hovering around, crying. They could not prove if their people were alive or dead simply because we were not allowed to access the place of the massacre to even take the bodies for burial.

Is there any other inhumane act beyond this? How can a sovereign country like Kenya allow a neighbouring country to massacre her people, hold onto their bodies, bury and dispose them as they wish? As the Hon. Member for Turkana West said, that part of Lake Turkana is stinking of the bodies of our people. They hid them under the water hyacinth. Some bodies were hidden in shallow graves. We are not able to account for all the bodies. It is very wrong for anyone to say that 25 fishermen were killed. We do not know the number of people who were massacred because the entire Turkana County goes there to earn their living. That area is concentrated with fish. That is why the Ethiopians are there. There are also Burundians and people from other parts of Kenya. This kind of massacre only happens to the Turkana people. The lady who rescued the 24 survivors is a Kikuyu. We thank God and celebrate her today. There is also a good-hearted chief on the other side of Dasanach, who facilitated the 24 survivors. We also thank him.

Where are the specialised forces, the divers and the navy? Whenever there is a boat accident at the Coast, in Indian Ocean, the Government sends specialised forces there to retrieve the bodies. It is now one week and we are not able to retrieve the bodies of our people. We can only smell the stench emanating from their rotting bodies. The two bodies that were retrieved yesterday were of two men who were killed on Monday and not on the day of the massacre. They were hiding in the water hyacinth waiting to be rescued. When they heard the boats cruising in the lake, they thought Kenyans had gone to rescue them. So, they emerged from their hideouts only to get into another ambush. They were brutally killed in cold blood. It is so inhuman.

This is not the first time we are doing this. For how long shall we move adjournment motions in this House to discuss massacres of the Turkana people? This is of an international nature. As Hon. Ngikolong put it, Kenya is able to send police officers to Haiti, and the Kenya Defence Forces (KDF) wherever. However, there is zero KDF presence in Todonyang. Our borders there are manned by the Turkana people. We lose lives and property.

The Temporary Speaker (Hon. Farah Maalim): Unfortunately, my hands are tied. I cannot give you more time. Member for Turkana Central, Hon. Emathe.

Hon. Joseph Emathe (Turkana Central, UDA): Hon. Temporary Speaker, I thought you would donate more time to the eye witness.

The Temporary Speaker (Hon. Farah Maalim): I would have loved to do so. You know that very well. I am one person who shares your grief. It is no mean thing. The people of Turkana are suffering and I feel your pain more than anyone else. Please, continue.

Hon. Joseph Emathe (Turkana Central, UDA): Thank you, Hon. Temporary Speaker. I send my condolences to the families. May the souls of the departed rest in eternal peace. This is a horrible moment for us as the people of Turkana County. We have not been reached by the Government. Most of the people who were killed voted for this Government. In fact, Turkana North is where the Government received the most votes after Turkana Central yet the same Government is not activating any systems to rescue its people or even just visit them. What was done on Monday by the cabinet secretaries was a gimmick and a PR exercise. It was nothing at all. By now, they would have sent help, but nothing is happening. Hon. Cecilia was there. She has demonstrated what is happening there. We say thanks to the Todonyang Chief and the Kikuyu lady who were able to rescue more than 25 persons who were almost being killed at the chief's house in Todonyang. These people are not in Ethiopia. They are in Kenya.

When former President Uhuru Kenyatta and Uganda's President Yoweri Museni launched a cross-border peace and development programme in Moroto. I was very much ashamed that as a country, we had not done anything for pastoralists in Kenya while Uganda had done so much on their side. It is the same thing we are seeing in Todonyang. Omurate, the town next to Todonyang, is food secure. If it were not for the floods from River Omo that pushed our people to undertake fishing, the Kenyan side would not be having any economic activity. It is only the Todonyang Catholic Church that helps, and I thank them. There is no Government there. Pastoralists exist without any Government at all. We want this Government to be serious with matters of the pastoralists. When there is development and people are settled, such incidents will not occur because people will find other forms of livelihood to engage in.

Sometime back, an accident occurred and people were busy fundraising while the Government was busy trying to understand what was happening. There was no information about plans for the people of Todonyang in Turkana. I request the Government to think of ways of developing the area. We have talked of the Lokirama-Lodwar-Todonyang Road and the Kapedo-Lokori-Lokichar Road, but nothing is happening yet those areas continue to be insecure. People are not gainfully engaged. All they think about is banditry and killing each other. This Government that I am in should swing into action.

The Temporary Speaker (Hon. Farah Maalim): Is Hon. Ruku in? I have a list here. Member for Kuresoi South, before you speak, you still have your five minutes. I just want to make a clarification about adjournment on a matter of urgent national importance. Standing Order 33(4) says –

“No Member speaking on a matter under this Standing Order shall speak for more than five minutes without the leave of the House, except that the Mover who may speak for ten minutes.”

Therefore, my hands are tied. It is not possible for a Member to speak for more time than is stipulated in the Standing Orders. The Mover has 10 minutes and the rest of you have strictly five minutes each.

Please, proceed. Your five minutes start now.

Hon. Joseph Tonui (Kuresoi South, UDA): I want to congratulate the Member for Turkana South for bringing this Motion. On behalf of the people I represent, the great people of Kuresoi South, I take this opportunity to convey my condolences to the people of Turkana. It is very sad to lose so many lives.

Where there is no peace, there will be no development. People cannot focus on development matters when they are scared all the time. Schools will be closed and there will be no future. It is high time the Government prioritised security in Turkana County. The Cabinet Secretary for Interior and National Administration should also frequently visit such sensitive areas, and not only during disasters.

I suggest that more officers be deployed to those areas. Our colleague from Turkana South mentioned that only eight security officers are manning those areas. More well-motivated officers should be deployed to those areas. These officers should also be provided with modern equipment and vehicles. At times, the officers lack vehicles to move around, which worsens the situation.

Additionally, I propose that affirmative action be given to road construction and the blue economy in this area. The poor road networks worsens the security situation. It is high time the Government allocated more resources to this area.

I also suggest that a military base be established in that area so that there can be enough officers to respond appropriately times of such emergencies.

With those few remarks, I support.

The Temporary Speaker (Hon. Farah Maalim): Next is Hon. Kipchumba, who will be followed by Hon. Lotodo. I am sorry, Hon. Kipchumba will be followed by Hon. Moroto. I was with Hon. Lotodo in the House many years back.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Temporary Speaker, for granting me an opportunity to contribute to this emotional Motion that has been moved by my friend, Hon. (Dr) Ariko, the Member for Turkana South. On my own behalf and that of the people of Marakwet West, I wish to convey my deepest condolences to the people of Turkana for losing their people through a massacre that should never have happened. It is unfortunate that at this time and age, our people are still being killed.

The Government of the Republic of Kenya has a constitutional obligation to protect the lives and property of our people. Today a Motion has been brought to the effect that more than 22 Kenyans lost their lives. You can see the way it is taken casually. The Leader of the Majority Party and the Leader of the Minority Party are not present in the House, and we lost 22 Kenyans. If it happened in Nairobi or in any other part of the Republic of Kenya, this House would be full. The debate on this Motion would not have been pushed to 6.00 p.m. It would have begun at 3.00 p.m. It is unfortunate that it looks like the life of a Turkana is less than the life of any other Kenyan in this country.

Turkana County is special. The Cabinet Secretary for Interior and National Administration, and the Government generally, should take special cognisance of it. When I was seated here, I did my research and Rwanda has 26,000 square kilometres. Burundi has 27,000 square kilometres and Djibouti has 23,000 square kilometres. This totals to 76,000 square kilometres. Turkana County has 77,000 square kilometres. Three countries can fit into it. Therefore, as I have said, it must be given special attention and recognition. If the Government of Kenya cannot take care of the people of Turkana, let those people take care of themselves. Three countries, Djibouti, Burundi and Rwanda, can fit into Turkana County. Therefore, they must be given special attention.

This is an international dispute. It is shameful that we are commenting on M23 rebels defending their rights inside the Democratic Republic of Congo (DRC) whereas we cannot comment on Ethiopian militia attacking our people within the Republic of Kenya. As a Government and sovereign people, we should be ashamed of ourselves. We have lost our people in Turkana North. They are not less of human beings. Therefore, we should not make it look like a small problem. No Kenyan has less value than the other. The Government has that obligation. It is mandated in the Constitution to protect the lives of all Kenyans, including the

people of Turkana. We call upon the Ministry of Interior and National Administration and the Head of State of this Republic to take this matter seriously.

I have heard the Members from Turkana speak. I have listened to Hon. Cecilia, the Woman Representative for Turkana; Hon. Ariko, my friend; Hon. Emathe, and other Members of Parliament. You may think they spoke as Members of Parliament from another country, and not from Kenya. It behoves upon this House to take stern action and put measures in place to address this problem. We must call upon the Government to live up to its constitutional duty of protecting the lives and properties of the people in Turkana County.

The Temporary Speaker (Hon. Farah Maalim): I am cognisant of what you have just said. All those three countries put together are about 76,000 square kilometres. Turkana County has 70,000 square kilometres.

Hon. Members: 77,000 square kilometres.

The Temporary Speaker (Hon. Farah Maalim): Does it have 77,000 square kilometres? It is bigger by 1,000 square kilometres. We always read this in newspapers hence we are conscious of these things. The people of Turkana face attacks from Uganda by the Karamoja; from South Sudan by the Ndungiro, Taposa, and Dinka; from Ethiopia by the Merille and the Dasanech, and even domestic attacks from neighbouring communities. All these are issues that should touch the heart of every Kenyan. I am sure the Government has seriously heard the voices of the Members of Parliament. I share your sentiments in the fact that this should have had more serious participation by the Members of Parliament. Losing 22 Kenyans at once, probably about 30, I am told; because there are many who have not yet been accounted for. Hon. Emathe, is that not the case? The Chair shares that grief immensely.

Next is Hon. Moroto, who will be followed by Hon. Naomi.

Hon. Samuel Chemul (Kapenguria, UDA): Thank you very much, Hon. Temporary Speaker, for giving me an opportunity to join my colleagues in offering condolences to the people of Turkana. These are Kenyans, and not foreigners. I appreciate the way everyone is expressing themselves here. These are my neighbours. We also share some disputes, but sometimes when such things happen, we come together because the same Government, which is giving us some problems, especially on the security side, had a thanksgiving service for peace on the 5th of January between the Pokot, the Turkana, the Marakwet and the Tugen in Baringo. However, just a few days later, issues arose and we lost lives from the very same communities that attended the thanksgiving service for peace.

I want to sincerely say that we have a big, big problem with our security leadership in Kenya. Those in charge are not serious. I remember when I was a student during the time of the late President Kenyatta, we did not suffer the way we are suffering. When the late President Moi came to power, he brought a new type of operation because he was genuinely interested in people living together in peace as Kenyans. After that, the late President Kibaki came, and now, we face a big problem with security. I think it is because we have spent so much of our time and energy on politics, and now the people responsible for security are always moving with us, especially those in office.

The Temporary Speaker (Hon. Farah Maalim): I think there is a problem with your microphone. You might move to another microphone. You are not going to lose your time. I am telling the Clerks-at-the-Table to make sure that you have all your minutes left. Go somewhere else. Come forward.

Hon. Samuel Chemul (Kapenguria, UDA): Okay.

The Temporary Speaker (Hon. Farah Maalim): That is a little bit unclear and is not sounding good. You still have your few more minutes here. Do not worry. Move to another microphone and proceed.

Hon. Samuel Chemul (Kapenguria, UDA): Is this okay now?

The Temporary Speaker (Hon. Farah Maalim): Yes, proceed.

Hon. Samuel Chemul (Kapenguria, UDA): Thank you very much for your concern, Hon. Temporary Speaker.

(Hon. Samuel Chemul spoke off record)

The Temporary Speaker (Hon. Farah Maalim): You must also keep a little bit of a distance from the mic.

Hon. Samuel Chemul (Kapenguria, UDA): I think I am doing that now.

The Temporary Speaker (Hon. Farah Maalim): Yes, you are right.

Hon. Samuel Chemul (Kapenguria, UDA): Is it okay now?

The Temporary Speaker (Hon. Farah Maalim): I can hear you very well.

Hon. Samuel Chemul (Kapenguria, UDA): My concern is the security of those who are entrusted with securing Kenyans and their properties. We have seen in this instance the deaths of 26 or 30 people at the same place in Turkana. Recently, we also had issues in Trans-Nzoia, on a farm called Chepchoina, which was given out by Moi between 1994 and 1997. The insecurity of those days is coming back to displace people who were settled there, and no action is being taken.

Last Saturday, some security officers from Kapenguria went to a market in Kongelai near Kacheliba, destroyed property and beat up people left, right and centre, but no action has been taken up to now. I urge those in charge of security, such as the Cabinet Secretary for Interior and National Administration and the Cabinet Secretary for Foreign and Diaspora Affairs, to ensure that Kenyans are protected in this republic.

The Temporary Speaker (Hon. Farah Maalim): Next is Hon. Naomi, who will be followed by the Chairperson of the Departmental Committee on Administration and Internal Security.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this adjournment Motion. I also congratulate the Member who tabled the Motion. Seeing the passion with which our colleagues from Turkana have talked about this matter, with heavy hearts and sadness in their expressions, we have no option, but to stand with them. I wish more Members could contribute to the Motion because it is a matter of national importance.

I send my condolences to the families of the people who lost their lives. I urge our Government to take matters of insecurity seriously because many lives have been lost in the northern and north-eastern parts of this country. People in counties situated along our borders have always been attacked by different people and many lives have been lost yet we know that it is the responsibility of any Government to protect the lives and properties of its citizens.

Looking at the suffering of our brothers and sisters in Turkana, and even those of us who come from northern Kenya, it is as though the security that other Kenyans enjoy is not our portion. Every life matters. Even as I stand with our colleagues, send my condolences and encourage them to continue fighting for their rights, I urge our Government to take this matter seriously so that no more lives are lost. Our Government should be firm and bold when it comes to protecting its citizens, especially when neighbouring countries attack us.

With those few remarks, I support the Adjournment Motion.

The Temporary Speaker (Hon. Farah Maalim): Next is the Chairperson of the Departmental Committee on Administration and Internal Security, who will be followed by Hon. Kiborek.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to also contribute to the Motion and support our brothers from Turkana County, specifically the Member who tabled this Adjournment Motion.

At the outset, I want to join the rest of the Members in sending my condolences to the families of those who lost their beloved ones in this very unfortunate incident. As it has been said by a majority of my colleagues, the incident in Todonyang is not the first one. The only difference is that there is a bigger number of casualties this time around.

Hon. Temporary Speaker, you remember the incident where people died after officers from the Kenya Wildlife Service (KWS) were alleged to have killed some fishermen. We have never resolved that issue. With past unresolved cases involving, allegedly KWS officers leading to the deaths of fishermen, it is clear that a multi-agency approach is necessary. The Speaker's directive to address this comprehensively was crucial, but before any resolution could be reached, we are now faced with another tragic incident. We need to look for a way of bringing this to an end.

We really understand the geographical position of this area, Turkana. They are surrounded by a lot of, I do not want to not say enemies, but a lot of hostile communities. Both in our brothers in Uganda, Ethiopia and South Sudan. Geographically they are really in a very hard situation.

The Temporary Speaker (Hon. Farah Maalim): Domestically, within Kenya they are also hot spots.

Hon. Gabriel Tongoyo (Narok West, UDA): Besides that, they have a lot of challenged. The area is arid. People do fishing because there is no alternative source of livelihood. That is why we have rampant cattle rustling in the area. Having said this, it is truly regrettable and a very sad day for Kenya.

We want to assure you that, as a Ministry, the government will do whatever it takes to prevent further loss of life in such situations. During the Budget Policy Statement (BPS) discussions, when these agencies appeared before the Committee, the issue of Turkana and the loss of life was raised, particularly concerning the Coast Guards, who are responsible for safeguarding our seas and oceans. We challenged them to open a station in Turkana. We asked the Committee to allocate more resources to enable them add more boats. Lake Turkana was picked as one of the critical waters that should be patrolled.

On the issue of National Police Reserve (NPR), it is also good to be on record that our colleagues from Turkana have been persuading the Ministry to add them more NPRs so that they can help police officers in enhancing patrols and security. This is in addition to increasing the number of formed units. I am happy to report that the Cabinet Secretary visited the area and made robust interventions. I believe they are already being rolled out immediately.

Lastly, we may not have a specific vote for compensation, but I urge the Ministry and the government to look for a way to support the families who lost their loved ones and breadwinners. They are in a very sad situation at the moment.

So, with those remarks, Hon. Temporary Speaker, I support the Motion. Again, sorry for the loss of life.

The Temporary Speaker (Hon. Farah Maalim): Chairman, the attack on Turkana fishermen by Ethiopian militias has been with us for a long time. With only one patrol boat and eight coast guard officers, how serious is the government about addressing this issue?

As the Chairman of the Departmental Committee on Administration and Internal Affairs, you need to make a firm commitment to this Committee and the House today. Delve into this matter and come back to us in time. Visit the place and report to the House and tell us the steps you have taken like an additional five boats or added about 50 or 100 officers.

Lake Turkana is massive. I do not know how many patrol boats are currently patrolling Lake Victoria. You might have an idea. We have several operating there just as at the Coast. So why not for Lake Turkana? Why is it not receiving the same level of security?

Hon. Gabriel Tongoyo (Narok West, UDA): Well, guided, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): But you can see the sentiments of everyone, including the Chair, here.

Hon. Gabriel Tongoyo (Narok West, UDA): Yes, because it was supposed to be a Request for Statement, so that we respond to it or we visit the area and give a report. However, given the unique situation and the circumstances under which this occurred, perhaps on Monday, as we meet with the Inspector General of Police, I request that Members also be present. We will add this item as one of the issues that the Inspector General of Police needs to address and provide an immediate intervention, with a report to follow in about two weeks' time.

The Temporary Speaker (Hon. Farah Maalim): Is two weeks not long?

Hon. Gabriel Tongoyo (Narok West, UDA): The Cabinet Secretary has already visited the area and I am sure something is already being done.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Well taken, and the Temporary Speaker would have loved to be on the other side to contribute on this one, but the rules do not allow. That is why this serious intervention demand has to come from the Chair one way or the other.

Hon. Kiborek, unfortunately, we do not have any more time left. We have run out of time, but, of course, everybody knows that you came back to the House to help your brothers and sisters from Turkana. Unfortunately, my hands are tied. The rules are very firm.

ADJOURNMENT

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, the time being 7.00 p.m., the House stands adjourned until Tuesday, 4th March 2025 at 2.30 p.m.

The House rose at 7.00 p.m.

*Published by
Clerk of the National Assembly
Parliament Buildings
Nairobi*