COMMUNICATION FROM THE CHAIR

Date 13th November 2013
Member of Parliament: Hon. Esther Murugi
Contribution She Made On: Constitutionality of National Police Service Commission (Amendment) Bill

- She supported the amendment by stating that the Members needed to look at the amendments that they were proposing. We must ensure that we do not negate the strides that have been made in the police reforms. We must also ensure that there is citizen participation. The Constitution should neither be compromised nor undermined. We must ensure that we do not reinstate the power imbalances that existed previously.

- She pointed out that when talking about this, she wanted the Members to remember the Ransley Report. The Ransley Report highlighted among other concerns police conduct that included violence, extrajudicial killings and other harmful rights and violations. So, even as we consider these amendments, let us find out whether we are giving the powers back to the police, to go back to where they were in the years before.

- She pointed out that as the Members did these amendments, they must ask themselves; what is the role of the Executive? I am feeling a little bit concerned because in Section 12, it says the appointment and removal of the Inspector General can be done. The Bill proposes to amend this process such that the commission’s role is totally removed; public invitation, interview process or publication of shortlisted candidates.

- She noted the proposed process is that the President simply nominates his preferred appointee and forwards to Parliament who may then approve or reject the nomination. Further, if Parliament neither approves nor rejects the nomination within 30 days, then nomination will be deemed to be approved. I do not think this is really acceptable. I think this is what we were trying to move away from. Some of the other proposed amendments seek to alter the functions I may have missed that, but that is how I understood it. I will reread it.

- She stated that the other issue that she was concerned about is the functions of the commission and the functions of the Inspector General. I believe that we must ensure that these two complement each other and must not contradict each other. They must not be in acrimony. I do not know if you will say I have misread what you are proposing. Some of the proposed amendments seek to alter these functions, like increase the control of the execution in relation to the service. To me, that does not sound quite...
right. It also talks about transfers, promotions and so on and the functions were being removed from the commission and taken to the Inspector General.

- She recommended that the commission do its work. If we give the Inspector General all that, we are creating a monster in the name of Inspector General. So, I think we should support the amendment but we must give it a lot of thought, if we have to take care of security in our country.

**Date 13th November 2013**

**Member of Parliament: Hon. Millie Odhiambo**

**Contribution She Made On: Constitutionality Of National Police Service Commission (Amendment) Bill**

- She supported the Bill by stating that it had come at a timely moment and noted that it was clear that insecurity is a big problem in this country and added that insecurity does not spare anyone.

- She pointed out that it was important that Members look at the Bill, we do so from that perspective adding that these were the issues that were bedeviling the security sector, which we must deal with very honestly. This Parliament should not go down the annals of history as the Parliament that is reversing all the constitutional gains that were made during the Tenth Parliament.

- She cautioned against making laws without thinking them through adding that the previous day the National Assembly passed a Bill on matrimonial property that is reversing some of the gains made previously. The amendment we are dealing with is reversing some of those gains. Article 246(3) of the Constitution provides as follows:-

  “246(3) The Commission shall -
  
  a) Recruit and appoint persons to hold or act in offices in the service; confirm appointments and determine promotions and transfers within the National Police Service;
  
  b) Observing due process, exercise disciplinary control over and remove persons holding or acting in offices within the Service; and
  
  c) Perform any other functions prescribed by national legislation.”

- She expressed her concerns that the Bill sought to do the exact opposite of these provisions. As Parliament, we cannot say anything other than point out the fact that what we are trying to do here is unconstitutional. In fact, some of the proposals contained in this Bill contravene the Constitution directly and by effect. One of the things that this Bill is trying to do is regulating how often the commission should sit. Some of the members of the commission are full time Commissioners.

- She noted that the Bill proposed that the commission had to give a 14 days’ notice of its sitting. What happens when they have to meet over very urgent issues? What we are honestly trying to do is killing this commission, which is a constitutional body. I know that the Police Service has very serious issues that
we need to address as a House. We need to give them vehicles. We need to give them better salaries.

- She recommended that the commission be given adequate training so that they can perform their duties but this is not the way to go. The way to go is not by creating a monster in the name and person of Inspector General. It may serve their selfish interests now but this is a whole new Government. The other day I was in Government, now I am not. We do not know what obtains tomorrow.

- She reiterated that the Members should not make laws that serve very selfish interests. Let us make laws that serve this country. She pointed out that while respecting the Inspector General and the Office of the Inspector General of Police but this is not the culture we want to create. I am a person who is proud to have been nurtured in the civil society. She further stated that Parliament cannot pass things that violate human rights standards and the Constitution because we are trying to cure the issues that we are dealing with.
STATEMENTS

Date 6th November 2013
Member of Parliament: Hon. Paulata Korere
Contribution She Made On: Fate Of IDPs In Kieni Of Gatundu North

- She raised her concern about the IDPs situation by stating that she was quite worried about the machinery and the method used by the Government to resettle the IDPs and it seemed like there was a vicious circle where while a group of IDPs is settled, we are busy creating another set of IDPs.

- She pointed out that it was evident that the term “IDP” was synonymous with a certain group of people and that was because there are people who had been IDPs since Independence up to date and nobody was in a hurry to resettle them. She requested the Chairman to tell parliament the plans that the Government had to settle the Ndorobo who were thrown out of the forest considering the fact that these people lost their lifeline in the forest.

Date 13th November 2013
Member of Parliament: Hon. Sabina Chege
Contribution She Made On: Female Students Denied Opportunity To Sit KCSE

- She responded to a question raised by hon. Kajuju by stating that the response she got from the Ministry was as follows:

The following information gives the circumstances that led to the failure of Charity Kanunu to sit the KCSE Examination, 2013. The name of the student and the reference is Charity Kanunu, Index No.349113017 of Antwanduru Secondary School, Tigania East District, Meru County. According to the records from the school, the girl left the school on 10th June, 2013 allegedly due to pregnancy and did not show up until 22nd October, 2013, the first day of KCSE. She reported one hour late after the examination had started and was asked to provide satisfactory reasons to the supervisor which she did not. Failure to provide satisfactory reasons was contrary to the 2013 KCSE examination guidelines 321 and 322, copies of which are attached to this report.

The supervisor consequently barred her from sitting for the paper; her lateness could have led to commissioning of an examination irregularity as provided for in section 40 of Kenya National Examinations Council (KNEC) Act. The Ministry is greatly concerned about the examination irregularities and allowing a student to take exam, more than 30 minutes after commencement of an examination, greatly undermines the conduct and compromises the integrity of examination as provided for under Section 10(1)(A) of the Kenya National Examinations Council Act. I am aware that Charity Kanunu was expected to sit for the subsequent papers as provided for in the Kenya
National Examinations guidelines referred above, however shedid not turn up as instructed by the DEO.

There is also supplementary information. Basic Education Act, 2013, Section 28(1) guarantees each child free and compulsory basic education; Additionally, Sessional Paper No.1 of 2005, a Policy Framework for Education, Training and Research, Section 419 commits the Ministry of Education, Science and Technology to ensure re-entry of girls who drop out of schools due to pregnancy and/or forced marriage. It is noteworthy that despite the girl's absence from school since 10th June, 2013, the principal had made adequate preparations for her to sit for the exam by providing a clearly marked desk with her name and an index number. It is therefore the opinion of the Ministry of Education, Science and Technology that there was no impropriety on the part of the principal of Antwanduru Secondary School, or any other officer involved in the administration of the examination, and therefore no disciplinary action is necessary in this case.

Given that the circumstance that led to Charity Kananu's failure to sit the exam were her violation of examinations guidelines and reluctance to avail herself for the examination, it is also the Ministry's opinion that she does not qualify for any compensation whatsoever. In conclusion, the Ministry is satisfied that the Kenya National Examinations Council (KNEC) has put in place adequate measures to ensure that candidates are adequately briefed on conduct of examination. Before the examination commences, examination guidelines are availed to each candidate, prior to commencement of the examination and are also available in Council's website. This is to ensure that candidates do not commit examination offences that may compromise the integrity of the examination.

Date 13th November 2013
Member of Parliament: Hon. Danittah Ghati
Contribution She Made On: Female Students Denied Opportunity To Sit KCSE

➢ She requested to findout something from the Chair what the policy on the issue was and added that by looking at the trend in the country, the girls who get pregnant either from teachers, bodaboda operators or from the KDF that we are hearing here, are the poor girls who have nobody to speak for them and there is a policy in this country that actually looks at how these girls rejoin schools.

➢ She further inquired what steps the schoolshad taken, DEO and the education sector taken to make sure that even these girls who do not know that there is a re-entry policy to go back to school are sensitized on this matter to know that even if they give birth at home, they are entitled to go back to school adding that the Members were not clear on what the deliberate efforts that were needed to be put in place so that these children know that they can actually give birth and still go back to school and continue with their education.
Date 13th November 2013  
Member of Parliament: Hon. Danittah Ghati  
Contribution She Made On: Alleged Plans To Stage Civil Disobedience

hon. Deputy Speaker. I have listened to the Leader of Majority Party give an answer that is a bit puzzling. I think the issues that had been asked by the Member for Kieni were in the public domain. It, therefore, means that there is speculation through the media or other means or the Government simply does not want to tell the truth. Those Members of Parliament from Nairobi know that there are planned and organized demonstrations against the President and the Deputy President in relation to the ICC. What I want to ask the Leader of Majority Party is whether the Ministers are just afraid to say what is obvious or is it that they do not have the intelligence? One of the Committees of this House could probably do a better job than the answer that the Leader of Majority Party has given us.

Date 20th November 2013  
Member of Parliament: Hon. Millie Odhiambo  
Contribution She Made On: Insecurity Affecting Fishermen In Turkana

- She pointed out that the statement had not been adequately responded to considering the hon. Member that was not invited before the Committee. She further stated that since the format of the governance structure had changed and there was no Cabinet Secretary to respond directly, when a matter goes before a committee, the committee must invite all Members that are interested in this issue to interrogate the committee.

- She pointed out that that was not an issue that only affects Turkana. My constituency is very heavily affected by this issue. The fishermen in Remba and Ringiti islands are being asked by authorities in Uganda to pay an equivalent of Kshs70,000 if they want to fish in the waters and there is no defined boundary. So, they asked me to come and ask this Government whether we are in Kenya or in Uganda so that if we are in Uganda, I can move and represent the people of Uganda in Uganda because I cannot be representing Kenyans and we are paying taxes to Uganda.
REQUESTS FOR STATEMENTS

Date 5th November 2013
Member of Parliament: Hon. Reginalda Wanyonyi
Contribution She Made On: School Girl Pregnancies in Chepkurkur Primary School

- She pointed out that the issue of Chepkurkur Primary School was not new and it had already featured in the newspaper sometime back. As the CWR, Bungoma County, I visited that school in June and we had a meeting with the community. The first person who blew the whistle about girls getting pregnant was the headmaster of the primary school. The Chairman of the school together with the community organized a meeting and we looked at the issues affecting this school. What came out is that that region, having been a settlement, has issues pertaining to the community.

- She pointed out that in most cases we learnt that most of the houses are too small. They are one room houses. So, what happens is that parents take children to the neighbors’ houses which are bigger to sleep there. So, boys and girls meet in the neighborhood and girls are made pregnant.

Date 20th November 2013
Member of Parliament: Hon. Esther Murugi
Contribution She Made On: Transfer Of X-Ray Machine From Nyeri Hospital To Mathari

- She pointed out that pursuant to Standing Order No. 44(2)(c) she wished to request a Statement from the Chairperson of the Departmental Committee on Health regarding an X-ray machine that was originally in Nyeri General Hospital and was given to Mathari Mission Hospital and in the Statement, the Chairperson should inquire and report on:
  
i) The terms under which this X-ray machine was given to Mathari Mission Hospital;

ii) The benefits the patients who go to this hospital get; and,

iii) The policy under which the Government is donating equipment to private hospitals yet there are numerous health centres and district hospitals in dire need of such equipment.

Date 20th November 2013
Member of Parliament: Hon. Jessica Mbalu
Contribution She Made On: Non-Issuance of Title Deeds to Settlement Schemes in Kibwezi

- She requested a Statement from the Chairperson of the Committee on Lands regarding settlement schemes stating that the Government was currently issuing title deeds free of charge, however, land owners in settlement schemes with no potential such as Thinga, Kinyambu, Utithi, Masongaleni,
Kambu, Muthingiini, Ndatani, Kathekani and Kitengei within Kibwezi East Constituency are required to pay Settlement Fund Trustee levies up to Kshs.2,500 per acre. These schemes were created to resettle poor landless Kenyans or those who were relocated by the Government from their land for the purposes of creating game reserves and conservancy areas. This fee is too high and more citizens cannot afford to raise it. She requested in his Statement the Chairperson should inquire into and report on:

i) The steps the Government is taking to ensure the demarcation and survey of unregistered settlement schemes and issuance of title deeds is conducted and concluded; and

ii) The measures the Government is taking to ensure that no poor Kenyan is denied a title deed due to inability to pay the required Settlement Fund Trustee levies and other land registration costs.

Date 26th November 2013
Member of Parliament: Hon. Wanjiku Muhia
Contribution She Made On: Lack of (NCPB) Stores Across The Country

- She requested a Statement from the Chairperson of the Departmental Committee on Agriculture, Livestock and Cooperatives regarding the National Cereals and Produce Board (NCPB) stores across the country adding that NCPB stores played an important role in helping farmers across the country find safe and secure storage for their produce, as well as a ready market.

- She pointed out that some regions of the country lack these crucial stores; an example is rice producing Mwea District. The NCPB mobile stores have not helped rectify the situation since they always come late, long after harvesting is done. Farmers find themselves at the mercy of exploitative brokers and middlemen since they have no secure stores for their surplus rice. In addition, farmers from the region are forced to travel to Embu, which has two NCPB stores, or Sagana to get fertilizer and other inputs.

- She requested that in the statement the Chairperson should inquire into the following: reasons why Mwea, a major rice-producing region in the country, does not have a permanent NCPB store.

Date 26th November 2013
Member of Parliament: Hon. Zuleikha Juma
Contribution She Made On: Treatment Of Muslim Students In Public Schools

- She requested a Statement from the Chairpersons of the Committees on Labour and Social Welfare and Education, Research and Technology regarding the treatment of Muslim students in public schools by stating that the Preamble and the Bill of Rights in the Constitution outlaw discrimination on the basis of religion amongst other things and this is meant to foster unity in diversity. In this regard, I wish to hail the recent High Court ruling by Justice Isaac Lenaola that ordered all public schools to respect the religious rights of
followers of the Seventh Day Adventist on Monday, 27th May, 2013. Whereas we commend educational institutions that respect and uphold the religious rights of Muslim students in public schools, we are concerned about the many that continue to violate the students’ right to practice their religion.

- She noted that the discrimination included being denied the right to say their daily prayers, and being forced to study Christian religious education, buy Christian religious books and attend church services. Public girls schools, for example Alliance Girls High School, Limuru Girls, Kenya High, Buruburu Girls, Precious Blood, Riruta, Sunshine, Ganze Secondary School and others are on record as forcing Muslim girls to remove the headscarf and stop covering their legs adding that Muslim parents are forced to either accept these conditions or remove their children from these schools. Last year, Muslim parents were forced to remove all their children from ole Kajuado High School, after their prayer room was burnt down and the Holy Quran destroyed. The board of governors refused to comply with a directive from the Ministry of Education to set aside a prayer place for Muslims. Such practices are a threat to national cohesion, integration and diversity.

- She requested that the Chairperson should inquire into this and affirm the welfare of Muslim students in public schools, and the specific arrangements made by these schools during the month of Ramathan to prevent Muslim students from breaking their fast before time and further inquired whether the said school, ole Kajuado High School refused, failed and/or neglected to comply with the directive.
PROCEDURAL MOTIONS

Date 20th November 2013
Member of Parliament: Hon. Dr. Naomi Shaban
Contribution She Made On: Extension of Sitting Time

She pointed out that THAT, pursuant to the provisions of Standing Order 30(3)(b), this House resolves to hold Sittings on Thursdays, 21st, 28th November and 5th December, 2013, between 9.00 a.m. and 12.30 p.m. for the purpose of considering Bills.

She noted that as Parliament was coming to the end of the First Session of the 11th Parliament there were quite a load of pending business, more so pending Bills. These Bills need to be completed before we move to the Second Session which begins next year. According to Standing Order No. 141 (3), states very clearly that a Bill in respect of which the Second Reading has not been concluded at the end of a session shall lapse at the end of the session in which it was published, but maybe republished in the same or a different form, in accordance with Standing Order 114.

She noted that the Members could not afford to work twice. This House, during this 11th Parliament has been mandated to make sure that we are able to pass laws which are going to suit our citizens and added that if they were going home while some of these Bills are pending; that is, they have not gone through the Second Reading, we will have a problem. We will have a backlog of issues that we should have completed. This session comes to an end on 5th of December, 2013. The Second Session will begin on 10th February, 2014. After people have been away for close to 70 days, it will be very difficult to start from wherever we left.

She stated that therefore, it is important for us to do as much work as possible so that when we start a new Session, we will have a fresh start adding that pending on the list are issues touching on the NSSF, the Insurance Bill, which is going to the Committee of the whole House, the Statute Law (Miscellaneous Amendments) Bill which should be coming very soon, two Bills on the National Police Service (Amendment) Bill which we need to debate, and the Wildlife Conservation and Management Bill, which we have started to debate but which we should be keen to complete before the recess.

She noted that Parliament needed to have introduced the supplementary Budget at this point so that when we come back, we are ready to continue with business and allow the Government to spend money and requested her colleagues to allow this House to hold Sittings for the next three Thursdays so that we can complete all the pending Bills.
MOTIONS

Date 5th November 2013
Member of Parliament: Hon. Mary Emaase
Contribution She Made On: Adoption of PIC Special Report On Supply Of Maize

- She pointed out that the NCPB was a very important institution because it plays a very critical role in the country. As a crop, maize is a staple food which is consumed not only locally but regionally. In fact, where I come from - Teso South - you cannot serve anything without ugali and call it a meal. It will be an incomplete meal. So, just the availability of maize alone signifies food security for this country. Therefore, we cannot watch the NCPB collapse because it is a very important institution for this country.

- She noted that looking at the report, it is clear that it is riddled with a lot of inconsistencies. Some of the companies that were awarded tenders should not have been awarded the tenders in the first place because they did not qualify. They failed to meet the technical and financial requirements. I want to say that there recommendations that have been made by this Committee should be allowed to move to the next level for the Ethics and Anti-Corruption Commission to do further investigation.

- She pointed out that the life of the nation time has come when we have to say no to corruption and unconventional ways of doing things. This nation is lagging behind in development because of some of these cultures that we believe in and we think are normal. The National Cereal and Produce Board (NCPB) must survive. There is no way a company can purport to supply air and it is paid millions and the accounts are closed down and we still want to say no to this report.

Date 5th November 2013
Member of Parliament: Hon. Sabina Chege
Contribution She Made On: Adoption Of PIC Special Report On Supply Of Maize

- She supported the reports by stating that as a mother she was saddened by the death of children in Turkana while few individuals were taking advantage of the taxpayers’ money and lining their pockets. She noted that the Committee’s report shows clearly that no maize was supplied. It is also clear that the procurement process was fraudulent. It is also clear from the
report that, indeed, there was no breach between NCPB and the M/s Erad Supplies and General Contracts Limited.

- She stated that the company that breached the contract between NCPB and itself purported to supply maize which they did not supply and added that it was very sad to see a company causing a loss of Kshs313 million in form of legal fees and a possible loss of Kshs262 million, which is money going to the pockets of few individuals. It is also clear that a Letter of Credit is supposed to be a document of international trade between the supplier and the procurement entity. M/s Erad Supplies and General Contracts Limited was not an international company and, therefore, they should have done their supply. The 40 days within which they were supposed to do their supply lapsed before they did so because they did not have the maize neither did they have a source of maize.

- She further stated that was a tendency within the Government to misuse Government money and no steps are taken. I know there is a report from the Auditor-General that also touches on education. A lot of money has been misappropriated and no actions had been taken and recommend that investigation is done and a full report on the individuals who were involved is also brought to this House. Let us know the action that is going to be taken against the culprits.

**Date 5th November 2013**

**Member of Parliament: Hon. Gladys Wanga**

**Contribution She Made On: Adoption Of PIC Special Report On Supply Of Maize**

- She supported the report by stating that the 11th Parliament in this dispensation had shown that its committees are working adding that recently, they had adopted a report in this House by the Departmental Committee on Education, Research and Technology that showed that the Committees of this House have teeth and are biting.

- She recommended action be taken against perpetrators so that anyone amassing wealth by looting public resources, you do so alone. The wealth will help you, your girlfriends, your concubines and whoever else is close to you. When you eventually get in trouble, do not come running and saying that you are from this or that community. It does not count because your communities do not benefit from the wealth that you acquire corruptly.

- She pointed out that the report had recommended investigations of Mr. Ahmednassir, M/s Barasa and Mr. Karanja. Therefore, the Committee should not be unfairly accused of having tribal leanings. We are dealing with a very important matter. Maize is a staple food for this country. I always put ugali on my table, which is made of maize flour. So, maize is that important to us and
questioned why they demanded payment, first of all, regardless of the absence of famine added that someone needed to explain whether that happened ten or 20 or 50 years ago, this is the Parliament that will ask that very important question: Was there a famine or was the story just created, as the Committee has ably established, for some people to line their pockets?

- She pointed out that for 50 years, we have been trying to fight hunger, disease and ignorance. These are the kinds of scandals that have come between us and an effective fight against hunger, disease and ignorance. That is why 50 years after independence, we are still hungry, ignorant and sick, as a country. We must, therefore, send a very strong message to anybody planning to plunder public resources.

- She stated that finally, on the Judiciary and the recommendations made by the Committee for the Judicial Service Commission (JSC) to investigate some of its members who are involved in this case; this matter must be investigated and concluded because we want to have a Judiciary we have confidence in. This is what has so far saved this country, and which will continue to save this country. We must have a Judiciary in which we have confidence that it will dispense justice without fear or favor, just as this House is considering this matter without fear or favor.

**Date 5th November 2013**  
**Member of Parliament: Hon. Esther Murugi**  
**Contribution She Made On: Adoption of PIC Special Report on Supply Of Maize**

- She supported the report by stating that if there was somebody who is corrupt it is Erad. One morning, he walked into my office. I had never seen him before. He said to me: “I have been sent from the very high offices. You have to sign a letter authorizing NCPB to pay this money.” I asked him: “For what?”, and he explained. I declined to sign the letter and said to him: “Whoever has sent you can as well sign the letter.” Hon. Speaker, the gentleman who walked into my office was a director of M/s Erad Supplies and General Contract Limited. He is name was Juma, if that is what you want to know.

- She recommended the House that we not only want to investigate the matter but we also want to prosecute people. This is because even when the matter was taken to court, most of the times, the lawyers who were supposed to go and defend the NCPB made themselves very scarce. They did not appear for the cases and added that she remembered that M/s Erad Supplies and
General Contracts Limited was given a court order to go and have all the NCPB warehouses auctioned. What I would want the investigation to do is to establish the identity of the police officers who escorted the auctioneers, who demolished properties that belonged to the NCPB, at the detriment of this country.

- It took us a lot of effort to actually save the relief food commodities that were stored in the NCPB silos. So, M/s Erad Supplies and General Contracts Limited does not have the interest of this country at heart. The company should not be given any Government business in this country. It is a company which should be thoroughly investigated. It is a corrupt company. There is a whole line up of people they have corrupted, right from the Judiciary to the police.

- They have even corrupted people in some very high offices. Hon. Speaker, everybody has been talking about maize but one thing that hon. Members do not know is that at the beginning of the year, we had an issue as to where we would store the fertilizers once they get to the country. It dawned on us that M/s Erad Supplies and General Contracts Limited would auction the fertilizers. So, should there be any famine in this country this year, M/s Erad Supplies and General Contracts Limited should be prosecuted for the death of anybody going to die of hunger.

**Date 5th November 2013**  
**Member of Parliament: Hon. Beatrice Nyaga**  
**Contribution She Made On: Adoption Of PIC Special Report On Supply Of Maize**

- She supported the Motion on the report by stating that the tender was only awarded to the wrong people without the capacity to supply and using fake documents. These are the people who did not have Kenyans at heart. Therefore, M/s Erad Supplies and General Contracts Limited wanted to eat from where they did not work. We should not allow the NCPB to die a natural death, because of a few individuals who wanted to reap from where they did not sow.

**Date 6th November 2013**  
**Member of Parliament: Hon. Dr. Christine Ombaka**  
**Contribution She Made On: Extra-Judicial Killings And Rendition Of Kenyans To Uganda**

- She supported the motion by stating that the issue had been raised here is important that the capitation to FPE is too little to cover the cost that is required in primary schools. Since it is too little, it is becoming very clear that
today most schools continue to have *harambees* every single month. As a Member of Parliament, I have too many *harambees* for schools simply because this capitation is very little. Most schools require not only books which this money buys for students but they need to also pay teachers as well. They need to buy desks and that becomes very expensive and they cannot afford it. Therefore, this amount that has been recommended to be increased for schools would be adequate. It will go a long way in supporting a lot of students.

- The further pointed out that without this increase, a lot of students also drop out because they have no motivation to go to school because there are no facilities. The money that is supposed to buy books or desks is too little and so they sit on stones or they learn under trees. So, the learning environment is very harsh for them. It is not motivating. The more we increase the capitation, the better for our students. I support this very highly and I believe that more students will access school.

- She further noted that the very fact that FPE was initiated and it increased the number of students in schools means that every year more students will be admitted. The number will continue to increase and if that is the case, then the amount that has been assigned for this great work will never be enough. So, we need to continue to increase this money year by year. It is not just increasing it now and then we wait for another five years. It is important that this money should be increased on a yearly basis because the number of students that join primary schools is also increasing. So, a yearly increment should be considered in the education sector.

**Date 6th November 2013**
**Member of Parliament: Hon. Florence Mutua**
**Contribution She Made On: Adoption Of Report On Irregular Appointments**

- She supported the amendment as proposed by hon. Wandayi. We must kill the culture of impunity in this country regardless of gender. One must be held accountable as an individual for any act of omission or commission in discharging their duties as State officers. The issue of unnecessary appointments, undeserved promotions and creation of offices arbitrarily should end.

- She pointed out that it was only hon. Members in the House who can sincerely and collectively bring this sort of impunity to an end. We should stop playing with people’s emotions. This happens especially when it is a lady or a woman who is dismissed or discharged from duty. We should stop the habit of playing with people’s emotions and also know that impunity is impunity regardless of gender.

- She pointed out that the other issue that was very important was that we should end the habit of Kenyans running to our tribes when we have
problems. When you commit impunity, you commit it on your own. Therefore, people should carry their own crosses.

Date 6th November 2013  
Member of Parliament: Hon. Peris Tobiko  
Contribution She Made On: Adoption of Report on Irregular Appointments

- She pointed out that it should be on record that if money had exchanged hands--- If there are those who have received money, I have not received money from anybody. However, I also want to put it on record that I support, recognize and appreciate the power of this House to oversee the Executive. She added that there were either omissions or commissions in the Committee's Report. The report has not indicated anything to do with the illegality of the position of the Lands Secretary that has existed illegally since August 2010. This position is not in the Constitution, but somebody has been there exercising its powers and signing legal documents.

- She further noted that the report did not also appreciate the corrective measures that the Cabinet Secretary took after realizing the mistake she had made, just like any other human being will do; she took corrective measures. This report has also leveled a number of accusations against the Cabinet Secretary that she has disregarded the Principal Secretary in doing the appointments, yet in the Constitution, the Cabinet Secretary is the Chief Executive Officer (CEO) in the Ministry. I think the role of the CEO of the Ministry really should have been recognized.

- She pointed out that the Leader of Majority Party indicated that the Cabinet Secretary did not consult the Attorney-General for advice on the appointments or on the Gazette. I would want to inform this House that the Land Registration Act, Section 108, gives the Cabinet Secretary the power to make changes in registration matters. Yes, you can consult about that. You can get that document. I believe it is available.

- She also stated that the report does not also appreciate the fact that the Cabinet Secretary had consulted before doing the redeployment. The Cabinet Secretary, on 10th September, 2013, actually had a letter from the Directorate of Public Service Management, advising on redeployment of the same staff. I am left wondering whether what is happening now is about cartels that are very well known to operate in the Ministry fighting back.
She supported the bill by stating that during campaigns, most women go through very difficult times. When you are campaigning and your colleagues are men, they dominate the area and then they surround our party leaders. We women have no opportunity to do that. If I have to be very honest, in the last elections I went through a very difficult time; I went for party nominations with people who never belonged to my party, because they were able to pay some good money to the party. I am a woman and they think that women always have no money; that is why we are subjected to this kind of treatment; that is why we are not able even to be supported.

She noted that in the last Parliament many of our fellow hon. Members fought so hard to have very many women on the Floor of the House, but when it comes to nomination there is no body or commission which checks on this issue. Sometimes you go for nomination and because you do not have a lot of money, when you go to pick your certificate, you find it is not there and there is no one there. Furthermore, there is no place you can go and complain. I am sure this law is going to protect us; I hope that everybody was going to be very serious adding that sometimes the elections commission can bar a political party from even producing candidates if they are not going to follow the law.

She in the last two or three general elections I was not a candidate, but during the last two weeks to the elections I witnessed people being given certificates without going for nomination, just because their pockets were very heavy. This time around, I hope all political parties are going to be serious on this issue, which affects mostly women. Last time if it was not for this issue of gender, the 47 women would not be here. So, if this law is going to be followed to the letter this time, I am sure we will not need to pass a law on gender equality.

Many women are going to compete with their fellow women and men and then voters will vote in the best candidates. However, if it is not going to be followed and at the end of the day we will be humiliated, there will be no need of fighting for a seat; all the time women are subjected to very difficult times, humiliation, and intimidation during campaigns; I hope this time the law will be followed. The Independent Boundaries and Electoral Commission (IEBC) should check on this so that during and after nominations there are
nocandidates who have never gone for nomination, and who do not belong to a party. So, I am sure we will have very many women running for political positions, whether they have money or not.

- She hoped this time round women will seek to avoid this issue when the time comes and there will be a body that will check on this strictly. Many political parties will be barred from even nominating candidates if they do not follow the law.

**Date 7th November 2013**
**Member of Parliament: Hon. Sarah Paulata Korere**
**Contribution she made on: The Election Financing Bill**

- She supported the Bill on the Election Campaign Financing, I would like to say the following: I have a lot respect for the hon. Members of this House. But what I am about to say might not be very pleasing, but I will have to say it. During elections and campaigns, those of us who will be honest and have witnessed what goes on will literally put this country into an auction or a market, where the highest bidder carries the day. If you look at the representation of women in this House since independence, it will tell you a lot. But in my own study and findings, as a student of gender and matters related to gender mainstreaming; the biggest hurdle that has prevented a lot of women from getting into elective positions is lack of access to massive resources that are needed during campaign time.

- She noted that as a country we had come of age and the country will appreciate that the leadership of every member; male or female, has a lot to contribute to the development of this country. As one hon. Member has just mentioned, most of the money used during campaigns is got from undesirable sources. It is money from poaching, drugs, piracy, name it; these have become the real thing in this country. You wonder what kind of people will end up in this House, if those are the sources of the resources that determine the kind of hon. Members who land in this august House.

- She urged her colleagues to protect, guard and defend with a lot of jealousy the dignity of this august House. While doing so, I think we need to pass this law, so that we can, hopefully, restore some sanity in the coming elections.

**Date 7th November 2013**
**Member of Parliament: Hon. Millie Odhiambo**
**Contribution she made on: The Statute Law (Miscellaneous Amendments) Bill**
She pointed out that the House has decided in the past and, therefore, it is on record in this House that when a Bill or a portion of it is unconstitutional, the matter will be brought to the attention of the Speaker at any time and the Speaker will make a ruling as to its constitutionality. That is a decision that was made even in the former House more than once. It was deliberated and the Speaker made considered ruling.

She questioned whether the House was departing from that stance and creating new procedures, rules and standards or whether we are sticking to the Constitution. I am even more worried given what the Majority Leader has said that they did yesterday because he actually led Members to bring an amendment which was unconstitutional. When that is brought to the Floor and especially, when it is brought by a Chairman of a Committee, he raises a matter that is unconstitutional

She called on the Speaker to give a considered ruling on this issue so that people can stop sneaking in issues that are unconstitutional at the last minute. Even though I know that I must support my brother, hon. David Ochieng, on this one, I would like to encourage him as a lawyer that he should come to equity with clean hands. Yesterday, he used the same procedure he is seeking a ruling on to do something unconstitutional. Today, he is coming before the House seeking protection of the law using the same procedure. As Members of Parliament, we need to be consistent with the things we say and what we stand for.

She further called on the Speaker, give us his considered ruling and added that the Members were not in a hurry because constitutional issues were weighty and further called for a stop debate on this matter and give his considered ruling on it.

Date 14th November 2013
Member of Parliament: Hon. Gladys Nyasuna
Contribution She Made On: The Media Council Bill

She pointed out that she understood that this Bill was constitutionally required and, therefore, needs to be done either way but in its current state, but she called out her reservations on supporting it and further stated that she would therefore be contributing in opposing it.

She pointed out that the media or the Fourth Estate as we know it is really a key player in any democracy. Protecting freedom of the media, freedom of
the Press, freedom of speech and ideas is a pertinent role of this House. The media is a social actor. The media allows citizens to communicate with each other. It allows us as leaders to communicate with those we lead. The media can also be a very effective watchdog for any Government.

- She further pointed out that the media including the Kenyan media has this choice to make whether they want to be the watchdog or whether they want to be in bed with the Government and advance partisan interests. In some contexts we have seen the media actually advancing very partisan political vested interests and enhancing social inequities by excluding minorities. This is not the media we want to see.

- She noted that as an opposition politician, the media that was not in bed with the Government is my greatest ally and, therefore, I must support the freedom of the media at all costs and in the context of this Bill, I am of the view that self-regulation is the key. When you look at the objects of this Bill, you see that the principal object of this Bill is to provide part of the framework for the realization of the right of freedom of the media as provided for under Article 34 of the Constitution. The Bill seeks to provide a body that is free of control by Government. This is what we are seeing in the objects of the Bill but when you say that this body is free of control by Government and yet the Council as currently constituted is actually appointed by the Cabinet Secretary.

- She questioned whether those memorandum and objects and reasons of the Bill were actually correct and whether it was what they were seeing in the Bill? This is because from my reading of it, it is not. This is because Article 34 is very clear but when you say that the Cabinet Secretary will be given names to appoint people to the Media Council, if somebody is your appointing authority, how do you have audacity to go against that very person that is the one appointing you.

- She quoted Article 34 that stated that the State shall not exercise any control or interfere with any person engaged in broadcasting and it shall not penalize any person for their opinion. Even the State owned media is free to determine the content that they carry. The media must be allowed to regulate itself. I will give five reasons why this should be the case.

- She stated that first, self-regulation preserves the independence of the media. You cannot say that you have independent media when the regulating authority is actually a State organ appointed by the Cabinet Secretary and whose salaries are determined by the Salaries and Remuneration Commission.
(SRC). How do we achieve this independence? Self-regulation preserves the independence of the media and protects it from partisan Government interest.

- Secondly, she stated self-regulation is likely to be more efficient as the media understand their own environment more than the Government would. On some of the issues referred to by hon. (Eng.) Gumbo earlier on about the blogosphere, internet and this digital age, as the media becomes more globalized it becomes more difficult or the issues become more complex. These are issues of jurisdiction and what exactly goes where because we are now in a global village. Self-regulation is likely to fill this gap because the Government will not be in the business of understanding the international context of the media. The media can do that. It is less costly to self-regulate because the media have to pay themselves. We were talking earlier on about a rising wage bill and the Government needing more resources saved. It is cost-effective for the media to self-regulate.

- She pointed out that self-regulation is also likely to drive up the professionalism within the media because peer pressure will come into play and individual organizations must think about what they air and how they develop their own standards around their journalists. If we pass this Bill as it is we will bring the media under heavy Government regulation, in my view. If that is the case, we might as well change the Memorandum of Objects and Reasons of this Bill and say that this Bill is intended to get the Government control the media or have a strong hand in the media.

- She stated that Section 9 says clearly that after carrying out interviews, the selection panel shall select three persons qualified to be appointed as chairperson and 12 persons qualified to be members of the Council and forward the names to the Cabinet Secretary. After seven days of receipt of the names, the Cabinet Secretary shall appoint the Chairperson and six members of the Council. We have seen people who were not even on the list or who were not even successful seeking appointment on the Floor of this House.

- She questioned the proposal by inquiring how they would know that the Cabinet Secretary will appoint the people who were proposed, who were number one and who merit that job? We cannot bring the media under Government control and yet we are saying that we want a free and democratic society. We cannot reverse the gains that this country has had over the years. I can see we want to do this with the Statute Law (Miscellaneous Amendments) Bill.

Date 20th November 2013
Member of Parliament: Hon. Millie Odhiambo  
Contribution She Made On: The Insurance (Motor Vehicle Third Party Risks) (Amendment) Bill

- She support this Bill by stating that specifically, coming from the legal profession and having been a practitioner before joining Parliament, I have witnessed a lot of suffering by the citizens of this country when it came to compensation for injuries sustained in the transport sector. A structured mode of payment will help injured persons to know what they are likely to get in terms of compensation. So many people used to suffer because they never knew when the payments were made. I am sad to say that some of colleagues were unscrupulous. Whenever they received payment, they would never inform the victims. They would want to invest the money and pay the victims later.

- She noted that by that time, they would even have deducted their legal fee. So, the victims always got a raw deal. So, to me, this is a great improvement of the laws of this country in the sense that you will know for sure that if you lose an eye, you are likely to get so much. I would want this law to force insurance companies to be revealing to all the claimants how much has been paid. Whenever they make payments, there should be a way of informing the claimants that payments have been made to their lawyers. In any case, in this time and age in Kenya, information is no longer secret. There are very many ways of passing over information digitally. Therefore, it should be made mandatory for insurance companies to carry out an audit and reveal what they have already paid and what cases have been concluded, so that victims can be aware and go ahead to challenge lawyers.

Date 21st November 2013  
Member of Parliament: Hon. Dr. Naomi Shaban  
Contribution She Made On: The Wildlife Conservation And Management Bill

- She appreciated the team that had put together the bill but raised a few issues by stating that Under Clause 8(f), one of the functions of the KWS will be to develop mechanisms for benefit sharing with communities living in wildlife areas. I am assuming that, that is what they have all along been doing, which is part of their corporate social responsibility, which includes employment of youth coming from those particular areas.

- She pointed out that Taita-Taveta is home to very many elephants living in the Tsavo National Park. Tsavo West National Park actually forms the bulk of
my constituency. I just want to point out the pain and the heartache that the people who live around those areas suffer. We suffer not only losses relating to crop destruction but we also suffer losses when it comes to the supposed mechanisms through which the communities are supposed to benefit. You find that as the KWS goes about its business, recruiting people, the people from those areas are the biggest losers in the sense that during recruitment of personnel, the KWS hardly takes 10 per cent of the recruits from those areas.

She pointed out that the locals also were supposed to benefit from these mechanisms. If the communities living around wildlife areas are not the most important ones, I wonder who are. These are people who live with these animals. They are the people who have been taking care of these animals. Hon. Speaker, if the communities living around wildlife areas decide that they don’t want to see the wild animals, we will have a situation where we will not really have the wild animals, because the animals are actually a big menace and have been causing conflicts. Some of the wild animals and more so elephants; which happen to have a very high IQ amongst other animals, behave like human beings.

She pointed out that it was not easy to explain how much suffering our communities have been through. Even in terms of community social responsibility, as they collect funds from the parks and make money, the KWS must be told in so many words that they have to make sure that most of the money they collect must go towards the welfare of the communities living with the wild animals.

She noted that on Clause 31(2), on the issue of compensation, I am surprised that a figure of one million shillings has been put as the maximum compensation even for a person killed by wildlife. We are talking about bread winners. They are people who have been taking care of their families. It is surprising that the most appropriate amount of money that we have thought of is one million shillings. Is human life worth only a million shillings? I know that the figure has been far less than a million shillings but I believe that a figure of at least Kshs5 million would make more sense than putting it at a maximum of one million shillings. So, it should be at least Kshs5 million.

She further noted that if you go to the penalty clauses, where animals are concerned, you will see figures ranging from Kshs5 million to Kshs10 million. The Bill says that even if you are found with items related to wild animals, you will have to pay so much money in fine as a person who has offended the wild animals. What is shocking is that our wild animals are being considered much more important than human beings. Kenyans are not as important as wild animals.
She stated that while animals were a natural resource that God has given us, we would want to see our people benefit from their existence. We would want our people to be compensated adequately when they suffer losses as a result of hosting them. As culprits will be severely penalized when they offend wild animals, we would want our people compensated adequately when they incur losses occasioned by wild animals.

She noted that the experience that farmers go through when they wake up in the morning is very painful. Elephants do not move in singles or duos. They move in herds of even 100. That means whatever you left in the farm as you went to sleep will not be there in the morning. So, the amount of damage and deaths that they cause in those areas is very painful. She concluded that the Bill was welcome and it was long overdue but we need to come up with some amendments, so that we can have a fair deal as far as our people are concerned.

Date 21st November 2013
Member of Parliament: Hon. Halima Duri
Contribution She Made On: The Wildlife Conservation and Management Bill

She supported the Bill but with the following amendments: for one the Bill was talking very much about animals and crops, but not talking much about why KWS officers take law into their hands and kill people. That needs to be put in the Bill clearly, so that compensation for persons killed by the KWS officers is also catered for.

She noted that life is very precious. If an animal's life is very precious, what about human beings? There should be fairness in this law. We should know that hit men should not be killed like what I saw the other day and I raised the issue in this House. The KWS officers fire in the air to scare away animals and people, and we lose many animals when running away from the fire. These issues should be put in the amendment so that we can also co-exist peacefully. Another issue is that the communities living around these

She noted that national parks should be given employment opportunities. In Clause 32, it is recommended that there will be a compensation committee to guide the compensation and the KWS. In some counties, the members of this committee might all be men. I wish to suggest that the ward representative be involved in the committee. For example, if we talk about Kone, the ward representative for Kone should be in the committee. If we talk about Asa or
Wayu, the ward representatives should be members of the committee. We should have at least, one woman in the committee. There are some areas where all the members will be men.

- She noted that the other issue which she wanted to be provided in the amendment is the review of boundaries. The KWS has moved the colonial boundaries into the community land. For example, in Kone and Bisari, they have even fenced the shallow wells which the animals use during drought. So, I propose that a review of the KWS boundaries be carried out. We also need to involve the communities through setting up small committees to participate in the KWS issues whenever there are damages or when they want to see what they can do for the people.

- She cautioned that KWS should not only be harassing the communities. We have a problem with KWS harassing the neighbouring communities. The other issue is that the relationship between the KWS and the local communities should be improved. They must feel that the neighbours of the national parks are human beings and need to live comfortably. So, they should improve the relationship between the local communities and the KWS. We also have an issue with the proposed compensation. When a wild animal kills a human being, the small compensation is even delayed.

- This compensation should be done immediately after one or two months. Some of the people who are killed by wildlife are the breadwinners of their families. The compensation should also be reviewed from what it is currently to what we proposed last time. It is also good for the local communities to know that these animals are an asset in their areas. There is a proposal that if an elephant is killed, the fine is higher or the person is jailed for life. When a human being is killed, these things move very slowly. We want everything to be in order. Human beings should enjoy their rights and animals should also enjoy their rights.

Date 21st November 2013
Member of Parliament: Hon. Peris Tobiko
Contribution She Made On: The Wildlife Conservation And Management Bill

- She supported the Bill by stating that here are a lot of things in this Bill which are good and progressive but added that there were a few things that needed to be amended.
She urged the Committee to bring the necessary amendments and those of us who are interested can reach out to the Committee to show them the few areas that we think will be punitive to our people. The issue of compensation has been spoken to by many people. I think it is not fair, proper or just for a family that has lost a dear one, maybe, a breadwinner or any human life for that matter, to get a compensation of Kshs1 million or even Kshs3 million. Whatever the elephant is worth, the human being is worth much more. I would urge that the issue of compensation be re-looked at to make sure— Even when God created human beings, animals and all that is in this world, He had put human beings on top of everything that is in existence. We must value human life.

She noted that her constituency was sandwiched between three national parks; Nairobi, Tsavo, at the Chyulu Hills, and Amboseli National Parks. When I attended a meeting in a place called Merisho, I witnessed or saw people who were just seated in vehicles. I could not understand why they were not getting out of the vehicles to come and participate in the meeting. But later on, I was told that those people who were in the vehicles were not just there, it was because they were incapacitated as a result of wildlife attack. Those people had been incapacitated and they had not been compensated by KWS. They had hospital bills that had not been taken care of and they could no longer work for their families. So, I would also urge that hospital costs for those who have been injured by wildlife must be taken care of.

She noted that very punitive that the wildlife finds you in your own farm and injures you and finally you get to meet the cost. Our areas, particularly group ranches, and even individual ranches around the parks provide a dispersal area for wildlife. If this Bill says that you must take measures to protect your crops or your livestock, I think a wedge is being driven between the communities and the wildlife. If we fence our areas, then wildlife will not find space to move out of the parks.

She noted that her communities have been living for years with this wildlife. If you go to my home today, and I think a number of Members were there not long ago, it is like you are going through a park. We live with wildlife. We appreciate them, but if you say that we must be seen to have taken measures to protect our crops--- In fact, in my community we do not do farming. Not because we do not want to do it, but it is because elephants would not allow. We never cultivate crops like maize. We would have wanted to do that for the sustenance of our people, but we cannot because of the wildlife.
She pointed out that the people around parks cannot do farming because of wild animals. Those communities around the parks must be encouraged. The law must be done in such a way that there is mutual benefit. We should live amicably with these animals. I think we might create laws that will encourage communities to even eliminate these animals. I have also seen that KWS does not employ local people. I would say that the law should specify that game rangers and others, 80 per cent should come from the communities that are preserving these animals. It is the only way for these people to look at the animals as an asset. This is the only way to look at wildlife as benefiting every Kenyan and particularly those who have kept the animals.

She noted that there are communities that have preserved this good heritage. There are communities that have wiped it out. Why do you not do well to those who have kept this wildlife? Why do you not put a law that will then appreciate the role that these communities have been playing? I would also say that during drought, we find our animals moving into parks. It is not the wish of these people to move into parks, but at that time it is really survival. I would say that penalties must not be punitive. After the drought, the animals move out of the parks to our ranches. So, both do visit each other. If we put penalties that cannot be afforded by the communities, people will not appreciate this resource. I would say that the law is good, but a number of things must be corrected. A number of things must be amended so that we then continue keeping the wildlife.
MOTION FOR ADJOURNMENT

Date 6th November 2013
Member of Parliament: Hon. Fatuma Ibrahim Ali
Contribution She Made On: Gender Violence Against Women/Girls

- She requested to give notice of a Motion for adjournment on a definite matter of urgent national importance. Pursuant to Standing Order No.33 (1), I wish to seek leave of the House to move for the adjournment of the House for the purpose of discussing a matter of national importance, which is rampant cases of defilement, rape and gender violence against women and girls in Kenya that has led to death and spread of diseases due to weak enforcement of laws.

- She sought political commitment to spearhead the fight against violation of women and girls, and support for effective enforcement of policies and administrative measures. Defilement and rape cases are too many in this country and they range from infants to girls being defiled and abused by relatives, neighbors, religious leaders, fathers, health workers, guardians, schoolmates, school teachers, public officers and other people.

- She noted that it was even more saddening that most of the cases of defilement and rape remain unreported especially in rural and pastoral regions. Everyday, the few reported cases give bizarre and horrifying stories with clear absurdity from child defilement, gang rapes, torture of women and girls for as little as Kshs50. This includes rape of grandmothers. Not even infants are safe from these evil monsters on the prowl preying on innocent girls and women. These monsters and perverts who defile and rape destroy the lives of infants, girls, women, families and communities.

- She noted that the consequences of defilement, rape and gross abuses have a life time impact on the victims. Defilement and rape is perhaps the greatest injustice a human being can expose another human being to. In Kenya, it was reported that incidences of defilement, rape and abuses have been on the increase but majority of the cases go unreported. It is reported that one out of 20 defiled, raped or generally abused women and girls will report and this is a very sad situation. The most distressing cases have been those of children as young as three years old.

- She pointed out that police reported that five children are defiled, three women are raped and many are generally abused in Kenya every day. In the last five months of 2013, 1,428 children were defiled in Kenya which is an increase from 1,216 in 2012. The Population Council of Kenya statistics for 2009, 2010 and 2011 gave very high and alarming rate of defilement and rape cases of over 40,000. This breakdown is very clear. Central Province has 4,658 rape and defilement cases, Coast Province; 3,564, Eastern; 6,359, Nairobi; 3,400, North Eastern Province (for obvious reasons of many unreported cases); 1,580, Nyanza Province; 5,954 and Rift Valley; 10,054. This gives a total of 40,000 cases. This should be a worrying trend for the Republic of Kenya.
She stated that among the defiled cases reported of 40,000, 78 per cent involved children and added that it was becoming dangerous to be a woman in this country. A recent media report said that a husband brutally murdered his wife because of Kshs50. You know what that amount of money can buy but it has cost human life. Wajir County, which I represent, has experienced a series of defilement and rape cases. In the last two months, we had 21 reported cases. Fifteen cases were defilement cases and this is a very alarming situation. If we continue like this the dignity of women will be affected and it needs a concerted effort of the State and other people to curb this trend.

She reiterated that what was most saddening in the defilement and rape cases in that area is that the local people, where these cases happen, like the elders, chiefs and other community leaders do not see this as an abuse. The situation of the six-year old girl from Wajir who was raped a few weeks ago, and I am handling the case, is worrying. She was raped in a village which is about 15 kilometres from the county headquarters. She was looking after her parents’ animals with her elder sister. She was defiled by a person known to her. The sister reported the case to the neighbors, the man was caught and the girl was taken to the local dispensary. The saddening part was that the health centre could not examine and treat that girl. The chiefs and the elders in that area said that the girl’s defilement case could not be taken to the police.

She further stated that the girl was kept for four days because the father was paid Kshs13,000 by the perpetrator. He was also paid eight goats. This was shared among the local elders, the chief, and the Member of the County Assembly who did not find the life of that girl meaningful to the society. After one week, the girl developed wounds; she was swollen and was taken to an nearby health facility. Because of the time taken and lack of regard for the girl-child, the medical worker said that she was not raped. The P3 Form also confirmed that the girl was not raped. It is a very unfortunate scenario.

She pointed that those were the scenarios everywhere in this country. Health workers do not take seriously the gross abuses against women and children. The police do not have regard for the abused girls. The families of the affected victim get traumatized, stigmatized and isolated from the society. Kenya is a signatory to the international convention and has also developed the Sexual Offences Act, 2006. Kenya has a duty to protect women and girls from abuse and punish the perpetrators and people who coerce families and victims not to report these cases.

Date 6th November 2013  
Member of Parliament: Hon. Danittah Ghati  
Contribution She Made On: Gender Violence Against Women/ Girls  

She supported the Motion by stating that it was very unfortunate that we are talking about violence against women. Kenya is a country that the whole region is proud of. It is very unfortunate that even after we passed a new Constitution and we have a lot of legal instruments that take care of women and children in this country, we are still talking about the rising
incidents of violence against women in this country. It is very unfortunate that as country we have a problem with the enforcement of laws. We have a lot of laws in this country but we have very poor enforcement agencies. It is high time we compelled our counties to ensure that in each sub-county we have very serious gender desks to look at issues of gender-based violence.

- She noted that five months ago, we all heard about a story of a girl called Liz in Busia. This girl was gang-raped by six men whom she identified. She went to report the matter to the police and it was very unfortunate that, even after she reported to the police, she was merely told to wash off and go away. It is very unfortunate what girls in this country are facing. The punishment these perpetrators received at the courts was just a mere light punishment of slashing and cleaning police houses. It is extremely shameful and uncalled for, for that to happen in a country which has ratified and signed so many international treaties; like the Beijing Platform for Action; the Sexual Offences Act; we also have the Act on Anti-Female Genital Mutilation.

- She further noted that those were serious instruments that should guide this country and we are still crying and talking about gender-based violence and issue of violence against women. It is extremely unconstitutional and uncalled for. I want to call upon this country to take the issue of gender-based violence seriously. Our police and Provincial Administration officers should be sensitized enough. We need to do more to sensitize our chiefs about handling gender-based violence in this country. That is why we are very serious and concerned activists - I have been an activist and I am still an activist on gender-based violence. I will not allow us to come here with a Motion to gag the civil society.

- She stated that the civil society has been doing work and supplementing Government work. We have services of setting up legal aids, rescue centres for female-genital mutilation cases and so on. The civil society has been doing many things in supplementing the Government functions. Therefore, censuring funding for civil society will not be allowed. I support the Motion and say that it is high time sexual violence and violence against women in this country was stopped. We are currently celebrating the 16 days of activism against gender-based violence. It is high time that this House and men in this august House with wives and children supported efforts that are geared towards making sure that women and girl-children in this country are safe. We want to ensure that we are creating an environment where our young people can go to school safely without interruption.

- She reiterated that it was high time we took the issue of gender-based violence seriously in this country, being supported by civil society organizations that are working around emancipating women and girls in this country.

Date 6th November 2013  
Member of Parliament: Hon. Dr. Susan Musyoka  
Contribution She Made On: Gender Violence Against Women/ Girls
She supported the Motion by stating that it was about time men realised that rape is very painful, shameful and very humiliating. It really defaces the women. It is the worst violation that can ever happen to a human being. It is very painful to see that cases of rape in this country are increasing amongst our people across the country. It is happening in all communities, and not just among pastoralist communities. If we, Parliamentarians, do not do something about it, this society will not be up to anything good. We will not be free and comfortable living in Kenya.

She pointed out that two days before that day, while in a church service, she was confronted with a situation where a woman had walked all the way from Mukurukwa Njenga. I do not know how she landed in Mwala. The lady was mentally disabled. The most surprising thing is that somebody had raped her. She was there, suffering and nobody cared. I looked at her and thought of all the other women who are disabled either physically or mentally, and who land in similar situations. Anybody who rapes disabled people and children should be condemned in the strongest terms. The punishment that should be meted out to perpetrators of such acts should be very severe.

She stated that it was painful to see that many of such cases go unpunished. Where one gets punished, the punishment is so flimsy that it is like a joke. When cases of rape are reported, people do not take them serious. The victim is subjected to ridicule. She would even be told that it was her fault that she was raped. As leaders, we have to take this matter seriously. We have to take action. Otherwise, we will continue degrading women and children, and our levels of life will not be enviable. As I have said, the worst case scenario is to have a disabled person or a minor being raped.

She pointed out that rape happens every day in our communities. We have to stop it. We must have a situation where all the culprits are put to book and given severe punishment. As the hon. Member said, police stations are not friendly to raped women. It is not just the police stations but even hospitals. We need to train our staff to handle victims of rape properly because if time is wasted, the evidence gets lost. We need to do proper investigations on women and children who are raped. Specimens have to be collected and analysed properly, so that we can catch up with the culprits. Therefore, in supporting the Motion, I would like to say that we have to take action. We have to be strong about this because every day, a woman suffers. Every day, a child is violated. This is not good for our community.

Date 6th November 2013
Member of Parliament: Hon. Dr. Shukra Gure
Contribution She Made On: Gender Violence Against Women/Girls

She supported the motion by stating that it was very unfortunate and unbearable to talk about this Motion on violence against women. This is something that touches some of us very deeply. We know that there are many NGOs and other civil society groups which champion these issues, but I do not see what they do. We cannot even see what they do. We need to discuss this matter. We are the law makers and we need to do something
about this. It is not something we can just ignore. We need to act very quickly. Defilement, rape, and sexual abuse have become national issues. It is becoming worse. For the last two months, it has been increasing. I have victims from my county and I am doing a follow up on their cases.

- She pointed out that the week before a 13 year old girl was raped and burnt. Her body could not be recognized. On 23rd of last month, I was in Meru Court with a 12 year old child who had been raped. The girl was taken to hospital and the male doctor said that he had seen nothing. I called the doctor personally because I had his name, phone number and everything. I asked him if he had examined the girl and he stated that he did not have the equipment to use in the hospital.

- She stated that that was not something that she would keep quiet about. I decided to take the girl from Meru and I brought her to my house. She is in my house right now. I took her to hospital in Nairobi and we are waiting for the medical results. This happened two months ago; I hope they will see something. This little girl has been affected physically and emotionally. She cannot take a shower unless I am present. I have to sit at the entrance of the bathroom as I watch her. She cannot even stand the men who live in the House. I have to make sure that the door to her bedroom is closed and the lights are on.

- She further stated that she was her security at night in my house where she is safe and further urged that we need to enforce a law that would protect these young ladies. This is a girl who can tell who raped her. She also recommended that the other thing we need to do is this: In our Kenyan culture, this lady should be examined by women and not men. We also need to have women magistrates presiding over these cases. We need to support that because that is what is causing these problems. These girls cannot come out to say what has happened to them.

Date 6th November 2013
Member of Parliament: Hon. Mary Emaase
Contribution She Made On: Gender Violence Against Women/ Girls

- She supported the motion by stating that this issue was ashame to this nation and it is something that should not be left to continue. It is unacceptable and I just want to refer to one more case in Busia County. Besides the girl that was gang raped, there is another young lady who was taking her child to Prison's Hospital at 9.00 o'clock in the morning and she was never seen alive again. Her body was found a few days later in a sugar plantation with her baby strangled and lying on her lap. She had been gang raped. Her bottom side had been undressed. She was buried about two weeks ago. This is very sad.

- She pointed out that Kenya has a Constitution which is supreme and anything to the contrary is null and void and, therefore, we cannot continue watching this happen in this nation. I think something needs to be done. As leaders, if
there are grey areas in the Constitution, then we need to come up with laws that expressly address issues and guarantee the security of any child in this nation.

- She pointed out that efforts that were being put by Non-Government Organizations (NGOs) and civil society groups are being frustrated. I remember even in that case the civil society groups came and they protested against what had happened. However, some of these efforts are being frustrated by corruption either by the police or by the parents who are induced to take certain gifts so that they can withdraw the matter in order to settle it out of court. It is also because of fear of stigmatization. It is also because of fear that the affected families will be ashamed. Most of these acts are committed by people who are very close to the children, like uncles, fathers, neighbors and they do not want to let the matter out.

- She condemned the vice in the strongest terms possible. We must ask questions like: “Why are the rapists not put on trial?” Something has got to be done by the security people. We want justice for all those young women and girls who are raped and routinely ignored by the authorities who are supposed to take action.

**Date 13th November 2013**
**Member of Parliament: Hon. Winnie Njuguna**
**Contribution She Made On: Security Situation In Nyanza**

- She supported the motion by condemning the vice that is happening throughout the country. First, I want to send my condolences to the Member for Nyakach who lost his father and mother. Since he is saying that he is still being threatened, he should be given more security, so that his life is not in danger. It should be taken seriously.

- She stated that she came from Kirinyaga which has been named as a hot-spot for kidnappings and killings. This is very serious. Up to now, nothing is being done. Just last week, a woman’s head was chopped off and carried away. To date, she has not been buried. When I left the place on Monday, the head had not been found. It is a serious matter and nothing is being done. It is like we are singing a song about insecurity. So, even as we are here, we need to decide on what to do even if it is demonstrating - like another Member has said - so that the Government can do something about it.

- She pointed out that criminals are, sometimes, arrested, taken to court and within two days, they are released. Again they go back and commit crime. There was an old mother in Kirinyaga who was dragged to the farm by some men and they raped her. We are talking about an old woman of over 70 years. The men broke her hand too. We have people who are really merciless. This is not a joke now that we are talking about deaths. There are a lot of incidences of kidnapping and people asking for money.
She stated that these people are Kenyans! I do not know why the security personnel in our counties are doing nothing. The Minister in charge is not doing anything for Kirinyaga because the situation has not changed. Children are being kidnapped. Recently a man was kidnapped and taken to a house. When he was later released, one of the gang members said, “This is not the man we wanted”. The man said that where he was taken there were children and other people who had been kidnapped.

She noted that to date, we have not got any reports of arrest and people being taken to court. This is a sad matter and it should be taken seriously. This should not be like any Motion that comes to the House and nothing happens. We want to see something happening in Kirinyaga. We want peace. We do not want to be named as the hot spot of killings and kidnappings. We have many other things that we are good at. We are the best in education and farming. We do not want to be number one in issues of crime. Something must be done about security in this country.

Date 21st November 2013
Member of Parliament: Hon. Rose Mitaru
Contribution She Made On: The Wildlife Conservation And Management Bill

She supported the Bill by stating that where she came from there were a lot of elephants “housed” near Mount Kenya. The people around that area have a big problem. Every season, elephants harvest their crops. Sometimes they kill people around there and nothing is done. I also come from near the hydro-electric power dams, where there are so many crocodiles. When our livestock go to drink water from the dams, they are sometimes attacked and killed by crocodiles. Very early in the morning, sometimes women and children go to the dams to fetch. The crocodiles know that, that is the time when women go there to fetch water. We have lost very many families to crocodiles.

She pointed out that it was very sad that when we report such attacks to the relevant authorities, they do not take any action simply because it is not a wild animal that has been killed but a human being. We also have snakes that bite people, especially when it is very hot. We have amputees in that area. When KWS officers are called, they do not even attend to such cases. So, my people are very worried. Sometimes we wonder who is more honoured in this country. Is it the crocodile that has eaten a person and left a family without a mother or a father or is it the person who kills a snake which has bitten his child? Such a person is arrested and taken to court.

She stated that there was a place Kisumu Ndogo in Embu County because we have many people who have come from other constituencies and counties to do fishing. The hippos have also learnt to kill those people. We report to the authorities but nothing is done. Whenever an victim is compensated, the amount is so little that we wonder what it means. A hippo has killed a bread winner, a person who has been fishing and bringing fish to Nairobi in order to sustain his family, and his family is then compensated with very little money.
or almost nothing. It also takes a very long time before the compensation is made.

- She further added that when one sustains injuries, the best that people in the neighborhood do is to sit together and sell their livestock to support the person in hospital so that he can get treatment. I propose that if any wild animal attacks a human being, the KWS officials must go to the scene and record the incident. If there are medical bills to be paid, the victims must be taken care of. If there are funerals, the Government must take it up. We have very many small Harambees that take place there, with people trying to raise money to buy a coffin and pay hospital bills. When the compensation comes, you realize that it is very little money despite the fact that it takes very long to come. Therefore, I support this Bill with amendments, so that our people do not continue wondering whether we respect human life less than wildlife.

- She called on the government to take action very fast as this is very important for my people living near Mount Kenya, where elephants destroy their crops. Sometimes they experience famine. They always run out to farm. Those living downstream, where we have the electric plants, crocodiles and hippos are also destroying our people
Date 7th November 2013
Member of Parliament: Hon. Alice Wahome
Contribution She Made On: Adoption Of Report On Removal Of JSC Commissioners

- She pointed out that the petitions were presented and the Committee has done an exemplary good job. Before arriving at their decision or recommendations to this House, they looked at the petitions. I want to refer hon. Manson to page 20, where the Committee says the following:—

“The Committee wrote letters inviting the affected members of the Commission to present written representations to the Petition and granting the affected Commissioners liberty to appear before the Committee and make oral presentations”.

- She further stated that the affected members of the Commission did not deliver any written presentations on the matter. The members of the Commission also did not find the Committee on Justice and Legal Affairs worthy of their attention. Therefore, they also failed to honor the request to appear to defend themselves against the memoranda and the petitions as stated by Kenyans. The JSC has confused their functions and their role with the judicial authority as stated in Article 160.

- She pointed out that they had referred this House to Article 60, but for avoidance of doubt, I honestly believe that one of the reasons that they failed to appear is because they equate themselves with the Judiciary or the judges of the High Court when they are dispensing their functions as judges. Article 160 states that:-

“In the exercise judicial authority, the Judiciary, as constituted by Article 161, shall be subject only to this Constitution and the law and shall not be subject to the control or direction of any person or authority”.

- That is the Judiciary, which is different from the JSC. Nobody will direct the judges when they sit and make judgments in the exercise of their mandate as per this Constitution. But an organ of the JSC that tells this House in very clear and uncertain terms that “you cannot summon us”, then we will ask the question: Who then will question their actions if they act outside the law, if it is not this Parliament? It is very clear that the Committee found various violations. They found that Articles 161, 163 and 173 were violated. According to the Committee, there was a petition because of violation of Article 245 of the Constitution. Finally, there were also indications that Article 75 that provides:—

“A State officer shall behave, whether in public and official life, in private life, or in association with other persons, in a manner that avoids

a) Any conflict between personal interests and public or official duties;
b) Compromising any public or official interest in favour of a personal interest---“There are many things that the Committee has enumerated, but who can bestanding in this House to defend the Commissioners who had the opportunity, time and were also allowed to appear, but because they are independent, they did not appear before this House? This provides an opportunity to this House to confirm the work of this Committee. It also provides an opportunity for this House to put things right. I am an Advocate in practice and I know the difference between a member of the JSC and a sitting judge when they exercise their constitutional mandates. The two only meet when the JSC, which is mainly a human resource organ, is employing the judges. If you look at some of the accusations, it is that the JSC would like to administer the Judiciary Fund. The Constitution is very clear that the Accounting Officer and the administrator of the Judiciary is the Chief Registrar of the High Court, but these JSC Commissioners, who are paying themselves Kshs80,000 per sitting, have now abandoned their role and have taken up the role of the Chief Registrar of the High Court.

➢ She pointed out that hon. Manson in his contribution says that the question is about control of the Judiciary Fund, but the Constitution gives that control to the office of the Chief Registrar. It is not the JSC. Hon. Nyamweya, my good friend, must read the Constitution and avoid applying different standards. I honestly believe that he is an able Member and he has said that we must observe the law. We are saying: Is the Constitution violated? Are these members of the JSC thinking that this House has mandate over them or not? If this House does not seize this opportunity to put things right in the Judiciary, we are likely to go back to those dark days when the Judiciary was used and was a monster. It had horns that made my good friend, hon. Justice Ringera, say “it is time to hold the bull by the horns”.

➢ She pointed out that it is only this House that can question and say “your actions must be interrogated”. We are not removing the JSC; we are saying that they must be sent to the tribunal where they can be questioned. The recommendations of the report to this House are very clear. One, that the House resolves that the petitions herein together with the materials in support therefore be sent to His Excellency the President pursuant to Article 251 of the Constitution.

➢ She also stated that the House resolved that His Excellency the President appoints a tribunal to deal with the matter in accordance with Article 251 (5) of the Constitution. All these materials plus time and opportunity for the commissioners to defend themselves through the tribunal will be availed. I strongly support the report.

Date 7th November 2013
Member of Parliament: Hon. Priscilla Nyokabi
Contribution She Made On: Adoption Of Report On Removal Of JSC Commissioners
She pointed out that she supported the judicial reforms going on and the gains that have been achieved, especially the pro-poor access to justice that is led by the Chief Justice, Dr. Willy Mutunga adding that she support a lot of what is going on. I support a lot of the work of the Judicial Service Commission (JSC). Therefore, when these matters came to us, it became a very difficult matter because we recognize that some work has been done; where the water left the river was when the JSC refused to appear before us. I think that they really worsened what was in essence a matter that could have been resolved by the Committee easily and without a lot of acrimony.

She stated that they had invited the JSC several times. We made the distinction in separation of powers between what JSC is and what the Judiciary is. We tried to really interpret that Parliament has an oversight role; despite pleas the JSC did not appear and one of them mistakes they also made was to refuse to be guided by Article 125 of the Constitution that gives Parliament and the committees of Parliament the powers of a court to summon persons.

She noted that when one was summoned, even if the notice is short, one would have to appear and make an application for more time. That is what we do in court every other time. Adjourning a matter in court is not a big issue. You should appear before the Committee. You explain that you only received summons two or three days ago. You say that the matter that you are being asked to respond to is grave, and you then request that: “Dear members of the Committee, we request one week or two weeks.” If they did that, I think that the Committee would have indulged them, but to say you are the Judiciary and refuse to appear at all is just to create the situation we now find ourselves in.

She noted that the JSC and other commissioners, and that is the message Parliament is sending out today, when you are summoned even if you do not want to respect the summons you have no choice. It is not a matter that you need to make a choice upon. You have to show up as directed by the letter from the Clerk at the appointed time and during meeting--- It has happened to the Independent Electoral and Boundaries Commission (IEBC); you can actually make a request. You can even request to be represented by counsel and the Committee will have to make that determination at that time. So, to the extent that the JSC did not respect all of those wishes, I think we were left with no choice really but to make the recommendations that the Committee has made in a report that we have today.

She also want to compare the JSC to the Parliamentary Service Commission (PSC). We call these in law sui generis commissions. They are commissions sui generis. They are commissions of their own kind and commissions of their own nature. Even when they are commissions of their own nature, they have to appear before Parliament in matters of oversight. Our own PSC, chaired by no less an individual than yourself, hon. Speaker, does appear time and again before the Budget Committee to explain matters to the very House that gave them the money that they are using. It was by the same power that the JSC
was summoned. Since it is a commission sui generis there was no reason for them not to appear before the Committee.

- She pointed out that as she supported the report, she did not want us to be mistaken. We continue to support judicial reforms. We continue to support the good work that is going on in the Judiciary. We continue to be proud that we have a Judiciary that we can speak about but we want the JSC to really make amends, accept and really submit themselves to the oversight capacity, ability and role of this Assembly through parliamentary committees including the Justice and Legal Affairs Committee. When people are elected representatives it does not matter how many years of practice you think you have. It does not matter how senior a counsel you think you are. The people of Nyeri found it fit to choose a lawyer of 10 years standing. You really have got to appear before that lawyer of 10 years standing even when you are a lawyer of 30, 40, 50 years standing; that is the message that this Assembly is giving today.

**Date 14th November 2013**

**Member of Parliament: Hon. Danittah Ghati**

**Contribution She Made On:** The Media Council Bill

- She opposed the Bill in its current form and stated that she will not be part to it. I have been a journalist and once a journalist, always a journalist. We have always had the media council which has been regulating the work that journalists do in this country. They do their work fairly well.

- She pointed out that when we are talking about any democratic society, any country that boosts of having moved forward, independence of the media has to be guaranteed. When I look at this Bill, I do not see where media is seen as independent. We cannot talk of having a free and independent media council when we are having the Cabinet Secretary for Information, Communication and Technology having to appoint members to the Media Council. We are talking of an independent media council that can be paid through taxpayers' money. Therefore, there is no way you can give freedom this hand and you take it through the other hand. We need to ensure that the freedom of the Press or the media is guaranteed.

- She suggest, the role of a journalist does not come out clearly in this Bill. We have so many journalists in this country who are not well trained. What we need to include here is regulating the various training institutions that train journalists. We have so many bogus colleges in this country that purport to train journalists and then you find bogus journalists who are exhorting money here and there from every member. Those are the things that we need to regulate. We need to have benchmarks. What does a journalist really mean? We need to ensure that a journalist has a minimum training of a given qualification so that it is clear that this is a real journalist. These are people who have been trained to serve in the media.

- She pointed out that while the Bill was in the Second Reading, there is a Third Reading. We need a lot of panel beating of this Bill so that when it comes to
the Third Reading, we are all unanimous that we need to make sure that themedia in this country is independent. I know very well that we are a
democratic society; we have moved forward as a country, we have come a
long way with the media freedom in this country. Therefore, I am very sure
that once we panel beat and make sure that this Bill becomes clean, everyone
is going to support it.

- She further opposed the Bill in its current form, especially the hand of the
  Government in the Bill. I have seen the hand of the Cabinet Secretary for
  Information, Communication and Technology in this Bill. Let us be honest. If
  we want to give media freedom or if we want to guarantee media freedom,
  we need to remove the hand of the Cabinet Secretary in appointing or
  dismissing members of the Media Council. Therefore, I want to urge and ask
  that we do more engagements; there is the Media Council of Kenya, the
  Kenya Union of Journalists (KUJ) and so on. All these are included in the Media
  Council. We need further engagements so that we come up with a clear Bill
  that everybody is going to support.

**Date 14th November 2013**

**Member of Parliament: Hon. Millie Odhiambo Contribution**

**She Made On:** The Media Council Bill

- She supported the Bill but with amendment stating that she had looked at the
  Bill and especially in light of the Constitution and just like the Matrimonial
  Property Bill that we passed, most of it is good but there are one or two parts
  that need amendment. However, again, of course, it depends on the extent.
  Sometimes it is only one little thing, like in the Matrimonial Property Bill the
  only thing that poisoned it was the word “joint”. Indeed, the Bible says the
  little foxes that spoil our vineyard. So, there are some little foxes here that are
  spoiling the vineyard of this Bill. So, I will be willing to support it
  with amendments.

- She pointed out that when in the constitutional review process right from
  Bomas the issue of media regulation was very contentious then and at that
  point I was a very strong proposer for State control of the media and it is
  surprising coming from a civil society. However, the reason I did that was
  because that time the media was absolutely rogue. The media has since styled
  up. It is not absolutely rogue anymore.

- She pointed out that while there is still a lot that needs to be done for self-
  regulation of the media, borrowing for instance from professions like law. We
  are lawyers and we have been able to self-regulate and some of the
  bad members of the Law Society of Kenya (LSK) have been disciplined by it.
  So, indeed, I am a very strong proponent now of self-regulation by the media.

- She noted that in critical moments, the media has disappointed and indeed it
  is very unfortunate that sometimes when you raise it you become a marked
  person. I want to congratulate the hon. Member who is very brave to indicate
  the unspoken that the media would not want you to speak. In this House we
have been accused of many things and when we are wrong, we accept it. So, even when we correct the medium they should not pinpoint a Member and say: “That is the bad one who talks bad of us.” We are all for a better country.

- She stated that all Members were for freedom of the media but we want the media to also show that when they are given the opportunity to self-regulate, that they indeed are going to be able to do a worthy job. She pointed out that in the definition of the word “journalist”, I think that is one of the areas we need to bring an amendment. This is because as it obtains, the way the word “journalist” is defined here, even a blogger is a journalist and now with the internet there are too many bloggers around masquerading as journalists. So, we must protect the noble profession of journalism from all these people who are coming and again there are many Members who have spoken to it. You have everybody who is able to pick a pen and paper calling themselves journalists.

- She called for a standard upon which we judge who a journalist is. I know there are Members who have spoken here and said they are journalists. I almost became one but God decided otherwise. After I did my first degree in law, I was actually accepted in the School of Journalism but I got two scholarships. One was in Masters in Law and the other was in Journalism. So, I opted for the Masters in Law. I am a writer. So, I write a lot. So, I am still a neighbor to journalism. I am not a journalist. If I said here I am a journalist, I would be one of the quack ones because I am not. I do not have any training in journalism but I am a writer.

- She stated that there was a need to able to hold the true journalists to account and not spoil their names when we have the rogue people who purport to be journalists going around claiming to be journalists. She also recommended the amendments that as the Members have put their voices to is on the issue of appointment of the Council, borrowing again from the LSK. I have never seen any Cabinet Secretary appointing for us the members of the LSK Council. So, we must have faith in the media to choose the people that they want because they must have faith in the people that are going to do that regulation. However, if you give the Cabinet Secretary some leeway to appoint people and the Council does not perform, who will we hold accountable? Is it the Council or the Cabinet Secretary? We do not want to hold the Cabinet Secretary accountable because this is about self-regulation.

- She also noted that Clause 9(2)(c) and this goes to us as Members of Parliament. We have a real bad name and not only Members of Parliament but politicians. We have a bad name and we have a tendency of legislating ourselves out of jobs. We are not going to be in this Parliament forever. None of us was born to be in this Parliament forever. We may be here today and gone tomorrow, as some of my colleagues were here in March this year and they are no longer here, and then you provide here that a person who has held a political office in the past five years cannot be in the Council.