

28th November 2013

NYANDARUA COUNTY ASSEMBLY

Assembly Debates (First Assembly, Second Session)

Official report

The House met at 2.30pm

Hon Speaker in the Chair.

Prayers

Speaker: First order

Clerk: Presentation of the Report by the committee of Justice, legal Affairs and Public Service by Hon Peter Maina

Hon. Maina: Thank you Mr. Speaker Sir, I rise to table the report to this Honorable House on the sectoral Committee of Justice and legal Affairs and Public Service on security status of Nyandarua and there I table.

Speaker: Okay, Very well the document by the committee of the justice and legal affairs has been duly tabled and is now a property of this House. Chairman

Hon Maina: Thank you Mr. speaker sir for giving me this chance and Mr. Speaker Sir, it is my pleasure and honour to present to this house the report and I beg to move a motion to this house that the report here be adopted as a report of this House. Mr. Speaker, this House has a mandate to execute for our county to move forward.

Mr. Speaker I would start to give the life of this committee and this committee started its deliberation on 2nd July, 2013 when you communicated to these honourable House the issue pertaining to security and in your communication Mr. Speaker you mandated this committee to undertake the issues affecting the security of our county including the Governor's office and Executives, Speakers office, and also the security of honourable members.

Mr. Speaker Sir, during the committee deliberations and due to the fact that there was a lot of functions, Mr. speaker the committee undertook the deliberations and it was really assisted by various stake holders. Mr. Speaker it had to arrange various meetings with the security agents, that is the Commissioner of this County, AP commandant, Police commander, and the district security agents.

Mr. Speaker, this committee had seven Honourable Members who actively participated in this report compilation. Mr. Speaker, the committee comprised of Hon. P M Maina, who was the chairman, Peter W. Kamoche who was the vice chair, Hon. Dorcus Nyambura kihara, Moses Mwicigi ,Milliam kahura kanganga, Joyce Nyambura Ng'ang'a, Joyce Kariuki Muchiri who are all members.

Mr. Speaker Hon. John Gachari was among the members who started these deliberations but he ceased to be a member of this committee on September 17th2013 when he was moved to the membership of the selective committee and the committee takes this early opportunity to thank Hon. Gachari for his new appointment and we wish him well.

In addition, Mr. Speaker Sir, we cannot forget to thank Hon. John Kieru Wambui who went ahead with this committee during its report writing and he was really offering what we call technical support. Mr. Speaker, the committee really congratulates him and we wish him well.

Mr. Speaker the committee was unable to hold various public hearings within the county due to time and logistical constrains. Mr. Speaker, the committee commenced execution of its mandate on security matters on July 4 2013. The committee adapted a multi dimensional approach on these within the time flame set by the House and to achieve this, the committee resolved to divide its work in the following three interlinked phases with activities geared towards achieving the whole objective.

Mr. Speaker Sir, the first phase was to see the deliberation of the committee on its mandate.

Two, consultative sitting with all stakeholders, meetings with the County leadership, Security agencies and National Government status dealing with security matters. The review of the county security status and legal framework on security services, and the responsive need of the county with a view to developing the security of the county.

Mr. Speaker Sir, in phase two, the deliberations focused on the following matters that were widely discussed that,

- 1) Address the matters in relation to the Governor and Deputy Governor security agents.
- 2) County Executive Committee
- 3) Speaker of the County Assembly,
- 4) Security of Honourable Members,
- 5) Security within the County Assembly precincts.
- 6) Developing a questionnaire on how to engage security stake holders among others, and
- 7) General security of the county.

Mr. Speaker the committee minutes were supposed to be annexed to this report but due to the timelines, they are found in the clerk's office and I do promise that I am going to ensure they are going to be annexed to this report for it to be of good reference to other assemblies that will follow after this Assembly.

In phase three Mr. speaker, after establishing the program of activities in line with those in the committee directive as set out on our Standing Order Number 192(a) the committee, organized consultative meetings, where all key stakeholders of the county on security including interim county secretary including Executive member for legal affairs and public service, County Commissioner, County police commander, County AP commander, District Criminal Investigation officer, Interim Clerk to the County Assembly, and the Interim Sergeant at Arms to the County Assembly. There are various stakeholders as outlined above who briefed the committee on their respective roles and challenges in discharging their mandate and proposed durable solutions on security crises in the county.

Mr. Speaker Sir, the committee made the following findings, observations and conclusions.

- 1) The county government is ill prepared to handle any arising security crises; its structures are very weak since there is no clear security policy in relation to the devolved system of County Government.
- 2) The government failed to meet its own obligations within the law (e.g.) offering security to the Security County Speaker and County Assembly.
- 3) The Governor parking lot is always encroached by other public and private vehicles and his security therefore is not assured.
- 4) Control of public movements within the precincts of the Executive offices and Assembly chamber is wanting.
- 5) Surveillance, searching and screening of members of the public at the office entrances of both arms of the County Government that is Executive and Legislature is not in place.
- 6) County Assembly members are transacting and legislating on sensitive matters that put their lives at risk.
- 7) The police have compromised the code of confidentiality and professionalism in relation to information provided to them by the public through community policing.
- 8) The police to public ratio is not as recommended.
- 9) The process of police recruitment has been made some how transparent by providing effective guidelines that are established at the district levels.
- 10) Incidences of major and petty crimes in the county have escalated at a higher rate.

11) Information and frequent reports of juniors' security officers to senior security officers is not disseminated and if so, it's not timely.

12) Security organs are concentrated at certain points that are where we call headquarters.

13) Uneducated and unemployed youths are turning to criminal activities.

14) The police are collaborating with the education sectors and stakeholders to sensitize the youth on good citizenry and the youth fund was a measure to engage the youth in more economic based activities to turn away from crime.

15) The devolved system of governance has brought about devolution of security organs to closer levels of 7 (seven) police divisions (districts), unlike the former 2 (two) police divisions of Nyandarua north and south.

16) Facilitation of the police and their centers is wanting.

17) Police centers are not equal to their mandate (i.e.) a division being manned by a police post, while others don't have.

18) Mr. Speaker, Brewing and consumption of illicit brews and drugs substances among the youths is alarming. Bhang growing is also rampant in the county.

19) The committee concludes that provision of security to the county leaders and security in general is wanting. Both the National and County government needs to move with speed and ensure enforcement of security is maximized as soon as possible.

Mr. Speaker through its findings and observations, the committee through its wisdom came up with various recommendations. Mr. Speaker the committee saw that they are favorable to save these situations of insecurity in this county.

1) Mr. Speaker a proper security system with clear legal framework between the County and National government should be legislated upon to address this vacuum.

2) There should be provided a clear and official government policy guideline of the security provisions by the office of the Attorney General, with regard to the Speaker of the County Assembly and the assembly chamber itself.

3) Parking lots for county leaders both the executives and the legislatures should not be open to any public nor private vehicles, unless authorized by security agent concerned.

4) Establish public relation offices for both arms of the government to curb and control public movement within the precincts.

- 5) Install and use of surveillance, searching and screening gadgets at entrances of both arms of the county government.
- 6) Work out mechanism to provide security, dignity and ensure that County Assembly honourable members and Executive members are safe, even under circumstances that they could be transacting and legislating on sensitive matters that put their lives at risk.
- 7) The police should uphold their code of confidentiality and professionalism in relation to information provided to them by the public through community policing.
- 8) The police to public ratio should be worked upon to meet the recommended ratio.
- 9) Ensure that the process of police recruitment is transparent by providing effective guidelines on the same as established at the district level.
- 10) Find mechanisms that curb incidences of major and petty crimes in the county, since these cases have escalated.
- 11) There should be provided a stringent structure of passing information and frequent reports of junior security officers to senior security officers, this should also be timely.
- 12) Security organs and their centers should be decentralized to capture the concept of devolution.
- 13) Civic education advocacy on education and its relevance should be perfected within the county to eradicate cases of illiteracy and ignorance, create a county youth fund to empower youth with skills and economic power, hence checking the rate of unemployment.
- 14) Ensure that the police and their centers are facilitated in accordance with the government policy.
- 15) Legislation on brewing and consumption of illicit brews, drugs and substance abuse should be enforced or enacted to curb and control the vice within the county.
- 16) For the purpose of Hon. Members, security and safety, it is advisable that they are facilitated to acquire private firearms.
- 17) When Honourable Members and County Executives' committee members are having meetings outside their workstations, proper security should be provided by the Kenya Police Service.

Mr. Speaker these are some of the recommendations by my committee, to this honourable House for consideration and for adoption.

Mr. Speaker, my committee is grateful to the House through the Speaker for the support granted in executing its mandate.

The committee is also grateful to the office of the clerk for facilitation and providing technical support to the committee.

The committee is further grateful to the organization and leadership of the security agencies of our county for their contribution to this very important task.

Mr. Speaker. The committee also wishes to thank the County Government of Nyandarua through the docket of legal Affairs and Public Services, the County Commissioner and County Security Agencies for the mobilization and provision of security details to our senior elected leaders and other related logistics. In addition, they provided other vital information on security details.

Finally, Mr. Speaker, I wish to express my appreciation to the Honourable Members of the committee who sacrificed time from their families and constituents to participate in the activities of the committee including the extended field visits to various offices of the county. Mr. Speaker, these Members of the Assembly on behalf of the entire House membership through consultative forums, are desirous of a new and progressive county, a county where we shall stand up and say togetherness in unison in the history of our beloved county shall we as brothers and sisters forever be together.

Mr. Speaker I wish to confirm that the recommendations of this committee in this report were in unanimous. It is therefore my pleasant duty and privilege, on behalf of the assembly sectoral committee on justice legal affairs and public service on the execution of its mandate of interrogating the security status in the county, Mr. Speaker to move a motion of adoption. Mr. Speaker as we have tabled this report to this house in pursuant to the provisions of our assembly Standing Order no 180.

Mr. Speaker I thank you and I thank the Honourable Members of this honourable house.

Mr. Speaker Sir, it is a concern to this county, a county that we need to vote to it to move forward. We know most of the investors are really looking to us to see how we handle the security status are Mr. Speaker Sir.

Mr. Speaker security status in this county is totally wanting. Our people cannot be able to transact their business freely without being subjected to this insecurity. When this committee was doing its findings it found it quite important for these security agencies to be put under our governor of this county for them not to be getting guidelines from the National Government. Mr. Speaker, it is important for the policy of the government, which guides the police to give security for Mr. Speaker, to be able to deliver services.

Mr. Speaker it is also a matter of concern knowing that the Speaker of county Assembly of Nyandarua who usually transact and make very risky decisions to this Honourable House and to the whole county is moving without a board guard. I urge the honourable house and I request as a matter of urgency let us think about it, bearing in mind when we are talking about our Speaker, the Assembly blessings even if a boomer comes here he will boom Nyandarua county as a whole, knowing that there are no security

measures which have been put in place.

Mr. Speaker, it is also prudent to say that our Honourable Members are transacting business, outside the Assembly, which is really wanting. Mr. Speaker those people who are expected to provide security to us are the one making it worse to us. Mr. Speaker sir, rather than the police protect the whole honourable members they are not really helping. Rather than helping them Mr. Speaker Sir, they are doing the vice versa. Therefore, Mr. Speaker sir, I urge this house and I request for the adoption of this report and would like this house once they adopt this report a quick measure may be taken through the executives to make sure that the security measures are put in place.

Mr. Speaker Sir when it comes to the issue of Governors office, deputy governor and the executives it is quite unfortunate that even if our governor passes here nobody recognizes that he is passing. Mr. Speaker sir we want the guidelines to be put in place that the governor's place be guarded twenty -four hours and the executives may be granted the security agencies. Because I don't see how Mr. Speaker how a minister concerned with lands goes to transact an issue which has been pending all the way from 1964 without a bodyguard and you tell me he will not be attacked by the wananchi.

So Mr. Speaker and the honourable house as I wide up I am so grateful for the work you have done to my committee and contributions to my committee and am requesting these House to adopt the report as it has been tabled so that stringent measures may be taken to bring our county on the move because without security we have unhealthy county. As we call up for a healthy county, we call for stringent measures toward the security of our county agents. Thank you Mr. Speaker Sir and I call upon Hon. Moses Mwicigi to second the motion.

Speaker: Hon. Mwicigi (Nominated)

Hon Mwicigi: Thank you Mr. Speaker Sir, I rise to second the adoption of the motion of this report presented to this House and I support this report on the following grounds.

As my able chairman has already said Mr. Speaker Sir, that the county government is ill prepared to handle any security issues I feel that there should have been a proper coordination between the County Government and National Government to ensure that the security issues are handled in a more professional manner but it seemed there was no linkage between the National Government and the County Government in handling the security crises or security issues as have been highlighted.

The other issue Mr. Speaker Sir, is the issues of security to the Governor and Deputy Governor, the members of the county Assembly and the Executive members we feel that or it is the feeling of the committee and I as the member of the committee that there should be an arrangement where, there should be a more elaborate arrangement to see to it that the Governor , the honourable Speaker, the Executives members and the honourable members are accorded with the required security because, Mr.

speaker Sir, you see a member comes, member of the public coming in, comes all the way through straight to the speaker's office without even screening you can imagine the danger we are exposing our Speaker to. You don't know what the member of the public is coming to do to the speaker's office, they come in direct without screening without anything, and we have also seen as in the Governor's office, the same is repeated there down that the members that the members go straight to the Governor's office without screening and each member of the public just enters in the governor's office and you know it is not safe for the governor. We don't know what, some issues need to be addressed because we as the honourable members we are not in the mode to go back to the electioneering period.

So we feel that the issue of those top officials of the top county government should be looked at.

On the governor's parking lot, I think that congestion should be looked at, I don't see why a member of the public should come and park his vehicle next to the governor's vehicle, blocking the entrance of the governor's, so that should also be looked at.

Moreover, looking at the committee side of observations, what we have looked at is the challenges and we have tried to offer some solutions.

We have said that there is security organs concentrated at certain points. You find that in this county we have seven districts, you find that an OCPD and an OCS sharing the same compound. We feel that an OCPD and an OCS there should be what we call bureaucratization where an OCPD and an OCS should be moved to a place so that there is a wider coverage of the same.

We have talked about the facilitation of the police and their centers are wanting. We feel that the police should be enumerated better in order to boost their morale and to give them the strength and the will to work.

About the issue of information sharing between the police and the public there should be activities that encourage both the citizen and the public so that we can close the gap between the police and the citizen. It seems that the citizen fear approaching the police there should be worked a moderate where we should encourage activities, which involves the interrelations of the citizen and police to enhance dissemination of information from the public to the police in a better way without fear.

We also feel that the consumption and drinking of illicit brew and drug substance abuse is also leading to crime because you find the youths after consuming these drinks and they are not working you find that some of them in order to have financial strength to sustain these habit may also lead to raise in crime and need to be looked at.

We also said that there should be established a public relations office for both Arms of our government to curb and control public movement within the (Assembly) precinct.

We feel that in order for us to enhance the relations between the citizen and the police there should be a kind of a customer's care desk open between the police and the citizens through community policing.

And we have seen recently that there is the County Police Oversight Board, the Governor and two members of this honourable house are members to this board. They should ensure that they come out with a strategic plan to see to it that we open a customer care desk where citizens are encouraged to share freely information they may have with this board to enhance proper security measures that are taken within the relevant time and within specific period.

So Mr. Speaker Sir, we feel that the police who came here and who have served in the same locality for about ten years should be reshuffled. What we fill is that there should be a staff rotation within the police force. A police should be serving in a particular place for about two years and then is moved to another place, because what happens when a police officer stay in one place for a longer period , you find that unload worthy vehicle in that road belongs to a police officer. You also find that the spirit and wine shop belong to a police officer. You also find that there is a formation of a kangaroo court within a certain locality because this collaboration between the criminals and the police. To avoid these there should be a proper staff rotation within a specific period to ensure that the police do not become a common person. The police should not control a certain cartel in the locality.

We also feel that in order stop the youths who are engaged in crime and other illegal activities should be involved in income generating activities, so we would urge the county government to use the youth fund to ensure that the youths are involved in income generating activities which would see a decline in crime.

In addition, the citizens should be targeted in capacity building since the backbone of our security lies with the citizens. The citizens should be trained and shown the importance of volunteering information to the security agents for their own good. The citizen should be targeted for capacity building so that they are able to protect themselves and able to enhance their security and be able to take charge of their security without always involving the police. Through dissemination of proper information tracking, they know who commit crimes on the ground level. They should be encouraged to ensure that they take their security to be of paramount importance and ensure that they give the relevant information to the relevant authority.

So with that Mr. Speaker sir I hope that this report shall be fully implemented the County Government because we have the Governor who is the chair of the County Policing Oversight Board and to members they should push to it to see that this report is adopted and fully implemented and with those highlights I beg to second. Thank you Mr. Speaker Sir,

Speaker: Honourable Members, I now wish to propose the motion that the report of the committee on Justice, legal Affairs and Public Service dated 28 th November, 2013 be adopted as a report of this House.

Member for Gatimu Hon. John Kieru: Thank you Mr. Speaker, I rise to support that this report on the committee on Justice, legal affairs and Public Service be adopted by this Assembly as the one that is dealing with issues of security status of our county. Mr. Speaker you are going to understand me, may be this is something that is going to be reported later that the first page that deals with the preface and

the life of the committee is missing in the report so that it can be put and make the report complete. I believe the copies members have do not have page one. Mr. Speaker there is this important detail that this House needs to understand and the county government of Nyandarua without mentioning the national government led by President Uhuru Kenyatta .If we want security to work in this county security starts with us.

Security of our people and of the entire county will not be secure if the elected leaders are not secure. It is understandable that the security of the house at the top of the hill that is the State House, is one of the most guarded house in this country. In addition Mr. Speaker that should be reflected at the county level. I do not say the governor does not have the security. At the national level we have the Executive, Judiciary and legislature. Executive have got the security it requires, the legislature, the same and that also add up to the judiciary. Judicially at the top level Mr. Speaker sir and even at the local levels are provided with security whereby their lives are at least better in terms of security, and with the coming of the county government it has also been expected that the same will be devolved. But this report has captured a very important aspect whereby Mr. Speaker in the general recommendation s, the first recommendation.

The committee has proposed that a proper security system with clear legal framework between the county and the national government should be legislated upon to address this issue. Mr. Speaker there is a vacuum which comes in this aspect, for example I ask myself a very simple question. The security organs that offer security at the Attorney General office, security agents that offer security at the President's office, harambee house, and the security agents that offer security may be at treasury, at any government ministry. Mr. Speaker who pays these peoples? Is it the ministry that pays the people or these is the security agents that receive their salary from the police service simply because they are security agents?

If they are paid from the national government because they are the security agents why then Mr. Speaker should the Governor pay the police officer of the security details of his office? Mr. Speaker. Why then the County Assembly provide money so that its precincts can be secured by the security agents who are paid by the same government to provide security for this country mr. Speaker. This vacuum that has come at the county level where the count level appears not to be as important as we thought it should be. And this county government has not been taken seriously as they should be taken.

You find that a DCs office at Olojokolok is guarded by four police officers while Gvernors office is guarded by the former enforcement officer of the defunct county and town councils Mr. Speaker. I don't want to say the DC is not important, the DC is equally important Mr. Speaker but why do we have many officers guarding the DC office but the governors office there is no security agent Mr. Speaker.

The security agents that are there are there for the purposes of the county commissioners office Mr. Speaker this is the truth and the details from this committee can ascertain that. Therefore Mr. Speaker with the coming of the aspect of the honourable issues we are honourable members. Honourable kieru wa Wambui. Forget about honourable kieru wa Wambui in relation to what Serem has given him but

honourable kieru wa Wambui as an honourable member of the county assembly of Nyandarua. Mr. Speaker the honourable member for Gatimu is legislating as it has been cited very crucial and in matters that require his security to be guaranteed.

However, Mr. Speaker how is my security guaranteed. Whereby even at the first instance I want to put these to the county executives of Nyandarua even if you give me a four wheel vehicle like these one for honourable speaker and even a better one than that one of the governor and better one than those which were given to executive committee members. No vehicle can reach Hon. Thuita's home and yet he is a honorable member even though he has a board guard, he has a vehicle, he has everything that will guarantee his security when the road to his home is not addressed by the executive of the county of Nyandarua.

Mr. Speaker we want to start authority of the office from the floor of this house. It is usually common sense when a member of the national assembly elected, "barabara yakwenda kwake inatengenezwa" "the road to his home is upgraded). It is common sense when the governor was elected the road to his place was the first priority.

The road to the senator's place was another priority. The road to the speaker's place is another priority. But have they been made Mr. Speaker? Even if you want to go home and thugs are waiting for you, you are not secure because the roads are completely impossible Mr Speaker. So we want to ascertain that security is addressed from all angles. And we want to start from this floor of this House. When hon. Joyce is going home is she guaranteed of her security when she cannot reach home. Why because the road to her home cannot lead her to her home. Mr. Speaker that is very important.

Mr. Speaker the security of honourable members even if it is an issue with the county government I also want to put it to the county assembly leadership. The county Assembly leadership I don't know how you are going to work out this Mr. Speaker. But you should also try at some point to make sure that honorable members are secure. Mr. Speaker it is always good to think outside the box. Sometimes ago an honourable member of county assembly in Nigeria disappeared for good and has never been traced to this very day. Mr. Speaker Hon kieru wa Wambui may disappear forever and you may never have kieru wa Wambui here in this assembly for the next five years god forbid. But as the county assembly of Nyandarua how can you assure that kieru is somehow safe just one inch just think outside the box, come up with a way to make sure that hon members are safe.

For example Mr. Speaker. Hon members can be facilitated with firearms as it has been outlined by this report. The executive may never workout that for ourselves. Hon members as little as kieru wa Wambui it may be very hard to acquire firearm but through the county assembly service board it could be easier. I believe because constitutionary formed, they can go to the depth of finding a way in which honourable members can be facilitated with fire arms very quickly and very easily. So Mr. speaker in that area at least even if my security is out of ten percent I have 0.1% security. Mr. Speaker these days we have got mobile phones, Mr. Speaker which can be a source of security. I don't want to say that hon members will be tracked all over, whenever they go. If i go "mpango wa kando" I will be known because through

my phone it is known that kieru is at meru, what is he doing at meru and there is no committee at Meru. That aside Mr. Speaker. But with dignity Mr. Speaker phones have got GPS these days whereby an honorable member's security is guaranteed even if he go missing and those people who have abducted him are going around with his phone am not saying you are going to be abducted but I mean the issue of security just as a nutshell Mr. Speaker.

As I conclude Mr. Speaker let us have the honour that we are supposed to have, we can have that organization at the county level because Serem ha denied us at the national level so let us organize that at the county level, and I know we can achieve that Mr. Speaker

The issue of "nyumba kumi" (Community Policing Initiative) Mr. Speaker has come from the national government, we have seen that the process has already started and I don't know what is happening at the county of Nyandarua because I am aware at the county of laikipia "nyumba kumi" has come. Last week there was a meeting whereby a member of county assembly in a certain ward in laikipia organized a meeting in order to roll out the issue of "nyumba kumi" with the executives of the laikipia County.

So we also want these members of Nyandarua county who are elected by the people, when it come to "nyumba kumi" Mr. Speaker we want honourable members who are here to emblaze that from the national government lead by uhuru Kenyatta because it is a very good thing even though the opposition is fighting it. We as county assembly of Nyandarua, personally, as kieru wa Wambui, we support that and how do we support that. When that thing will be rolling out, we want the county commissioner to work with the county governor and the governor to work with the county assembly members such that we are going to form groups of "nyumba kumi" according to the public expectation. And Mr. Speaker with that we shall have a nyumba kumi in place as agreed by many members.

There is this issue of illicit brews. I do not want to talk about it because we have the alcoholic bill if it is in place Mr. Speaker all these questions will be addressed. Finally as I conclude I want to passionately talk about the security of the speaker. The speaker may not be our hobby today. The speaker may be Hon. Kieru in 2018. Mr. Speaker you require security, lets argue it these way, you are the head of the county assembly of Nyandarua. In other words you are the head of one arm of the government at the county level. The governor is the head of the other arm of the government at the county level. The governor has security details board guards and even where he lives at home. I don't know how many homes they are offered security for. But he has security board guards and even at home Mr Speaker. But our speaker or the speaker of county assembly in the county has not been offered any security detail at all Mr. Speaker. This does not mean that the county assembly of Nyandarua cannot organize that. That does not mean that the executives of Nyandarua in liaison with the county commissioner cannot organize that Mr Speaker. Why? How much does it cost? If the county assembly can afford having six police officers in these precincts, today why can't they not afford to have board guard or security details for our speaker Mr. Speaker. So these are issues we want to understand. Why is one arm of the government more special than the other one? Does it mean one is fried and the other is boiled?

we are all equal Mr. Speaker. And let our assembly be taken with seriousness it deserves.

Hon Kieru talked about the phones that can be used as security gadgets to enhance security. But do we have the knowledge of tracking because I know when they say this person is going to Nairobi do we have all these facilities we should borrow a leaf from Mombasa which has also invested there the government give vehicles for the police they didn't wait for the national government to facilitate those stations they did it by themselves.

Should an organ of the government pay police for security I say no. because we are entitled for security. A speaker is entitled for security.

The other issue is that the speaker of the county assembly made and the decision had a consequence people were threatened and threats are not taken easily Mututho was threatened when he made a decision our speaker was threatened when he made a decision which he thought it was firm we cannot stand and watch or start making decision after the water has been spilled I say god forbid I don't want to see an MCA not finishing his term or the speaker himself must we wait and see this things happen or must we act before it happens am also told that also in the security a police man dared in his drunkenness point a rifle at a certain committee member that shows even our forces have not come with.

Honourable Kieru emphasized on the importance of Nyumba Kumi initiative and urged members to support the initiative when it is rolled out in the County. He called for cooperation between the County commissioner and the Governor to ensure it succeeded.

He raised concern over the security of the Speaker noting he was making critical rulings that threatened his life. He said that the Speaker is the head of the other arm of Government at the county level. He said the Governor had security details at his disposal.

And with those very many remarks I rest my case and I request the non members on the floor of the house today to support these report so that Mr. Speaker the issue of security may be addressed conclusively. Thank you.

Speaker: member for Rurie

Hon Kamoche: Thank you Mr. Speaker I beg to support this motion on the adoption of this report entirely as the vice chairman of the Justice, legal Affairs and Public Service as I participated in the writing of this report and I know there is a lot of push and pull here and there. The matter to the security agents. Security is there to protect life and property of the entire people of this country.

And you as the speaker of the assembly you are the property of the government and the property of the people. Somebody like Kamoche or hon Kirumba who is here elected by over seven thousand people that is the property of the people of kipipiri and surely he is here to represent the people of Kipipiri who sent him here. When we were doing elections, whoever did not win elections is at home. so he is not a property of the assembly. Mr. Speaker when you were fighting for the speakers seat, you were four and

people who did not win the seat they are at home. Surely you belong to this county. And I believe you were elected by 25 members so two hundred thousand people who voted in Nyandarua county voted for you. I don't understand why the speaker of the national assembly has six police officers when you go to the governor has two police in his car the chase car has police, four in matara two in Nyahururu and yet you have none. Even if you sleep at Munyeki I think you fear and you don't want to sleep there because you don't know when they shall come and see you.

The issue of honourable members, some members do not even sleep at home and they don't sleep they stand outside with arrows and bows waiting to hear what is happening. I will urge these honourable house to take serious giving these people fire arms does not require a lot of procedures it is only requires recommendation from CASB to the OCPD then we apply for that fire arm that is just decided here at the security committee and they are provided with fire arms because they are honourable members.

Then we talk that we want to improve the road. I hope that is Mr. kamoche. And Kamoche believes is a senior person we just start warning you deny me that access and I deny you your life. Those are things that are happening. Mr. Speaker the security matters is an issue of paramount importance and I believe we have to be serious with security matters

The other thing Mr. Speaker is the security and legal frame work of this county somehow it stands because you cannot understand why you can get a DC here or just come the other day and just get six police officers and you just reside next to the catholic church and you cannot get one. We are the people leading this county, we are here constitutionary. Because in the constitution we have two governments that is national government and county government. And I support that even the police should have been devolved. We should be having that arm in the county level so that, we so be addressing this to our governor. Look at the deputy governor once seen a point and he has a police. He is deputizing somebody but has a police officer. But yourself ,a hon member doesn't have.

When I was going around during the liquor issue we were seen very serious things of claiming that a cannot close my bag. to an extent of support of somebody I believe in business Mr. Speaker the other day hon Njiraini complained here he is unable to walk along the street because he can be approached even by a carrier and abuse a honourable member who is representing four thousand people in this assembly Mr. Speaker it is very serious and this government is the government of the people. And they are democratically elected people. So, I believe we are the people in this assembly. Right now I got information that somebody is calling people kagua and I want to go to and be given permission to arrest that gentleman because, he is calling people in Ndaragua saying am hon kagwi come with ksh 15,000, bring your son, send this money. Even he had conned somebody in Rurie and I used my machinery and I knew where these gentleman is, I also want to be accompanied by hon kagwi and we arrest that person today, you cannot go using the name of honourable member collecting money from the community.

That one is a very serious issue and he is just residing at kagwi's place. The police have all the machinery to arrest him . if he can go all other way and you here the person is in Ndaragua central and he has been

given my phone and we have communicated with him and we have been waiting for me now to go and take ksh 15,000 and he want to secure a job to the KWS in Nyeri and the police cannot arrest that person. That very serious and he is saying am hon. Kagwi and he is just using my name. he has just conned somebody here in hospital and somebody has just sent the money.mr speaker this must be addressed with the security agents . they have all the machinery to track that person and that is not something that can take a very long time. I wish to address this issue of security and say this how to take this matter seriously and not only for the security of the people there outside even the security of us. Even if you are elected or nominated the seat you have people are crying for it there outside. Don't think that when you are seating on this seat it is not hot, even any other person would like to seat on it so, you must know that when you have a seat the other side you have a security problem. And that has been there since time in memorial. And I support this motion and I urge these house let us support this report.let take serious on it and give a direction the way forward and we take these rout and that the only way we cal work and with those few remarks, I beg your permission to go and arrest the culprits.

Speaker: Hon member for Kipipiri

Hon Michael Kirumba: Thank you very much Mr. Speaker. Mr. Speaker sir in a nutshell I would like to thank the committee for a job well done. This is a committee that has done a good job. And with all the circumstances of travelling and so forth and they come up with a very good report that I feel if implemented we are getting somewhere

Mr. Speaker the issue of disparity between the legislature and executives is touching all areas in terms of security in terms of minutes I think this is one of the crucial are we need to come up and start to be counted and get our rightful share as far as the constitution is concerned. To me that is critical because am trying to find out how am I expected to counter my executives at par the governor speaker at par these are totally different arms of government. And when these issues are coming to the domain of the public that this one is inferior arm of government this is superior I think that is not the way to go.over this report we need to make these issue clear through your office we as the assembly we have disparity. .this need to be addressed very fast. And these is well captured interms of security.

Mr. Speaker this report also needs to capture the areas of drunken officers on duty and arms this we know is what has happened in other counties. A drunk officer in the middle of the night is having issues with the wife and goes shooting we need to come up with a monitory method in the county level. So

that we really know who so that we don't have to wait until we have issues with drunk officers who are on night shift duty they are armed they go abusing the mandate of protecting the citizens. So mr speaker it is my opinion and the way I feel is that we address that issue of drunk officers on duty corrupt officers also. What is the extent of decay of corruption in our boarders' can we have a body that ca crack down corruption in terms of mataus, boda boda who have been through right left and middle because of petty things. That to me is very important .because you have heard the boda boda mute

drive because of the corruption element.

Mr. Speaker the issue of arming the public is now in the pipeline. Which is a national issue because security is a national function? The other day you would here even pastors would want to own a gun so that when they are preaching the gun is on the way that is telling me that they are available even with the east gate indices where we were saying Njoroge and Kamau were armed the guys were coming you only needed to struck and avert the saga. So that coming up we need to pick it up from county level such that hon. members as long as they have been taken to Athi River and taught how to shoot and even use too pistols at a go. And then you are justified to license. I don't think it would be difficult issues as it were before because member of public own guns members who have strong room there. Again you cannot go with a gun in a grass thatched house. If the roads are that bad that fire arm will be used against you. So there are all those issues we need to address because these car jacking we here of happen on poor roads on bumps at your gate and so forth. Do you mean I will have a gun and the road to my house I will go 40 km/h I would rather not have it because that my be used against me. To me that is something subject for analysis.

I also want another report from the same committee to have the real number of police ratio to the public because it is on the basis of the ratio. The report does not have the number because we know the allowable ratio the national ratio and ratio in our county boundaries. May be we can now solicited to come at par to the national ratio, one police is to how many civilian for example on the bases of what we have and the population. May be we can now work on numbers because the numbers now speak. But when we don't have that number again it us to developing that data to enable us to solicit for more recruitment.

Mr. speaker in my opinion this is a very good report we adopt it as we put same more input and implementation stage is very crucial so that from there we know we are moving somewhere. With all due respect I support this report.

Speaker: Member for Karau

Hon Sammy D. Kamau: Mr. Speaker sir I stand to support the report tabled by the committee of Justice legal Affairs and Public Service. Mr. Speaker I also do not want to repeat what has been said but there are some issues that need to be highlighted.

One of these is that the symbol of unity within the area of jurisdiction is the person holding the symbol of unity. The Symbol of unity of the nation is Uhuru Muigai Kenyatta, symbol of unity of Nyandarua county is on one side is the governor, on the other side is the Speaker . Symbol of unity for the people of karau is Kamau Ngotho, the symbol of unity for people living with special needs is hon. George (ie). If you eliminate that symbol of unity that means that the place you are residing in has no unity, that's why you see before elections president Kenyatta would roam the way he wanted, but now he cannot do the same, because he is the symbol of unity. A story is told of Regan USA president that the wife during that time there was strife and there were fears that USA would be attacked by the Soviet Union and even the wife to see the president was an issue because the president had to be secured. We have not reached to

that extent. Let Nyandarua be a peaceful county. When a member of the assembly differed with a Governor in western province and people were all over him a simple gun like the one they are asking for could not save his life. As a legislator you make friends and enemies on equal measures.

They have sighted the bill on alcohol and as a good legislature I was told by a former MP you make fouts and friends because you make decisions that will not be popular with people. And thus the issue of security is very important. Police in my area don't live the best of state and MCAS are all over saying that we need to be motivated to work also believe the same everyone working need to be motivated to work if I wake up from my house which has no electricity a room that is made of wood, which cannot even fit your family that cannot motivate our police officers.

Secondly the number of police ratio in my station which is the county headquarters they are numbered. They don't have the specialty. We have police who do investigation. We have police who deal with the welfare of leaders, arm of government. The police who look at the administration, all these, but if you go to the police of karau which is the capital 'city 'or county headquarters we don't have enough investigators. A case happened the other day, a person in my area was murdered and they went to collect the fingerprints and since they did not have the collect machinery, that story has gone under bridge.

In supporting the report, Magumu MCA **Hon. Ngumba** raised concern over the security of the Speaker as an institution. He said the security report was a revelation to the security situation in the county adding that as a CASB member he would raise the issue during its next meeting.

Hon. Kagiri (North Kinangop) raised concern over the implementation of the report by the Executive in 60 days as recommended by the committee and a report by the Executive through the minister in-charge on the progress of the implementation. He said insecurity is a national issue and no effort should be spared in combating the vice.

Hon. Kairu (Githabai) called for establishment of customer care desks in every police station to deal with female related cases like rape. He accused some police officers of being drunk that prevented them from performing their duties effectively.

However, he faulted the employer (National Government) for inadequate facilitation and better housing for officers to enable them deliver better services to the people.

Hon. Maina thanked members for unanimously supporting the committee report and asked them to ensure the Executive implemented the report. He told members to demand a report of the same from the Executive within sixty days.

Hon. Speaker: Thank you Chairman of Justice, Legal Affairs and Public Service and Honourable Members for that very interactive session and now wish to put the question that the motion on the report of Justice, Legal Affairs and Public Service dated 28th November 2013 be adopted as a report of this House. The 'Ayes' have it and there was no 'Nay'.

The motion was adopted as a motion of the House.

Speakers Remarks.

He said it was an issue of great concern to the House.

1. The report to be forwarded to the office of the Governor with a copy to the Cabinet Secretary in-charge of Justice, Legal Affairs and Public Service to have a look at it and make the necessary decision.
2. He requested that over and above the report proceedings, the Hansard be prepared as captured on the sentiments of the members so that the same can accompany the report.

Honourable members as it has been captured here it is a very worrying situation, I need not to have told members what we are going through even when our security is threatened. I have had situations to send the Sergeant-at-Arms to none other than the Inspector General of police on this issue and he has dealt with an assistant Inspector General, but up to now despite some roles we are taking at the county which are very dangerous to our lives nothing has happened and it has been said that it is an arm of the Government known as the Assembly that is not in order.

I want to assure you that is not in the whole country, only in Nyandarua County that the Speaker does not have security. When I am going to seminars in Mombasa, some of the speakers are coming with as many as four bodyguards. I do not want many, I only want one. I do not want those fashion lifestyles.

That you find speakers flying with as many as four bodyguards. Therefore, it is very worrisome, I do not know whether there are any plus to work effectively having these people but we are saying we only rely with God to take care of us because we have no other powers to protect ourselves.

It is even more worrying Honourable Members when I go to sub-chiefs' office in Munyeki and she has security but the Speaker has no security while my Headman has two officers protecting her.

Otherwise, it is a very serious issue and I wanted it to go into the Hansard so that the Country knows, if there are machinations that nobody will be left in doubt as to what might have happened.

Again Honourable members why I am also concerned, this Assembly is called the watchdog and as you know in plain grammar, is that as watchdog you check on thieves.

In the case of Nyandarua, the watchdogs are not being fed, so you know the kind of situation we are in. Moreover, Honourable Members whenever you make any law here or we move a motion, we are trying to cure a mischief and there are some people benefiting from that mischief, so immediately you move a motion here, you issue a statement, you make a law, you make yourself a target and you make yourself vulnerable.

Therefore, this matter must be taken very, very seriously. Otherwise, the special business that convened this Assembly has now been exhausted and therefore the House stands adjourned. Further communication will be made to you about the programmes for the following week. Thank you, very much.

The House adjourns at 4.10 PM

Disclaimer: The electronic version of the Hansard report is for information purposes only. A certified copy of this report can be obtained from the Hansard Editor.