



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Second Session

Thursday, 5th June, 2014

The House met at 2.30 p.m.

(Mr. Deputy Speaker in the Chair)

PRAYERS

NOTICE OF MOTION

AMENDMENT OF STANDING ORDER NUMBER 15(3) AND 16(3)

Hon. Deputy Speaker (Mr. Kennedy Ng'ondi): Yes.

Hon. Member for Dandora Area III Ward (Mr. Charles Thuo Wakarindi): Thank you, Mr. Speaker sir, I beg to give notice of the following Motion; **THAT AWARE** that the Standing Order 15(3) and Standing Order 16(3) were amended by deleting the word '*majority*' before the words '*removed by*' and substituting the words '*with two thirds thereof*;' further **AWARE** that the amendment put the threshold of removal of the two party leaders too high and that the amendment will not conform with the best practices for the removal of the two leaders, this House resolves that:

- a) Standing Order number 15(3) be amended by deleting the words '*two thirds*' before the words '*removed by*' and substituting with the words '*a majority thereof*;'

- b) Standing Order 16(3) be amended by deleting the words 'two thirds' before the words 'removed by' and substituting with the words 'a majority thereof.'

Thank you, Mr. Speaker sir. Can I be seconded?

Hon. Deputy Speaker: No, no this one is a notice of Motion. Thank you very much. The House Business Committee will pick it up with you. Yes?

Hon. Member for Kahawa West Ward (Mr. Patrick Chege Ngaruiya): Mr. Speaker, I seek your indulgence. There is a stranger who is seated in the seat of the Minority Leader and I want you to seek the protection of this House that this gentleman or this *Mheshimiwa* walks out of that particular seat. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Member.

Hon. Member for Makongeni Ward (Mr. Peter Imwatok): Mr. Speaker---

Hon. Deputy Speaker Order! Order! Order! Hon. Member!

Hon. Peter Imwatok: ---yesterday they absconded duty---

Hon. Deputy Speaker: Order, Hon. Member!

Hon. Peter Imwatok: I was sitting in for the Majority---

Hon. Deputy Speaker Order, Hon. Member! Please sit! Sit down!

(Laughter)

Hon. Deputy Speaker: Hon. Members, under Standing Order number 231 there are seats reserved for the Leader of Majority, Leader of Minority, the Chairperson of Committees and people with disability. You must respect that. Thank you. Proceed.

Hon. Member: Point of Order, Mr. Chairman!

Hon. Deputy Speaker: Not granted.

STATEMENTS

RESPONSE – STATEMENT ON PROPERTY LR NO.110/442 IN ROYSAMBU WARD

Hon. Member for Parklands Ward (Mr. Jaffer Kassam): Hon. Speaker sir, on Wednesday 30th April, 2014, the Hon. Peter Warutere, Member of the County Assembly, rose on the floor of the Assembly pursuant to Standing Order 41(2c) and requested the Chairperson of the Sectoral Committee on the Justice and Legal Affairs for a Statement regarding property LR Number 110/442 in Roysambu Ward, Garden Estate, which was sold on 15th November, 2013 by the County through the Legal Department in case CMCC number 9. It should be RMCC number 9 of 2013. He further asked that the Chairperson to inquire into the report on the amount the owner was owing to the County before the sale; the amount the property was sold for; the amount deposited in the County account; the market value of the property during the sale and the amount reimbursed to the owner of the property after the sale, if any.

Mr. Speaker sir, the Committee wrote to the Director of Legal Affairs on 6th May, 2014 requesting to be furnished with a written response to the Statement by Hon. Peter Warutere. In this regard, Mr. Speaker sir, I wish to report to the Assembly as follows: That;

- a) On the property LR110/442 in Roysambu Ward, Garden Estate, which was sold on 15th November, 2013 by the County through a Legal Department in RMCC number 9 of 2013; The above property is subject matter of RMCC number 9 of 2013 between County and the owner Joachim Mwandare Okesa. The suit is still pending before the court hence the rule of *Subjudice* must be observed. This is in accordance with Standing Order number 85.

Mr. Speaker, I beg to lay this response, thank you.

Hon. Deputy Speaker: Welcome.

Hon. Member for Utalii Ward (Mr. Wilson Ochola): Yes, thank you, Mr. Speaker sir.

Hon. Deputy Speaker: Order! Order! Order!

Hon. Peter Warutere: Mr. Speaker sir, I've just received the response about twenty minutes ago from my able Chairman. If you will allow me, let me interrogate the same and possibly I can give my response on Tuesday next week.

Hon. Deputy Speaker: Chairperson from Sectoral Committee Culture and Community Services there was a Statement requested by Hon. Ochola.

STATEMENT ON MANPOWER CAPACITY OF THE NAIROBI CITY COUNTY FIRE STATION AND ITS BRANCHES

Hon. Ronald Milare: Thank you, Mr. Speaker sir. On Thursday 27th February, 2014 the Hon. Wilson Ochola MCA rose on the floor of the Assembly pursuant to Standing Order 41(2c) and requested the Chairperson on the Culture and Community Services Committee for a Statement regarding the

manpower capacity of the Nairobi City County Fire Station and its branches. In the statement the Member sought to know the following:

1. The number and qualification of staff working at the Fire Station and its branches;
2. When the department plans to recruit new staff to bolster its operations especially sourcing employees from the National Youth Service and promotion of current staff on merit;
3. If the employees working at the Fire Station are insured and have medical assistance or clinic within their premises to handle the first aid and other emergencies affecting the staff;
4. Whether the department has considered having stakeholders like the Kenya Red Cross stationed within the station to assist in addressing disaster management and fire aid where necessary.

Mr. Speaker sir, the Committee requested the Department of Compliance and Disaster Management to furnish it with a comprehensive report on the above issues. Further to that the County Secretary delivered a written response to the Committee in a letter dated 8th May, 2014. In this regard I wish to report to the Assembly as follows:

1. On the question of the number and qualification of staff at the Fire Station and its branches, there are 155 personnel attached to the Nairobi Fire and Rescue Services Department and are divided into three shifts and distributed in three different stations.

The staff has been trained in courses including: basic firefighting courses, counter terrorism, crisis management, basic fire prevention, fire investigation, fraud detection and theft prevention, structural fire certificate, weapon of mass destruction, disaster management preparedness and response, fire brigade courses among others. The particular details of the qualifications are attached as annex 2 to this response.

2. On the question as to when the department plans to recruit new staff to bolster its operations especially sourcing employees from the National Youth Service and promotion of current staff on merit; The national youth service Fire Brigade comes to assist Nairobi Fire and Rescue Services Departments fire engines in the event of a major incident and are co-ordinated through the National Disaster Operations center.

Nairobi City County Public Service Management recently promoted staff and the under mentioned is the table indicating positions that are vacant including overdue promotions and acting capacity dating back to 2004 as follows: scale 2-5 there are 8 vacancies, none has been filled. Scale 6-10 there are 60 vacancies, 5 have been filled. Scale 11-15 there are 17 vacancies, 129 have been filled. A total of 783 vacancies, only 134 have been filled. A more detailed analysis has been appended to this report for ease of response.

3. Mr. Speaker, the Hon. Member also sought to know if employees working at the Fire Station are insured and have medical assistance or a clinic within the premises to handle first aid and other emergencies affecting the staff. Mr. Speaker, the employees of the County are covered under the workman's compensation and medical assistance is from AAR.

There is no clinic within the premises but an ambulance vehicle including attendants always accompanying the fire engines to any incident and in case of any injury the staff is given first aid and depending on the severity of their cases the patients are taken to the appointed hospitals.

4. Finally, Mr. Speaker, the question of whether the department has considered having stakeholders like Kenya Red Cross stationed within the station to assist in addressing disaster management and first aid if necessary, the Nairobi County has a fleet of ambulances in the County hospitals and clinics including--- which address incidences of emergencies. In the case of major disasters, National Disaster Operations center coordinates ambulances including but not limited to KDF, National Police, hospitals, St. John ambulances and Kenya Red Cross. Mr. Speaker sir, I beg to lay this Statement, thank you.

(Hon. Ronald Milare lays the Paper)

Hon. Temporary Speaker: Hon. Ochola.

Hon. Wilson Ochola: Yes, thank you, Mr. Speaker, and the able Chairman for Culture and Community Services. I thank you for your Statement. That is what I needed and I am very much satisfied. Thank you for the good work. Well, Mr. Speaker, I would like to stand on a Personal Statement on Standing Order number 80. Am I allowed to continue?

Hon. Deputy Speaker: You can proceed.

PERSONAL STATEMENT ON DISMISSAL OF TWO COUNTY CLERK ASSISTANTS

Hon. Wilson Ochola: Thank you very much, Mr. Speaker sir. Dismissal of two County Clerk Assistants; the above refers, it is with a lot of concern that the two officers who were recruited and employed by the Nairobi City County Assembly as Clerk Assistants have been dismissed without prior communication. That is no notice, no warning letter and no normal procedure. As the Chairman who is an able Chairman like me, I kindly request the Board to intervene on the matter and at least give the victims--- if possible to come to the rescue of the two employees whose fate is not known after their dismissal. If possible they be reinstated in the payroll. Thank you, Mr. Speaker sir.

(Applause)

Before I conclude, Mr. Speaker sir, I would like to take this opportunity again to say that as a Chairman of Labour, I am not a rubberstamp. I am saying that because what is happening in this Assembly is uncouth and unheard of, Mr. Speaker. Quick action must be taken and I need a feedback within three days, Mr. Speaker sir. Thank you. I beg to lay this Statement.

Hon. Deputy Speaker: Order! Order! Hon. Member, you are trying to dictate to the Chair.

(Loud consultations)

Order! Order, Members! Order, Members! Order, Members! Can you withdraw your terms of dictatorship?

Hon. Wilson Ochola: Thank you, Mr. Speaker sir, I beg to withdraw the statement and indeed Mr. Speaker before I withdraw the statement I would like to have their names and I will quote their names in the next two minutes. I'll give you back the names.

Hon. Deputy Speaker: I think it is only reasonable enough if you could tell us who are these Clerks and you get your facts right.

Hon. Wilson Ochola: This is clarification on Francis who is an Assistant Clerk, Mr. Speaker.

Hon. Deputy Speaker: Which Committee?

Hon. Wilson Ochola: This is Committee for Transport.

Hon. Deputy Speaker: Yes.

Hon. Wilson Ochola: Another one is for clarification for the staff, Mr. Speaker. Thank you.

Hon. Deputy Speaker: Can you allow me to give direction? Please I'll consider it. Hon. Members, on the request made by the Hon. Ochola, it is only prudent enough if we could get a response from the County Assembly Service Board on when they are able to get us the report on the floor. How soonest Hon. Majority Leader, who is one of the Members of the Board?

Hon. Leader of Majority (Mr. Elias Otieno): Thank you, Mr. Speaker for allowing this statement to-

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Hon. Deputy Speaker: Order! Not granted.

Hon. Leader of Majority: Mr. Speaker, I think the two officers; one is called Francis Sikote and another one is called Nasibo. She is a Clerical Officer. I think next week on Tuesday we are going to give a full report.

Hon. Deputy Speaker: Thank you very much, Hon. Imwatak.

Hon. Peter Imwatak: Mr. Speaker, I want also to stand as the Leader of Opposition---

(Laughter)

Hon. Deputy Speaker: Order! Order, Hon. Member! Order! Order! Hon. Member, Order!

(Laughter)

I don't think--- maybe if you will only---

Hon. Peter Imwatak: I withdraw that, Mr. Speaker.

Hon. Deputy Speaker: ---if you could only give us terms of reference because we don't have that position in the House.

(Applause)

Hon. Peter Imwatak: Thank you, Mr. Speaker, though I assumed it for the last two days. The owners are back. I beg to move to the other side now, because it's already occupied, Mr. Speaker.

Hon. Temporary Speaker: Thank you.

Hon. Peter Imwatak: Having said that, Mr. Speaker, I want also to add my voice to our Standing Order number 80 as a Personal Statement. I think historically this County has incurred injustice in terms of employment; a lot of injustice that we are not ready to endure in the current dispensation. Wise men say if you know you live in a glass house therefore do not throw stones. At the same time the wise men say always stand on what you can defend. I have always said, Mr. Speaker, this County, in particular the County Assembly of Nairobi from its staff to its Members of the Assembly must be a reflection of what we want to be seen in the society. Just on a rider to the Chairman of Labour, he said it is so unfortunate today Mr. Speaker, if any Member of the County Assembly staff can be fired because of his relationship with either Member of the Assembly---

(Applause)

It is so unfortunate, Mr. Speaker. It is so unfortunate if---

(Loud consultations)

Hon. Deputy Speaker: Order, Hon. Members!

Hon. Peter Imwatok: It's so unfortunate, Mr. Speaker, if this Assembly can be turned into a soap opera arena for the lovers, Mr. Speaker.

(Applause)

At the same time, let's make note that we are in a House of rules and procedure. I want to talk in particular about one Sikote. I told some leaders three days ago, I've gone through what Sikote has gone through in life. Being a bread winner in a family, being in this County Assembly since it started but just because somebody had more favors before you, you have to go home. I've gone through nurturing sisters like that sister who was fired because of loving somebody.

(Applause)

It is so unfortunate, Mr. Speaker. I think it is time this County Assembly---

(Loud consultations)

(Laughter)

It is time this County Assembly takes issues seriously---

Hon. Deputy Speaker: Order! Order, Members!

Hon. Peter Imwatok: --- in the House of rules and procedure, Mr. Speaker. I beg to ask this County Assembly Service Board to be very serious.

(Loud consultations)

Lastly, I think it is time the Clintons of these days, the Monica Lewinsky of these days as the Members say who are in existence in this Assembly must be extinguished, Mr. Speaker. I want to bring to the notice of this House. It is high time maybe the Majority Leader who is among the Members of the Board should tell us here when is the position of one Member from the public to the Assembly Service Board going to be filled? So, that we have timelines. So, that this Board can be complete and so that no one can fire others because I am told others hired wives, when they refused to go to their rightful place, they decided they should go home. I beg to move.

Hon. Deputy Speaker: Thank you. Thank you.

(Loud consultations)

Hon. Deputy Speaker: Why are you happy?

(Loud consultations)

Why are you happy?

(Loud consultations)

Standing Order number? Okay fine, proceed.

Hon. Jacqueline Nyang'ala (Nominated Member from Kileleshwa): Thank you, Mr. Speaker. I just want to add my voice on this Personal Statement---

Hon. Deputy Speaker: No, no, no, no, no, no, no; it is not subject to debate. Please---

Hon. Jacqueline Nyang'ala: I am not debating---

Hon. Deputy Speaker: No, no, no, no, no, no. If you have your Personal Statement---

(Loud consultations)

Hon. Jacqueline Nyang'ala: I would like to talk about--- Personal Statement on this issue of two Members of staff that have been fired.

Hon. Deputy Speaker: Please, please Personal Statement does not attract debate. Can you spare us of this please?

Hon. Jacqueline Nyang'ala: Standing Order number 80; I can talk about---

Hon. Deputy Speaker: Yes, it does not attract debate.

Hon. Jacqueline Nyang'ala: I am not debating; I'm putting my voice to this subject.

Hon. Deputy Speaker: Can you take your seat? We have allocated the date when we shall get the report on the floor of the House. Can we proceed, Clerk? Okay, Hon. Kagiri.

Hon. Member for Pipeline Ward (Mr. Samuel Kagiri): Thank you, Mr. Speaker, I am rising to mention that around two months ago I requested for Statements. Order, Members!

(Laughter)

Hon. Deputy Speaker: Proceed, proceed. Order, Members! Order, Members!

Hon. Samuel Kagiri: I requested for a Statement from the able Member, Chairman of Labour concerning a company that does cleaning in the City and I have not got the report and actually he was given two weeks to give back the report. I still request to get the Statement. I had also requested for another statement from the Chairman of Planning concerning the public utilities in Pipeline Ward and I have not got the report on those two Statements. I am requesting that you may follow up on the issue please. Thank you.

Hon. Deputy Speaker: Thank you can you respond, Hon.?

Hon. Wilson Ochola: Thank you, Mr. Speaker, I would like to tell the Member to wait for at least one week, I'll respond on that Statement. Thank you, Mr. Speaker.

Hon. Deputy Speaker: One week is which date and day?

Hon. Wilson Ochola: Mr. Speaker, it will be on Thursday next week, which I don't know the date but now you know the date, Mr. Speaker. Thank you.

Hon. Deputy Speaker: Thank you. Hon. Chairperson for Planning?

Hon. Member for Imara Daima Ward (Mr. Jairus Atenya): Thank you, Mr. Speaker sir. I hope by next week on Thursday.

Hon. Deputy Speaker: Thank you very much.

Hon. Charles Thuo Wakarindi: Thank you, Mr. Speaker. Now that we are on Statements, I also had requested a Statement from the Chairman for the Committee of Planning and Housing. That Statement has been delayed for too long. This is the second time I am requesting for a response. I don't know whether it is inability or unwillingness on the side of the Chair. I am begging your indulgence and direction on the same. Thank you.

Hon. Deputy Speaker: Chairman Planning.

Hon. Jairus Atenya: Thank you, Mr. Speaker sir. I think by next week on Tuesday. You know you had 'bread' here, I could not have given it yesterday.

(Laughter)

Hon. Deputy Speaker: Thank you very much. Hon. Omwenga.

(Loud consultations)

Order! Order! Order, Member!

REQUEST - STATEMENT ON GRABBED PUBLIC UTILITIES IN UTAWALA WARD

Hon. Member for Utawala Ward (Mr. Joash Omwenga): Mr. Speaker sir, I am seeking a Statement from the Chairman of Planning. Utawala Estate has so many public utilities and all have been grabbed. I am requesting that he makes a Statement on the issue of all public utilities falling under Utawala.

Hon. Deputy Speaker: Chairman. Chairman Planning, on issues with regard to public utilities in Utawala Ward?

Hon. Jairus Atenya: Mr. Speaker without a written document to the Chair then we cannot move. Let him give a written Statement.

Hon. Deputy Speaker: Thank you. Can we proceed?

MOTION

Hon. Jane Muasya (Nominated Member from Kibra): Thank you, Mr. Speaker---

Hon. Deputy Speaker: Order! Order, Hon. Chairman! Manoah!

Hon. Jane Muasya; Thank you, Mr. Speaker, I will read the Motion of today. **THAT AWARE** that recent years have witnessed a marked increase in the number of commercial sex workers across the streets of Nairobi City Central Business District (CBD); further **AWARE** that section 153 and 154 of the penal code prohibits both men and women from living wholly or partly on earnings of prostitution or from soliciting; deeply **CONCERNED** that the enforcement of that provision of the penal code on prostitution remains lackluster and that commercial sex workers now undertake the unlawful practice openly within the CBD, this Assembly urges the County Government to move with speed and vigorously enforce the provisions of the law to deter the vice within the CBD.

Mr. Speaker, the general nuisance by-law prohibits things like prostitution, idling in town, spitting and so on. I think most of the Members know that. By this Motion, Mr. Speaker, the Assembly urges the Executive to firmly enforce the by-laws to the letter. Sex workers are everywhere in town and I know you can bear me witness.

(Loud consultations)

Mr. Speaker, protect me please there is a lot of noise.

Hon. Speaker: Order! Order, Hon.! Please!

Hon. Jane Muasya: It is a shame walking in town with your young children especially the young in this young generation. You have your own daughters who are very young and when you are moving with them in town you are not secure because when you see these sex workers in town naked, your children always ask you a question: why do you tell me not to wear a short dress when everybody in town is wearing one? Giving an example like now in the other countries, you find that there are those workers, sex workers but they carry out their work in descent ways. You won't find them loitering in town, in CBDs. If they do it, they do it in a decent manner. What I am saying is that these ones of ours are all over, loitering in town.

(Loud consultations)

Hon. Deputy Speaker: Order! Order, Hon. Members! Order, Maxwell! Order!

Hon. Jane Muasya: Mr. Speaker, they are all over, loitering in town. The aim is to move them from town because of the decency of our Country whereby we have to show a good image to our own children and by saying that Mr. Speaker, I would like to ask *Mheshimiwa* Thuo Kamau to second the Motion.

(Loud consultations)

(Laughter)

Hon. Deputy Speaker: Order! Order! Order! Order! Order!

(Loud consultations)

Hon. Member for Karura Ward (Mr. Stephen Thuo Kamau): Thank you, Mr. Speaker.

(Loud consultations)

Hon. Deputy Speaker: Order! Order, Members!

Hon. Stephen Thuo Kamau: Thank you, Mr. Speaker, I want to take this opportunity to salute Madam Muasya for that bold step. This is a very hot topic but I believe the clients are not here. We are above that. This Motion is acknowledging that the issue of prostitution in Nairobi is very rampant but I don't know how you would tell a prostitute. I don't know how you would tell this is a prostitute and this is not a prostitute. We still have a long way to go to know who qualifies to be a prostitute and who doesn't. Another thing is, we cannot be able to legislate on morals but there are measures we can put in place to curb this

vice. I must say I have heard. I only hear stories that of whatever happens when there is consent between the two fellas, this is a woman and a man.

Hon. Deputy Speaker: Order, Hon. Member! Order! Are you in support? Are you seconding the Motion or you are not?

Hon. Stephen Thuo Kamau: Mr. Speaker, I am supporting this Motion.

Hon. Deputy Speaker: So you are seconding the Motion?

Hon. Stephen Thuo Kamau: Sorry. I am seconding this Motion, Mr. Speaker, saying that we should now equip the City County *Askaris*. This will also now be an avenue for creating extra jobs because they will be working at night and these people can be arrested and be arraigned here in our court and we will be able to make the extra revenue. Before I sit down I think after we are done with the CBD we should now go up to *Mashinani*. I want to bring to your attention that this vice has been devolved. If you walk to Kasarani on your way to Mwiki, a case in point, you will see that this vice has been devolved to that level. With those few remarks, I second this Motion. Thank you.

Hon. Deputy Speaker: Hon. Members, allow me now to propose the question.

(Question proposed)

Hon. Deputy Speaker: Thank you. Hon. *Mwalimu*.

Hon. Patrick Chege Ngaruiya: Mr. Speaker, I rise to oppose this Motion.

(Applause)

Mr. Speaker, I have reasons why I am opposing this Motion and they are many.

Hon. Chief Whip of Majority (Mr. David Mberia): *Wewe ni* customer?

(Hon. Chege Ngaruiya laughs)

(Laughter)

Hon. Deputy Speaker: Order! Order! Order, Members! Order! Order!

(Loud consultations)

Hon. Patrick Chege Ngaruiya: Mr. Speaker can you protect me from the Majority Whip?

Hon. Deputy Speaker: You are protected.

Hon. Patrick Chege Ngaruiya: Mr. Speaker---

Hon. Deputy Speaker: Majority Whip! Majority Whip! Proceed.

Hon. Patrick Chege Ngaruiya: Thank you, Mr. Speaker. One of the reasons I oppose this Motion is: it is true a man or human beings cannot live in isolation. There is a whole chapter on the Bill of Rights whereby every individual has a right; has freedom. What we want to pass in this particular House is to segregate and separate a few individuals which has never happened. We would be violating human rights, Mr. Speaker. Commercial sex workers are not prostitutes. Commercial sex workers are not women only. They are both men and women. When somebody comes and stands here and says that when she sees ladies wearing miniskirts that she has no words to tell her kids; is everybody who wears a mini skirt a prostitute or a commercial sex worker? It is not.

(Loud consultations)

Yes, she said that. I listened very well. She is saying that every person--- when she sees a woman wearing a mini skirt, she has no words. I was surprised because every or most of the women we have today are wearing miniskirts. Are they commercial sex workers?

Hon. Members: No.

Hon. Patrick Chege Ngaruiya: They are not. They are very decent in what they are wearing. Mr. Speaker, we are not going to allow the violation of human rights. We are not going to let people live in isolation. What we would advocate, we would be advocating for policies which will give guidelines on commercial sex workers in a situation whereby they should pay taxes just like in developed Countries. So many a men who are seated here, have solicited the services of these people.

(Loud consultations)

They are seated here, Mr. Speaker.

(Loud consultations)

Hon. Deputy Speaker: Order! Order! Order! Order!

(Loud consultations)

Hon. Patrick Chege Ngaruiya: Mr. Speaker, you will be denying the---

(Loud consultations)

Hon. Deputy Speaker: Order! Order! Order, Hon. Members! Order! Order! Order, Members! Majority Leader, Order! Get seated! Get seated, Members.

(Loud consultations)

Members, can you sit down?

Hon. Leader of Majority: Thank you, Mr. Speaker for---

(Loud consultations)

Hon. Deputy Speaker: Order! Order! Order Members! Hon. Kagiri order!

Hon. Leader of Majority: Mr. Speaker, even when this Motion was brought in this House we knew the consequences. You know the opposing side are the clients of those people at Koinange.

(Loud consultations)

Hon. Deputy Speaker: Order! Order, Hon. Majority Leader!

(Loud consultations)

Hon. Leader of Majority: Mr. Speaker, I want to support the Motion because those twilight girls or ladies; those people are littering the streets with condoms. We are not going to allow our streets to be littered with condoms. If you want to do that commercial sex, you'd rather just rent a House somewhere and you just put your name in the internet. The likes of Ngaruiya will just go and then they will know where they can get you.

Hon. Deputy Speaker: Order, Hon. Members *(Laughing)* order Majority Leader! Can you withdraw the word 'Hon. Ngaruiya' please? Can you withdraw that name?

(Laughter)

Leader of Majority: Mr. Speaker, due to respect, because, okay I may mention the names of some Members but not of Ngaruiya as such, because I know maybe the wife is going to force him to go by *(Laughter)* asking for divorce. So, Mr. Speaker, I withdraw.

(Laughter)

Hon. Deputy Speaker: Thank you. Hon Karen. Okay *sawa sawa*, can you finish up please?

Hon. Patrick Ngaruiya Chege: Thank you, I want to wind up (*Laughing*) Mr. Speaker, whatever information I am hearing from the opposite side, I want to say the individuals or those people who litter or whatever they are talking about that one, I think, the only thing that should be developed by this County Assembly are polices. And the best practice we should have and the best thing we should do is to oppose this Motion, and also Mr. Speaker the owner of the Motion to withdraw it so that at least we can come up with better amendments aimed at protecting our people. We must ensure that we protect everybody in this republic. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Alexina Mudi

Hon. Alexina Likono Mudi (Nominated Member from Kabiro): Thank you, Mr. Speaker sir. As I come before this House this afternoon, I believe each one of us is full grownup. I believe and with respect we are all above 18; people who can make their own decisions of what they want and what they dim fit. Prostitution as they call it; people have graduated in this field. I remember in these streets it used to be smoke free area, every corner, building, toilet and if you wanted even in the bus. But the same Country, Kenya came up with a Law and with an Act that you should not smoke in public and people adhere to it and it was respected until today, smokers are excluded.

(Applause)

Mr. Speaker sir, whoever wants to partake of prostitution, it is about the willing seller and willing buyer, but you must graduate you can have— I will give you a story and I will mention it here. I was with my son in town. We were picking somebody from 680 Hotel; unfortunately when we made it to 680 Hotel just after turning there almost a quarter to midnight, some ladies came nude with only *lessos* tied to their bodies. Note here that they wore nothing else; (*Demonstrating*) inside here and here there was nothing. And when they came near the vehicle's window they even asked my son not to take a woman of his mother's age and one of the ladies opened the flips of her downstairs.

(Loud consultation)

Yes, I saw it through the window of the car. I had to tell this son of mine; 'I am the one who is sweet'. We cannot allow such things to be practiced in the streets of Nairobi.

(Applause)

Mr. Speaker sir, with all due respect let this very qualified women and with degrees and PhDs in there prostitution be given--- if Nairobi County can deem it fit to have a building for those kind of services. Like in the United States whereby, they take the part of the body and they are numbered on the wall so you

go pick the number you want and you are given the service. I think it will be better other than to have them in the streets. I am here to support this Motion that prostitution in the street must not be part of Nairobi with immediate effect, if for anything. God bless you.

Hon. Deputy Speaker: Hon. Gari.

(Loud Consultation)

Hon. Member for Nairobi West Ward (Mr. Maurice Gari Otieno): Thank you, Mr. Speaker sir, for this very honourable opportunity and I know this is a very burning issue. As long as many men here know what they are debating, Mr. Speaker sir, today I leave with my colleagues. This Motion, I don't support it because the first thing men in this town---

(Loud Consultation)

Hon. Deputy Speaker: Order! Proceed.

Hon. Maurice Gari: I don't support this Motion because this is a place where men of this County, Men of this Nation are the customers of these ladies. Mr. Speaker sir, we cannot come here and cheat ourselves that we don't go and look for these ladies in these streets. Mr. Speaker sir, I can confess that I am a customer to these ladies so this is just to deny these ladies----

(Loud Consultation)

Hon. Deputy Speaker: Order, Hon. Members!

Hon. Maurice Gari: Thank you, Mr. Speaker sir. This is to deny these ladies their rights. If you take a lady from the streets---

(Loud Consultations)

Hon. Deputy Speaker: Order, Members!

(Loud Consultations)

Hon. Maurice Gari: Mr. Speaker sir, protect me from these Members.

Hon. Deputy Speaker: Order, Members!

Hon. Maurice Gari: If at all you seduce a lady in the streets, you as a Hon. Member or a member outside this House, you should know where you are going to have your sex with the lady. That depends on you, your pocket and on your ability and respect for that lady. Mr. Speaker sir, I cannot cheat myself that this thing is not happening. This thing is happening and it is happening---

Hon. Deputy Speaker: Hon. Mike Obonyo

Hon. Maurice Gari: Mr. Speaker sir, protect me.

(Loud Consultations)

Hon. Deputy Speaker: Hon. Members, can you have your seats?

Hon. Member for Gatina Ward (Mr. Mike Obonyo Guoro): Mr. Speaker, I don't know whether the Member who is talking in this House of rules and procedure is under the influence of some elements.

Hon. Deputy Speaker: Can you withdraw that sentiment please? Hon. can you withdraw that?

Hon. Mike Obonyo: Mr. Speaker, I don't know whether, you have heard what I have said, I don't know whether the Member who has just spoken is under the influence----

Hon. Deputy Speaker: Are you trying to insinuate that the Member is not normal?

(Laughter)

Hon. Mike Obonyo: Can you confirm to us whether he is normal or not normal?

(Laughter)

Hon. Deputy Speaker: *(Laughing)*

(Loud Consultations)

Hon. Maurice Gari: Mr. Speaker this is a serious allegation. This Member; we used to dance with this Member here in town probably on Wednesdays, yesterday we were with the same Member who is complaining--- *(Laughter)* ---here, Mr. Speaker sir. I cannot go and deny these ladies their rights, Mr. Speaker. We danced with Mr. Obonyo yesterday night and he is one of the victims of this thing, Mr. Speaker sir.

(Laughter)

(Loud Consultation)

Hon. Deputy Speaker: Thank you, Hon. Gari. Nancy Luchiri. Order, Hon. Mike! Order, please!

(Loud Consultation)

Hon. Nancy Luchiri (Nominated Member from Kilimani): Thank you, Mr. Speaker sir, for giving me this opportunity.

(Loud Consultation)

Hon. Deputy Speaker: Order, Hon. Members!

(Loud Consultation)

Hon. Rose Nancy Luchiri: Thank you, Mr. Speaker sir, for giving me this opportunity. I stand here to support this Motion. One; we are an African Community, we are not westerners, and we should go back to our roots, our culture to be precise---

Hon. Speaker: Can you be audible enough?

Hon. Nancy Luchiri: Mr. Speaker sir, I stand here to support this Motion. One; we are an African community; we should not adopt what we cannot manage. The Africans long time ago used to have an extended family where even your grandmother could come and train your Daughters or Aunts. Today our culture has been eroded and we need to go back to our roots. What happened to this CBD is critically very bad. I echo what Hon. Alexina has said, it is very bad. There is no way you are going to teach your Kids on how to behave when the society itself is standing there watching rubbish happening in this City CBD to be precise.

If there is anyone who wants to transact their business, Mr. Speaker sir, they should do it in a professional way. Gone are the days where we used to be hunters and gatherers. Today we have professionals, if those commercial workers are professional they should have their own stage and shops and do their goods and trade there. Thank you, Mr. Speaker sir.

Hon. Deputy Speaker: Thank you. Hon. Serikal.

(Loud Consultations)

Hon. Member of Lucky Summer Ward (Mr. Kennedy Onduru Nyarumba): Thank you, Mr. Speaker sir. I stand to oppose the Motion with the following reasons; you see we have to weigh these things. These people, whom people are saying are prostitutes, they have got kids and there is lack of job

opportunities within the Country, therefore if we deny them this chance, how do we think they are going to survive and how are they going to take their kids to schools.

Another thing I am saying is that it is better at this moment; we need come up with a policy so that they should have buildings where they can carry out their business. So, that these people can be stationed in a particular place where they operate and we can also get revenue. What is very important is that they can do their business and at the same time educate their children and we also get revenue from the trade. Otherwise, I stand to oppose the Motion. Thank you.

(Applause)

Hon. Deputy Speaker: Hon. Carol Muga.

(Loud Consultations)

Hon. Carolyne Achieng Muga (Nominated Member from Harambee): Thank you, Mr. Speaker for giving me the opportunity, to strongly support this Motion. And Mr. Speaker I am saddened----

(Loud Consultation)

Hon. Deputy Speaker: Order, Hon Members!

Hon. Carolyne Muga: I am saddened, when I hear; Hon. Members stand in front of this Assembly and actually say that prostitution is okay. I want to remind them that it is illegal according to the penal code written in the Motion. Prostitution and soliciting for sex is illegal in Kenya. So even if, okay--- let me ask; would you encourage your daughter to be a prostitute because they don't have a job?

One Hon. Members says that these prostitutes have children; is prostitution now a career? Do you consider it to be a career? Ask yourself that. Another Member says men and women are into prostitution. So, if men are in prostitution does it make it okay? In fact if anything it makes it worse. And so we should come up with this Motion and what this Motion recommends is that we should penalize these sex workers. Even before God it is so illegal and I don't even understand how people are supporting this.

Openly selling your flesh; and people are okay with it, honestly I can't grasp it. So, Hon. Members, just like our names are Hon. let's do the Hon. thing and support this Motion that commercial sex workers should be arrested. There is a saying that says" if you cannot do the time don't do the crime". So if they are willing to do the time, well let them sell; we will arrest them and put them where they belong. Thank you.

Hon. Deputy Speaker: Thank you. Hon. Manoah Mboku.

Hon. Member for Nairobi South Ward (Mr. Manoah Karega Mboku): Thank you, Mr. Speaker, I believe Hon. Members who are here must be saying the truth, straight away from their hearts. Indeed if we want to do away with this vice, then I encourage all this Hon. Members or people who stay in Nairobi to marry more than one wife.

Then we will chance away this vice, but without doing that, Mr. Speaker, let these Members not cheat you. I oppose this motion. Right away even from the Bible, Abraham apart from his wife Sarah he married another wife; he gave birth to a famous family in this world. King Daudi, admired a certain lady and he gave birth to a wonderful King known as Solomon. Mr. Speaker I believe, in fact experts say a child outside wedlock is---

Hon. Deputy Speaker: Granted.

(Loud Consultations)

Hon. Member for Korogocho Ward (Mr. Maxwell Ochar): Mr. Speaker, let the Member not confuse this Assembly because for one, Abraham married the second wife, he did not engage in prostitution with the second wife, the same way Daudi who is called David married that wife, and he was not doing the nonsense thing—

(Loud Consultation)

Hon. Deputy Speaker: Order! The Member is on a point of order, please.

Hon. Maxwell Ochar: So, Mr. Speaker---

Hon. Deputy Speaker: Can you take your seat; there is a point of order, Member?

Hon. Maxwell Ochar: Mr. Speaker, here we are not talking of married wives; we are talking about sex business within the CBD. So, let the Member be corrected. Thank you.

(Loud Consultations)

Hon. Deputy Speaker: Thank you. Can you proceed?

Hon. Manoah Mboku: Let me finish.

Hon. Deputy Speaker: Order not granted.

Hon. Manoah Mboku: Mr. Speaker let me finish. I believe the Member could be knowing that when Daudi saw the second wife---

Hon. Deputy Speaker: Order, Hon. Member! Can you support your Motion?

Hon. Manoah Mboku: Yes, I am supporting this Motion. Mr. Speaker, anyway, thanks. I oppose this Motion. As I oppose this Motion, I believe this sex workers in the City are contributing to 24 hours economy in this City. If we don't have this business in the city, the businesses will not thrive and we don't want a sleeping City; we want people to work 24 hours. Mr. Speaker, as I finish my contribution---

Hon. Deputy Speaker: Order Members.

Hon. Manoah Mboku: These activities are helping a lot of men, especially men from a certain part of this County who are beaten by their wives and are beaten every now and then and then they come to relief their stress in the City. I oppose this Motion.

(Loud Consultation)

Hon. Deputy Speaker: Thank you, Hon. Member. Hon. Magdalene. Not granted

(Loud Consultation)

Can you have your seat?

(Loud Consultation)

Hon. Magdalene Mbogori (Nominated Member from Kibra): Thank you, Mr. Speaker

(Loud Consultation)

Hon. Deputy Speaker: Proceed.

Hon. Magdalene Mbogori: Yes, I am just surprised that the Members of this House who are law makers are opposing such a Motion. They are opposing such a Motion and it is a crime. They are opposing such a Motion and they are encouraging sex workers and prostitution in this County; it is a crime.

So, Mr. Speaker sir, I would just like to support this Motion and ask Hon. Members to be honourable. You are law makers in this Assembly; you are supposed to do the things that brought you to this Assembly. If you think this sex workers need to work; you have a Ward Development Fund (WDF), give them some money from that Ward fund. There is also Uwezo Fund and encourage them to apply for Uwezo Fund but do not encourage them to leave---

(Loud consultations)

Hon. Deputy Speaker: Order! The Member is on the floor.

Hon. Magdalene Mbogori: ---but do not encourage them to litter our streets, Mr. Speaker sir,

Hon. Speaker: Can you have your seat?

Hon. Magdalene Mbogori: Mr. Speaker sir, this Motion has been brought by a woman in this Assembly. This woman is a nominated Member of this Assembly and her role in this Assembly is to support the women of Nairobi County. So for her to bring a Motion like this and most of the sex workers in this County are women, she is looking at the welfare of this women, because she knows what they are doing is not the right thing.

We have other avenues for them to earn a living; for them to be able to get money to bring up their children etc. So, Mr. Speaker sir, I support this Motion fully and ask the women in this Assembly to remain behind and not to leave this Assembly but support this Motion. Thank you.

Hon. Deputy Speaker: Hon. Dan Oria.

(Loud Consultation)

Hon. Member for Dondora Area IV Ward (Mr. Daniel Oria Odhiambo): Thank you, Mr. Speaker sir, I stand here to support this Motion by saying that most prostitutes in town are Kikuyu, Mr. Speaker.

(Laughter)

(Loud Consultation)

Hon. Deputy Speaker: Order, Hon. Member! Can you withdraw that Statement? Order, Member! Can you withdraw that language?

(Loud Consultation)

Hon. Daniel Oria: Mr. Speaker, I withdraw the Statement but what I am telling this people---

(Loud Consultation)

Hon. Deputy Speaker: Order, Members!

(Loud Consultation)

Hon. Daniel Oria: What I am telling this people, we know very well that Kikuyu's are con-women---

(Loud Consultation)

(Laughter)

Hon. Deputy Speaker: Order Member. Can you withdraw?

(Loud Consultation)

Hon. Daniel Oria: I withdraw, Mr. Speaker sir.

(Loud Consultation)

Hon. Deputy Speaker: He has withdrawn the Statement. Can you take your seats Hon. Members? Can you sit down? Hon. Members, we will not allow vulgar language in this House. This is an honourable House, please it deserves a lot and total respect. Please carry yourself with a lot of decorum. Hon. Bishop. We have the two Bishops, so one has come forward, then the other one.

Hon. Mr. William Abuka (Nominated Member from Kibra): Thank you so much, Mr. Speaker, for granting me an opportunity to contribute on this very important Motion----

Hon. Deputy Speaker: Order, Member!

(Loud Consultation)

Hon. William Abuka: Mr. Speaker, just for your attention; just to bring to the attention of Members of this Hon. Assembly that as a Nation and as a County surely you will agree that we cannot build a culture from Koinage Street, it is not possible. It cannot happen and it will not work.

Mr. Speaker, personally, I have been a victim of this harassment. Just recently when I came from up-country with my wife and a fellow Bishop who is about 72 years and his wife and I was dropping him here to pick a cab to go to his house and we went through the public toilet near GPO and little did I know that by around 11.30 p.m. that is a no go zone. When I slowed down for another vehicle to pass and lowered my window, a lady saw me. She came to the other side of the vehicle and two of them tried to force the door open. It didn't even occur to me that these were commercial sex workers. When I----

Hon. Deputy Speaker: Order granted.

Hon. Maurice Gari: Mr. Speaker sir---

Hon. Deputy Speaker: Point of Order number *ngapi*?

Hon. Maurice Gari: Mr. Speaker, let us not go to this orders. This Bishop cannot come here and tell us that he lowered the window; what was he looking for when he was lowering the window? Mr. Speaker sir, the Churches are the worst, more than everything nowadays. You will find pastors have raped a wife. Mr. Speaker, this Hon. Member here, cannot cheat us. He lowered the window; he was looking for something, Mr. Speaker sir.

(Loud Consultation)

Hon. Deputy Speaker: Order, Hon. Gari! Order, please! Order, Hon Jack! Order!

(Loud Consultation)

Hon. William Abuka: Thank you, for protecting me. We were insulted and humiliated then I took off, because I was not prepared for such. Mr. Speaker, I want to bring to the attention of this House that part of what Madam Jane Muasya was refereeing to as Commercial sex workers, was also including the homosexual bit, the people who practice homosexuality.

When somebody stands here to oppose this Motion, that person is creating room for homosexuality to thrive in this County. *(Loud Consultation)* I am the proud father of three very beautiful daughters, *(Loud Consultation)* and I want them to marry respectfully and honourably. The least I would expect from them is to loiter in Koinange Street, but I want them to try and extend my lineage and put into force my culture.

Mr. Speaker, this is a Motion that will drive Nairobi County away from the defiling spirit of prostitution. Where commercial sex work thrives a lot, there is a lot of defilement; a lot of things go wrong. This is an opportunity for us, as leaders in this County, to show the world that yes, whether it is willing buyer or willing seller; whether it is something within my control but surely allowing it within the CBD any time after 10.00 p.m. is wrong. For everybody to come and loiter around the City harassing people, so that you cannot even drive because somebody wants money and their bodies are so hot for abnormalities, it is wrong.

Mr. Speaker, let me tell you as I conclude; I want to bring to the attention of this Assembly that we collect a lot of garbage and we collect taxes from our citizens to collect garbage, so that the City becomes clean. I think it is inhuman if not far very disrespectful to commit our workers to be collecting condoms every morning as part of their work and be paid from the taxes that are paid by *wananchi*; I think it is unfair.

Hon. Deputy Speaker: Thank you, Hon. Bishop

Hon. William Abuka: Mr. Speaker this is a Motion that shows that our people must also consider the student from our Universities. A lot of our students from the Universities are getting spoiled on

Koinange Street. We use a lot of money; we take loans and we take them to school to study only for them to discover at night that it is easy to make money or get a woman, or sell your body.

Surely, I wouldn't want that to continue. I would want our students to learn, come out with accolades and help build this City; not to learn how to lie quickly with a woman or to present your body for sex as a man, but to learn through books and have academic prowess. I think this is the best and most honourable thing that we can do for our people. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you very much. Hon. Karen.

Hon. Karen Wanjiku Githaiga (Nominated Member from Njiru): I am standing on Point of Order No. 81; it seems that our discussion, Mr. Speaker, has gone so well we have known the customers and the buyers. I am begging the Speaker to call the Mover to reply.

Hon. Deputy Speaker: Thank you. Let's pick two more, a lady and Majority Chief Whip. Okay.

Hon. Chief Whip of Majority (Mr. David Njilithia Mberia): Thank you, Mr. Speaker, *(Laughing)* I would like to support. I rise to support this Motion, simply because it is the law, I want to assure Hon. Manoah, that Polygamy is now legal in this Country. And we are not going to marry second wives from Koinange. Secondly, Mr. Speaker, it is so disgusting when I drive home and see a girl---

(Loud Consultation)

Hon. Deputy Speaker: Order! Eh!

(Loud Consultation)

Hon. Chief Whip of Majority: ---scantily dressed, Mr. Speaker, trying to attract my attention by making cat-calls *(Imitates the cat-calls)* it is so disgusting; Mr. Speaker sir.

(Laughter)

Let us assure you something, Mr. Speaker---

(Laughter)

(Loud Consultation)

Hon. Deputy Speaker: Order Members! *(Laughing)* Order, Hon. Members! Not granted.

(Loud Consultation)

Hon. Chief Whip of Majority: I am speaking the truth, Mr. Speaker, because they are all over this City. I will never go to Koinange. I am very handsome; if I want to marry a second wife I will follow the law. But if we want to marry from Koinange, Mr. Speaker, that is shameful. I want to echo *Mheshimiwa* Bishop Abuka that majority of our brothers and sisters, who are in the University, Mr. Speaker, are spoiled. You were sent from Kisumu, Murang'a, Meru and Garissa to come and learn but at the end of the day, you go to the City to sell your body. So, I support this Motion and I know 99% of these Members are supporting this Motion. Thank you, Mr. Speaker sir.

(Loud Consultation)

Hon. Deputy Speaker: Order, Hon. Members! There is something, Hon. Obonyo wants to clear.

Hon. Mike Obonyo: Mr. Speaker, I want to clear my name from the allegation that has been leveled against me, by Hon.----

Hon. Deputy Speaker: Order, Hon. Members! Oscar may be the last speaker.

Hon. Mike Obonyo: Can you conduct yourself with a lot of decorum? I want to clear my name from the allegations that have been leveled against me by Hon. Gari. I think he has been bribed to kill my character; this is character assassination----

Hon. Deputy Speaker: Order, Hon. Gari! Can you sit down!

Hon. Mike Obonyo: The last time I was with Gari, was yesterday in this Assembly. I have not been within him at night the way he is claiming and this is why I am asking whether the Member is under the influence of some alcohol or something else, Mr. Speaker.

Hon. Deputy Speaker: Can you allow the Member to----

Hon. Mike Obonyo: I want to go straight to the records that I was not with Gari, the way he is alleging, Mr. Speaker.

(Loud Consultation)

Hon. Deputy Speaker: Order granted.

Hon. Maurice Gari: Mr. Speaker, is it in order for the Hon. Member to cheat this House that we were not with him (Obonyo), yesterday? Hon. Obonyo—

Hon. Deputy Speaker: Order, Hon. Member! This is not subject to debate; please can you take your chair.

Hon. Maurice Gari: Mr. Speaker we should not cheat ourselves that it is not possible. Mr. Speaker we were with him.

Hon. Deputy Speaker: Order, Member! Order, Hon. Gari! Oscar, can you proceed?

(Laughter)

Hon. Member for Mathare North Ward (Mr. Oscar Otieno Lore): Thank you, Mr. Speaker. This is a sensitive Motion, and before I start contributing my views, Mr. Speaker, I am a father, I am married, but Mr. Speaker, don't allow mad men to contribute to this Motion---

Hon. Deputy Speaker: Order, Hon. Oscar! Order!

(Loud consultation and applause)

Hon. Oscar Lore: Please can you give me time? Protect me, Mr. Speaker.

Hon. Deputy Speaker: Order, Hon. Member! You only have Hon. Members in this House; we don't have mad men.

Hon. Oscar Lore: I withdraw the word 'mad'.

Hon. Deputy Speaker: Okay.

Hon. Oscar Lore: These beautiful ladies on the streets; these beautiful men on the streets---

(Loud consultations)

Hon. Deputy Speaker: Order!

Hon. Oscar Lore: Mr. Speaker, I used to do my 'business nightmares' *(Laughter)* but today I wouldn't support this Motion by saying this; I am a father, Martha Karua is my first born, tomorrow I don't know what will happen to my beloved daughter.

(Applause)

If you want to pass this Motion today, we must come up with a proper way---

(Loud consultations)

--in which we can help youths out there, so that we remove them from the streets and take them to where they can be helped. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, very wise Hon. Member. We have come to the close of this debate.

(Loud consultation)

You need more time?

(Loud consultation)

Let's get a comment from the House Business Committee Chairman. Proceed.

(Loud consultation)

Hon. Leader of Majority: Thank you, Mr. Speaker, for allowing me and it is very good. We must also thank the Mover of this Motion, the reason being, we know who customers are and we know who customers are not. There is no way you can encourage your daughters to go and solicit for money in the street even if you go to America, or any other country in the world. My friend, you will not see those ladies on the streets.

They have a place where you can get them. If you Google you will get them through the internet. So, also Mr. Speaker, we want our ladies to be more advanced. Let them just go; let them move away from the streets. Let them just look for a place where they can do that business and I think it is better you just call the Mover to reply because we are wasting a lot of time here.

Time is not on our side because I know those who are going to support the Motion are so many on the opposing side there is only one person. The rest are going to support the Motion and only one person is going to be against the Motion. The rest are going to support the Motion, Mr. Speaker. Just call the Mover to reply.

Hon. Deputy Speaker: Thank you. Can we get a closing remark? Can Jack close the debate for us?

Hon. Member for Githurai Ward (Mr. Jackson Mwangi Ngare): Thank, Mr. Speaker sir.

Hon. Deputy Speaker: Order, Hon. Manoah!

Hon. Jackson Ngare: Mr. Speaker, protect me before I speak.

Hon. Deputy Speaker: Order, Hon. Member! Can you sit down! Not granted!

Hon. Jackson Ngare: I want to sing you a song by Kenny Rodgers and it goes like this; *(Sings)* "This world is not my home, I am just passing by---"

Hon. Deputy Speaker: Order not granted. Order, Hon. Jack! Can you sit down! Please can you sit down? Hon. Member, can you please sit down!

Hon. Jackson Ngare: Mr. Speaker, can you protect me?

Hon. Deputy Speaker: Can you sit down, Hon. Manyala?

Hon. Jackson Ngare: This world, Mr. Speaker is not our home. We are just passing by and as we pass we must do things that will make us move from point A to point B. So, Mr. Speaker, I want to remind these Hon. Members that this world is a big market place where you sell what you have. Mr. Speaker, since this world is not our home, Jesus came and passed through this world and one day some gentleman came to him and said, Rabii we found this woman committing adultery and prostitution and then he told them whoever has never done it, please throw the first stone. Mr. Speaker sir, I want to say anybody who has never been involved in this trade, please throw the first stone.

Hon. Deputy Speaker: Thank you. Hon. Members---

Hon. Jane Muasya: Mr. Speaker sir, before I conclude I would like----

Hon. Deputy Speaker: Proceed.

Hon. Jane Muasya (Mr. Nominated Member): Mr. Speaker sir, before I conclude I would like to tell Hon. Maxwell to say just one thing. Thank you.

Hon. Deputy Speaker: Order! Order Hon. Member! That is not your responsibility at all.

Hon. Member for Korogocho (Mr. Maxwell Ochar): It is, Mr. Speaker. Mr. Speaker before the---

Hon. Deputy Speaker: No, no. the Mover to reply. Can you sit down!

Hon. Jane Muasya: Sorry, Mr. Speaker for that hiccup. What I am saying is not far from the truth. The Laws of Kenya are supreme and then God prohibits it and does not allow this to happen. The Kenyan Laws are still in force during the transition period. This Motion, only urges the Executive to enforce the law more strictly. This is a House of law and we cannot support actions which are not within the law; we cannot turn a blind eye to what is happening even outside City Hall.

This is the best opportunity, Mr. Speaker, for the Members of this House to pass this Motion. Lastly I want to thank the Members who are here and have contributed. I know those who have not stood here they were with me and they supported me. I thank you very much for listening and for seeing the need as the Members of this City to remove the sex workers from town. I hope if it will be implemented we will be respected even by people who come and visit us. Mr. Speaker sir, I thank you also and everybody else who contributed and who listened. Thanks.

Hon. Deputy Speaker: I now put the question.

(The question is put and agreed to)

Hon. Deputy Speaker: Order! Order, Members! Okay, Members can the Serjeant-At-Arms ring the bell and then we go for the Division?

Hon. Member for Kahawa West (Mr. Patrick Ngaruiya Chege): No the 'nays' have it. Otieno *amekimya hapa na ni wa 'nay'*.

Hon. Deputy Speaker: Order! Let me give you the second chance.

(The question is put again and agreed to)

Hon. Member for Korogocho Ward (Mr. Maxwell Ochar): Can't pass the Motion, when there is no quorum.

Hon. Patrick Chege Ngaruiya: The 'nays' have it. We should go for the Division, Mr. Speaker.

Hon. Deputy Speaker: Order Members! This one has been seriously contested let us go for the Division. Can the Serjeant-At-Arms ring the bell?

(Loud Consultations as the Bell is rung)

Hon. Deputy Speaker: Order, Members! Order, Hon. Members, we are going for the Division. Order! Order, Members! Serjeant at Arms Order! Order Members!

(Loud Consultations)

DIVISION

Hon. Deputy Speaker: Serjeant at Arms--- Order, Members! Order Members! Can you close the door, we proceed? Order! Order, Members! Can you take your seats? Serjeant at Arms— Order, Members! Can we have one teller from the 'ayes' and one teller from 'nays'? Let's sit down. Oscar is in support of the

Motion. But you said that---Then you didn't understand your contribution. You said you are a father to a beautiful daughter and you would not wish your daughter to be on the streets. Yes!

Okay Clerk can you call the names? Okay Members under Standing Order 69(5), "*When your name is called out, each member shall, thereupon rise in his or her place and declare assent or dissent to the question in the following manner "I vote Yes" or "I vote No" or "I Abstain" or use appropriate Kenyan sign language*".

Thank you. Clerk can you, proceed? And please be very fast.

(The Principal Clerk Assistant, Ms. Monica Muthami, reads out the names of the Members)

Hon. Deputy Speaker: Order, Members! Order, Mutiso!

(Loud consultations)

Hon. Deputy Speaker: Order, Members, so that we can be able to hear the names.

(Hon. Mutiso rises and walks out)

Hon. Deputy Speaker: Order, Member! We are in the voting stage you are not allowed to leave the House. Come back.

(Hon. Mutiso goes back to his place and sits down)

Hon. Maxwell Ochar: Tick!

Hon. Speaker: Hon. Member, we don't have that.

Hon. Maxwell Ochar: I support!

(Voting proceeds)

Hon. Maxwell Ochar: Point of Order!

Hon. Deputy Speaker: Not allowed. We are in the voting process.

Hon. Maxwell Ochar: Mr. Speaker, there are two Members hiding behind there, we don't know their motive.

Hon. Deputy Speaker: The Serjeant-At-Arms can you find out? Not Hon. Members. Or the Chief Whip can you find out? Proceed.

(Loud consultations as Hon. Mutiso votes yes)

Hon. Deputy Speaker: Order, Members! Order! Order, Maxwell! Members can you please---

(The voting ends)

Thank you. Can the Serjeant-at-Arms have the resolve towards the end of the door?

(Vote counting)

Order Members! Okay, Serjeant-at-Arms, can we have the results? Order, Members! Okay, order Members! Order! We are at the crucial stage and now I am going to announce the results.

Results

Yes – 28

No – 13

Abstain – 3

Absent – 83

Teller for YES

Hon. Nelson Masiga

Teller for NAY

Hon. Jackson Ngare

(The Motion is carried by 28 votes to 13)

(Applause)

S/NO	NAME	WARD	YES	NO	ABSTAIN	ABSENT
1.	Hon. Alvin Olando Palapala	Kitisuru				Absent
2.	Hon. Jaffer Abdulahab Kassam	Parklands/H/Ridge				Absent
3.	Hon. Stephen Kamau Thuo	Karura				Absent
4.	Hon. Peter Isuha Vukindu	Kangemi	Yes			
5.	Hon. Beatrice Kwamboka	Mountain-View				Absent
6.	Hon. Moses Ogeto	Kilimani				Absent

	Nyangaresi					
7.	Hon. Fredrick Njogu Njoroge	Kawangware		No		
8.	Hon. Obonyo Mike Guoro	Gatina	Yes			
9.	Hon. Elias Otieno Okumu	Kileleshwa	Yes			
10.	Hon. Clarence Kipkemboi Muga	Kabiro				Absent
11.	Hon. Martin Karanja King'ethu	Mutu-ini				Absent
12.	Hon. Peter Wahinya Kimuhu	Ngando				Absent
13.	Hon. Samuel Ndungu Njoroge	Riruta				Absent
14.	Hon. John Waweru Kinuthia	Uthiru/Ruthimitu				Absent
15.	Hon. Anthony Kiragu Karanja	Waithaka				Absent
16.	Hon. David Njilithia Mberia	Karen	Yes			
17.	Hon. Maurice Gari Otieno	Nairobi West			Abstain	
18.	Hon. Alex Ouda Otieno	Mugumoini Ward				Absent
19.	Hon. Dianah Kapeen	South C				Absent
20.	Hon. Akuk Maurice Omondi	Nyayo Highrise				Absent
21.	Hon. Boniface Kitavi David	Laini Saba	Yes			
22.	Hon. Fredrick Owino Obenge	Lindi			Abstain	
23.	Hon. Alhad Ahmed Adam	Makina				Absent
24.	Hon. David Njoroge Kairu	Woodley/Kenyatta/Golf Course				Absent
25.	Hon. Pius Owino Otieno	Sarang'ombe				Absent
26.	Hon. Jackson Mwangi Ngare	Githurai		No		
27.	Hon. Patrick Ngaruiya Chege	Kahawa West		No		
28.	Hon. Pius Mwaura Mbono	Zimmerman			Abstain	
29.	Hon. Peter Muriithi Warutere	Roysambu				Absent
30.	Hon. Amos Mbuthia Mukami	Kahawa				Absent
31.	Hon. Erastus Muiruri Mburu	Clay City				Absent

32.	Hon. Isaac Njoroge Ngige	Mwiki				Absent
33.	Hon. Martin Waweru Gichuhi	Kasarani				Absent
34.	Hon. Kenneth Thugi Muroki	Njiru				Absent
35.	Hon. Daniel Mbugua Mari	Ruai				Absent
36.	Hon. Shadrack Juma Nyambu	Baba Dogo	Yes			
37.	Hon. Wilson Ongele Ochola	Utalii				Absent
38.	Hon. Oscar Otieno Lore	Mathare North				Absent
39.	Hon. Kennedy Oduru Nyarumba	Lucky Summer				Absent
40.	Hon. Maxwell Ochieng Ochar	Korogocho	Yes			
41.	Hon. Jairus Atenya Asitiba	Imara Daima				Absent
42.	Hon. Alexander Mutisya Mulatya	Kwa-Njenga	Yes			
43.	Hon. Elkana Omoga Mauti	Kwa Reuben				Absent
44.	Hon. Samuel Kagiri Mwangi	Pipeline		No		
45.	Hon. Kennedy Okeyo Ngondi	Kware				
46.	Hon. Michael Wainaina Wanjiku	Kariobangi North		No		
47.	Hon. Peter Wanyoike Gitau	Dandora Area I		No		
48.	Hon. Stephen Murathi Kambi	Dandora Area II				Absent
49.	Hon. Charles Thuo Wakarindi	Dandora Area III				Absent
50.	Hon. Daniel Oria Odhiambo	Dandora IV	Yes			
51.	Hon. Peter Migwi Gichohi	Kayole North				Absent
52.	Hon. Jackson Kiama Gikandi	Kayole Central				Absent
53.	Hon. Elizabeth Akinyi Manyala	Kayole South				Absent
54.	Hon. Samuel Irungu Mwangi	Komarock				Absent
55.	Hon. Abdi Ibrahim Hassan	Matopeni/Spring Valley				Absent

56.	Hon. Benson Ligavoh Amutavi	Upper Savannah				Absent
57.	Hon. Alfred Ambani Muhindi	Lower Savanah				Absent
58.	Hon. Michael Ogada Okumu	Embakasi				Absent
59.	Hon. Joash Omwenga M. Kengere	Utawala				Absent
60.	Hon. Kados Paul Muiruri Kiguathi	Mihango				Absent
61.	Hon. George Maina Njoroge	Umoja I				Absent
62.	Hon. Kingsley Wellington Odida	Umoja II				Absent
63.	Hon. Martin Kinyanjui	Mowlem				Absent
64.	Hon. Robert Mbatia	Embakasi West				Absent
65.	Hon. Njuguna Mwangi	Maringo/Hamza				Absent
66.	Hon. Samwel Nyaberi Nyang'wara	Viwandani				Absent
67.	Hon. Ronald Melkizedek Milare	Harambee				Absent
68.	Hon. Peter Anyule Imwatok	Makongeni				Absent
69.	Hon. Kenneth Irungu Mwangi	Pumwani				Absent
70.	Hon. Osman Adow Ibrahim	Eastleigh North				Absent
71.	Hon. Nelson Marakalu Masiga	Eastleigh South	Yes			
72.	Hon. Martin Mugo Kanyi	Airbase				Absent
73.	Hon. Athman Kamau Hashim	California				Absent
74.	Hon. Julius Mwaniki Muchiri	Nairobi Central				Absent
75.	Hon. James Mwaura Chege	Ngara				Absent
76.	Hon. Peter Wahinya Njau	Pangani				Absent
77.	Hon. Millicent Wambui Mugadi	Ziwani/Kariokor				Absent
78.	Hon. Herman Masabu Azangu	Land Mawe				Absent
79.	Hon. Manoah Karega	Nairobi South	Yes			

	Mboku					
80.	Hon. George Ochieng Ochola	Hospital				Absent
81.	Hon. Wilfred Oluoch Odalo	Mabatini	Yes			
82.	Peter Owera Oluoch	Huruma	Yes			
83.	Hon. Daniel Kithama Mutiso	Ngei	Yes			
84.	Hon. Andrew Macharia Mbau	Mlango Kubwa				Absent
85.	Hon. James Kinuthia Waminja	Kiamaiko				Absent
86.	Hon. Rachael Kamweru	Embakasi West				Absent
87.	Hon. Magdalene Mbogori	Kibra				Absent
88.	Hon. Elizabeth Sang	Kibra	Yes			
89.	Hon. Rose Ogoda	Embakasi	Yes			
90.	Hon. Petronilla Achieng	Dagoretti North				Absent
91.	Hon. Margaret Sewe	Makadara				Absent
92.	Hon. Celestyne Ongere	Makadara	Yes			
93.	Hon. Rosemary Wairimu Macharia	Sarangombe-Kibra		No		
94.	Hon. Janet Muthoni Kimondo	Makadara		No		
95.	Hon. Ruth Njeri Nyambura	Line Saba-Kibra		No		
96.	Hon. Janet Wala	Starehe				Absent
97.	Hon. Imeldah Nafula Wanjala	Starehe		No		
98.	Hon. Leah Mumo Matee	Makadara				Absent
99.	Hon. Christine Aloo Abuto	Makadara				Absent
100.	Hon. Joyce Bocha Nambwire	Kilimani	Yes			
101.	Hon. Rose Nancy Luchiri	Kilimani	Yes			
102.	Hon. Victoria Alali Angeni	Dagoretti North				Absent
103.	Hon. Monica Waruiru Ndegwa	Kasarani				Absent
104.	Hon. Karen Wanjiku Githaiga	Njiru		No		
105.	Hon. Mark Ndungu Ng'ang'a	Makadara				Absent
106.	Hon. Amina Mohammed	Embakasi				Absent

107.	Hon. Abdi Mohammed				Absent
108.	Hon. Tabitha Akinyi Juma	Starehe		No	
109.	Hon. Zulfa Hakim Mohammed	California			Absent
110.	Hon. Benadette Wangui Ng'ang'a	Kileleshwa			Absent
111.	Hon. Marion Njeri Githinji	Kilimani			Absent
112.	Hon. Nancy Nyambura Mwaura	Savannah		No	
113.	Hon. Dorcas Muthoni Njoroge	Kahawa West			Absent
114.	Hon. Hellen Katangie	Karen			Absent
115.	Hon. Emmaculate Ndegwa Muasya	Highrise	Yes		
116.	Hon. Florence Achieng Athembo	Maringo			Absent
117.	Hon. Alexina Likono Moddy	Kabiro	Yes		
118.	Hon. Susan Karemi Njue	Makadara	Yes		
119.	Hon. Jacqueline Awino Nyangala	Kileleshwa	Yes		
120.	Hon. Jane Muasya	Kibra	Yes		
121.	Hon. Catherine Apiya Okoth	Makina			Absent
122.	Hon. Hawa Dafala Absumum	Makadara	Yes		
123.	Hon. William Abuka	Kibra	Yes		
124.	Hon. Mercy Wanjiku Kariuki	Waithaka			Absent
125.	Hon. Tabitha Wothaya Ndigirigi	Nairobi West	Yes		
126.	Hon. Asaha Abdi Sosso	Lindi			Absent
127.	Hon. Carolyn Achieng Muga	Harambee	Yes		

Hon. Deputy Speaker: Hon. Members, we have come to the close of the business for today. The House stands adjourned until next week, Tuesday 2.30 p.m. Thank you.

(The House Rose at 4.50pm)

