



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Fourth Session

Tuesday 1st December 2020

The House met at 2.30 p.m.

[Hon. Speaker (Mr Benson Mutura) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Clerk, confirm if we have the quorum.

(Clerk-at-the Table confirmed there was quorum)

I understand we have the quorum. First Order!

COMMUNICATION FROM THE CHAIR

COMMUNICATION ON LEADERSHIP CHANGE AT ASSEMBLY SERVICE BOARD AND TEMPORARY DISCHARGE OF MEMBERS FROM ASSEMBLY COMMITTEES

Hon. Speaker: Hon. Members, I have the following communication to make:

Hon. Members, my office is in receipt of a letter from the Secretary General of the Jubilee Party, the Hon. Raphael Tuju, EGH, dated 1st December 2020 communicating the decision by the Party to change the leadership at the County Assembly Service Board.

Hon. Members, in the said letter, the Jubilee Party appointed Hon Charles Thuo Wakarindi, MCA as the Member on the Nairobi City County Assembly Service Board to replace Hon. Mark Ndung'u, MCA.

(Applause)

Hon. Members, pursuant to Standing Order 17, I have written to the Select Committee on Assembly Business, nominating Hon. Juliet Ndegwa, MCA to replace Hon. Silas Matara Ongwae as a Member of the Chairperson's Panel.

(Applause)

Hon. Members, I am also in receipt of a letter dated 1st December 2020 from the Whip of the Majority Party, the Hon. Paul Kados, communicating the resolution of the Jubilee Party on outcome of disciplinary process facing the under listed Members of the Assembly:

1. The Hon. Silvy Kihoro Moiseya, MCA;
2. The Hon. Millicent Anyango Jagero, MCA: and
3. The Hon. Anita Muthoni Thumbi, MCA.

In the letter, the Whip cites that the aforementioned Members were found to be in violation of the Party Constitution. Therefore, the Party meted the following disciplinary measures on all the three Members:

1. That the Members be whipped from all Assembly Committee in which they serve for a period of six months; and
2. That the Members be suspended from the Jubilee Party for a period of 3 months.

Hon. Members, Standing Order 168 provides as follows on the procedure for discharge of a Member from a committee, and I quote:

"168. (1) The County Assembly party that nominated a member to a select committee, may give notice, in writing, to the Speaker that the Member is to be discharged from a select committee.

(2) The discharge of a member shall take effect upon receipt by the Speaker of a notice under paragraph (1).

(3) Subject to paragraph (1), such notice of discharge from a committee shall be communicated in writing to the Member at least two days before such discharge is to be effected."

As such, Hon. Members, the said written notice for the discharge of the three Members was given to my office on 1st December 2020 on the basis of the party's decision. Hence, the suspension is effective from 1st December 2020, having confirmed the Party's compliance with the provisions of Standing Order 168(3) above. For avoidance of doubt, the net effect of the suspension of the said three Members include withdrawal of all the benefits and privileges of the County Assembly thereof for the stated period of six months.

Further, Hon. Members, the Party Whip and respective committees are directed to take necessary steps in accordance with the Standing Orders to ensure that the affected committees function effectively during the period of the suspension of the Members.

In view of the foregoing circumstances, I therefore direct the Office of the Clerk to enforce the said directions and suspension. It is so guided. Thank you, Hon. Members

Next Order!

PAPERS

Hon. Speaker: Chairperson of Select Committee on Appointments, do you have Paper to lay?

Hon. Peter Wanyoike: Thank you, Mr. Speaker. Pursuant to Standing Order 191, I beg to lay the following Paper on the Table of the Assembly today, Tuesday 1st December 2020:

The Report of the Select Committee on Appointments on Committee retreat held on 5th to 8th November 2020 at Sai Rock Hotel, Mombasa.

(The Paper was laid on the Table of the Assembly)

Hon. Speaker: Next Paper!

Hon. Mellab Lumalah: Thank you, Mr. Speaker. Pursuant to Standing Order 195, I beg to lay the following Paper on the Table of the Assembly today, Tuesday 1st December 2020:

The Report of the Sectoral Committee on Energy, Information, Communication and Technology on joint retreat within ICT Sector and the National Bank of Kenya regarding the National Bank five year running automated revenue collection contract within the County Government.

Allow me to read the conclusion, Mr. Speaker. At the end of the retreat, the Committee learnt that---

Hon. Speaker: Order, Member! Repeat, it is under Standing Order No 191.

Hon. Mellab Lumalah: I beg to lay, thank you.

(The Paper was laid on the Table of the Assembly)

STATEMENT

REQUEST FOR STATEMENT REGARDING UTILIZATION OF COVID-19 FUNDS DONATED BY THE MINISTRY OF HEALTH, DANIDA AND WORLD BANK

Hon. Jeremiah Themendu: Thank you, Mr. Speaker. Pursuant to Standing Order 45 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Health Services regarding the utilization of COVID-19 funds donated by the Ministry of Health, DANIDA and World Bank.

Hon. Speaker, the World Health Organization (WHO) announced COVID-19 outbreak as a pandemic on 11th March 2020. Aware that the national and international partners have since donated funds to the Nairobi City County Government to aid in the containment measures of the pandemic, much is left to be shared.

Hon. Speaker, the surge of the COVID-19 infections have resulted into many positive cases and continues to rise on daily basis. In light of this, the County Health Sector needs to remain more proactive and vigilant to partner with the Nairobi County Government and other relevant stakeholders to enforce the Ministry of Health guidelines in the County, which seems are relaxed.

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

1. The total amount of COVID 19 funds received by the County Government and their breakdown in terms of utilization;
2. The actual number of supplemental oxygen and ventilators in the County health facilities, and whether the Nairobi Metropolitan Service and the County Executive procured the same using the COVID 19 funds; and
3. Measures the Nairobi Metropolitan Services and the County Executive have put in place to mitigate the spread of the COVID 19 in the County.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Do we have the Chair of Planning to give us an undertaking?

Hon. Moses Ogeto: Hon. Speaker, unfortunately, the Chair is on a mission somewhere. Since he is avoiding this House so much, and I am a Member of the Committee, I am requesting Hon. Themendu---

Hon. Speaker: Order, Deputy Minority Whip! You have to be factual, don't bring assumptions. If you are giving an undertaking, do so. Don't bring an issue that you cannot be able to tentatively table and have concrete evidence.

Hon. Moses Ogeto: Hon. Speaker, I request for two weeks. I was with the Chair in Mombasa and he told me that in their tradition, you cannot bury an elephant with horns.

Hon. Speaker: Hon. Themendu, are you content with two weeks?

Hon. Jeremiah Themendu: Hon. Speaker, I have heard the Deputy Minority Whip, but I don't agree with him. Although, you cannot bury an elephant with tusks you must find a way of removing it.

Hon. Speaker: Hon. Members, you need to be conversant with the conservation measures that we have as a country. You cannot try to impute that we are supporting poaching.

Hon. Jeremiah Themendu: Hon. Speaker, I am okay with the two weeks.

Hon. Speaker: Next Order!

MOTION

ESTABLISHMENT OF GENDER BASED VIOLENCE DESKS

Hon. Waithera Chege: Thank you, Mr. Speaker. I rise to move the following Motion:

THAT, aware that Article 28 of the Constitution 2010 specifies that every person has inherent dignity and the right to have that dignity respected and protected; further aware that Article 25 (a) of the Constitution provides for freedom from torture and cruel, inhuman or degrading treatment or punishment; cognizant that every person has the right to freedom and security which includes the right not to be subjected to any form of violence from either public or private sources; further cognizant that international laws and instruments such as Convention of Elimination of all forms Discrimination against Women (CEDAW), UN resolutions 1325 and 1820 deprecate violence against women as it impedes the advancement of women and maintains their subordinate status; noting that Maputo Protocol on the rights of women which states that parties shall adopt and implement appropriate measures to ensure the protection of every woman's right to respect for her dignity and protection of women from all forms of violence, particularly sexual and verbal violence; concerned that there has been an increase in incidences of Gender-Based Violence (GBV) and Sexual Gender-Based Violence in the County which has been accelerated by the corona virus pandemic that has maimed people lives; further concerned that many such gender-based violence acts have gone unnoticed due to lack of proper reporting mechanisms which has resulted in family break-ups; acknowledging that the County is in the process of enacting a law on the gender-based violence issues, this Assembly urges the County Executive to establish Gender Based Violence Desks and well trained staff at City Hall as the central point and in all the Sub-Counties to provide for post-trauma care facilities for survivors of Sexual and Gender Based Violence in the County.

Mr. Speaker, this Motion would not have come at a better time, it has come at a time when the country is dealing with 16 days of gender activism with issues of GBV which started on 25th of November 2020. However, I think Nairobi has nothing much to celebrate. The achievement is not what we have been looking forward to.

Yesterday, I had a chance to meet all the human rights defenders on this issue of GBV at a location called Mathare. What came out of that meeting is that Nairobi is even worse off with the cases of COVID-19. Last week on Tuesday, a three-day old kid was brought to Nairobi Women's Hospital, having been raped. On top of that, her three-year-old brother, who is still in the hospital, was also raped. The person who raped

these children is none other than a family member, a stepfather. If we don't speak about these issues today, if this House does not resolve on such agendas, I wonder which other agendas we are looking forward to pass.

Mr. Speaker, the statistics in Kenya show that 44% of women and girls between the ages of 15 to 49 have either gone through physical violence or sexual violence. On top of that, WHO has shown that 66% of girls and boys below the age 18 years have either experienced physical violence or sexual violence. These statistics, Mr. Speaker, are not just coming from us, they are coming from an organization that we really trust. World Health Organisation is not just a Kenyan organization, it is worldwide organization that is giving these statistics.

On top of that, yesterday as I am telling you, I had a chance to speak to these human rights defenders, one of the challenges they have been experiencing especially while going to collect these survivors is that the police also arrest them.

They are told that they are inciting members of the public. One of the young women who had a chance to go and save this child was arrested and when you ask the police why they are arresting these human rights defenders, they actually do not have a reason. So, I am not only convinced, I come from a ward, am elected by the electorates, where 85% of my area is made up of informal settlements. The statistics are also very clear, that most of these cases of gender violence are experienced in informal settlements and slums, but that does not mean that people who live in the estates and high-end areas do not experience this violence, they do. But it is high time.

One of the things that this country is also lacking is data management system for this agenda. Because I have really tried, even to look for some of the information, there is no proper mechanism to even keep data for the survivors.

The other thing, Mr. Speaker, I had a chance to speak to the CEO of Gender Violence Recovery Centre, and you will be shocked that a survivor, for them to be able to access hospital alone for outpatient, you have to have a minimum of ksh.10,000. For you to be admitted, they told me, and for sure you know Nairobi Women's Hospital has been dealing with these issues, that you do not need less than 80,000 to 100,000. Then you come back and tell me whether the people living in the slums where even basic things are not easy to get, where they can be able to afford the 80,000 and 100,000.

Therefore Mr. Speaker this afternoon, I am urging my colleagues, that let us agree to ask the County Executive to allow that we all install not just desks, we are asking for fully funded desks in the 17 constituencies in Nairobi. And not only the 17 desks, we are also asking that City Hall mans a centre, the main centre in Nairobi. A desk should be placed at City Hall so that some of these survivors can even have somewhere to run to.

Yesterday I was listening to these testimonies and you will be shocked, these men and women, who are fighting gender based violence at the very grassroots, when they even collect these kids, women and men, the only private safe house that is available in this county, they are told to go with food. That you cannot come and bring these survivors in the safe house without food. You tell me, we have somebody who is not paid, he/she does not have any allowances, then on top of that, these people are being told to even give food and money to the only available private safe houses.

Therefore, Mr. Speaker, allow me to urge my colleagues that you pass this Motion, knowing that we are not passing it for ourselves, because some of the survivors I have had a chance to look at their cases, you will be shocked. Some of them cannot even afford a dollar a day, then you come back and tell me that they will again on top of that, be requested to pay more money.

As I conclude, one of the other challenges that these people are going through is that whenever they go to report these cases to the police stations, the officers do not take these things seriously, they even call the family members to come. To tell of a case that happened last week. The elders within the community called this stepfather and his family. There was even some information that the members of the public were trying to collect some money so that if this person is arrested he will be released by the courts. Which is quite unfortunate, Mr. Speaker.

So as I conclude and move this Motion, allow me to request and also demand that the Executive, it is not too much to ask for fully funded desks within these constituencies so that even these people who are helping us fight gender based violence, are also well recognized. Mr. Speaker I beg to move the Motion and I call my colleague, Hon. Ogeto to support. Thank you Mr. Speaker.

Hon. Moses Ogeto: Thank you Hon. Speaker. First and foremost, I want to congratulate my colleague, for ensuring that she has brought a very wonderful Motion.

As you are aware, there is a saying which says, 'for every successful man, there is a woman behind'. I also take you to the good book, the bible, it is good that you get this, Luke chapter 16:10, says, whoever is trusted with very little can also be trusted with much. So, seconding this Motion is a lot of trust, which has come for me to assure Hon. Waithera, since she's a woman, has brought this Motion before this House.

She is urging this Assembly that the County Executive and Nairobi Metropolitan Service, to assign desks in various constituencies, but I am requesting that the implementation part of it goes to ward level. Looking at the Motion itself, before I go to much of it, the Maputo Declaration was very clear that they have to protect the women. As I second this Motion, also men including you, needs to be protected. So let it not be only for women because very soon we will be passing serious legislation in this House including this one but there will be boy child coming up. So she is very bright to bring this Motion.

As we second this Motion, the Maputo Declaration said that all women in this world, where Kenya was part of it, and it signed number 25 out of 53 states. They said that gender, especially women, face a lot of problems including drought, education, giving birth, thus the ruling behind the declaration of the year 1995, the Maputo declaration. And it was very categorical that all these factors must be taken into consideration.

I am also requesting members of this House, who are men, to support this Motion because it is a noble cause, and we need to do so. We only know Jesus is the only one who was born without having an engagement with a man. Again, we know all of us, including the same women have been brought up by women. So Hon. Speaker by ensuring that the gender-based violence has been reduced, it will be the success of the Nation. Because without the same women, we would not be here. That is why in this House we have 'top ups.' It is because they are noble, men usually struggle with them and they defeat them, so they are noble.

Hon. Speaker: What is your point of order, Hon. Ayot?

Hon. Cecilia Ayot: Hon. Speaker, with all due respect, I really respect my brother Hon. Ogeto, but when he is referring to very sensible women who are legislators in this great country, he must never use terms like 'top up'. These serious legislators are here on merit. Thank you.

Hon. Speaker: Hon. Ogeto, I think now you stand guided. You refrain from such words.

Hon. Moses Ogeto: Hon. Speaker, I have no discrimination, however, I can assure you the number which is in this House has been reduced by the same Hon. Member Ayot. We could have had more than fifty in this House. You know that is being sincere. I read for you the verse of Luke 10, that let us be sincere and honest. This Motion is talking about gender-based violence. Why the men in this house, including you, are able to sit there, it is because of the muscles during the campaigns, that is why they are saying we must have two-thirds gender. I am trying to agree that this violence must be stopped. It must be brought to an end. I am saying this because when we will ensure that Nairobi Metropolitan Service assigns desks in 17 constituencies, the ladies/women will have time to come and challenge us in elections. Like me, in the last election, I was challenged by women, but they were not able to defeat me, not that I was violent, that is why we are saying these desks must be set up so that women can be sensitized.

Hon. Speaker: Order, order, Member. You know the debate is on gender based violence and gender based is not one sided, so in your contribution, there are also men who are also equally harassed.

Hon. Moses Ogeto: Hon. Speaker as I finish, I started by saying the legislations, which we are making in this House, one time will not make a boy child to suffer. As you have guided me, and I am also guiding men in this House, also to be aware there is also men based violence. With those few remarks, I beg to second this Motion and ensure that the men and women in this House support this Motion so that we will avoid this problem of two third, or one third, it is really a problem. Thank you.

Hon. Speaker: Thank you. Members who are on zoom kindly click on the raise hand icon so that I may be able to give you a chance to contribute.

(Question proposed)

Hon. Mellab Atemah: Thank you Mr. Speaker. This is a very timely Motion and I have been waiting for it. I want us to understand what gender violence is. Gender violence is violence resulting to physical, sexual, psychological harm or suffering to either gender. When you use even words like what my able Deputy Minority Leader was trying to use, the 'top ups' and forgetting that we have top ups who are men, it is also one way of psychological gender violence Mr. Speaker.

So we call it a global pandemic, it is all over in Kenya, in other countries and other continents. It is very sad that this disease has been there for so many years but now something that has come up to make this disease worse is something called corona virus, covid. Everybody was forced to stay at home by force or by conditions and circumstances; you have to stay at home. Some men do not even know that there are house girls in their houses. This time round they came to realize because they have to spend most of the time there.

I have a case that was administered in this county in April when the pandemic started and there was the issue of the government saying that we stay at home. There is a girl of 16 years who was lost then eventually she was rescued by neighbours in a house of an elderly reasonable man. She had been sexually violated. When this man was arrested and asked why he had to do that to the young girl and there were so

many other big, grown up and mature women outside there he could talk to, the man decided to say he felt he was lonely because of covid season and that is why he decided to keep the young girl to keep him company. Mr. Speaker up to today we are still following up with that case but has not given us results.

We are saying this, Mr. Speaker, consequences of gender violence are either way, as my able leader said. But most of these gender violence like sexual, 14% is meted on women and girls while 40% is on married women, however much we don't complain. It doesn't mean that it is only the ones who are heard or the young girls. The consequences are physical and mental illness. You see beautiful women walking outside who are naked while others are carrying their children in a sympathizing situation. Some of them could have gone through this. When you talk to them, they will explain what they have gone through. Someone is raped and the whole community knows. When you are not given proper guiding and counselling and treatment, you will never be in the same senses. People will look at you in a funny way. If you are a woman who is always battered by your husband, you shy off even on neighbors. You will never have confidence to stand like me here.

Mr. Speaker, there is protection of GBV in the Constitution. There are also fundamental rights that we enjoy in the Constitution about the freedom to life and association, and freedom from slavery and torture. When these men violate us, they really torture us and you will wish you are living in another country that is not Kenya. When we stayed at home due to COVID-19, we have realized many girls will not go back to school because some of them are pregnant, others, their parents have decided to do abortions. Some relatives, guardians and neighbors turn to be --- What do we call that bad word? Let me not use it.

They turn these girls into women. Why do you go for girls? Why do you force me yet I am a person that I can be talked to and we understand each other? Why do you want to beat me? I am willing to listen to a man who can talk to me. We can agree or disagree. When I disagree with you, don't hate me or assault me. Assault is a GBV which people don't understand.

Mr. Speaker, as I conclude my points on this, I am bitter, my friend's wife was raped. She knew the person and brought the case forward. I forwarded the case to FIDA. The FIDA people tried to get hold of the guy and eventually arrested him. The case was compromised and the man let scot free. The woman is still languishing in stress. I want to borrow one word from the Senator who said you scoop. Should we use the scooping or what else can we use?

I thank the Whip who has brought this Motion saying that we need to have desks. I reside in Kawangware. On daily basis, daughters, sons, and women are raped and beaten. Their private parts are scooped silently. Also, women scoop men's private parts, but unfortunately men don't come out and speak about it. I am encouraging the women to keep on shouting. Your private life and private parts should not be touched. When someone wants to talk to you, he should do so with dignity. We don't want to be misused as women. I am sure the Executive will set the desks. It will safeguard us as women when we go for elections so that we come out as safe as the way men come out; men are never raped when they are doing elections. I am sorry because none of them has ever said that.

Mr. Speaker, we have organizations that have helplines. Let us have implementation of helplines from each direction of the desk where we will place it. Let it be reality that when you call it goes through. These helplines that have been given, none of them goes through. Also, let us have police who are ready to

help us in a sincere way without asking a favour. As the victims go for treatment, they should be given as essential service without being asked for a deposit.

Mr. Speaker, thank you for this opportunity, but let us make a reality in this County by having a GBV desk that is responsive. Thank you.

(Applause)

Hon. Speaker: Thank you. Before I give Hon. Jeremiah a chance, ICT, we have Hon. Millicent, Hon. Antony Gathumbi and Hon. Daniel Muturi. Immediately Hon. Themendu is done, you get hold of them in that order. Thank you.

Hon. Jeremiah Themendu: Thank you, Mr. Speaker. I rise to support the Motion because it is timely. When you hear girl child being mentioned somewhere, you must note they are our mothers, our wives, our daughters and our sisters. And when you hear boy child, they are our fathers, our brothers and our sons. Here, those who are heavily affected by gender violence are the women and girls. We cannot rely on police alone, let us have GBV desks in all our 17 sub counties. We also need to train our officers like the Inspectorate to take charge. It is simple to make that issue a reality.

Hon. Speaker, the Motion should be supported by every Member in this House, regardless whether you are a man or woman. Thank you, I beg to support.

Hon. Millicent Mugadi: Thank you, Mr. Speaker. I rise to support the Motion. I think people should not misunderstand and say that we need to just have desks, we need to have desks and empowered personnel that would be able to offering this counseling services to the GBV victims. I am coming from an informal sector and I have experienced firsthand what young girls go through. I would kindly ask the Committee on Health, in the next financial year, we need to set up a fund that would be able to be used for such cases. We need to involve everybody in the society. We need serious education. That can only come if we have financially, emotionally and mentally equipped staff who are going to stand out for our people.

I want to congratulate the Whip, and would like to ask all Members to support us in this Motion. I support.

Hon. Antony Gathumbi: Thank you, Mr. Speaker. I would like to be among the people who are congratulating Mheshimiwa Waithera for having brought this Motion on time. When you speak about gender violence, you cannot avoid speaking about the women. There is somebody who sang, "How amazing this whole is made, I wonder if God is a woman." The way a woman is made, she is double. If you give her a smile, she will give you love, if you give her a seed, she will give you a child. So, the women should be respected. Personally, I have an issue that came about at the County level. I had an aunt working at the Procurement Department. She passed away after being battered by her husband throughout and she had nowhere to report to. Even though the Human Resource (HR) Department has Counselling Section, it does not seem to work as it should be.

I support that we should have working desks and people who are trained in terms of counselling. It is rampant in the institution. More effort should be put in the HR Department. This should be a Labour Committee issue where HR is advised to have trained counsellors who are going to help our women in the County. I would wish to have the desk be brought to the wards where people can access when they experience violence. Thank you.

Hon. Daniel Muturi: Thank you, Mr. Speaker. I rise to support this timely Motion by the Hon. Member of Nairobi South Ward, Hon. Waithera Chege. I would also like to thank our able Deputy Minority Whip for seconding the Motion. I would like to point out to the Whip, through the Chair, where statement starts with “all due respect” as indicated by Hon. Ayot, reads no respect.

Hon. Speaker, the statistics were well presented by Hon. Waithera. Numbers do not lie. I would not like to get into the numbers because that must have been well articulated. GBV has been there for a very long time. This is a signal for dysfunctional society. As it has been mentioned by the Hon. Members, abuse can be sexual, verbal, among others. For many years, the same has been discussed in various government forums but the same continues to be perpetuated. Acts like rape, it has even been suggested that police stations need to have women manning the desk and qualified women as lawyers. I think everybody has a story to tell, whether it is our mothers, grandmothers, sisters, and daughters. I remember one time being called to save someone in Mavoko Sub County. We traced where she had been kidnapped and that evil act had been meted on her. When we went to the police station, the policeman was rude. At the end of the day, she was accused of giving false information.

Hon. Speaker, we have good laws in this country but we have big problem with enforcement. Our courts are slow; the wheels of justice turn slowly. It has been suggested that we have night courts where this can be dealt quickly. At this time of pandemic of Corona Virus, the biggest casualty are women and children. The consequences of lockdown have brought our true colours. We cannot continue blaming things like alcohol or drugs. This is a state of mind and it needs to be properly addressed. If our women and children are not safe, we are a failed country. When violence happens, the casualties, whether boys or men have nowhere to run to. As we appeal to the Executive to have a budget for this, we need safe houses in all the 17 constituencies in the County. In other successful economies who care about their women and children like the UK and USA, there are places where one can go to and get the necessary medical attention and food.

Hon. Speaker, with those few remarks, I would again congratulate Hon. Waithera for bringing this Motion. This is something intimate to all of us in terms of we know somebody, whether family, friend or even foe who has experienced this.

With those few remarks, I beg to support.

Hon. Rose Ogonda: Thank you Mr. Speaker. I rise to support this Motion and I must say thanks to Deputy Majority Leader for bringing this Motion.

Mr. Speaker you know in our families women are the pillars of the community, and when something happens to any woman, that community is affected. When I stand here, I am already affected, if a three-week baby girl can be raped, a six-year old boy can be raped by an old man. It is very very sad and it is not good to be taken lightly. I can tell this, in 2005-2006, I was a mother, I was working as a village elder, and the things women were passing through you cannot explain. And the sad part is that there is no place you can take the lady if that thing has occurred. It is not good for us as women, and I am urging the Health Committee to think about this. Let all the 17 counties have a desk and have women who are qualified, who know when there is a problem, where they can take these women and children so fast.

When these incidents occur in our wards, in my ward, I have a neighbouring ward called Mukuru kwa Njenga, formerly it was one ward, you can see all these things happening and some women cannot speak out. So it is good for us to have the desk at the sub county level so that in any case things can happen at the ward level during night time you can have a telephone to call so that the lady can be helped very quickly.

Hon. Speaker, before I sit down, it is good to put someone who have learnt how to speak with those who have been affected, because some women cannot open up to a man to speak what has happened. And you know if that happens to any lady, it is something which is going to take decades before forgetting. So I rise to support Majority and I am begging the Public Health Committee to follow it up because we might be given two weeks and now we are going to recess, we are in December. After coming back from recess, let the committee sit down, let the budget through the Health Committee be put there for all 17 sub-counties to have desks and qualified people so that the needy who have been affected can receive help. I rise to support.

Hon. Catherine Apiyo: Thank you Mr. Speaker Sir for giving me this opportunity. Mr. Speaker I am a women leader of Nairobi and I get so many cases of raping, especially in women and also men. Men complain that they have experienced this violence through women. And most cases they report they are not assisted very well. The men feel that they are neglected. In the BBI and constitution there is an Act which defend both men and women from this violence. People must read BBI and constitution to know their rights and how to stop cases of violence and ensure justice for the victims. I congratulate my Whip Hon. Waithera Chege for this Motion. It is a good Motion and I beg to support. Thank you.

Hon. Emamet Kemunto: Thank you Hon. Speaker and I want to appreciate the Hon. Member from South B, Waithera Chege. On this I stand as a woman, as a legislator and also as a youth. Coming from that noble slum where I came from called Viwandani I am here to back them up and be part and parcel of implementing policies.

When a woman gets harassed, first of all, you get that mental torture, you do not have the courage to report maybe to the Chief, you shy off just because you are a woman. And as our norm is, a woman is just a woman in the African culture. But here we have been given a priority whereby we are supposed to air out their grievances and also ensure that they are well taken care of. In here, Hon Waithera Chege, in liaison with other committees, and I believe the Health Committee is going to be part and parcel, we should come up with a way of improving the enforcement of laws and policies towards the prevention of gender based violence, and also accelerate gender mainstreaming into all legislation policies, plans and programmes. Because with these, and when we have so many cases at the ward level, we should also have shelters where they are actually protected and their grievances noted down, having best data to improve each and every day upcoming of cases.

So for me, I am much in support of this Motion, and I appreciate that the entire house and Members, from whichever level they come from, whichever understanding that you have, but here we are speaking about how we are going to save our future generation. Because I know today it's me, or other your daughter maybe in a better off place, but what about those people living in motherless communities. For me I support and appreciate. Thank you.

Hon. Speaker: Thank you. ICT, can I get hold of Hon. Mbugua Kabiro.

Hon. Mbugua Kabiro: Mr. Speaker Sir, thank you very much for this great opportunity to support this noble Motion by the Hon. Waithera Chege. It is a Motion that I have seen legislations to the tune of a Bill that was sponsored by Hon. Wanjiru Kariuki and we have seen cases of abuse of children very young, even in the society, and it is not a good thing to even look at, it is heartbreaking. If you can go back home and find your one year old, two year old, or even your wife molested or anybody else, your husband molested, it is very heartbreaking.

I know of situations where marriages have broken because of the trauma and the stress that comes after such inhumanly acts have been done committed. We cannot avoid the pandemic, yes, but we have seen prevalence of HIV going way up in many parts of the country in a report that was released yesterday being the World Aids Day. And this is to show that there is too much increased sexual activity especially among people who are not of consenting age. Such activities provoke acts of rape, molestation that as a society we would be broken if we encourage it. It is the reason why such a Motion is being brought to the fore, so that people can look for solutions from within. If a desk is to be created and opportunities to report such cases be done through the ward administration it is the best thing to do, because that is an implementable idea in something that we can all sit back and say indeed we legislated and it is happening.

So, I highly support this Motion and I would urge for its quick implementation knowing that these are our children, wives, husbands, and I would also like to encourage Hon. Members who are experiencing such issues to also rise up and fight together with the people out in the community. Let them fight for the rights of the weak and those who are voiceless in the society. I believe that is the reason why they are elected by the people, to represent such Acts. I would like to thank you for the opportunity.

Hon. Speaker: Hon. Members, there being no other request, may I call now the mover to reply. Hon. Waithera.

Hon. Waithera Chege: Thank you Mr. Speaker. May I start by thanking all the members who have participated in supporting this Motion. And I also thank you very much for agreeing to approve the same Motion. May I also thank the clerks who have worked tirelessly, you know and you are aware that we have had to postpone this Motion more than once.

However today am more than grateful to you for agreeing that we debate this Motion today. And Mr. Speaker, I hear all the members. Most importantly I heard from Hon. Ogeto whom I agree with that men also need to be protected, because when we speak about gender, we don't just speak about women, but men also, and its high time that people understand that. Hon. Mellab it is true that married women also experience gender based violence whether at home or outside home or even at their work places. Hon. Themendu I agree that there is need for a gender responsive partnership which does not exclude the government. It includes the government and that is why we are asking for the finance for the 17 desks. Hon. Mugambi I agree that we need to move with speed, that the Committee on Health needs to push the budget further so that as I said, these 17 desks are also budgeted for. Hon. Gathumbi was talking about making sure that the Human Resource Department is well equipped and that we will be working with people who fully understand and support our objective. Mheshimiwa Ngengi I cannot agree further that everybody, everyone in this country has a story of gender based violence, whether at a tender age or when they are still mature. So I totally agree with that. Hon. Rose Kula, yes, women need to be protected and not only women, but also

girls, boys and men. Hon Catherine, yes, you have been a women leader, I know, these things you have experienced them, and not only from where you stay, but also within the areas and communities where you are also leading other women. And second last, Mheshimiwa Emapet, about the informal settlements, as I said earlier it is true, that this issue has highest hit in the slums of Nairobi Mr. Speaker, and therefore as Hon. Mbugua Kabiro has concluded we are asking the Hon. Speaker that the contents of this Motion be treated with the speed it deserves. Having said that Mr. Speaker I wish to thank everybody and I beg to move the Motion.

Hon. Speaker: Before we move to the next order, let me confirm with the clerk whether we have the numbers to put the question.

(The Clerk-at-the Table conformed there was quorum)

Hon. Members I have been informed that we have the numbers.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Hon. Members, there being no other business, the House stands adjourned to Thursday 3rd of December, 2020 at 2.30 p.m.

The House rose at 4.35 p.m.