

REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY

1ST ASSEMBLY- 5TH SESSION

OFFICIAL REPORT

Tuesday 14th March, 2017

The Assembly met at the Assembly Chamber at 2:30 p.m.

[The Deputy Speaker (Hon. Wambugu King'ori) in the Chair]

PRAYER

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

COMMUNICATION FROM THE CHAIR

Speaker: I wish to recognise the presence of the teachers and pupils from Chakareli Primary School from, OIjoro-Orok Sub-County seated in the public galley, who are visiting the County assembly today. As you all know Honourable members, the tradition of receiving and welcoming visitors to Parliament is a well-entrenched tradition and we shall endeavour to uphold the same in our Assembly. The visitors who are here today have come not just to see the Assembly but to also learn the Law making process, parliamentary procedures and structures of the County Government. We do believe that this visit will have an impact on our visitors and on your behalf I extend our warm welcome to the pupils and the teachers of Chakareli Primary School.

Next Order.

NOTICE OF MOTION

WASTE MANAGEMENT IN KARAU WARD

(Hon Joyce rises on behalf of Kamau Ngotho)

Yes, Hon Joyce.

Hon. Joyce Ng'ang'a: Thank you Mr Speaker, on behalf of Hon. Kamau Ngotho, I beg to give the following notice of motion.

Aware that Part II of the Fourth Schedule to the Constitution of Kenya 2010 provides for refuse removal, refuse dumps and solid waste disposal as part of the devolved functions;

Further aware that the Nyandarua County Government has established the department of Health Services whose mandate includes among other things to deal with management of refuse removal and disposal;

Concerned that Ol'kalou Town has witnessed piling of refuse along the roads and pathways leading to environmental pollution and blockage of water ways and trenches;

Further concerned that funds set aside for the Karau Garbage Collection amounting to Kenya Shilling one million (Ksh.1,000,000) in the 1st Supplementary Budget Estimates for the FY 2016/2017 has not been utilized in Karau Ward;

Noting that so many youths and women are jobless and desperately looking for meaningful earning to fend for their families and who would be directly involved in this noble course of garbage collection;

Now therefore I urge that this House does resolve that:

1. That the Executive Committee Member for Health Services does actualize the implementation of the Karau Garbage Collection vote head in the 1st Supplementary Budget Estimates for the FY 2016/2017;
2. That in the implementation of the budget, the County Executive Committee Member for Health Services does consider utilization of the youths and women in collection of garbage in Karau Ward; and
3. That the Department of Health does formulate a garbage collection and management policy that shall sustainably ensure clean urban centres in Nyandarua County.

Thank you Mr Speaker Sir.

Speaker: Thank you Hon. Joyce Nyambura for that communication of the notice and Hon. Members, this notice shall be allocated time when it shall be moved in the House by the House Business Committee.

Next Order.

(Hon Kariuki Muchiri rises on a point of order)

Yes, Hon Kariuki Muchiri the leader of Majority Party in this honourable house.

Hon Kariuki Muchiri: Thank you Mr Speaker, this being an honourable house is it in order for members to come in improperly dressed? Like one of them being Hon. James Gachomba. Mr Speaker direct this house accordingly.

Speaker: Order honourable members, I understand that all of us have signed the code of conduct in the honourable house which should be followed. So if you know you are improperly dressed, if you are not dressed in the proper attires, you are entitled to move out and go dress in the correct manner. So Hon. Kairu Gachomba can you please walk out of the house.

(Hon. David Ndirangu (nominated) rises on a point of order)

Hon. David Ndirangu: Mr Speaker, not only Hon Gachomba is improperly dressed but also Hon. Kamau and Hon. Suleiman, direct the house

Speaker: Hon. Kamau Njoroge member for Leshau Pondo, can you please do as it is directed in the code of conduct.

MOTION

INSECURITY AROUND J. M MEMORIAL HOSPITAL AND OL'KALOU SUB-COUNTY

Yes, Hon. Peter Maina Mwangi, Chairperson Justice, Legal Affairs and Public Service Committee

Hon. Peter Mwangi: Thank you Mr Speaker...

(Loud Consultations)

Speaker: Order Honourable members! As much as the Speaker does not see, my eyes have seen Hon. Mwangi Gichuki who is not dressed as per the code of conduct.

(Hon. Mwangi Gichuki withdraws from the Chambers)

Hon. Peter Mwangi: Thank you Mr Speaker.

(Hon Kariuki Muchiri rises on a point order)

Speaker: What is it Hon. Kariuki Muchiri?

Hon. Kariuki Muchiri: Thank you Mr Speaker, I have actually observed that, as the Hon. Member for Kanjuiri-Ridge entered the House he did not have the courtesy of bowing, please make a ruling.

Speaker: As it is in the standing orders can the Hon. Member do what is supposed to be done

(Hon. Suleiman rises and bows)

Proceed Hon. Maina.

Hon. Maina: I beg to move the following motion, that this house does adopt the report on Report of the Justice, Legal Affairs and Public Service on insecurity around J.M Memorial Hospital and Ol'kalou Sub-County.

(Hon. Mwangi Gichuki rises on a point of order)

Speaker: What is it Hon. Mwangi Gichuki.

Hon. Mwangi Gichuki: Mr Speaker, I would wish to get clarification on what a member is supposed to wear when it is extremely very hot and you feel you're not able to be with your jacket, and we do not have enough air conditioning. I need guidance on what should happen in such kind of a condition.

Speaker: Actually Hon Gichuki, that's a good observation and we shall look into it with the House Business Committee and then the Speaker shall communicate. So the matter is deferred until such a time when the House Business Committee shall sir down and further communicate. Proceed Hon Maina.

Hon Peter Maina: Mr Speaker, I beg to move the motion that this house does adopt the report on Justice, Legal Affairs and Public Service on insecurity on Ol'kalou Sub County as a report of this house and the recommendations there in as a resolution of the house. Mr Speaker, Sir, security of persons and their property is guaranteed in the Constitution. Further, part 2 of the fourth schedule in our constitution fully devolves health services to counties. As the representative of the people the Honourable Member for Karau Ward brought a motion on the insecurity at JM Memorial Hospital and Ol'kalou Sub-county as whole. The motion was

referred to the Committee on Justice, legal Affairs and Public in accordance with our Standing Orders with the following terms of reference:

1. To scrutinize the issues raised in the motion
2. To collect views and evidence on the insecurity situation at JM Memorial Hospital and Ol'kalou Sub-county.
3. To write a report on the Insecurity at the aforementioned areas and make recommendations on the possible solutions to the insecurity

Mr Speaker aware that there has been reportedly many cases on insecurity in Nyandarua County especially in Ol'kalou with many incidents happening at the J. M Memorial Hospital staff quarters and its environs, and that the current insecurity situation in the County is getting out of hand and that there is urgent need for the situation to be resolved.

Concerned that the insecurity situation is likely to affect the delivery of health services in the County, which a cardinal role of the County Government and that the security apparatus within the County have failed to resolve the insecurity situation even after being informed by the public.

Now therefore I do urge that this House do resolve that;

4. That an urgent stakeholder's forum is organized within the shortest time possible so that the issue is addressed comprehensively.
5. That the County Commissioner be urged to put up strategies to help combat crime in the County.
6. That the County Government erects security lights in the affected areas to enhance security at night.
7. The relevant Committee does investigate the matter and report on the same within 14 days."

This motion emanated from a petition from the health workers which had been brought to the Assembly. The petition arrived in form of a letter that had been sent to the Assembly in which various issues relating to insecurity arose. The committee sat and came up with a report and through the findings of the committee, it was found that there was a meeting that there was a security meeting held on 2nd July 2016 which was attended by the OCPD, DCIO, Hon. Peter W Kamoche (Rurii ward)and Hon. Sammy D Kamau (Karau ward). The meeting recommended the following;

1. That there be erected a police post at J. M Memorial Hospital
2. That security lights to be erected at the J. M Hospital, the staff quarters and the immediate surrounding areas.
3. That police patrols should commence immediately.
4. That investigations would commence immediately and the criminal arrested.

The health workers felt that the issue of security had not been taken seriously by the security personnel at the County level. This was informed by the fact that the patrols by the police were conducted for a few minutes and the suspects had not been arrested. Further, the health workers recommended that a perimeter fence should be erected around J. M Memorial Hospital and armed guards to be deployed at the Hospital premises at all times. The health workers stated that failure of addressing their grievances within 7 days would result to the following actions from the Health workers;

1. Changing their working schedule so that they would they would work from 8.00 am to 4.30 pm.
2. Declaration of Nyandarua County as a security risk zone
3. Calling for industrial action within 21 days after the lapse of 7 days.

Mr Speaker, we do understand that after the incidences that happened in our county at the J. M Memorial Hospital where the health workers were totally threatened, there properties lost, I actually understand we have lost two health workers who were killed by the robbers, while some lost their ATM cards and had there PIN numbers given out too. It is here that we noticed the risk involved and by the fact that under schedule four where the Security matters are written, it is the duty of the National government to protect the lives and the property of the people in Nyandarua county together with the county government because the county is a key stakeholder in matters of security. We tried as a committee to get information from the county personnel from the D.C.I.O and the O.C.P.D in vain. Even with the help of our senior security officer Mr Kimeria and other security personnel, it has all been in vain because they do not give the information as it is required by the constitution in article 195 that gives powers to summon and get evidence from any person. Mr Speaker, this has been a challenge in the committee for up to this point where we are moving the report, they have not showed up and we do not have any report from the security docket. We feel that as much as we are championing to secure our health facility we are being sabotaged and we do not understand from what angle we are going to approach it.

His Excellency the Governor is the Chairman of the Security Council in the county. According to the police act, it gave a limelight to the County Government to form the county police oversight and Nyandarua has two representatives from the assembly, one religious leader, one disabled person, one woman a youth and a person from the civil society. We understand that Board was competitively recruited by the public service board and they sat only once and have never sat again. To us maybe somebody does not see the need of security in the county and this matter needs to be addressed Mr Speaker. It should be noted that the committee was mindful in preserving the principle of the separation of power set in article 185 of the constitution and section 9 of the county that contributed in the writing of this report.

Hospitals, by their nature, are designed to be open and accessible to the public, which means street crime and other dangers can easily enter through hospital doors if not properly protected. Unauthorized persons perpetrating other acts of crime in hospitals including criminal assaults, rape, murder, and theft usually look for the closest escape route, which is usually an unlocked entrance. Mr Kimeria really guided the committee on Physical protection which are

Time delay lock and alarm system;

1. Panic alarms
2. Special locks
3. Protective barriers
4. Security presences
5. Dedicated security patrols

When we talk of alarm delay lock, this is whereby an alarm takes a lot of time when pressed. When the robbers try to enter the facility, there is the panic alarms that ring so loudly and cause panic to all. Unique policies include, but may not be limited to, access control, visitation, identification procedures, information security, and patient privacy. It is here that the committee found out that our Health facility does not have a structured way of doing things. If you visited J.M Hospital today, from the gate to the doctors' consultation room, nobody will ask you where you are going. A self-identification procedure is supposed to be brought in our

health facilities where a person identifies himself at the gate where he is going and the reason for going. The issue of security is very emotive and it is at the core of a person's peace of mind and ability to work and deliver. This fact has been appreciated in the Constitution under article 29 which guarantees the security of the person and specifically provides that one shall not be subjected to any form of violence from either public or private source. The fact that health workers at JM Memorial Hospital have been hijacked at gun is the highest form of violence. These situations have resulted in trauma which may affect a person's productivity. Without deliberating so much, the committee did meet on 17th Oct. 2016 at the JM premises and met

1. Managing Director Mr Irungu –Chief Officer Health Services
2. Dr Joram Muraya – the Assistant Director Health Services
3. Mr Mwaura –the Hospital Administrator
4. Mr Safari Kiti - health workers representative.
5. Mrs Margaret – Representing the larger staff workers

The Committee was informed that there was security meeting that had happened between health workers, security officers and political leaders in which the following issues were raised;

1. Erection of a police post
2. Fencing of the entire J. M. Hospital premises
3. Erection of security lights at the staff quarters
4. Erection of a barricade on the by-pass road leading to the staff quarters
5. Police patrols
6. Non staff members living at the staff quarters
7. Students' visitors at K.M.T.C

I would like to address two issues, the non-staff members living inside the hospital compound because the housing inside is cheap. This are the major perpetrators of crime because they are never concerned with the wellbeing of the hospital. It was also noted that some of the staff had rented there houses to outsiders and one would never even differentiate a relative a staff or an outsider. The health workers representative Mr Safari Kiti was requested to respond to the issues that had been raised during the meeting, stating the progress made in regard to the demands of the Health workers. He submitted to the Committee as follows;

The health workers met with the County Commissioner where it was explained that the issue of putting up a police post was under consideration but it would take some time as there are procedures that need to be followed. The security organs promised to work on the request and get back to the management of the Hospital. The Committee members further noted that the hospital staff quarters is not secured by a fence hence it is vulnerable to insecurity incidences. The area and its environs is also surrounded by bushes which can be used as hideouts by thugs and criminals.

During the visit to J. M hospital and the meeting with the Hospital Management, it emerged that the Hospital does not have a surveillance (CCTV) system in place. This is a security threat to the staff, the patients and the property at the Hospital. The committee noted that some of the pictures were on social media and we failed to understand how the pictures were gotten without the consent of the patient or the hospitals management. The Hospital does not have an alarm system in place which is very important especially in times of emergencies. An institution of the stature of J. M Hospital should be well secured. The Hospital gate is not manned by any security personnel thus there are no security checks as one enters the hospital premises.

The Committee observed that the Hospital management is not versed with security issues which hampers the vetting of the security firms and the personnel providing security at the Hospital. It is important that the hospital should seek assistance from the enforcement department which deals with security matters, for assistance. The hospital can also occasionally seek the services of a security expert or the police service. The services of a security expert are important in analysing the security system at the hospital and identifying any security gap/risk for corrective action.

The committee also noted that the main security threat to personal security was that at the staff quarters. This mainly caused by lack of control at both the entry and the exit points. Another security threat was the bushes surrounding the staff quarters which provide the perfect cover the criminals when waylaying their victims and also when getting away. These bushes should be cleared so that the visibility of the health workers can be increased so that they can be in a position to protect themselves.

That the flood mast lights provided by the county government are not enough and that more should be added. The hospital management should liaise with the security agencies in the county so that the hospital can get better security services.

Mr Speaker Sir, it is important to note that the Committee invited the police County Commander and the Assistant County Commissionaire but the two failed to appear. Further the two failed to give an explanation for their failure to attend the meeting. Despite efforts by the secretariat to get the necessary information from the police service, the office of the Officer Commanding Police Division (OCPD) has not responded. This is against the spirit of cooperation between the two levels of government. The issue of security requires efforts from the two levels of government. The Committee recommends as follows;

1. That the Department of Health Services should immediately install security lighting along the walkways, paths within the hospital and the servant quarters awaiting installation of flood lights.
2. That the Department should install CCTV surveillance at J. M Memorial Hospital.
3. That the hospital management should ensure that there are at least two armed police officers at night (6 p.m-6 a. m) guarding the hospital. The reason we came up with this is because the premise is so big and the county commander should give two officers
4. That the Department should ensure that the Hospital has an alarm system that is connected to the police station.
5. That the County Government should allocate the funds requested by the Department of Health Services in the Annual Development Plan for the FY 2017/18 for erection of a perimeter fence around the hospital and the servant quarters.
6. That the hospital management should ensure strict access control to the wards and hospital visitors and should ensure that there is a clear record of all visitors indicating their personal details, time of arrival and departure.
7. That the hospital management should ensure that there is a functional and accessible alarm and fire-fighting equipment.
8. That the Hospital management should ensure that all the bushes within JM Hospital and its environs are cleared.
9. That the Hospital Administrator should ensure that those cultivating crops within the servant quarters are limited to crops that do not grow beyond two(2) feet
10. That the hospital administrator should ensure that at the expiration of the eviction notice the order is fully enforced and measures are put in place to ensure the problem does not recur.

11. That the hospital management should put up mechanisms to ensure that the private security firms guards hired to guard the hospital have the capacity and technical know how to deal with security in a hospital setting, and are regularly trained and evaluated by a security matters expert.
12. That the Governor as the Chairperson of the County Security Oversight Police Committee should convene meetings at least quarterly to iron out emerging security issues.

With these few remarks, I would wish to conclude by saying that the issue of security is very emotive. And it is the basis for personal peace. Without security of person and that of property one cannot be expected perform his or her duties effectively. It is important that the County Government ensures that the security of the health workers is upheld

Mr Speaker Sir, Arlen Spectre once said that “*that national security and defeating terrorism trumps all priorities*” in the same breath this county should prioritize the security of our health workers and indeed all its workers. I call Hon Miriam to second.

Speaker: Hon. Miriam Wahura Ng’ang’a, County Member from Gathanji ward.

Hon. Miriam Wahura: Thank you Mr Speaker, I wish to second the motion. First I would like to define the word security which means being free from danger. We visited the J. M Hospital and like it has been said the officers are really crying because of insecurity and want the perimeter wall constructed. I think we had an ad-hoc committee on the J. M Hospital where we agreed that the perimeter wall should be given the first priority in order to secure the place.

The other issue was about the police patrol. Mr Speaker if you visit the hospital at night, you will find that from midnight to four a.m. there are no police and we are supposed to have them there. This is because the police are not diligent in their work. So it is at this time that most criminal activities happens.

Another issue was on the visitors coming to the hospital. We found out that identifying the genuine visitors from criminals was very difficult and the Kenya Medical Students should not be visited at night, this should actually stop

The non-staff residents were also suspected to be the crime perpetrators and they should be evicted. Early this month we had an incident where a woman was killed at daytime. This shows the level of insecurity in Ol’kalou, if someone is killed during the day what will happen at night?

(Hon Kimani Gachuhi rises on a point of order)

Speaker: Yes, Hon Kimani Gachuhi.

Hon Kimani Gachuhi: I want to inform the Hon. Member, that there is no set time when a person can be killed, it can happen during the day or at night, so she should observe her communication.

Speaker: Hon Kimani I think you have not understood what Hon Miriam is trying to say. She is trying to emphasise the level of insecurity in Ol’kalou. Proceed Hon. Miriam.

Hon Miriam Wahura: Thank you Mr Speaker, for protecting me. Hon. Kimani Gachuhi cannot understand what I am trying to say. When the Hon. Members visited the Hospital, they insisted on building a perimeter wall. A budgetary allocation should be done and money allocated for building the wall. As I conclude I would urge the members to consider the hospital and facilitate it and make it hospitable to both the workers and that patients.

(Question proposed)

Speaker: Member for Kipipiri Hon. Michael Kirumba.

Hon. Michael Kirumba: Thank you Mr Speaker. I rise to support this motion. We are talking of a level five hospital, a referral hospital and it is very unfortunate that the people who are supposed to take care of them are insecure. You can imagine if the hospital is attacked and the patients cannot even run because they are so sick. It would do irreparable damage to them, both physically and psychologically. We have had instances of patients being raped on their way to the hospital and I believe we are not asking for too much when we say we want the place secured. Terrorism is on the rise and we cannot afford to bury our heads in the sand and assume that Al-Shabaab cannot attack our hospital. If we cannot react to the unfortunate cases of rape around the hospital, then I wonder what we are doing here.

The chairman mentioned that not even the O.C.P.D appeared before the committee and my question is this, don't we have the powers of the High Court? This is not a laughing matter. We are talking of vulnerable patients and their doctors who have to go home at the wee hours of the night. Why don't we supplement the efforts of the National Government by lighting up our town? If the D.C.I.O, the OCS and the O.C.P.D cannot appear before a committee that is investigating such incidences, what on earth are we doing? I would like the chairman to tell us, in his response, what exactly they are planning to do seeing as it is the witnesses did not honour their summons. I hope the Speaker will make a communication, probably to the county commander and a copy to Nkaissery attaching all these concerns. The committee has spent a lot of resources to come up with this report with its numerous recommendations and it would be a shame if they are not implemented fully.

I wish to take the members down the memory lane to about three years ago when there was a syndicate at the Kenyatta National Hospital of people stealing corpses and when families came to collect their loved ones' bodies, they would be shocked to find them missing some vital organs. It is important that even as we secure the living, we also secure the bodies of those who have left us. You can imagine a bereaved family coming to collect their loved one's body and they find it missing Mr Speaker, you can imagine what it would do to their psychology. These things cannot be taken lightly. Let us have timelines when these recommendations must be implemented. If in our houses we have dogs, German shepherds and burglar proofs, why should we not secure our hospitals where the people there are the most vulnerable? Even in times of war, only the hospitals and Red Cross centres are not attacked, and rightly so. People seek refuge in hospitals as was the case during the Post Elections Violence of 2008/09.

We have witnessed demonstrations from the staff of the hospital citing insecurity. Mr Speaker, if your child comes home running and tells you there is a leopard outside, would you force them out again? Thank you, I support this motion.

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

Hon. David Ndirangu Mwangi: Thank you Mr Speaker, first I wish to welcome the teachers and students of Chakareli. They are my neighbours and I wave at them every morning and evening on my way home. I believe some of you will come here as Members of the County Assembly or even the National Assembly when some of us retire. You are our future.

I support this motion but I am disappointed; we cannot have someone summoned to shed light on such a sensitive issue as security and health and they fail to appear. Security is paramount and we need to know exactly what will happen to those that failed to honour these summons. This is intolerable, Mr Speaker.

This report is not only about J.M hospital but also about all the other health centres in the county although the chairman has really placed an emphasis on Ol'kalou Sub-County. It is

unfortunate that our doctors are on strike and I am with the president on this one that if they don't go back to work, they should be sacked. We however must look out for them in terms of security. They should feel secure when treating our people. Thank you Mr Speaker, I support.

Speaker: County Member from Kipipiri and members please let us not take any more than five minutes each because I know we all want to make a contribution.

Hon. Nancy Ng'ang'a: Thank you Mr Speaker, I wish to thank the chairman for presenting this report so well. Security is paramount; there are many forms of insecurity; food, social and physical. In this case we are talking about physical insecurity.

Much has already been said but I would like to say the following; one, installing CCTVs around the hospital should be our number one priority. We have had cases of doctors being attacked in the hospital and on their way home. In addition to the cameras, it is also important that the hospital remains guarded throughout the day and night. Let there also be erected a very high electric perimeter wall so that no one dares enter the compound without being subjected to a thorough screening. We have heard of visitors who come bearing grudges probably because they have wrangles back home and they could even poison the patients.

Mr Speaker, the fire fighting equipment should be installed immediately. The bushes around the hospitals should be cleared because it is possible for criminals and wild animals to hide there.

Lastly there are people who are not staff in the hospital but they reside in the staff quarters. This is not safe. Some of the doctors were transferred from the hospital but they rented out their houses and hence the deserving people do not get these houses. I support the report.

Speaker: Member for Mirangine ward, Hon. David Ndirangu. All members will have a chance and Hon. Ndirangu you should observe time. When you see this gadget turn red, your time is over and remember I can stop you from here.

Hon. David Ndirangu (Mirangine): Thank you Mr Speaker, for your direction, I support the report. We are aware that security is of paramount importance to everyone and every growing nation or county for that matter. I have worked in the Kenya Police Service and I understand this. We must secure that place. As much as we would want to blame the security organs, security begins as a personal responsibility. Criminals live amongst us and if we do not give them away to the security agents then this problem will remain with us. Security in J. M Memorial hospital and in the other parts of the county must be taken care of.

Speaker: Hon. Kimani and welcome the school that has come from you ward.

Hon. Kimani Gachuhi: Thank you Mr Speaker, I hope that welcoming them is not within the five minutes. Anyway, I welcome Chakareli primary school. It is a great school. It is one of the schools that has made this county shine. They have gone to nationals in drama competition and I am proud of them. It is because of their determination, the willingness of the teachers and the larger communities that we are preparing them to be leaders of tomorrow. Hon. Ndirangu, the County Member from Weru has correctly said that there will be a representative of the people there.

Mr Speaker, concerning the motion on the floor, this is something that should have been done a long time ago by the County Government. The Assembly now should be thinking of something else. Does the hospital have a system to monitor movements within the hospital? Bush clearing is not something that we should be talking about. This is a duty of the County Government. Anyway now that it is on the floor let us remind them.

In my ward there are three flood lights and they are not enough. I decided that since they are very expensive to put up, the street lights would be better. One flood light would cost

the county Kshs. 1.2 million and it has six lighting lamps which would go up to 200 metres if they were street lights. We cannot go on erecting flood lights in the whole county. Maintaining a flood light is Kshs.30,000 per month and the towns in which they have been erected cannot raise enough to maintain them. I wish the committee would change that recommendation to read street lights because Kshs.1.2 million for a flood light can purchase more than 20 street lights which are almost enough to light up the whole hospital.

Security is not all about the officers, it is about our attitude. The officers only need to enforce the right attitude. Look at Mombasa County, even if the Governor has no respect for the President, this bad man bought security vehicles for his county. We cannot only rely on the national government for this even if this is not a function of the County Government. We are also leaders. I urge the committee to make a recommendation that in the next budget there should be an amount to buy county inspectorate vehicles. The security committee, in which some of the members of this assembly are members, should wake up.

They can also put up CCTV cameras but it can be used by cartels to monitor the movement of people in the hospital. The ones that we have should be monitored because they can be used by criminals.

It has been said that when the doctors were on strike, the record of deaths has been low they should not think that they are gods. Our God is taking care of us. Look at this, when they were not on strike we were attending burials every day. There are no burials to attend to today. Let everything we do we do it as if we are doing it for God.

Thank you Mr Speaker

Speaker: Yes, Hon. Kibebo and the member for Gathaara ward.

Hon. Daniel Kibebo: Thank you Mr Speaker, I support the motion. This is the same thing that is happening at Engineer Hospital. There was an Ad-Hoc Committee that had been formed for those reasons. Your word is a neighbour to my ward and people from your ward are treated at Engineer hospital. I urge that Engineer hospital be considered in the recommendations of the committee since it has similar issues as J. M Memorial. The Ad Hoc Committee had recommended putting up a perimeter wall around Engineer hospital and this has not been done. I am asking that this recommendation be included.

Speaker: There seems to be no further deliberations and I therefore call the mover to respond.

Hon. Peter Maina: Thank you Mr Speaker, I appreciate the deliberation of the members. It is like the campaigns have started but the members have seen to it that we have get quorum. We have two level five hospitals in the county, J. M Memorial and Engineer Hospital. However, only J. M Memorial Hospital issues were addressed in this report. Insecurity is an issue that needs to be addressed by the inspector general and we need to have a dialogue with the Kenya Police Service and the Inspector General of Police.

(Hon. Wahome Kamoche rises on a point of information)

Speaker: Hon. Peter Maina, do you require information from the member?

Hon. Peter Maina: I am assuming that his information has been by passed by time since I am responding and I therefore do not require it. Mr Speaker J. M Hospital is in Rurii ward which is represented by Hon. Kamoche and he should have been the first person to debate on this motion but he was quiet, I however wish to donate to him one minute.

Speaker: Are you sympathising with the member for Rurii? Member for Rurii proceed

Hon. Wahome Kamoche: Thank you Mr Speaker, I appreciate what the chairperson of the committee on Justice, Legal Affairs and Public Service has done. I support the motion and I say that security is a fundamental right of every citizen in this country. Secondly health is vital in every society. I however want to say that security personnel disregarding a committee of this house as it was said by the Deputy Leader of Majority, is serious. This house must be respected.

The CECM and Chief Office occupy offices there. I want to give a rejoinder; there is an acting Chief Officer for the Department of Health Services and this can bring problems in the running of the Department. We need an advanced referral hospital in terms of security.

Last month I fell sick and rushed to J. M. Memorial Hospital. I was referred to a Nakuru hospital. But I had to wait for the ambulance that ferried me to Nakuru to be recalled from Nyahururu where it had gone to collect blood banks. The same ambulance was also expected to ferry victims of an accident that occurred before I arrived at the hospital in Nakuru. J. M. Memorial Hospital needs a stand-by ambulance.

Thank you.

Speaker: Proceed Member for Ndaragwa Central.

Hon. Peter Maina: Thank you Mr Speaker. As I wide up...

(Hon. Kimani Gachuhi rises on a point of information)

Speaker: Hon. Peter Maina, do you require that information from Hon. Kimani Gachuhi?

Hon. Peter Maina: Yes, I do Mr Speaker.

Speaker: Proceed, Hon. Kimani Gachuhi.

Hon. Kimani Gachuhi: Thank you Mr Speaker. I wish to echo the words of the President that doctors refer patients to private medical centres and pharmacies to purchase medicine. I was, for example, given information that Kasuku Health Centre usually refers patients to local pharmacies to buy prescribed medicine. That is a thing that the Committee should note.

Thank you Mr Speaker.

Speaker: Proceed Hon. Peter Maina.

Hon. Peter Maina: Mr Speaker, I understand that buying medicine from local pharmacies, many of which are operated by quacks, poses a threat to patients. As Hon. Wahome Kamoche has intimated, lack of enough ambulances is a challenge. While our County Government has only five ambulances, Machakos and Bomet County Governments have eighty (80) and hundred and fifty (150) ambulances respectively. Hon. Michael Kirumba reminded the House that the County Government has invested so much in health services. In view of this, it is not appropriate that the ambulances owned by the County Government be driven by casual drivers instead of permanent and pensionable drivers. Since they have no ethics to adhere to casual drivers may mishandle the patients they ferry.

Security is paramount to everyone. It should be communicated to the Executive that more emphasis should be put on enhancing security in the County.

Eviction orders like those that were issued to non-staff living within J. M. Memorial Hospital precincts are usually not honoured. This is because the stated non-staff are relatives to those who issue the eviction orders. Some doctors even rent the hospital quarters for their relatives. The County Executive should ensure that the eviction orders are strictly honoured. A perimeter wall and entrance/exit barriers should be erected to control movements into and from the hospital.

(Hon. Wahome Kamoche rises on a point of information)

Speaker: Hon. Peter Maina, do you require the information from Hon. Wahome Kamoche?

Hon. Peter Maina: Mr Speaker, these points of information are many and those raising them had all the time to make contributions on the floor of the House. So I do not need the information.

Speaker: Proceed then.

Hon. Peter Maina: Mr Speaker, we talk of security at the hospital in question yet we do not take initiative to put in place the necessary infrastructure to enhance the same. Entering and exiting the hospital should be monitored.

Hon. Michael Kirumba has talked of Common Wealth practices. We learn from others. Even terrorists rarely bomb hospitals and facilities of other voluntary institutions like Red Cross Society. Why then should we have all sorts of vices, including rape, being committed against the health workers at J. M. Memorial Hospital? Cases of patients being raped, that most possibly happen, are not reported. There could also be cases of poisoning patients that are not reported.

Security in the hospital and the County at large should be heightened so that the precedent we set by the end of this political term will be adopted in future.

As I wind up I wish to appreciate the presence in the public gallery of pupils of Shakareli Primary School in Weru Ward represented in this House by Hon. Kimani Gachuhi and Hon. David Ndirangu Mwangi. Their coming here will prepare them to be leaders who will take this County to greater heights in future. As it is the norm, young people are referred to as leaders of tomorrow; but I proclaim the aforementioned pupils as leaders of this nation from today and expect them to bring about change. I welcome the pupils to this Assembly and confirm to them that they have visited at the right time when we have just relocated to the new Chamber. I hope they have learnt a lot; and I welcome them again and expect they will come when the House will have a heated debate.

With those remarks, I beg to move. Thank you.

(Question is put and agreed to)

I direct that this report as it is, together with the HANSARD Report, be taken to the relevant authorities for implementation. Thank you.

Next order.

(Hon Michael Kirumba rises on a point of order)

What is it Deputy Leader of Majority, Hon. Michael Kirumba?

Hon. Michael Kirumba: Mr Speaker, I want to draw your attention to Standing Order 227, and wish to seek your direction. Appreciating that this is the second time we are sitting here, the sitting arrangement needs to be streamlined by the Office of the Sergeant-at-Arms. The chairpersons of committees need to be assigned seats where they will not be disturbing other Members and that is convenient to everybody. I think that is important. This matter came up in the House Business Committee's meeting. It is only fair that you give direction on this so that the Sergeants-at-Arms will really sort out that when Members get out of the Chamber.

We need to have easier access passage for chairpersons since they will more often than not be required to walk to the dispatch table. They keep on making other Members to rise up to give them way because of the seating arrangement. That is why I have cited the Standing Order above. It will guide you in making the direction.

(Hon. David Ndirangu (nominated) rises on a point of information)

Speaker: Hon. Michael Kirumba, do you need information from Hon. David Ndirangu?

Hon. Michael Kirumba: Yes, I think information at this stage is acceptable.

Speaker: Proceed Hon. David Ndirangu.

Hon. David Ndirangu (County Member): Thank you Hon. Michael Kirumba for accepting that information. I think there was an induction about the sitting order when we came here for a test run and every Member was given an opportunity to choose where he or she would wish to be sitting. If this is changed, we shall need another induction. I feel the direction we were given when we came is sufficient.

(Hon. Wahome Kamoche rises on a point of order)

Speaker: You are rising on a point of order Hon. Wahome Kamoche? Remember Hon. Michael Kirumba was on a point of order. Therefore, unless you rise and react to what the Member has already said, Member for Rurii you cannot rise on a point of order. Proceed Hon. Kirumba.

Hon. Michael Kirumba: I appreciate where you are coming from Hon. David Ndirangu, but this is based on the experience of the first two days that we have been here. Initially, when the allocation of seats was done, we really did not foresee the frequency of chairpersons walking to the dispatch box. The House Business Committee has noted that and said that we need to redo it in a way that the chairperson will have easy access to the dispatch table instead of sitting sandwiched by other Members, thereby continuously excusing other Members in order to pass when proceeding to the dispatch table.

We thought that it is only fair to revisit that sitting arrangement in tandem with the Standing Order 227. In any case, that is good for ease of access by Hon. Members. What we did earlier is not serving us well. We want an arrangement where the chairpersons will not be in the middle of other Members. You can imagine the challenge the Chairman of the Committee on Roads, Public Works and Transport would have having to access the dispatch table from where he is sitting. He will have to request several Members to rise so he can pass. That is why the sitting positions should be changed. There is no harm in this. Fine-tuning is the word to apply here. Thank you Mr. Speaker.

(Hon. Kimani Gachuhi rises on a point of information)

Speaker: Hon. Michael Kirumba, do you require the information from Hon. Kimani Gachuhi?

Hon. Michael Kirumba: If it is meant to achieve what the leadership of the Assembly is after, who am I not to accept the information?

Hon. Kimani Gachuhi: I am also for what Hon. Michael Kirumba is proposing. This is because when we placed the Majority Leader and Minority Leader and their deputies on the front row, I was expecting that even the chairpersons would be considered and positioned appropriately. So, this is not even the issue of disturbing Members, we need to be accorded the respect that we deserve. Thank you.

(Hon. Wahome Kamoche rises on a point of information)

Speaker: Hon. Michael Kirumba do you require information from Hon. Wahome Kamoche?

Hon. Michael Kirumba: Yes, and let it be brief because I have taken too long on this Standing Order. Thank you.

Speaker: Proceed Hon. Wahome Kamoche.

Hon. Wahome Kamoche: Mr. Speaker, Sir, I really want to concur with the Deputy Leader of Majority because in the commonwealth practice which is also followed in the National Assembly, there is a standard sitting arrangement. This is an Assembly guided by law and its statutory mandate. Mr Speaker, we are allowed to be in this House by the Constitution. We have also visited other assemblies for benchmarking and found that there are fixed seats for chairpersons. They occupy the front row irrespective of whether the Leader of Minority is there or whoever else. Even when the Ministers used to sit in Parliament, they sat on the front row with the committee chairpersons behind them. I therefore support the House Business Committee's observation because it is important to give committee chairpersons the privilege that we deserve.

(Hon David Ndirangu (County Member) rises on a point of information)

Speaker: Hon. Michael Kirumba, do you require information from Hon. David Ndirangu?

Hon. Michael Kirumba: Mr Speaker, let that be the last information because we are belabouring the point and the Speaker has already captured my point and all Members who have contributed feel that that is the way we need to go. I think the Member could just be adding spices on the provisions of the same Standing Order. Let him have the honour.

Speaker: Proceed Hon. David Ndirangu.

Hon. David Ndirangu (County Member): Mr Speaker, I wanted to draw your attention to the fact that the House has no quorum. Thank you.

Speaker: County Member from OIJoro-Orok that is quite a good observation. But you were on a point of information.

Proceed Hon. Michael Kirumba.

Hon. Michael Kirumba: Mr Speaker, this is a House of rules and order. The Hon. Member should have risen on a point of order. Members should not misinterpret the Standing Orders since they are very clear. Hon. David Ndirangu Mwangi is on record for having risen to give me information. There is a big difference between point of information and point of

order Mr Speaker. I will therefore not treat that as information and you can proceed and give direction on my concern based on the Standing Order that I have quoted. Thank you.

Speaker: Thank you very much. Standing Order 227 is very clear on how the seating arrangement in this Chamber shall be. I also believe that this point of order had been raised by another Member and the Speaker made a ruling on the same. He directed the Office of the Sergeants-at-Arms to ensure that a rearrangement is done. I can only affirm the same and direct that the Sergeants-at-Arms rearrange the sitting positions and then report to the Speaker, who will then forward to House Business Committee the rearrangement for further communication to this Hon. House.

Next Order.

ADJOURNMENT

Speaker: Hon. Members, having exhausted the business of the sitting, the House now stands adjourned to the next sitting tomorrow, Wednesday the 15th day of March, 2017 at 9.00 a.m.

(The House rose at 4.22 p.m.)

