



REPUBLIC OF KENYA  
NYANDARUA COUNTY ASSEMBLY  
1<sup>ST</sup> ASSEMBLY-3<sup>RD</sup> SESSION



OFFICIAL REPORT

(The Hansard)

Wednesday, 25<sup>th</sup> November, 2015

*The Assembly met at the Assembly Chambers, Manunga Catholic Hall, at 9:00 A.M*

*The Speaker, Hon. Ndegwa Wahome, in the Chair*

Prayer

**QUORUM CALL AT THE COMMENCEMENT OF THE SITTING**

*The clerk-at-the-table confirms that there is no quorum*

**Speaker:** There being no quorum, I direct that the division bell to be rung for an initial 10 minutes pursuant to standing order number 34, or, until such a time within the ten minutes that quorum will have been achieved.

*The division bell is rung for 8 minutes and quorum is achieved as confirmed by the clerk-at-the-table*

**Speaker:** Quorum having been achieved let us proceed with the business for this morning session. First order.

**PAPER LAID**

THE NYANDARUA COUNTY EARLY CHILDHOOD DEVELOPMENT EDUCATION BILL  
2015

**Speaker:** Yes, Deputy Leader of Majority and Member for Kipipiri, Hon. Michael Njoroge Kirumba.

**Hon. Michael Kirumba:** Thank you Mr Speaker. On behalf of the Leader of Majority, I wish to table in the House, The Nyandarua County Early Childhood Development Education Bill 2015. Thank you.

**Speaker:** Very well, the Nyandarua County Early Childhood Development Education Bill 2015 is duly laid tabled. Next order!

**PAPER LAID**

THE NYANDARUA COUNTY COOPERATIVE SOCIETIES BILL, 2015

**Speaker:** Yes, Deputy Leader of Majority and Member for Kipipiri.

**Hon. Michael Kirumba:** Thank you very much Mr. Speaker. I wish to table in this House; The Nyandarua County Cooperative Societies Bill 2015 is duly tabled.

**Speaker:** Very well. Hon Members, the Nyandarua County Cooperative Societies Bill 2015 is duly tabled. Next order!

**BILL**

*(First Reading)*

THE NYANDARUA COUNTY EARLY CHILDHOOD DEVELOPMENT EDUCATION BILL  
2015

*Order for First Reading read - Read the First Time and*

*Ordered to be referred to the Committee on Education, Labour and Social Services*

**Speaker:** Yes Chairperson Committee on Education, Labour and Social Services, Member for Leshau Pondo, Hon. Josphat Kamau. Please give us a guideline on the amount of time you require to process the bill and bring a report for the purposes of the second reading.

**Hon. Josphat Kamau:** Thank you Mr Speaker. Since we are going for the long recess, I suppose that the committee will have processed the bill by the second week after the recess in readiness for the second reading.

**Speaker:** Very well, the clerk-at-the-table should note that the report on the bill should be allocated time in the second week after resumption from the recess.

Yes, Member for Gatimu, Hon. John Kieru Wambui.

**Hon. Kieru Wambui:** Thank you Mr Speaker. I rise on the same issue. I would like your guidance as to when and at what juncture the Members should have a copy of the bill now that it has been committed to the committee.

**Speaker:** The Member for Gatimu has raised a very critical issue because I expected that before a bill is tabled here, the clerks-at-the-table should ensure that the Members have a copy in their files. That is the normal procedure. If it is not there, all the bills including those that were tabled yesterday should be in the Members' files before the close of business today. Next order!

**BILL**

*(First Reading)*

THE NYANDARUA COUNTY COOPERATIVE SOCIETIES BILL, 2015

*(Order for First Reading read - Read the First Time and*

*Ordered to be referred to the Committee on Industrialization, Cooperatives and Trade)*

**Speaker:** Chairperson Committee on Industrialization, Cooperatives and Trade, Member for Gathaara, Hon. Daniel Kibebo. Please indicate to the House as to when the report on the bill

will be ready for the purposes of tabling the same in the House and taking the bill through the second reading.

**Hon. Daniel Kibebo:** Thank you Mr Speaker. Since the committee will have to convene and interrogate the bill, I am confident that we shall have the report after the recess.

**Speaker:** Very well. So, the bill will be allocated time immediately after long recess for purposes of tabling the report thereof. Next order.

### MOTION

**Speaker:** Yes Member for Gathaara, Hon. Daniel Kibebo.

**Hon. Daniel Kibebo:** Mr Speaker, before I move the motion I would like to air one concern. I am worried that the report is not in the members' files and therefore, I seek your guidance on the matter.

**Speaker:** Do you mean that the report is also not in the members' files? Hon. Members, are you confirming that you do not have the report in your files?

*The Speaker consults with the clerk-at-the-table*

Members, I think that it would be unfair if we were to proceed with the motion being moved when the Members do not have the reports in their files. It is a resolution of this House that the Members should have the report three days before the report is debated. This is something that we have been doing previously as a tradition and the reason as to why this has stopped is that someone wants to kill the tradition. Definitely, I expect to get a very serious explanation on the matter. We would like to know why this has happened. Before the bills are tabled, they are usually in the Members' files. I will demand a very serious explanation because we cannot run this Assembly this way. Therefore, we are going to suspend the House for the next thirty minutes and resume at exactly 10.00 am because we cannot proceed with the current situation. And, I require very serious explanation why we should put the House into motion when things are not in order. We are not reinventing the wheel because these things have been done previously and why they are not being done now; there must be a very serious explanation about the matter. Therefore, the House is suspended until 10.00 am.

*(The House is suspended for 30 minutes)*

*(Resumption of the House)*

**Speaker:** Hon. Members, I think it is a tradition that we get the copies of a report before it is moved. We shall not therefore continue with the motion that is in the House brought by the chair, Committee on Industrialization and Trade, Member for Gathara, Hon. Daniel Kibebo. I have been advised that the photocopies are on the way and it is only reasonable that we

reorganize the business as it appears in the order paper. We shall skip that motion by the Committee on Industrialization and go to the motion by the Committee on Justice, Legal Affairs and Public Service.

In the meantime and as is the tradition of this House, I would also like to recognize standard seven and standard eight pupils from Kanyua Primary school who are in this House. The school is in Kipipiri ward which represented by the Deputy Leader of Majority, Hon. Michael Kirumba and in Kipipiri constituency of Nyandarua County. I would also like to recognize the head of that delegation who is the school deputy president, Hon. Zipporah Njeri.

*Applause*

We shall go to the next order taking in mind the reorganization that I had talked about earlier on.

### **MOTION**

REPORT ON THE RESPONSE TO THE STATEMENT SOUGHT BY HON. JOYCE NG'ANG'A  
ON STATUS OF EMPLOYMENT OF THE PERSONS WITH DISABILITY IN THE COUNTY  
PUBLIC SERVICE BOARD (CPSB) IN NYANDARUA

**Speaker:** Yes Member for Ndaragwa Central, Chairman Committee on Justice, Legal Affairs and Public Service, Hon. Peter Mwangi.

**Hon. Peter Mwangi:** Thank you Mr Speaker, I rise to move a report that is in response to the statement sought by Hon. Joyce Ng'ang'a on 'employment of the persons with disability by the county public service board (CPSB) of Nyandarua'.

Mr Speaker, I will go straight to the Executive summary. The Committee has noted with a lot of concern on the issues raised by Hon. Joyce Nyambura in her statement sought on issues touching persons living with disabilities. To respond precisely and accurately to the four areas of her concern. The Committee requested information from various sources including Nyandarua County Public Service Board, Human resource details and others from Regional Office for persons living with disabilities here in Ol'kalou.

All papers presented before the Committee were carefully scrutinized to verify the extent to which persons living with disabilities have been and are being engaged by the County Government especially as far as employment is concerned. Why analyze employment detail? The United Nation Convention for Persons living with disabilities requires that PWDS be empowered economically and socially. One way to do so is through providing them with opportunity to be considered for gainful employment...

*Hon. Michael Kirumba rises on a point of order*

**Speaker:** What is Member for Kipipiri, Hon. Michael Njoroge Kirumba?

**Hon. Michael Kirumba:** Mr Speaker I beg your guidance since I expected the mover to first of all read this so that the motion is properly moved. To the contrary, the mover has gone directly to the details in the body of the report before moving the motion first for it to be captured. I think the mover is slightly abandoning the traditions and the norms of this House. This is the reason we have the order paper so that we can understand what is going on. I need your guidance Mr Speaker.

**Speaker:** I think it escaped my attention because I was making some consultations. Actually, Member for Central, the Chairperson of the Committee, you have to revisit your steps and let us know why you are reading the report. Proceed Hon. Peter Mwangi.

**Hon. Peter Mwangi:** Thank you Mr Speaker for your guidance. I beg to move the following motion:

That this House does adopt the report of the Committee on Justice, Legal Affairs and Public Service in response to a statement sought by Hon. Joyce Ng'ang'a on 'The status of employment of the persons living with disability by the county public service board (CPSB) in Nyandarua' as a report of this House and the recommendations therein as the resolutions of this House.

Mr Speaker, I had already touched on the executive summary of the report where I said that The United Nation Convention for Persons living with disabilities requires that PWDS be empowered economically and socially. One way to do so is through providing them with opportunity to be considered for gainful employment with a proportion of five percent of the total employment in any government entity. Therefore, this report will present the committee deliberations, observations, findings, challenges and recommendations as a response to the statement sought by Hon Joyce Nyambura.

Being part of the committee, I will not dwell much on history but I just want to go back to the background of the report and attempt to explain disability.

Disability” means a physical, sensory, mental or other impairment, including any visual, hearing, learning or physical incapability, which impacts adversely on social, economic or environmental participation.

The Merriam-Webster dictionary has defined disability as;

Condition (such as an illness or an injury) that damages or limits a person's physical or mental abilities or as the condition of being unable to do things in the normal way.

Mr Speaker, the above two definitions gives a broad perspective of what disability means and how it affects a person's daily life. There is no universally agreed definition of disability as there are numerous definitions depending on one's perspective. However, what is not in dispute is that disability puts one at a disadvantaged position thus cannot compete on an equal platform with other members of the society.

Mr Speaker, there are various types of disabilities which have been have been recognized by the medics and which have been generally recognized and agreed on. These disabilities can be broadly be classified into main categories namely impairment and incapacity;

Impairment refers to the manifestations of a disease-symptoms-in the organ or its function, regardless of cause. Thus, disability is defined as "any loss or abnormality of an organ or function specific to that organ.

The incapacity is the consequence or impact of disease on the person. Incapacity is "any serious limitation that is permanent on the activity of the person and which has its origin in a deficiency." The disadvantage or disability (handicap) refers to the social/economic and political repercussions of the disease.

Mr. Speaker, there are various types of mental disabilities that include intellectual disabilities formerly known as "mental retardation". These deficiencies can be assessed by various intelligence quotient tests (IQ). Intellectual disabilities are defined by an IQ below 69. However, this tool does not distinguish more specific impairments of cognitive functions: language disorders or other specific apprentissage (dyscalculia, dyspraxia). On the other hand, Mr. Speaker, we also have various types of physical disabilities. Depending on the capabilities attained, it is usual to distinguish two main types of physical disability:

#### A-Motor Deficiencies (Or Mobility Impairment)

- The spinal cord injuries cause according to their location paralysis of lower limbs (paraplegia) or all four limbs (quadriplegia).
- Cerebral palsy results from brain damage occurring before or around birth (usually stroke). The motor impairment may have various degrees of severity: from quadriplegia to a difficulty in walking.

B-Sensory Disabilities; these disabilities are very common (the visually impaired and hearing impaired). Hearing impairment is less visible but very heavy to deal with.

Learning Disabilities; Learning disabilities are specific cognitive function without being associated with mental disability.

They are various and very different types of learning disabilities

- Language disorders- dysphasia
- Reading disorder-dyslexia
- Spelling disorder-dysorthographia
- Arithmetic disorder-dyscalculia
- Hyperactive disorder with attention deficit
- Disorder of visual perception
- Memory disorder
- Movement disorder
- Trouble decoding the information

The list above does not comprise of all the types of disabilities as earlier stated as there is no universal definition of “disability”. The United Nation has been on the forefront in defending the rights of persons with disabilities and the organization has come up with several principles and guidelines, which has been used by many nations coming up with policies and laws relating to persons with disabilities.

Mr. Speaker, we shall now go to the committee’s deliberations and observations. The Committee was keen in perusing the documents presented before it by Mr. Jack Mbugua, the Secretary to the County Public Service Board. The County Secretary and others obtained from Mrs. Madrine Njeri Muriithi, Regional Coordinator, National Council for Persons with Disabilities.

The Committee perused the submissions from the County Public Service Board through a letter dated 24<sup>th</sup> August 2015, (annex 1) the letter quoted that the County Public Service Board has so far employed four persons with disabilities. This is three years down the line Mr. Speaker. And this is a threshold that ought to be met be the county government of Nyandarua since the constitution talks of 5%.

Mr. Speaker, the committee also noted that those that are employed were registered with National Council for Persons with Disability or those whose disability could be physically seen. The Committee further observed that although he highlighted four persons being employed, there was no any evidence showing that they were truly registered Members for PWDs through either providing their registration details or certificate. Moreover, there was no names provided for the four staff claimed to have been employed by CPSB. From the list provided by Mr. Muchina, the former County Secretary, through a letter dated 24<sup>th</sup> September 2015, showed that the County Government of Nyandarua as at that date has employed (fourteen)14 persons with Disabilities distributed as follows;

ENFORCEMENT	DEPT OF AGRICULTURE	DEPT OF HEALTH	DEPT OF FINANCE AND ECONOMIC PLANNING	DEPT OF WATER
1	4	6	2	1

Their details of employment and qualification are as provide in annex (2). From the data, it was clear that 10 of the persons with Disabilities working in the County were inherited from the National government, three (3) were absorbed from the Defunct town Council while only one has been engaged by the County Public Service Board under the directorate of enforcement.

The National Council for persons living with Disabilities has a regional Office in Ol’kalou at the County Commissioner’s Office. The Office is under the Authority of one Mrs. Madrine Njeri as the Coordinator. Mrs. Njeri served the Committee with data showing that in Nyandarua County there is at least 1347 persons living with Disability in the County. See annexure (annex 3).

Out of those, she provided a list of 20 person living with Disabilities working in the County government regardless of whether in National Government or in County Government (annex 4). Seven are working with the National government while thirteen (13) are working with different County departments with County department of Health having the bulk of the employees for the obvious reasons that the County Government absorbed all employees in that Department.

The County Public Service Board claims to have employed five persons with Disabilities but only one is captured in the human resource list provide by the County Secretary. The list provided by Persons with Disability shows thirteen out of twenty (13/20) persons working with the County Government but out of the 13, only five are captured in the human resource audit. This means that nine of the officers claimed to be working in the County Government by the NCPWDS are not captured in the County Secretary’s list. However, despite having persons with disabilities working in different County departments, the minimum threshold established in the persons with Disabilities Act, 2003 has not been achieved and the county is far from attaining it.

Currently, there are one thousand five and seventy-three (1573) county employees in Nyandarua County Public Service, out of this number only approximately 14 staff are persons

living with disabilities, representing about 0.89%, which is below 1%. From simple calculation, for the County to attain the 5% Constitutional threshold, we need to employ 79 staff as part of the current 1573 staff. These means that we have a deficit of 64 staff drawn from the pool of Persons Living with Disabilities. To fill the existing gap, the County requires to withhold employing others and keep on employing PWDS until the threshold is attained.

Alternatively, if the County was to employ 10 PWDs each financial year then a total of six years will be required to achieve the threshold. This poses critical questions; Is that the route we want to take? Is it sustainable? These questions are very vital and all of us need to contemplate and provide a way forward.

The Committee also observed that there are two members of staff in J.M Kariuki Hospital with psychological condition attending to patients. This was an issue of concern, which should be handled without making the mentioned persons feeling discriminated or victimized.

From the foregoing, the members of the committee were surprised by the inconsistencies of the data provided by the three sources; that is Regional office of Persons Living with Disabilities, County Public Service Board and the County Secretary. It's basic minimum requirement that government departments with related working scope should work interdependently. Linkages of the two level of the government was established under the County Government Act and the Intergovernmental Relations Act with the spirit of allowing free flow of information and data for posterity.

It is imperative to note that proper planning requires data, which is missing with respect to Persons living with Disabilities. The Committee was careful to note the insufficiency and inadequacy of data/statistics related to people living with disabilities in the County contrary to the minimum requirement of any government institution that boasts of planning that is all-inclusive. The United Nation Convention on the Rights of Persons with Disabilities underscores the importance of data and states as follows under article 31 of the Convention;

States parties undertake to collect appropriate information, including statistical and research data, to enable them formulate and implement policies to give effect to the present convection.

Mr. Speaker, the findings of the committee were as follows: That there is inadequate data and statistics to show the actual personal information of all people living with Disabilities in the Nyandarua County.

1. That there is disconnect in sharing of information between offices within the County Government and other related offices in the National Government.
2. That the County is far from achieving even half of the 5% requirement established in the Constitution and the Persons Living with Disabilities Act of 2003.
3. That most of the PWDs are employed in the County Department of Health Services and therefore not well represented in other County departments.
4. That there is no clear evidence showing whether the said Persons with Disabilities are registered with the National Council for Persons with Disabilities by the virtue of lack of registration details for all the documents presented.
5. There is no policy framework on the persons living with disabilities in the County.

*Hon. Kimani Njiraini rises on a point of order*

**Speaker:** What is it Member for Kaimbaga, Hon. Kimani Njiraini?

**Hon. Kimani Njiraini:** Thank you Mr. Speaker. Is the Member for Gatimu, Hon. Kieru Wambui in order for receiving a call in the House? Please guide us.

**Speaker:** Actually, if the Member for Gatimu did that, I did not notice because that would amount to gross misconduct. However, it did not happen because the speaker did not see it. Proceed Member for Central.

**Hon. Peter Mwangi:** Thank you Mr. Speaker. Let us continue.

6. That many persons with disabilities do not apply for jobs advertised by the County Government. This may be caused by either lack of minimum qualifications or lack of information on such opportunities.
7. That the United Nations International day for persons with disabilities is not celebrated at sub-county level and further there is no proper awareness campaigns on the same.

We celebrated this day sometimes back in Nyahururu but we have not had the opportunity to celebrate the day in our sub counties. The committee found that there is need to ensure that an awareness campaign is carried out.

8. That there is lack of civic education on the rights and privileges of persons with disabilities.
9. There is no elaborate mechanism on employment of persons with disabilities that will give incentives to apply and follow up on the same.

Mr. Speaker, after deliberations, the committee would like respond as follows: The number of the persons with disabilities in the public service in the county. From the document received by the Committee, there are 14 employed persons with Disabilities in department of Agriculture, Economic and Planning, Health and Water. The bulk of the employment is skewed towards Health with a whooping eight out of fourteen.

The proportion of the number of the persons with disabilities in the county against the total number of the persons in the public service. Nyandarua County has a total number of 1573 staff as indicated by the Human Resource Audit Head Count report. Out of these, there are only fourteen (14) persons with disabilities, which, represents 0.89% of all person employed in the County public service that is far below the minimum requirement of 5%.

On whether the county has realized the five percent constitutional requirement; from the foregoing, Nyandarua County has not achieved the 5% requirement of the Constitution. Deriving from the data provided before the Committee, simple analysis shows that the proportion of persons with disability against other employees is only 0.89% which is below the requirement of article 54(2) of the Constitution.

The measures put in place by the county to realize the five percent constitutional requirement; Mr. Jack Mbugua the Secretary to the County Public Service Board explained that during advertisement of jobs there is a tag line that encourages persons with disabilities to apply as seen in annex 1 and further that during interviews any person with disability is always awarded five extra marks. Such marks would make them have an upper hand in qualifying for the post awarded. However, there is no clear policy on how the Nyandarua County Government plans to achieve the 5% threshold established by the Constitution.

Mr. Speaker, I would like now to go to the challenges. Article 54 (2) of the Constitution requires that the state shall ensure that there is progressive implementation of the principle that at least five percent of the members of the public in elective and appointive bodies are persons with disabilities. However, this has not been achieved either at the National Government level or at the County Government level. This can be attributed to various challenges, which can be highlighted as follows;

1. There is no conclusive or reliable accurate data on the persons with disabilities in Nyandarua County.

Mr. Speaker, the rationale behind the assertion is that we have never had a headcount of people with disabilities in the entire County. Therefore, the information that we have can be misleading to a large extent.

2. There is lack of a structured and proper coordination between the regional office of the National Council of persons living with disabilities and the County department dealing with social services in the County.
3. There is lack of sufficient funds to collect data on persons with disabilities in the County.

Mr. Speaker, on the above point, I would like to request the House and particularly during the process of coming up with the supplementary budget of fiscal year 2015/16, to factor in some funds for collecting data of these people within the county. This will help us to have an accurate figure of the people and therefore help us in planning.

4. Most persons with disabilities lack the education and professional qualifications required for most of the jobs advertised by the County Public Service Board.

Why are we saying so? Mr. Speaker, when you go to the grassroots, you will find that most of the people with disabilities are greatly disadvantaged because they are not given the adequate care they need, be it by their families or the government. Therefore, you find that majority of them have no the basic education that can help them secure employment.

This poses a very big challenge especially when job opportunities are advertised since these people lack the basic and professional qualifications. The audit report will therefore be very important so that we can know all those people who are not being taken care of by their families. The government should help them realize their dreams because I believe that every person in the society has something to offer regardless of the challenges one might be facing.

5. Most of the public buildings are not persons with disabilities friendly thus this can be a big hurdle in terms of movement and working environment for persons with disabilities.

Mr. Speaker, I am absolutely sure that you agree with me in this one. Even to access the office of H.E. the Governor is quite a challenge for people living with disability. I would take this opportunity to congratulate your leadership especially in the construction of the new Chambers because it has catered for people living with disabilities. Their movement will now be easy and hopefully they will be coming to hear our deliberations.

I would also like to congratulate Manunga Catholic Parish because almost all its buildings are friendly to the people living with disabilities.

6. There is lack of awareness amongst the persons living disabilities of the opportunities that exist or arise in terms of employment. This is because they do not have access to the newspapers or the internet, which is used to advertise jobs in the County Government.

Apparently, people living with disabilities do not access various information sources such as newspapers and the internet. Because they do not belong to any organization that could help in dissemination of information, it becomes difficult for them to access information about employment opportunities available in the County Government.

7. There is still stigma for persons with disabilities, which has led to persons living with disabilities refusing to accept their conditions or their families hiding them and thus denying them the opportunity to access education, which impact negatively on their chances of being employed.

It is in the public domain that majority of people with mental problems are mainly hidden in their homes while others are left to roam in the streets since they have no one to take care of him or her. This does not only predispose the person to dangers but also the society at large. If these people are not accepted as part and parcel of their family, where will they be accepted? They therefore roam in streets, feeding on garbage and end up becoming useless people in the society. Just the other day, I met a person who was saying that he wished that God could be merciful enough to terminate his life because he was tired of roaming and roving around.

You start asking yourself, do this man has a family? If so, then, the family has neglected the man. The County Government through the Office of the Governor ought to develop policy guidelines on how to take care of the mentally challenged within our society and families.

8. There is insufficient special education institutions in the County for persons with disabilities, which has hampered the education of persons with disabilities thus denying them educational qualifications required for employment.

We have very few institutions for people living with disabilities in this county. I would like to thank Hon. Josphat Kamau for the report he table just some few weeks ago since his committee talked about special...

*Hon. Josphat Kamau rises on a point of order*

**Speaker:** What is it Member for Leshau Pondo, Hon. Josphat Kamau?

**Hon. Josphat Kamau:** Thank you Mr. Speaker. I rise on a point of order. I am seeking your guidance. I remember that we passed a code of conduct in this Assembly and particularly, in terms of dress code and how members should dress when coming to this House.

Unfortunately, we have concentrated very much on male Hon. Members and ignored our female counterparts. Mr. Speaker, is it in order for an Hon. Member to wear boots similar to those usually worn by ‘Schwarzenegger’ and ‘Johnie Walker’?

*Laughter*

Mr. Speaker, I seek your guidance on whether the members are in order. Thank you.

**Speaker:** I do not know why the Member for Gatimu had not noticed...

*Laughter*

However, I shall bring into this House the dress code particularly for the other gender in a very comprehensive manner. Actually, it is clear on what should be worn right from the shoes. I now have an opportunity to do so because the speaker does not usually see some of these things. Member for Leshau Pondo, I will bring the actual dress code in the House probably by Tuesday. Proceed Member For Central.

**Hon. Peter Mwangi:** Lets go to the next point.

9. The County lacks a centralized organization or office, which can help persons with disabilities in getting jobs in the County by tracking advertisement, applications and the whole recruitment process. This will assist in ensuring that there is body that can help in ensuring that persons with disabilities get jobs if they are qualified.

As earlier mentioned Mr. Speaker, even accessing a radio is a major problem.

*Loud consultations*

**Speaker:** Order! Order!

**Hon. Peter Mwangi:** This problem has distanced them from advertisements on employment opportunities because majority of the advertisements are relayed on these media. The County government should also ensure that there is an office dedicated to providing information for these people especially regarding employment opportunities in the county.

10. The county also lacks a vocational training institution for persons with disabilities in which they can be taught technical and entrepreneurial skills that are important when seeking employment and for self-employment.

Mr. Speaker, most of the people living with disabilities only get to class eight and are unable to continue because there are no enough schools to take care of their special needs. This has denied them a chance to acquire the necessary skills for employment or self-employment.

Mr. Speaker, the committee came up with the following recommendations:

1. That the County Government department of Social Services in collaboration with the National Council for Persons with Disabilities regional office should undertake proper data collection on all persons with disabilities in the County for the whole County.
2. That the Human Resource directorate to develop a policy framework on employment of persons with disabilities including measures to attain the constitutional threshold of 5%.
3. That the County Department of Social Services must come up with a comprehensive Persons Living with Disabilities policy framework and later the legislation on the same. This legal framework should contain all aspects from data collection, education, health, employment and vocational training.
4. That there be set some funds to carry out sensitization campaigns on importance of equal treatment of Persons with Disabilities by educating them and creating a non-discriminating environment.

Mr. Speaker, the committee felt that it is important that we even put in place measures such as penalties even for neighbors who see these people with disabilities being denied the opportunity to access education by their relatives and do not report. If these measures are put in place including incentives, the people living with disability will have a chance to access all social amenities without discrimination and therefore, feel important and accepted in the society.

5. Civic education to be carried out to provide a leeway of an all-inclusive fora and *barazas* where issues of disability mainstreaming will be aired and discussed.

Mr. Speaker, it is unfortunate that after three years in the government, not even a single day has the government of Nyandarua realized the importance of discussing the issues of people living with disabilities. This is in lieu of the fact that some of us who are elected leaders used a lot of money during the voting day to ensure that the people living with disabilities were ferried to the polling centres to cast their votes.

It is unfortunate that they voted for us and we have not had time to address their plight. In fact, they are now waiting for another five years after which they shall see us again when we are looking for votes. We therefore need to ensure that we hold several *barazas* where the head of this county, H.E. the Governor and his administration will have a chance to interact with these people living with disabilities within the County.

6. There be established special education centres where persons with disabilities will integrate with normal persons to create social fabric and to fill the existing gaps in skills among persons living with disabilities to enable them secure employment.

If you have had a chance to travel to other countries Mr. Speaker, there is a body known as, 'friends of prisoners'. They ensure that they set a specific day where they visit the prisoners and have time to interact with them. They share everything including meals and drinks. At the end of the day, the prisoners feel that they are part of the society. On the contrary, we have not created even a single day for sensitizing and making the population aware that all the people living with disabilities are part and parcel of the society. Besides, we should create a day where people living with disabilities get a chance to interact with their leaders in order for them to feel appreciated and in the process, we will know the areas that they need empowerment in.

7. That County department of social services do carry out trainings stressing on the need for persons with disabilities to register with the National Council for Persons Living with Disabilities and the advantages that accrue upon registration for example, tax exemptions.

This one is very important Mr Speaker. As much as we say that, we have more than a thousand persons living with disabilities, National Council of People with Disabilities may

have registered only a minute fraction of those people. It is quite important to note that there are a lot of advantages of the people registered with this body.

8. That the United Nations international day of persons with disabilities celebrations day on 3<sup>rd</sup> day of December every year should be carried out at the sub-county level so that sensitization on issues affecting the persons with disabilities will reach as many people as possible.

Mr Speaker, if you were to ask these Hon. Members and the society at large, they would tell you that they are aware of a day set aside to celebrate people with disabilities but the celebrations only happen in Nairobi. I would like to thank Hon. Miriam Wahura, who is also my Vice Chair. She has gone out of her way to get funds for every sub county to celebrate this day Mr Speaker. I am asking the Hon. Members to appreciate and applaud the Member for her efforts to ensure that the day is celebrated in every sub county.

*Applause*

9. That the County Public Service Board and County Secretary Office (in-charge of Human Resource) should work together to realize the Constitutional threshold on employment of persons with disabilities.

Mr Speaker, with those few recommendations that are very weighty and self-explanatory, I urge this House to adopt this report as well as the recommendations which will now be the resolutions of the House. To that end, I beg to move and I now call upon Hon. Dorcas Kihara to come and second the motion. Thank you.

**Speaker:** Yes County Member from Githioro, Hon. Dorcas Nyambura Kihara.

**Hon. Dorcas Kihara:** Thank you Mr Speaker. I rise to second this motion. I am a firm believer of the principle that states, 'disability is not inability'. Therefore, people living with disabilities should get an opportunity to access employment opportunities in the County and everywhere else like any other person as enshrined in the constitution.

Mr Speaker, it is our political responsibility to see to it that what is contained in the constitution is protected and defended as we promised when we were sworn in. I support this report because I think we need to have public institutions set up by the County Government to take care for the people living with disabilities within our county.

Mr Speaker, as the mover has said, we politicians volunteered to give means of transport for the people living with disabilities to go and cast their votes and from there, we

do not follow up to ensure that their constitutional rights are observed. We need to have a clear guideline of how to deal with people living with disabilities in this County especially their movement. The County Government needs to ensure that all the buildings that are being constructed are friendly to the people with disabilities because they are our daughters, sons, brothers, sisters and close members of our society.

Mr Speaker, civic education is highly required in this County. Last week, a woman called and explained to me that she has a disabled boy who has attained 18 years. So her question was; does he need to get an identity card? I told the mother that the boy has all the rights as any other person to get an ID card so that he can be recognized and access all the rights in this country as all other Kenyans. Therefore, we need to carry out a very serious civic education so that people living with disabilities can enjoy all their rights like all other people in the country. They should access basic education, attend technical institutions for vocational training and therefore have chance to be employed in our institutions.

It is very worrying that we have only employed a proportion of 0.89% of people living with disabilities in the entire county. This is very far from the constitutional requirement of 5%. County Government ought to work hard to achieve this constitutional requirement and I wish to express my gratitude to Hon. Joyce Ng'ang'a who is representing people living with disabilities for actually having moved a motion in this House to have an office in the county to take care of people with disabilities.

Mr Speaker, we do not have accurate data about these people. We are therefore hoping that the National Government will post more people in our sub counties because currently, we only have only one staff member. This has impeded his or her success in getting the accurate data about the people living with disabilities.

Mr Speaker, I would also like to talk about the harmonization of data for County Public Service Board (CPSB) and Human Resource. There exists disconnect of information. We are all aware that CPSB is responsible for employing while the department of human resource is responsible of knowing the nature and number of workers in the entire county. When we therefore get different information from the two departments, then, there is a problem. Thus, it is important to carry out harmonization.

I believe that the County Assembly should also set an example by employing people living with disabilities. Our County Assembly has employed more than seventy employees but we only have one person living with disability who has been employed. We are therefore far from achieving constitutional requirement of 5% Mr Speaker.

We also have the issue of a staff member working in the Department of Health. One of the staff working at J.M. Memorial Hospital works in the injection and dressing section. Although there are no complaints, we are told in the annexure 2 of the report that the person is mentally handicapped. It is therefore important for the Department of Health to ensure that people working in the sector are given responsibilities that suit them.

Mr Speaker, I would also like to assert that we should all take it as a political responsibility whenever we are given a chance to address a *baraza* and talk about people with disability. We should talk about the need for people with disabilities to access education so that they can acquire skills necessary for employment. The reason is that we cannot attain 5% if this people living with disability are not equipped with necessary skills for employment. The constitution does not address the skills gap of people living with disabilities and therefore, it is important that the county government emphasize on the employability of this social group by addressing their education needs.

Mr Speaker, the families of people with disabilities ought to understand that having a person with disability is not a curse but a blessing. We know of households who have no children and pray to God to get even one with disability. I am therefore supporting this motion and insisting that our people need to know the importance of taking care of people with disability especially on their education needs.

Mr Speaker, the County Government is responsible for the development of E.C.D.E. and we take cognizance of the fact that the government has started building ECD centers that cater for children living with disability. We would also wish that the County Government took it as its responsibility to build an ECD boarding school so that the children living with disabilities will feel that they too are Kenyans. This should start as early as three years or even four years because it is the age at which children join the schooling system.

Mr Speaker, I would also like to highlight the issue of United Nations day of people living with disabilities, which is usually 3<sup>rd</sup> December. The date is universally known and actually, a very important day for our people. It is equivalent to celebrations that we have during Mashujaa day and even Christmas because it makes people with disabilities feel that they are recognized, embraced and accepted in the society. I am of the view that this day should be celebrated in every sub county so that the people of this County can information about people living with disabilities and understand that this group of people is recognized not only in Kenya but also in the entire world.

With those few remarks, I beg to second.

*Question proposed*

**Speaker:** Yes Member for Kipipiri and the Deputy Leader of Majority, Hon. Michael Njoroge Kirumba.

**Hon. Michael Kirumba:** Thank you Mr Speaker. I rise to support this report. It has come at the right time and it has given us all the shortcomings that we, as a county, faces *vis-à-vis* people with disabilities. For us as an Assembly, we should ask ourselves; what are going to do to address the issues that have been raised in the report?

Mr Speaker, when you were proposing this report, I noted that the copy of the report that I have does not seem to have the same information as your copy. The copy that I have is simply titled, 'a report in response to a statement'. It is a practice that the cover page of the report should clearly indicate the committee presenting the report. I suppose that it needs to be amended because it is not in the copy that I am holding and seems to be only in your copy. It is important to appreciate that the title of the report as indicated in the cover page ought to read, 'Report of the Committee of Justice, Legal Affairs and Public Service on the response to the statement sought by Hon. Joyce Ng'ang'a on the status of employment of the persons with disability in the county public service board (CPSB) in Nyandarua'. I was therefore wondering whether I would be in order if I continued without your direction on that very crucial omission. We should read from the same script. After your guidance, I will proceed and give my input.

Thank you.

**Speaker:** I think Member for Kipipiri has raised a valid point because the report will be kept in the library for posterity purposes and obviously, it should be easy to read especially for people doing some research and for those people doing some indexing and organizing the library. Therefore, motion having been moved and seconded, I would advise Member for Kipipiri to move an amendment on the cover page to indicate that this is a report of the committee on justice, legal affairs and public service so that it is included on the cover of the report.

Further Members, I expect that the reports should be indicating their numbers. If you go to the Senate, you will find the reports have been numbered. This helps them to know the number of reports each committee has done in every Assembly. It is therefore important to indicate, the name of the committee, the title of the report and the number. This is for the purpose of reference. Proceed Member for Kipipiri.

**Hon. Michael Kirumba:** Thank you Mr. Speaker. I stand therefore to move an amendment to include on the cover page, just before the body of the report on the response, ‘Report of the Committee on Justice, Legal Affairs and Public Service’. I therefore call the chair of this committee to second the motion.

**Speaker:** Yes, Member for Ndaragwa Central, Hon. Peter Mwangi.

**Hon. Peter Mwangi:** Thank you Mr. Speaker. I second the amendment to include, ‘Report of the Committee of Justice, Legal Affairs and Public Service’.

*Question on amendment proposed*

*Question on amendment put and agreed to*

**Speaker:** The motion has been taken and the amendments will be effected appropriately. Proceed Member for Kipipiri.

**Hon. Michael Kirumba:** Thank very much Mr Speaker. I support this report on the basis that it is trying to address some of the issues that we often ignore as a society. The report addresses the plight of people living with disabilities and it is only fair that we give it the attention it deserves.

Mr Speaker, the committee found that we have a long way to go in achieving the constitutional requirement of 5 percent whereby, people with disabilities should constitute 5% of the entire County’s workforce. It is very disheartening when you go to annexure 2 and see the number of people with disabilities that the county has employed. Since devolution came into being, the County Government has only employed only one person. Two employees who live with disability were absorbed from the defunct council authorities. The rest ten, were devolved from the national government. Therefore, we have done nothing if we have only achieved 0.89% while the constitution requires at least five percent. We have done nothing to show that we are really following the constitution.

I am not sure whether the figure of about 1,500 employees is inclusive of both arms of government i.e. legislature and executive. If so, we should have the break down in case we also as a County Assembly have not complied with the constitution.

Mr Speaker, the report says that we do not have the accurate data of the people living with disabilities within county. Again, it is important to know that these people can only benefit if their names appear in the data of the national council of people living with disability because that is the starting point. We also appreciate that the National Government has shown keen interest of taking care of people who have special needs by ensuring that it gives them some amount of allowance for upkeep.

Mr Speaker, we also need to have a strategy. For example, we can say that every sub county registers the people living with disabilities within that area. Then, if they do so, we give them an incentive because we want them to come out of their households so that we can have reliable and accurate information about them. The National Government has used this strategy on the elderly and people with special needs. They give them some cash and the people who come to register as the elderly has increased overwhelmingly.

We need to replicate the National Government and even complement what they are doing. For instance, if the National Government is giving Ksh. 2,000 to the elderly because the senior citizens are somehow disabled, then, the County Government also needs to include members of the society who have exceeded 80 years in the disability bracket. This is because their behaviour in terms of reasoning, their movement and sight have been severely compromised by age. Therefore, we need to address the concerns of this committee and come up with a strategy although it has not been captured in the report but it can always come on the floor of the House.

We could allocate some money to Ndaragwa, for instance, and say that any person with disability, who registers gets some specific amount. Our country is unique Mr Speaker. People with albinism are being persecuted in some countries that we know and mothers keep hiding their kids because they fear they will be butchered for ritualistic causes. However, our country is totally different. Therefore, we should all that we can to ensure that we come closer to the constitutional requirement of 5 percent in terms of employing people living with disabilities.

This is the only way that we shall feel that we have addressed the plight of people who have been in a situation not of their own choosing. It is not that we talked to God for us to be born normal. It is fate and we should do all that we can so that the people benefit. As the Bible says, 'it shall be given unto you what you give to others'. In essence, the report revolves around this principle. It is all about societal values because you enter a public transport vehicle and people do not respect physically challenged people. They cannot even give them a seat implying that we have eroded our cultural values.

Mr Speaker, I think the starting point is to know the number of people living with disabilities within the county. I would request the Hon. Members to support the exercise of knowing the number of people with disability by allocating some funds in the supplementary budget as we allocate funds for roads, waters and other sectors. We should also try to give these people some incentives like those that I had mentioned earlier on. The rationale is that

when we give these senior citizens some monthly stipends, they will really appreciate that the county government is doing something for them.

Without belabouring the point, because I am just saying what we ought to do, it is imperative that we support this report. I thank you Mr Speaker for noticing me and giving the first opportunity to contribute because I want to rush to the headquarters. This is because my team conquered all teams in Nyandarua and I intend to accompany it to Kwale County tomorrow for national tournament and it is only fair that I go and make those arrangements. I wanted the Hon. Members to note that my team conquered everyone else in Nyandarua County.

*Laughter*

Thank you Mr. Speaker. I support.

**Speaker:** Yes County Member from Weru, Hon. David Ndirangu Ngigi.

*Hon. David Ndirangu Mwangi rises*

**Hon. David Ndirangu (Nominated):** Thank you Mr Speaker. I think you got us confused a little bit, because you called Hon. David Ndirangu Ngigi and I am Hon. David Ndirangu Mwangi...

**Speaker:** I meant Hon. David Ndirangu Mwangi. Sorry for the mistake. Proceed member.

**Hon. David Ndirangu (Nominated):** Thank you for the clarification. I take this opportunity to express my gratitude. This place has very high altitude and therefore very cold although the Chamber itself is very spacious and sufficient for us to transact the business of the House. If you can look at the public gallery, it is filled with citizens who have come to see us transact business. Therefore, I think this is a very good location and in future, I think we should ensure we find a place like this in case of relocation.

Away from that, I think this report by the Committee on Justice, Legal Affairs and Public Service has captured all that needs to be done in terms of alleviating the plight of people living with disability particularly, employment opportunities within the county government. I therefore think that both the Assembly and the Executive will take the resolutions of this House very seriously by ensuring they are implemented expeditiously.

Mr Speaker, I have a letter in my office that was written by a vocational and rehabilitation centre that neighbours Nyandarua Institute of Technical Training. I suppose that it is the role of the National Government to take care of people living with disabilities and ours is to extend our hand and complement the work done but I stand to be corrected. Since the vocational centre is located in Hon. Kieru's Ward, they had requested me to relay

their message to him that they need a latrine. Sanitation is very imperative especially now that we have the short rains. In fact, the rains have compounded the problem of the people being rehabilitated given that they already encounter problems of movement when it is dry. Thank you very much and I hope that my message was clearly captured. I support.

**Speaker:** Yes Member for Gatimu, Hon. John Kieru Wambui.

**Hon. Kieru Wambui:** Thank you Mr Speaker for noticing me. I take this opportunity to first and foremost applaud the work and efforts of the committee and mainly, for responding to the issues raised in the statement adequately and comprehensively. The report is very informative and the information we are getting from it is quite disheartening. Going through the report, you find that there is a lot that we have not done.

Mr Speaker, you realize that there is a lot of problems that exist in our county if this report by the Committee on Justice, Legal Affairs and Public Service is anything to go by. In addition...Mr Speaker please protect me from the Leader of Majority.

**Speaker:** I think that there are Members who are distracting Member for Gatimu by talking while he is contributing. Please observe decorum.

*Applause*

**Hon. Kieru Wambui:** Thank you very much Mr Speaker. I would like to identify various issues briefly. First, one of the committee's observation was that,

‘...although he (Mr. Jack Mbugua) highlighted four persons being employed, there was no any evidence showing that they were truly registered Members for PWDs...’

Mr Speaker we need evidence. This is because the moment the CPSB is employing a person living with disability, there are records that need to be filled. Therefore, we cannot just accept verbal assertion without records to justify the claims. It is important that they show to us with the records of registration since I am sure they have them.

As a secretary to CPSB, you cannot just say that, ‘we have employed four people’ without a justification of the claim. In as much as some of these disabilities are observable, it is important that we get certification from the National Council of People Living with Disabilities since I understand there are benefits that come along with the certification. For instance, you could have two people living with disabilities. One of them happens to be registered while the other is unregistered. The one who has been registered and has a certificate will be considered in case of a job opportunity regardless of the type of disability. Therefore, it is important that we have these documents regardless of whether some of these disabilities are visible. Otherwise, you wouldn't differentiate the two from each other.

I have one example and I would like the chair of CPSB to know. My ward administrator is a person living with disability and has been registered and certified. I therefore don't know why the certificate was not produced since he had attached it in his application letter.

I also don't know why the report does not come out clearly about our record of hiring people with disabilities because we are also a victim of this Mr Speaker.

In as much as we are proud to have hired one person living with disability, it is important that we hire more people with disabilities so that when we criticize the Executive, it will not be taken as though we have some malicious intent. We should do this gradually since the constitution say we achieve 5 percent requirement progressively.

Mr Speaker, National Council for Persons Living with Disabilities has a regional office in Ol'kalou, sheltered in County Commissioner's offices. This is the first time I have heard this and that there is a person who represents the National Council and is stationed in Ol'kalou. I am an elected leader who should ideally have this information. Surprisingly, I learnt this when the report was brought in the House. Why am I saying this? I think there is a lot that our people do not know at the grassroots level. Just recently, we heard that there is an MP who is not known by other MPs. The MP must be the one with the problem because I doubt how you can be in the same House for two years and you don't know three hundred people. I don't want to insinuate that I have a problem since I don't know this person called Miss Njeri, who is the representative of National Council of Persons Living with Disability in this region.

I suppose by now she knows that there is an MCA by the name of Hon. Kieru and better still, she knows that there are 25 wards in Nyandarua County. Mr Speaker, I therefore suppose that the person is very dormant and very redundant. How can you have an office and you have never approached the County Assembly to alert the members or the Speaker about your location and the role you play. I think there is a major problem and this office needs to be reprimanded so that they can come out clearly and tell us about their existence and their role.

The reason is that the representative gets funding every fiscal year through the Commissioner's Office and I believe there is money dedicated purposely for public sensitization. I don't think any person has been sensitized in Gatimu Ward. I therefore think these officers should be reprimanded because the office is virtually dead. The only thing they gave to *Mheshimiwa* Kagwe was records which we even have doubt their accuracy and

validity. May be the office has not updated their records for the last two years. These are some of the things that I wanted to mention Mr Speaker.

*Hon. Dorcas Kihara rises on a point of information*

**Speaker:** Do you require the information Member for Gatimu?

**Hon. Kieru Wambui:** No problem Mr Speaker.

**Speaker:** Yes County Member from Githioro, Hon. Dorcas Nyambura Kihara.

**Hon. Dorcas Kihara:** Thank you Mr Speaker. I rise to give information to the Member for Gatimu and the entire House that we just have one officer who was posted by the National Council of Persons Living with Disabilities. The person does not have a vehicle and has not been well facilitated to undertake public sensitization. How then can she mobilize 25 wards and the entire county by herself? Thank you Mr Speaker.

**Speaker:** Very well. I think that the County Member from Githioro wants to imply that the task given to the representative is very huge to be achieved by a single person. Continue Member for Gatimu.

**Hon. Kieru Wambui:** Thank you Mr Speaker. I want to thank the Hon. Member for that information but I think the person should know that the problem she has should motivate her to shout even louder. Now that she has no adequate facilitation, she should not keep quiet but instead make a lot of noise so that we can know that she exists and requires facilitation.

*Hon. Nancy Ng'ang'a rises on a point of information*

**Speaker:** Yes County Member from Kipipiri, Hon. Nancy Ng'ang'a.

**Hon. Nancy Ng'ang'a:** Thank you Mr Speaker. There is an officer representing special needs education in the County Government. The person is supposed to look into issues touching on disability in the County. For your information therefore, we have two officers mandated to deal with issues of people living with the disabilities; the one representing the National body and the other one employed by the county. Thank you.

**Speaker:** The point is noted that we also have an officer representing special needs education employed by the county government. Proceed Member.

**Hon. Kieru Wambui:** Thank you Mr Speaker. My allegations are now justified because they ought to make noise at county and national government levels. Since the representative of the National Council of Persons Living with Disabilities works for the national government, I don't think my MP, Hon. John Waiganjo, is even aware of her existence. Now that we are at the County level, we know the problem that exists.

Mr Speaker, there is an insinuation in the report that, 'that the CPSB claims to have employed five people living with disability'. Why is the committee saying that the CPSB is claiming? They should clarify. One thing comes out clearly from the report; the nine people who are said to be working in the County Government by National Council of Persons Living with Disabilities are not captured in the County Secretary's office. When I spoke about records Mr Speaker, I just wanted to show how important they are. They are very significant aspects of operations both in national and county governments.

It is very important that we take over as a county government. Today, we can proudly point out that the County of Nyandarua owns these parcels of lands. For instance, where we are building the County Assembly, where the County Executive is building the Governor's offices and other parcels of lands. However, we lack some important documents about land and we lack some documents about assets that were handed over to the county government by the transitional authority. The same authority did not provide us with information and records regarding the assets of the county government. Now, they say that we have a certain number of employed people living with disabilities. How is the County Government supposed to know the numbers if no records were handed over to them? Just the other day, the ministry of health, whose staff members are actually planning to 'go slow' on their work as confirmed by Hon. Kairu because of promotions, have really brought this issue to the limelight.

I asked the Chief Officer responsible for Health why they are not promoting the health workers. Surprisingly, they said they are being faced by a huge challenge of lack of records for the health workers. They don't know whom to promote and whom not to promote. What is the transitional authority coordinator in Nyandarua, Mr Kagiri doing? He is supposed to give clear information and records that we need from either the National Government or the defunct county authorities. Particularly, the records of people living with disabilities. Finally, I have to talk about Madam Charity Maina, the Chief Officer responsible for people living with disabilities. The lady is a problem to this county and I want to be on record for asserting so.

We have some wheelchairs that were bought just the other day. I am aware that there are others that were donated by Macharia Gakua but I am specific about the ones been procured through her (Charity's) ministry and from the vault head called disability mainstreaming. Mr Speaker. I would like to state that the ministry is very vibrant and aggressive in any matter that relates to procurement. Where there is need for procurement,

they do it very fast but procure very low quality equipment and goods. Mr Speaker, I wish you saw the type of wheelchairs that were bought although they will be issued by H.E. the Governor. They are substandard.

If you enquire from *Mheshimiwa* Joyce, she will tell you for sure that there are accredited tools and equipment for people living with disabilities. In fact, National Council for Persons Living with Disabilities recommends very specific equipment. Then, you can't help but wonder where the ministry procured these wheelchairs. In fact, they are so weak that if a person with disability sat on them, they would actually collapse because of the poor material they are made of. Why is it that she does not even want to know how many people live with disabilities but instead, goes ahead and procure the wheelchairs? Does disability mainstreaming involve buying only? It can also involve public participation because we need to inform people living with disabilities to apply for jobs. However, all she wants to do is to procure substandard products Mr Speaker. It is true that mainstreaming could involve all those things but we need this lady to stand up to her position and get back to where she belongs.

As I conclude, I would like to take this house to the Committee's findings and conclusion. The committee says that there are policy framework for people living with disabilities in the county. When there are no policies, I believe there is nothing then that is being done because a policy framework guides all operations. Again, you can't help but wonder how the department was able to procure wheelchairs yet there are no policies. How then would you justify the decision of buying 14 instead of 200 wheelchairs?

Mr Speaker, we should now crack the whip in the hardest way regardless of whether or not they say we have victimized them because deep inside us, we know we are doing the right thing. We will be doing our work because we fail to understand what they do from Monday to Friday. For example, I am usually here from Tuesday to Thursday and on Monday and Friday, I am usually very busy in my ward. However, this person is on the payroll, the department has no policy and yet, they tell us they go to work from Monday to Friday throughout the year. What do they do? This is a basis of censure of the Chief Officer because she should tell us what she has been doing all through the years. Instead of sacking and demoting the most industrious CECM in charge of this docket, I think the C.O. is the person who needs to go home as quickly as possible. On the issues of bursaries, they are run well not because Madam Charity is working but because Hon. Members are on her neck...

*Hon. Mwangi Gichuki rises on a point of order*

**Speaker:** What is it Leader of Majority and Member for Engineer, Hon. Mwangi Gichuki?

**Hon. Mwangi Gichuki:** Thank you Mr Speaker. I was starting to wonder whether the Member for Gatimu is still within the context of the motion. I think the issue at hand is how we should help people living with disabilities. The issue of censuring and bursaries should not be in this motion. If we were to discuss the two matters, we would need substantive grounds. I therefore think that the member is out of order.

**Speaker:** Actually, I think that the member has an issue because the Member for Gatimu said that the C.O should go home as quickly as possible and I think it is not fair, because she won't have a chance to defend herself and present the facts from her end. And again, I think the member for Gatimu is not restricted to express his frustrations in relation to this motion. Please avoid going that direction.

Proceed Hon. Member.

**Hon. Kieru Wambui:** Thank you *Bwana* Speaker. Remember persons with disabilities are also beneficiaries of bursaries.

*Laughter*

I think therefore the issue of bursaries and people living with disabilities are intertwined and relate to each other.

Mr Speaker, there is disconnect in sharing information between offices within the county and national governments. It is very clear in the County Government Act about intergovernmental forums. The Governor can create this forum and I doubt whether there is a member who has ever sat in one of them. The problem of saying that there is no proper sharing of information from county to national government or vice versa while the Governor can create such a forum as provided for in the constitution for exchange of information should not exist. It should not be happening in Nyandarua County two years down the line.

As indicated in the report, Mr Jack Mbugua, Secretary to the CPSB explained that there is a big tag line that encourages people living with disabilities to apply for job opportunities advertised. They put it below the advertisement as a by the way. Mr Speaker, I have always been against this kind of reaching out to the people living with disabilities. If we must meet the constitutional threshold regarding employing people with disabilities, we must put in place more concerted efforts.

If we have 15 positions to fill, let us put two aside and state explicitly that these have been reserved for persons with disabilities. This is what IEBC did when they indicated that we must have persons representing those with disabilities in the Assembly. It is a

mandatory requirement. Additionally, let us diversify the modes of advertisements. We cannot just place the adverts in the print media and claim that we have reached all residents of Nyandarua. Let the public service board also advertise for these positions in churches and other *barazas*. This way, we will reach as many people with disabilities as possible.

I remember we passed resolutions here that a liaison office be opened for persons living with disabilities. It has been a year now but still it has not been opened.

**Hon. Nancy Ng'ang'a:** I rise to support this motion and to remind ourselves that disability is not inability. We have a lot of people living with disabilities who are doing very well in various departments. In the National Assembly, we have Hon. Mwaura who represents people living with albinism, a form of disability. America once had an autistic president and, clearly, his disability did not bar him from being the president of a superpower.

These persons are protected by the constitution and we must play our role. My concern is on the erroneous data that we have been provided with. This is a clear indication that someone is sleeping on their job. These four people that we are being told were employed by the board have no medical records to confirm their disabilities. We have a case in Siaya county assembly where two members feigned disabilities; one of them posed as a deaf and the other one as a blind. For four years now, they have evaded paying tax under the pretext of living with disabilities. This is very serious and I do not even know what the speaker of that assembly will do. I do not intend to digress from the topic of the motion, but this, Mr Speaker is a form of corruption and if it is the leaders who are perpetrating it, then it becomes a major problem.

On the challenges, there is the issue of lack of professional and technical skills required. Most of the jobs today have a minimum job qualification of a first degree but due to the challenges they face, most of the people living with disabilities are unable to get to that level of education. Why can't we lower some of these jobs minimum requirements, like the ones that do not require very high technical skills so that we give these people a chance? There is also the issue of the working environment not being disability friendly. Look at the epic case of the Governor's office; a lot of money was used for its renovation but it still cannot be accessed by a person with walking disability. If a citizen of this county, who probably voted for the governor, wanted to see him today at his office on the second floor, they would not be able to.

The other issue I would like to touch on is stigma. Our people still talk of disabilities in hushed tones. Some believe that disabilities are as a result of ancestral curses or witchcraft

and this is the belief that leads some of the mothers to hide their children from the public. There is dire need to create awareness among our people so that they can understand what disability is all about. It has been said that people fear what they do not understand and if we could make them understand, the people living with disabilities are not any less human than we are.

Most parents of affected children for example are so poor that they cannot give the children the care they require. Why can't we initiate a programme where such parents are considered for employment? I am sure there is something they can offer to this county and at the same time uplift their lives and those of their children who are living with disabilities. Mr Speaker, thank you, I support.

**Speaker:** Yes member for Kaimbaga, Hon. Kimani Njiraini.

**Hon. Kimani Njiraini:** Thank you Mr Speaker. I am especially grateful to the member who sought this statement. We have people living with disabilities in the entire county. It is heart breaking when the county says that they have not employed people with disabilities because they did not qualify for these jobs.

The county, clearly, fails to take into account the cases of the bright children who are disabled and lack the necessary equipment to take them to school. There is one in my ward that I promised to sponsor to come to the Ol'kalou School for the disabled but now her mother has to ferry her to school every day. I am aware that there are cash transfers from the national government meant for these people but I was shocked to hear that most of the people living with disabilities do not access the money.

The function that deals with people living with disabilities is now devolved and we must take charge as a county government and take care of our people. If we give them the appropriate care, we can easily annihilate stigma in our county. When we are seen to embrace and uplift them, I believe the society will slowly and surely understand that people living with disabilities are not any less human than themselves. It is unfortunate that the funds set aside for this function end up in greedy individuals' pockets. Let us formulate legislations that favour these people.

I am glad that one member has raised the issue of job vacancy announcements. We put a lot of fanfare when announcing other public issues with a public address system and all, why can't we do the same when there is a job vacancy? I am also aware that there are wheel chairs that were procured but we are being told to wait for the official governor's launch. Mr Speaker should it be that three wheelchairs will not be given to the people of Kaimbaga until

the governor launches? Really? Do we have to wait for the governor to launch every bottle of water procured before we take it?

*Laughter*

It is about time that the governor focused on the bigger projects and delegate the smaller functions to his officers for efficiency.

I support.

**Speaker:** Yes County Member from Njabini Kiburu, Hon. Rebecca Nyangati Weru.

**Hon. Rebecca Nyangati Weru:** Thank you Mr Speaker. The constitution is very clear that 5 percent of job vacancies ought to be filled by persons living with disabilities. However, in Nyandarua county government, we only have a 0.8 percent. At the time of the committee on education investigations regarding the schools for children with disabilities in Nyandarua, we visited city primary and Dr. Ribeiro School and comparing them with the only school we have in Nyandarua, Kwanjora primary gave us a very sad picture. We have 39 children at Kwanjora who occupy only one class with only one teacher, two caregivers and no therapist. In city primary, 37 children with disabilities have successfully been integrated in the mainstream system and at Dr. Ribeiro's 30 of them have been integrated. At Kwanjora, however, none has been integrated. However, like most of the resolutions we are constantly making here, the ones we made about institutions for children living with disabilities were never implemented. The education committee report was shelved.

We must also acknowledge that the people living with disabilities have fewer opportunities to access quality education and the stigma attached to disabilities certainly does not help in increasing these opportunities. Most of these children are left home, neglected.

The other thing Mr Speaker, we went round for Civic Education for people with disabilities and for every sub county we had more than 150 people most of them being grownups. This means that the children with disabilities are at home. Mr Speaker, these people are not involved in open forums and that is the reason I was saying that something needs be done. We have the names of the people mobilized during the civic education. I therefore request the House that we come up with a database indicating the names and qualifications of these people with disabilities. This is to enable us reach these people at individual level in case of vacant employment positions. This is because, I don't think that it is possible for these people to access advertisements in the National newspapers to inform them of the vacant posts while still at home. So, Mr. Speaker, if this county takes no initiative

to keep these people informed, then we shall keep talking of the same issue and nothing will be achieved.

Mr Speaker, we have these disabled people who are grownups and have no education to get a chance to be employed even at the county level. These people still have chances to be engaged in various courses. As it is evident in City primary school. When the Education Committee visited this school, we learnt of these courses. Courses that even cater for the mental retarded persons and they can earn a living from them. Mr Speaker, what about Nyandarua? What have we done to cater for these people? It is very saddening having served for five years and done even a single project to help the disabled and make them earn a living.

There is also the 30% of tenders that people with disabilities, women and youth should benefit from. I would request for a list showing the 30% beneficiaries. Hon. Joyce brought this motion, stating that people with disabilities should be involved and benefit from the 30% of tenders floated. It is now over a year and nothing has happened, Mr Speaker.

Mr Speaker, if we haven't done all these to date and we are talking of people living with disabilities acquiring 5% of the employments in the county then I feel that there is nothing better that will be done at the end of it all.

Mr Speaker, the vice chairperson of the Committee on Education, Hon. Nancy, has talked about an issue on access to the Governor's Office. People with disabilities cannot access the offices. I remember a time a disabled person came to the assembly saying that he has been requesting for more than five times to see the Governor but he has been denied a chance. This even make these people feel hated and neglected by the society. With equal rights to vote, these people should be allowed equal rights to access the offices.

My plea and prayer to this Hon. House is that we should not move a motion and nothing is implemented. We are complaining about the Chief Officer of Education, Mr Speaker, but until when shall we complain? The people with disabilities have only benefited from civic education. This also applies to the youths who slightly above the disabled have benefited from sports but again, corruption facing our county is directed to the sports sector. This in other words indicates that people who need much help and benefits from the county are the same people being marginalized.

As I conclude, Mr Speaker, I would like to comment about the women of this county. I don't think the women have benefited from anything. Not even the civic education that other groups have benefited from. It is my plea that these issues be taken seriously and the issues of the people with disabilities be followed upon. This is in order to ease us the burden of moving so many reports and motions in this assembly and nothing is achieved.

Mr Speaker, I support the motion. Thank you.

**Speaker:** Yes Member for Githabai, Hon. Peter Kairu.

**Hon Peter Kairu:** Thank you Mr Speaker. I rise to support the motion. I think the issue of disability in our county is a major problem and unless something is done, bigger problems will emerge. One of the disabled members once told me that there is no need reporting that they are disabled because out of the times they have done so, nothing has really been done. They only take their photos and nothing more follows.

My fear is whether the motions we pass here go beyond the assembly. This is because we have been moving the motions for quite a long time but no implementation as stated by the Hon. Member is done.

Mr Speaker, the fact that the number of people with disabilities cannot be ascertained raises a lot of questions and if the employed people do nothing on this matter, then we are in danger. My advice would be that we use the ward administrators to collect the data from our localities and that way, the number can be confirmed from every ward.

Taking into consideration that about a year ago we passed a motion stating the need for a sub-county deputy administrator who would assist in collecting the number of the people with disabilities for instance in Kinangop constituency, and nothing was done about it. I feel the same will happen to this motion.

Hon. Members, it is my humble request that we come up with funds to aid the parents in our wards who have disabled children, for them to come up with businesses to sustain their lives. This is a case example where I have a person named Karanja from Koinange village and whose lower parts of the arms are amputated. This person has no resources to rely on and has children to educate. His children are bright and meet all academic requirements but he finds it very difficult to educate them. Despite the bursaries he may be receiving for the children, he also needs to feed his family but he has nothing. I therefore request that the

budget committee comes up with an allocation of revolving funds that will cater for such people.

Much having been said by Hon. Members, Mr Speaker, mine is to say that the disabled people should be recognized and given a platform. It is a fact that people with disabilities are not recognized even in public holidays' celebrations. I would urge that, when selections are being made, these people should feel recognized. For example, they can be given the chance to present choral verses or poems. With those few remarks, Mr. Speaker, I support the motion.

**Speaker:** Yes Member for Kanjuiri Ridge Ward, Hon. Suleiman Kihika Kimani

**Hon. Suleiman Kimani:** Thank you Mr Speaker. I rise to support this motion and my request is that the county government should have the correct data for people with disabilities.

Disability has stages. There are those with disabilities but can sustain themselves while others can do nothing for themselves. So, when the county government has this number, dealing with these people will be easy. Another issue is that we need to know how to protect our disabled people from harassments. That is for instance, sexual harassment. Like in my ward, I have a disabled lady who was sexually assaulted and she got a baby and yet she cannot even walk. The question is how will this lady feed her child? I therefore feel that when we know their number and location, we can then be able to protect and cater for them. With those few remarks, I support the motion. Thank you Mr Speaker sir.

**Speaker:** Yes member for Rurii, Hon Peter Wahome Kamoche.

**Hon. Wahome Kamoche:** Mr Speaker, I rise to support this motion having noted that we are in a county that has suffered this issue since time immemorial. In reference to the constitution that we passed in the year 2010. Chapter 4(21) on the Bill of Rights Mr Speaker asserts that it is a fundamental duty of the state and every state organ to observe, protect, promote and fulfil the rights and fundamental freedoms in the Bill of Rights. That is, involving people with disabilities, people living with HIV/AIDS and those other vulnerable groups.

Mr Speaker, I believe this is a government by itself because in this constitution under Act 2, we have two governments. That is the National Government and the County Governments. To end this blame game where we say we said something and it was not done,

I support this motion in that we should pass motions as an assembly and give timelines for implementation...

**Speaker:** Please Hon. Peter Kamoche stop at that because of time constraint.

### **ADJOURNMENT**

**Speaker:** Hon. Members it is now 12:30 pm, and this House should adjourn this debate and resume it today, Wednesday, the 25<sup>th</sup> day of November 2015 at 2.30 pm.

*The House rose at 12.31 pm.*