



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Third Session

Wednesday 30<sup>th</sup> October 2019

The House met at 2.30 p.m.

[Hon. Speaker ((Ms. Beatrice K. Elachi) in the Chair]

#### PRAYERS

**Hon. Speaker:** Serjeant-at-Arm, can you check how many Members have clocked in and tell us the quorum.

#### COMMUNICATION FROM THE CHAIR

**Hon. Speaker:** Thank you very much, Hon. Members, I will issue a communication later and therefore, I will change the sequence when it comes to the right time. Therefore, we move to order seven proceed with the sequence.

#### STATEMENTS

**Hon. Speaker:** Minority Whip, do you have a statement?

**Hon. Peter Imwatok:** Madam Speaker, pursuant to Standing Order 45 (2) (c), I wish to request for a statement from the Chairperson Sectoral Committee on Transport and Public Works regarding the Implementation of infrastructure in the County especially in South C Ward.

Hon. Speaker, the place of infrastructure development in the economic and social development of this County needs to be emphasized especially at this moment when the County is experiencing an increase in population and a corresponding demand for pre-requisite services to facilitate 24-hours economy in the City.

Hon. Speaker, the old Akiba Estate road in South C is dilapidated and requires urgent intervention by the County by way of rehabilitation. This road has been in the County planning documents since FY

2015/2016 but no works have been undertaken despite the bills of quantities allegedly being done and tender for its rehabilitation reportedly having been advertised.

Hon. Speaker, in the statement the Chairperson should inquire into and report on:

1. Why rehabilitation of the said road has taken unexpectedly long time to commence despite its restoration having been planned for; and
2. Steps that the County Executive has taken to ensure that the said road is rehabilitated for use by the residents.

I beg to lay Madam Speaker.

**Hon. Speaker:** Chairperson Sectoral Committee on Transport and Public Works, I give you two weeks to bring the response to the House. Hon. Maurice Gari!

**Hon. Maurice Gari:** Thank Madam Speaker, pursuant to Standing Order 45 (2) (c), I wish to request a statement from the Chairperson of the Sectoral Committees on Health Services, Environment and Natural Resources and Planning & Housing regarding the current state of various sections in hospitals in the County Specifically Coptic hospitals initially known and registered as Coptic church nursing home.

Hon. Speaker, hygiene in County hospitals is crucial especially in various sections in hospitals ranging from morgues, kitchen and even the waste disposal mechanism put in place when it comes to human health as they entail numerous users ranging from staff deceased and citizens.

Hon. Speaker, there is a need for proper designing, space hygiene and routine maintenance of the said area in such institutions in the County.

Hon. Speaker, there is a need for proper designing, space, hygiene and routine maintenance of the said areas in such institutions in the County.

Hon. Speaker, proper waste management i.e. basic separation of wastes in regards to their categories is vital tool to reduce the risks incurred by the casual workers while handling different wastes in such areas.

Hon. Speaker, in the statement the Chairperson should inquire into and report on:

1. Why Ngong Road Coptic hospital mortuary room was constructed adjacent to Coptic kitchen room on the same floor with the usage of the same lift and stairs to transport dead bodies from the ward to the morgue room and food from the kitchen to the wards;
2. Why Ngong Road Coptic hospital has not complied with the health waste management methods such as the installation of the incinerator as a major requirement for a medical institution, chemical disinfection. Autoclaving, encapsulation, interlunation and land disposal;
3. Whether there are an occupational health and society measures in Coptic mortuary with proper risks in assessments, followed proceedings and correct disposal of biohazards materials and whether Coptic hospital has finished managing its medical waste;
4. Whether Coptic hospitals had obtained Environmental impact assessment license (EIA) from NEMA before commencing the construction of Coptic hospitals and mortuary if they had a mandate or authority from Kenya medical practitioners and dentists board to operate a funeral home or a license;
5. Whether Coptic hospital buildings have duly approved architectural plans, apart from the initial approval of the two-story building and current renovations going on; and

6. Whether Coptic hospital is registered as a mission hospital, charitable institution or a profit-making institution and why the institution is exempted from paying County rates and licenses. Thank you.

**Hon. Speaker:** The Committee of Health I think that statement has many issues and therefore I request them to look into the statement because it is not a statement that you will get the response from the Executive.

It is a statement, whereby you need to sit as a Committee, do a visit to that hospital to verify the issues that Hon. Gari has raised, and then bring us a small brief report in two weeks. Hon. Gari is that okay with you because I was listening to the statement/investigation statement.

**Hon. Maurice Gari:** Obligated.

**Hon. Speaker:** I have ordered the Health Committee to relook at the issues he has raised if it is true you will bring us the report so that we understand this Coptic hospital and then I will be able to give away forward on the same. Hon. Anita, I know you are in the Health Committee.

**Hon. Anita Thumbi:** Yes Madam Speaker, two weeks is okay, thank you.

*(Member speaking off the mic)*

**Hon. Speaker:** The area MCA must be there Minority whip. Yes, Minority Whip you have to be part of that team or do you have a concern on the same matter, you are a member of the Health Committee but you are also the area.....

*(Member spoke off the mic)*

**Hon. Maurice Ogeto:** Hon. Speaker, I want to first congratulate you because the wind was very strong *(Applause)* and when I see the tornado and the only eagle goes against it. Hon. Speaker, that notwithstanding, I believe there was a precedent that was set in this Assembly that the member of the same area and the one who brought the same statement from Upper hill and a ruling was made that they should consult the Members of the area. Now I do not know if Hon. Gari being a Board Member is overriding the Member of Kilimani.

*(Laughter)*

**Hon. Speaker:** Hon. Deputy Minority Whip you should just now that he is your boss also and he will take care of you, but indeed it is in order, when it comes to the issues of your area of jurisdiction, we give you that respect and therefore, you must welcome the team to know what they are going to do in your area. Therefore, I give you that.

**Hon. Maurice Ogeto:** Thank you.

**Hon. Speaker:** Hon. David Mberia!

**Hon. David Mberia:** Madam Speaker, I do not think that I had a statement today. Thank you.

**Hon. Speaker:** Okay thank you. Is Hon. Silas Matara in? Is he also a member of Speaker's panel? Hon. Members if you are a member of Speaker's and you walk out and when the Speaker decides to reconstitute its panel will it be in order or not?

*(Applause)*

This is because you cannot walk out of your own office. So, how will the Speaker trust anyone on the Chair?

*(Loud Consultation)*

Therefore, I would want to say if you know you have been notified to present a statement and then you walk out, then that statement will be quashed and you will have to look for another day to bring it. This is wrong because other people who had asked for an opportunity to present their statements and we did not give them an opportunity.

This is a House where Kenyans are looking at us and they want to see us doing serious business. Therefore, no one who walks away from his own business will return until the other week where we sit in business and we will reconsider the House business. Therefore, we have to be serious about these things. Hon. Silas, had three statements to give out.

### MOTIONS

#### A POLICY FOR REHABILITATION OF STREET FAMILIES/CHILDREN & CONSTRUCTION OF PROPOSED REHABILITATION CENTRE IN RUAI

**Hon. Margaret Mbote:** Thank you Madam Speaker, for giving me this chance and I want to welcome you back to this Assembly and we are very happy to have you with us. Thank you very much.

That, aware that the problem of street children/families is not limited only to the Third World where there are hundreds of thousands of children running away from home and living on the streets across the world, which has become a serious problem for many governments in the World; further aware that of recent years the problem of street children/families in the Nairobi City has increased thereby affecting business in the city Centre; noting that this problem had turned into a social nightmare with more street children/families invading major streets within the Central Business District (CBD); concerned that these street children/families are now extorting money from innocent pedestrians and motorists through intimidation and threats of use of human waste, some of them come up with all sorts of tricks, ranging from having sick children or people suffering from a terrible disease accompany them; further concerned that below the veneer of a dirty street person is a well calculated and thriving drug and alcohol business where the street people are used as mules to transport drugs and alcohol from one point to another, worse are the peddlers who sell drugs to the street people on credit to permanently keep them hooked and in debt, leading to a vicious cycle of petty thieving to sustain the habit; acknowledging the effort by the County government to bring sanity in the Central Business District by launching an operation to flush out street families from the C.B.D, this Assembly urges the County Executive to:-

- i. Develop a comprehensive policy with programmes for the rehabilitation of street children/families, to regulate homes catering for street families with the institutional system that identifies, assesses and classifies street families and to solve the issue of homeless people in County;
- ii. Complete the construction of the Ruai Rehabilitation centre for rehabilitation of street families/children; and
- iii. Integrate street children in existing children's homes.

**Hon. Speaker:** Who is your seconder?

**Hon. Margaret Mbote:** Hon. Millicent Jagero.

**Hon. Speaker:** You don't want to speak on it. Say a few words about it.

**Hon. Margaret Mbote:** We are not used to these things, we are learning. *(Laughs)*

*(Applause)*

Moreover, it is also good to try to be ourselves and to do something in the assembly. Madam Speaker I have been in the industry of street families, street children, orphans, and abandoned children, I run a children's home and I have been in this industry for 20 years now catering for these children. I know what it takes for these children to be people who can be recognized in the community. I know it takes our efforts those of us who are blessed by God to let the children know that they belong to this country and we care for them.

In Nairobi, we have so many children loitering in the streets especially young kids being babies who are supposed to be taken care of in the homes. Mothers send these children to beg in the streets to beg for money. Some mothers come with the children and sit somewhere while their children go around the streets begging and the children don't know whether this is right or wrong. It is for us to make laws so that these children can be taken to the existing children's homes for care, since education, health, and other needs are compulsory as provided for in the Constitution.

I think it is good for the government as our Governor is also trying very much to build the Ruai Rehabilitation Centre. It would be good if the Ruai Rehabilitation Centre is completed as quickly as possible and identify other rehabilitation centres in other Wards and all the children's homes that are existing so that these children can be taken there for care, education and protection from harm especially drugs, alcohol, and other dangerous substances. Sometimes they even sleep on the streets and because some are ladies they can get unwanted pregnancies because as they live in the streets and become families.

Young boys aged between 10-13 become fathers while they are supposed to be in school. It is also good for the Hon. Members to support this Motion so that all the children in the streets are removed so that those who are supposed to go to school and those who are supposed to go to rehab go. I remember one time the Governor has said that they would be employed to do cleaning and other things. They cannot be employed if they are not taken to rehab.

Rehabilitation centres are very essential to these children and street families. Some of the street families need to be taken back to their families because they have run away from their families even from upcountry. The County government can take care of those who do not have families through rehabs and the homes that are existing. I call Hon. Millicent Jagero to support the Motion.

**Hon. Millicent Jagero:** Thank you Madam Speaker. I rise to second this Motion. We know in Kenya street families and street children have become a menace in the society not only in Nairobi but the entire country. The reason why you find these children in the street for the few we have talked to is because of child abuse from their homes and they run away to find solace in the streets. Some run away from their homes because of peer pressure, some from negligence from their guardians or their parents.

You find that the challenges that these children undergo while in the streets are physical and verbal abuse, sexual and gender-based violence, whereby you find if someone is drunk they can end up raping the young ladies or women who are in the streets. They also contract STIs and get unwanted pregnancies. There are no institutions where they can go and open up on the challenges that they undergo on day to day basis. If you go to the back streets of Nairobi, drug peddling is mostly done here and they use the street families and children to sell for them. Around Odeon Cinema, there are so many street families who are peddling to people who are also thugs and they are doing this because they have nowhere to go.

The rehabilitation Centre in Ruai has stalled for a long time now and that is why we are urging the County Government to speed up the construction so that it can accommodate more children. We also recommend more safe houses for these street children more so the young girls and young boys who are

sexually harassed on a day-to-day basis. When they go to those safe places, they can get mentors there who will counsel them so that they can come back to themselves and realize the goals and objectives they have in this life. We also need more children's homes that are managed by the government so that they can accommodate all these children.

Lastly, Mathare Youth and Sports Association (MYSA) used to have a programme on integration of these children and it used to happen once a month every Wednesday, but it stalled due to lack of finances and many children were not being picked up by their parents. They were being kept in a children home in Kabete and it does not exist. We are urging the government to take up the initiative whereby they can be putting the names of these children in the media so that their parents or guardians can know their whereabouts. I rise to second this Motion.

*(Question proposed)*

**Hon. Millicent Mugadi:** Thank you Madam Speaker. I rise to support this Motion. We as the County Assembly of Nairobi which is one of the 47 county assemblies in Kenya, I think we should come up with policies that would support people who are running children homes, maybe private children's homes or governmental children's homes. Therefore, we need to have a data collection centre where we can work as a county with those children homes that have been identified so that we can see how we can relocate these street kids to these homes and have supervision.

Madam Speaker, you know there are those children's homes without serious supervision and children go through a lot of abuse and because there is nobody that follows up on those kinds of children's homes, we don't know how safe our kids are. You find that most kids run away and prefer to stay in the streets rather than go back to the children's homes where their safety is not guaranteed.

I support this Motion and probably we should come up with a fund that should be directed to the specific children's homes that we think qualifies to run the services of children's homes and be integrated with rehabilitation centres so that we can be able to tackle this menace of street children. We should also involve the security apparatus like the police and the NYS to help us identify genuine street children. You realize some street children are out there on business and have homes and so it is a huge burden that needs a lot of attention. The relevant committee that this issue falls under should take this into serious consideration, sit and come up with the way forward in terms of policies, funding and security on how we can ensure that Nairobi is safe from street children and that these street children have a safe [place to call home. Thank you.

**Hon. Kennedy Obuya:** Thank you, Hon. Speaker. Madam Speaker, please allow me to address you as Madam Speaker sir and thank God for giving you a chance to sit on your throne which God has given you. Congratulations Madam Speaker sir!

Hon. Speaker, I am rising to support this great Motion and to congratulate my big sister Hon. Mbote. I have been privileged several times to visit Hon. Mbote and the children's home that she runs. It is timely indeed and this is a motion that I want to encourage Hon. Members that should have been brought earlier for Members to pass it en masse. It is important as the prayers put by Hon. Mbote that the County Executive fast track the construction of the Ruai Rehabilitation Centre. It is also important that the County should have interest in seeing the day-to-day running of this facility is up-to-date. To curb the interests of a few individuals who could be having such facilities with self-interests.

I am aware of somewhere along Mukuru area there is a small facility that is being run by a lady who is a foreigner and at some point, some residents within our area reported to our area Chief that some of the

children in that facility normally are seen in the CBD begging for money. When the County government begins to manage these institutions, I think we will be taking into account the management of these facilities and we are also going to make sure as a government that nobody for self-interest will manipulate the day-to-day running of such facilities. In the interest of time Madam Speaker sir, I beg to support.

**Hon. Speaker:** Thank you, Hon. Obuya. Hon. Anita Thumbi.

**Hon. Anita Thumbi:** Thank you, Madam Speaker. I take this opportunity to congratulate and welcome you back.

The Constitution is very clear in Article 53 on the rights of children; the right to education, protection, and parental care. As a mother, it hurts me when I see these street kids hawking sweets and some doing prostitution. The research done sometimes back has shown that in Nairobi CBD, we have a high rise in minor prostitution.

I want to congratulate Hon. Mbote for this Motion and for the job she has been doing in taking care of these children. It is the right time we have a budget for these children's homes. I support, thank you.

**Hon. Speaker:** Hon. Patrick Musili.

**Hon. Patrick Musili:** Thank you, Madam Speaker for this opportunity. I also congratulate you for coming back. I rise to support this Motion.

As a nation, Kenya has proved that it can accommodate even people from other African countries because in Nairobi and other parts of the country, we have Sudanese, Congolese who are refugees. If it can take care of these people, why not take care of our own, our street families?

Madam Speaker, as I was going round Nairobi carrying out some valuation exercise, I am a valuer by profession, I know Nairobi County is endowed with massive land. In particular, Embakasi Ranch has 40 acres of land that has never been fully utilized. Probably a few of us know that it is there. We have resources to accommodate our families and help to clean our city and make it safe for doing business. On that point, we also need to come up with firm legislation to know how we can manage these children's homes.

Madam Speaker, we also need to set aside some budget to support these families. They don't only go there for comfort and warmth, but to inculcate some discipline to the children so that they can now be rehabilitated back to the community and may also add value to this City. Thank you, *Mheshimiwa* Mbote, this is good work. Thank you.

**Hon. Speaker:** Thank you. Hon. Esther Nyangweso.

**Hon. Esther Nyangweso:** Thank you, Madam Speaker. First of all, I want to thank God for bringing you back to this Assembly. I congratulate you. I also congratulate Hon. Margaret Mbote for a very well thought Motion. It is high time it is implemented.

Madam Speaker, the street kids have become a menace to society. I wish to request that this program is not just done in the CBD but extended throughout Nairobi. If you walk in an area like Pangani and in traffic jam, the street kids will come and request to wipe your windows so that you can pay them. This is not a good thing considering that they are supposed to be at home or in school.

When the Executive implements this program, I would request that they also make sure they put aside enough resources so that when the street kids are removed from the streets, they are well taken care of. If they don't get food and not well taken care of, they will get back to the streets. I would also like to urge

the Executive to make sure that we have enough human resource who will take care of these kids at the centers because you will find that the younger kids are sexually molested by the older ones. I stand to support the Motion. Thank you.

**Hon. Speaker:** Hon. Mellab Atemah.

**Hon. Mellab Lumalah:** Thank you very much, Madam Speaker. I would like to welcome you back. Congratulations for the hard fight. God is good. I always say, 'What goes around comes around.' Those are not my words but it is a saying, which has been there. I also congratulate Hon. Mbote for this timely Motion.

I stand here with a lot of emotions because being a mother and you see what your child is going through as a street child, scavenging on the garbage and running around with bad stuff like weapons and drugs, you will always weep. It is a sad situation when you are moving around in or outside town and see how these children live their lives. You wonder why do we get children. I congratulate mothers outside there who stand by their children in difficulties until they make sure that they bring them up in the right way.

I am also supporting what my colleagues have said that the rehabilitation centers that we have identified be rehabilitated and others be built. They should be given priority in the budget. The last research that was done here in Nairobi showed that there were about 60,000 street children. That was a long time ago. Currently, we are not even able to tell how many children we have because there is less interest in how these children's lives.

We also have private centers like the one that Hon. Mbote is running. I feel the County Government while still in the process of developing new ones, we can do a partnership program with existing homes so that we can put these children in different homes and we support them with a policy that we would have passed here.

I like these words in the Motion, 'identify, assess, and classify.' We realize that some of these children have parents. Through identifying and assessing, we are able to reach out to those parents and find out what the problem is that can make them leave their children in the streets. Secondly, we identify orphans. Orphans feel very uncomfortable staying in their homes maybe with strangers. Some have undergone through all the vices that have been mentioned here. When we classify, we do that based on age limit. The eldest often rough up the younger boys and girls. They also beat them because you may find one with a broken arm or limp. It will be uncomfortable for them to continue living in that situation.

Lastly, as Assembly, we can decide to have a Board. Like the way we have Culture and Community Services Committee, which has different Boards like Sports Board and Liquor Board, we can sit down and form a Board or an extra committee because when the children come here, they don't know where to report on anything. That Board should be friendly to listen to them and have professional people who will deal with children matters so that they are able to present their problems and seek help. Through the Board, they can be taken to a specific home because problems are not the same. You will find some who are already addicted to drugs, others are still freshers. We can easily save the freshers.

Madam Speaker, we can still also have to do a follow of the existing homes to see what they have gained. We only know there are children in children's home but we have never seen those that have come up with successful stories apart from a few like the one called Bonoko who was picked from some area here and has excelled. We would love to see also success stories that are coming out of that so that they can



encourage these other young boys or girls who are on the streets to know that there is life after being a street kid.

One day I met a street boy and asked him what made him be in the streets. He told me that he decided to leave his parents' home and come to the streets. I further asked him where he comes from and was shocked to find out that he comes from my village. He told me he boarded a bus and hid under seats.

As much as we are talking about this, we also have a community to help us. All the stakeholders should also come in and help us. There is a man who died while hiding on the wheels of a plane bound to London. I would imagine if he survived and got there and didn't know anyone. He would have lived in the streets. As a community, we should be vigilant to help in identifying this. I support the Motion. Thank you.

**Hon. Speaker:** Hon. Wilson Ochola.

**Hon. Wilson Ochola:** Thank you, Madam Speaker, I beg to oppose. If we allow this, we are going to have more street children. Men should use condoms to avoid incidences of street children.

*(Laughter)*

Madam Speaker, protect me from---

**Hon. Speaker:** You are protected, proceed.

*(Hon. Paul Irungu spoke off the record)*

**Hon. Speaker:** Order, Hon. Paul! You need to show me your intervention.

*(Loud consultations)*

**Hon. Wilson Ochola:** Madam Speaker, protect me.

**Hon. Speaker:** Order, Hon. Member! Show me your intervention. This is not a House where we are doing a match. Request for intervention and I will give you the chance. Hon. Member who is closer to the Vice-Chair of the Board, press for intervention.

**Hon. Wilson Ochola:** Madam Speaker, can I proceed?

**Hon. Speaker:** Let me first hear the intervention of the Hon. Member.

*(Point of Order)*

**Hon. Elijah Irura:** Madam Speaker, the hon. member on the floor is not properly dressed. He doesn't have a tie. He should not be given an audience to speak in this House.

*(Applause)*

**Hon. Wilson Ochola:** I know what they are talking about. Madam Speaker, today I went to see the doctor because I was very sick. The doctor told me if I put on a tie---*(Laughter)* I have a cut on my neck. Therefore, I am allowed to be in the House. I have a letter from the doctor.

*(Loud consultations)*

**Hon. Speaker:** Order! Order, members! Hon. Ochola, you are saying you were sick and went to see the doctor. You should bring the letter tomorrow so that we shall know whether indeed, you are sick or you agree with the members that you are not dressed well.

**Hon. Wilson Ochola:** Since they are supporting the Motion, they don't want me to shoot this Motion down.

**Hon. Speaker:** I will allow you but tomorrow you will bring me the letter from the doctor showing you are sick on the neck and you cannot wear a tie.

**Hon. Wilson Ochola:** I will go and bring it, it is outside here.

**Hon. Speaker:** Are you in agreement with that?

**Hon. Wilson Ochola:** Yes, I agree, Madam Speaker.

**Hon. Speaker:** Okay.

*(Hon. Ochola left the Assembly)*

*(Laughter)*

**Hon. Speaker:** Hon. Grace Muthami.

**Hon. Grace Muthami:** Madam Speaker, first and foremost, I would like to congratulate you for coming back to this Assembly and serving these Hon. Members. I stand to support the Motion. Thank you.

**Hon. Speaker:** Hon. Immapet Kemunto.

**Hon. Immapet Kemunto:** Thanks once more, Madam Speaker. I want to congratulate Hon. Mbote for this noble Motion. I prefer that we can get data of all these street children from every Ward Representative so that if the County Government is going to take charge of building children's homes in each Ward, it will be much helpful. Without data, it will be a challenge for us.

I support the Motion and encourage every member here to be part and parcel because these are our children. We are mothers and fathers of this great nation. If you see street children begging through your window, don't just chase him or her away, please have that humanity of helping. Go a notch higher to understand what made that boy or girl be on the streets. Have data on what is partaking so that when we want to budget for them, we know their real concerns.

Some are just on the street because of maybe they are homeless. For us, it would be much easier to plan for these homes that the County Government will facilitate. I support, thank you.

**Hon. Clarence Munga:** Thank you Madam Speaker. I am here to support the Motion before us here today on three accounts. We have a responsibility as a County to ensure we do social responsibility across the County. When it comes to street children and those who don't have a home we have responsibility for civility as a County to ensure that we provide shelter, food and ensure our children get better education.

In that aspect, we have been having this issue of Ruai rehabilitation center and this issue has been recurring each financial year. This is the time we need to call upon the relevant department on social services to ensure this project is completed and we take our children there for rehabilitation. I know we have several centers that are doing this rehabilitation but they are not enough for our children out there.

The other point is a security concern. This is the capital city of Kenya and we have visitors and tourists moving around. If we cannot secure and ensure the children have a home possibly, they will be a menace to our visitors and have a negative impact on our tourism and investment.

We need to create an environment where we give our children an equal opportunity whereby they can access education, food and ensure there is equity among our children. They are there not because of their choice but by circumstances. As a County, we need to stand up and face these challenges as soon as possible.

Finally, let me also raise my voice to congratulate you for standing firm. There is a clique of members who thought this County belongs to them (*Applause*). This County belongs to every one of us, equally. We were voted in this House as any other member. Let no member think he owns this institution. This is an institution where we have the order, procedures that guide. Madam Speaker, I add my voice to tell you to sit on that seat without fear or intimidation. Thank you.

**Hon. June Ndegwa:** Thank you Madam Speaker. I rise to support this Motion. I want to add my voice and thank Hon Mbote for looking at one of the top ten problems of Nairobi and bringing it to this House for us to discuss and find a way forward.

Madam Speaker, I would like to ask the Executive, because street children are a menace and a problem to everyone that some of the kids come to Nairobi as rural to urban migration and because they don't have anywhere to stay in, they stay in the streets. Some of the kids come to the streets because of poverty, peer influence, drugs, and alcohol abuse. I think it is about time as a County and as County Assembly, we should form a committee of all the stakeholders including NACADA, police, housing, rehabilitation center, and KNHRC to look into this issue. It does not only affect Nairobi but we realized we are harbouring kids from neighboring countries. I think this should go to the COG and CAF so that we have everybody on board to discuss street children and what forms of rehabilitation they need to undergo.

Madam Speaker some of these kids are sick both mentally and physically. As a County, we should budget to take care of their health issues and living conditions, for example, under bridges, which are not safe for them. We are experiencing rain in Nairobi and deaths could occur. They are families there - husbands, wives, and children who live there. I don't think it is a conversation that should end in this noble House. I think it should go further and needs all the stakeholders to be able to sort out this problem. I want to thank Hon Mbote for being noble and looking for our street children, thank you.

**Hon. Herman Azangu:** I stand to congratulate Madam Speaker for coming back. I know even myself I suffered a lot to say the truth. We thank you for coming back. I thank Hon Mbote for bringing this Motion. It is good because it will fill the gaps for children who are roaming about in the town. Most of them whenever chased from town run to Landmawe yet there also street children. They are harassed by Railway police, they are shot, harassed, raped. The Motion will cater for them. I support the Motion.

**Hon. Joyce Kamau:** Thank you Madam Speaker and welcome back to his House. We missed you when you were away and your story reminds me of David. The Bible says David was a small tiny boy but he defeated Goliath with a mere stone (*Applause*).

Madam Speaker, we are your stones and together we shall defeat Goliath. I would like to thank Hon. Mbote for this Motion and congratulate her for taking care of the orphaned kids. These orphaned kids also have basic needs as our kids and the rehabilitation services in the said facilities. I stand to support.

**Hon. Mary Arivisa:** Thank you Madam Speaker. It is indeed a very important aspect of our society. I stand to support the Motion even before I bring in a few things that I think is good to be taken into consideration as we look for the way forward.

We need to know some are genuinely street children who have no parents and sometimes their family members disinherit them. However, we need also to know some are imported. I have realized, after

talking to some of them, some are imported from our neighbouring countries- Tanzania, and they are used here, taken to the street and back to some home. This has been said. We need to do what many of our members have said. We need to do research on this and know who genuine street children are.

We need to regulate the homes. There are private homes and public homes. The Mama Ngina children home is a public one and any others like Dagoreti children's home for the disabled. However, we have also homes that are being run by pastors who are going to buses and preaching. Some of them have a good heart. I had one particular who had a children's home in Githurai 45 called Pastor Mwangi, who had a very good heart for the children. God rest his soul in peace. However, the street children home, when he died, it was taken over and those children were rehabilitated into other homes. However, some of them were quite mishandled after he left, because he was the only one who had a good heart. I would also call for regulations of these homes especially the private ones. We need a regulatory body that we can set up that checks these homes.

Thirdly, on the rehabilitation of the children, we need to know it's not good for people to hold these children in some place and call it a children's home. We need to have some regulation where they are being rehabilitated. One we need social workers. I know there are social workers in Nairobi but sometimes they may not be felt on the ground. We need to have in every children's home a social worker from the County, who visits these homes and make sure the children are taken good care of.

We need to take care and do a thorough investigation to find out if these children are genuinely Nairobians because we live in Kenya and we know they make Nairobi become a dumping ground for street children. We need to make sure these are genuine street children and who have not just been dumped to Nairobi. This can only happen when there are people who can take them back because as a counseling psychologist I can tell you that children are best taken care of when they are in their homes than when they go to homes run professionally.

We have a few children's home that are run in a way which is not a children's home. Like there is a children rehabilitation center in Woodley that is in bad state. I wish the people who are in the social department should be able to visit that place. They are in bad state and sometimes they are not taken good care of. If we have to do it as a city, it has to reflect the city of Nairobi. I stand to support this motion but with real input in it because, we don't also want people to take care of children who can be taken care of by their parents. Thank you.

**Hon. Alvin Palapala:** Thank you Madam Speaker, I want to support Hon Mbote for bringing this Motion here because I have a children's home in my Ward called Kitisuru and the other day they wrote me a letter complaining that the children don't have beddings, medicine and others were sleeping on the floor and sometimes when you see us fighting the so-called Ngwele and Guyo we go deep into our pockets. Sometimes I go deep into my pocket to get some money so that they can get some medicines and clothing. I beg to support Hon Mbote. We do not just need to give them an allocation. We need to give them a bigger allocation. I beg to support.

**Hon. Geophrey Majiwa:** Thank you, Madam Speaker. First of all, as I support this Motion I want to congratulate you belatedly for taking over your office again and encourage you to soldier on because that is what you were born to do in this world. You have to fight for what belongs to you.

Madam Speaker as I support this Motion, I want to congratulate also Hon. Mbote for having thought of these families that are not lucky in this world to have a place to call their home. But also we must know

that as we pass this Motion we must also know we have Kenyans who are opportunists and who want to take advantage of such good gestures.

I remember some years back, we had an operation in this town where we said we wanted to clear the streets of street children and street families and when we did that, we took all of them to children's homes that were run by the then city council. But then, after a short while, majority of them declared that they have homes and requested to be taken home. So, we had to incur the expense of sending some of them to Nyeri, Naivasha, and Muranga. Many of them declared to have homes. The few who remained in the homes were sent to NYS and they are good Kenyans today.

What we learnt is that there are some street children who are not street children. If you analyze the word street children, it means they are children who call the street their home. That means they have no homes. However, we realized that there are two categories of street children. We have some who were brought to the streets by their mothers. Now that schools have closed, you will find those young children of age between 4 and 7 walking with teens along the streets and if you look at the furthest corner, you will see the mother seated there watching you how the children are taking coins from you. They go and empty their tins in their mother's *leso*. So, it is a business that is thriving. We should be careful so that it is not abused. There is a group of street children who are business machines for some clever Kenyans who are in a position to import them from outside Kenya and even upcountry and bring them to the streets and they beg on their behalf and hand over the money in the evening. What they are given is food and accommodation.

So, we must also make sure that our homes are properly maintained because some of them are so dilapidated and not fit for human habitation. So, we must also make sure that we look at our existing street family homes, which we are currently running. Some of them have been encroached. Some have been grabbed and converted into private homes. Some had very big chunks of land on them. People have managed to subdivide portions of those parcels of land and developed their private businesses. The last one is the Ruai Children's home, which I know was a deal between Nairobi City Council and Embakasi Ranching. It was something that was done above board because they had a lot of rate areas for the County. They did not want to pay and the land that was given was 40 acres. I am also aware that the 40 acres, as we speak now, you will find out that what belongs to the County is only 20 acres. So, it is good to follow and investigate through Planning Committee and other relevant committees to know whether they have the 40 acres intact or some people have converted it into their private businesses. I support this Motion. Thank you.

**Hon. Speaker:** Hon. Kabiru.

**Hon. Mbugua Kabiru:** Thank you very much Madam Speaker. I want to congratulate Hon. Margaret Mbote for bringing this Motion. It is rumored that the time when the president of the United States of America, Obama, visited Nairobi, there were no street families. It is just a rumor. It is also rumored that when the Pope came, all the street families were with him at the University of Nairobi grounds. I cannot verify it. Street families exist in most cities across the world. For those who travelled abroad, I have heard of stories that street families have been taken care of. There is a feeding program for street families. There is a way that a street family can get accessible solutions for shelter. Article 43 of the Kenyan Constitution on economic and social justice, talks about every person having a right to food and shelter, good health, freedom from hunger and so on. This is highlighted in the big 4 agenda. It is something that is being fronted as one of the legacy points for His Excellency the President of this country and it is something that we should support.

I have seen the Governor setting up water points for street passersby and street families. Such water points should be rehabilitated for places where they are faulty so that street families also get access to water, which is a fundamental right within the Constitution. I also feel like there should be a feeding program. Foods from hotels, which have not been bought should be given to street families. The County Government should come up with measures to help street families to have proper shelter and proper food. The young ones should access education with support from the County Government or any other government institution.

Madam Speaker, a policy on street children is very important. One, because we are developing vision 2030, I don't believe the current number of street families would be the same. It would have increased or doubled. For us to meet our objectives in catering for the communities, we should have a policy on the street families and other street children who crop up as and when they please, whether they close school or not. It is a problem that we need to deal with and it should be captured in this policy. I am happy to see it come at such a time and I want to believe that the current County Government should deal with it once and for all. I beg to support. Thank you.

**Hon. Speaker:** Mover.

**Hon. Margaret Mbote:** Thank you Madam Speaker. I take this opportunity to thank everyone who has supported this Motion. I may not have said as much as you have added, but what I know is that I can say less but do more than talking. Therefore, I pray that you will help in implementing what we discussed because this is a very sensitive Motion. We are dealing with human beings. So, it is good to take a step as quickly as possible to save the situation. Thank you very much. I thank all the members too. I beg to reply.

*(Question put and agreed to)*

### COMMUNICATION FROM THE CHAIR

**Hon. Speaker:** Hon. Members, I had requested that you allow me to evoke our Standing Order no. 42 just to relook at the communication that I wanted to give. This communication, yesterday you remember I gave a communication for the creation of ad hoc committees to support the Board in realizing its duties in terms of efficiency, being transparent and accountable to the Assembly. Therefore, the creation of an ad hoc committee by the County Public Serviced Board.

Hon. Members, I have the following communication to convey. You may recall that yesterday, Tuesday, 29<sup>th</sup> October 2019, I issued a communication in the Assembly indicating the intentions of the newly established Nairobi City County Assembly Service Board which is to coopt and create ad hoc committees to examine and evaluate the administrative aspects, the financial aspects and the technical aspects of the Assembly with a view to improving efficiency of its posterity. Hon. Members, you may equally recall that I committed to sharing with you any of such developments. The County Assembly service Board is established pursuant to section 12 (1) of the County Governments Act and section 8 of the County Assembly Service aAt 2017 and its functions stipulated in section 11 of the same.

One, to determine and review the terms and conditions of service of persons holding or acting in the offices of the services and to initiate, coordinate and harmonize policies and strategies relating to the service. In this spirit. Hon. Members, the County Assembly Service Board at its meeting held on 27<sup>th</sup> October 2019, deliberated on the formation of ad hoc committees to enable the Board to come up with a report that will show the status of the issues under review and advise on the way forward based on its finding.

Hon. Members, following the foregoing, I, therefore, wish to convey to you the following resolutions by the County Assembly Service Board that the following key areas shall be considered by the ad hoc committees are with great need for evaluation. Members and staff wellness, finance and accounts, administration and management of manpower and labor force.

Hon. Members, I want to reiterate that the Board is here to ensure the reforms that we have started are reforms to benefit all of us. Therefore, tomorrow, I will sit, because this is within the powers of the Chair of the Board to select the names and consult widely to ensure we have a real balanced team that is going to endure this job and ensure that within three months, we have resolved the issues that are ailing the Assembly. Thank you.

#### **ADJOURNMENT**

**Hon. Speaker:** Hon. Members, there being no other business, the House stands adjourned to tomorrow, 31<sup>st</sup> of October 2019 at 2:30 PM.

*(The House rose at 4.15 p.m.)*