

THE HANSARD

Wednesday, 31st July 2024

Assembly Building

The Assembly met at 9.00 a.m

[The Temporary Speaker (Hon.Peter Losu) in the Chair]

PRAYER

QUORUM

Hon. Temporary Speaker: Standing order 32 on the quorum of the County Assembly; Quorum at the commencement of the County Assembly. Quorum of the County Assembly or of a Committee of the Whole House shall not be less than a third of its Members. If there is not a quorum present when the Chair is taken at the time appointed for meeting of the County Assembly immediately after the saying of the prayer, the Speaker shall order the bell to be rung for five minutes and if no quorum is present at the expiration of the five minutes, the Speaker may direct that the bell be rung for a further five minutes and if there is still no quorum present, the Speaker shall adjourn the County Assembly forthwith to the next sitting.

(Quorum bell rang for five minutes)

(Quorum attained)

COMMUNICATION FROM CHAIR

Hon. Temporary Speaker: Members we all agreed in our *Kamukunji* that we all need to be in the House. I think you all know the meeting hours and its not objective for us Members to be coming late. It is not a good precedence for us to be ringing the bell. Going forward let us rectify that because it is shameful for the House. Because it is our responsibility to be in the House when it sits. Check on the punctuality so that we can run the House as required by the law please. Next Order.

MOTION

PROVISION OF SCHOLARSHIP TO PERSONS LIVING WITH DISABILITY

(Hon. David Nyoro Waithaka)

Hon. David Waithaka (Bulapesa): Thank you Mr. Speaker Sir. That Aware that, article 54(1) of the Constitution of Kenya 2010 entitled the person living with disabilities to have access to educational institution and facilities;

Further aware that, Article 27(4) of the constitution of Kenya 2010 provides for the equality and freedom from discrimination on the grounds including race, sex, pregnancy, marital status, health status, ethnic or social original, colour, age, disability, religion, conscience, belief, culture, dress, language or birth;

Noting that; Article 43 of the constitution of Kenya 2010 directs that every person has the right to education, while guaranteeing person with any kind of disability access to appropriate education and training in all schools and other training institutions.

Further noting that, the Kenya National Social Protection Policy 2011 provides for non-discrimination on the basis of disability as well as directly addressing disability benefits;

Concerned that, Persons Living with disabilities within the County has been deprived and marginalized in terms of access to education as mandated by the Constitution of Kenya 2010; This Assembly urges the County Executive

Committee for Early Childhood Education, Vocational training, Gender, Youth Sports, and Labour to provide scholarship for persons living with disabilities and ensure inclusive education within the existing pre- primary and childcare facilities within the County.

Thank you Mr. Speaker, I brought this Motion because I felt we have very many people here in Isiolo who suffer from some disabilities and some of them are very young and require good education. You know bringing a disabled child up is a big problem because it requires enormous cash and as we are all aware they live with a lot of problems. Most of the problem comes to the mothers bringing that disabled child is not easy. Taking into the account that others are very poor indeed. That is why we are requesting that these children be given scholarship. Some money be set aside to cater for such children. We are also aware being disabled does not mean disability of the mind. We have seen like the other time I saw, a lady in the Senate who is visually impaired, but the contribution that she made in that House and the English that she was speaking left me in awe. That simply implies that God when he created us, either with some disabilities does not mean we cannot give contribution to this Country. We have seen very many people with disability who happen to have got proper assistance doing very well in this Country and even worldwide. Because as they say, disability is not inability; that one is very true we need to enable our people with disability to have a good life like anybody else in this world. Because after that realization that disability is not inability it is only empowering them. What a better way to empower a person other than giving good education. I know there is very senior person, the two are very senior doctors in this Country they have a disabled child, they became so good when it comes to writing especially poetry, his name is in the American house of fame because of what he writes. That young man because he got good education and good support that's why he is able to conquer the world. So I believe even here in this County of ours we have people with disability who can conquer the world. With those few words I believe Honorable Members will support my Motion that these people with disability be given scholarship to further their education. Thank you.

Hon. Kamila Warsame (Nominated): Seconded.

(Question Proposed)

Hon. Halima Gole (Cherab) : I stand to support the Motion which is very critical. I think in Kenya and especially in our County, education matters are not seriously addressed. Even the normal one leave alone the scholarship, the normal bursary is discriminatory. When we talk of the disabled kids it is a different thing. If the children who are not needy are not addressed, what about the disabled? The Mover is the Chair of the Education Sector and I think this is an issue to address as the Chair of the Sector especially the bursary issue and previously there was a time at the beginning when we were elected and sworn in few months later, the first bursary there were names which were slotted from all over the County in the name of scholarship. Some fund was also set aside; it was like fifteen million if am not wrong. We never got a trace of what happened whether there was any beneficiary to that scholarship. I think it is a matter that already I have raised Statement about the bursary which will be either today or tomorrow God willing, I will bring to the floor of the House. As pertaining to the scholarship, other Counties are enjoying scholarship and I don't know why in Isiolo County we are not enjoying the scholarship for both the disabled and normal children from a needy family. It a matter to address as the Chair. Secondly, there are some injustices which are associated to the culture. There are some cultural belief that discriminate the mentally challenged or physically challenged kids in preference to normal kids in the house hold. When the family takes kids to school they know there will be some costs which are incurred, so maybe they will segregate the disabled child and the normal child is taken to school. This is a matter of awareness, educating the family as it has been given example by the Honourable Chairman for Education Hon. Waithaka. I also saw that Mheshimiwa the Senator she was very smart in her subject even more than any other normal person in that Sitting and I was really impressed. So if you educate a kid and there is facility, provision and the mental capacity, whatever that kid can grasp and is specialized at that kid will perform the best of it. So it is good that the communities are educated enough, awareness created within the family with examples of those disabled people who excelled to the highest level. That can help change the mindset of our community into accepting the disabled or the challenged kids to get equal opportunity when it comes to the learning. Thirdly, there are some stigma that maybe the family who gave birth to disabled child feel ashamed to bring kids to school. Also the same need a lot of education, a lot of awareness; it is God's plan, nobody wants to have a

disabled kid. Sometimes it a blessing taking care of that disabled child to a level that, that kid recognizes the full potential. Thank you.

Hon.Dekha Bonja (Nominated) : Asante sana Mheshimiwa Spika kwa kunipa hii nafasi niweze kuchangia huu mjadala. Mheshimiwa Spika huu mjadala ni mzuri sana. Mheshimiwa Spika kama tuko tayari kusaidia hawa watoto ambao ni walemavu kwanza tungepaswa kuangalia mambo na Bajeti. Mheshimiwa Spika kama unaweza kuangalia Bajeti yetu saa zile tunaanza kuweka pesa na mimi na wewe tukiwa Kamati ya Bajeti na pia Sekta ya Elimu ikiwa inakaa kama *sectoral* kwa hio Kamati ya Bajeti ukiweza kuiangalia, Mheshimiwa Spika tunaweka pesa ambayo ni ndogo sana kwa hio sekta. Kuna shule ambayo inaitwa Almasi iko Wadi ya Wabera na hiyo shule watoto wanaletwa huko. Mheshimiwa Spika tunaongea juu ya masomo. Kuna wale ambao hali yao ya masomo ni mbaya sana Mheshimiwa Spika , ambao hawasikii,, kama tungeweka pesa wangeweza kununua vifaa ambavyo wanaweza weka kwa masikio na waweze kusikia. Wengine wanatoka kwa familia ambazo ziko hali duni na hawawezi kusaidia watoto wao ambao wamezaliwa na ulemavu. Mheshimiwa Spika kuna wale wanohitaji vitu za kuzuilia mkojo kama *pambers*, hizo vitu zote kama tungeweka Bajeti mzuri, hawa watoto wangepatiwa wakiwa hapa Almasi. Hayo mengine Mheshimiwa Spika ni mashida kidogo kidogo kama wangeletewa daktari wanaosaidia misuli kwa *facial therapy* hawa watoto wangukuwa wamekaa vizuri. Mheshimiwa Spika ni vizuri tujikaze tujaribu kuangalia hiyo Bajeti, tuongeze pesa kwa hiyo Sekta ya walemavu ambayo Almasi wamesema wamewekewa milioni mbili ndio wasaidie hawa watoto. Nafikiri saa hizi ni wakati ambayo tunapeleka Bajeti kwa Bunge ndo tunaandika ripoti. Waheshimiwa mkiwa hapo hivi hata kama mtafanya mabadiliko tuweze kuongeza Bajeti kwa hao watu waweze kusaidika Mheshimiwa Spika. Hawa watu ni watu wako na shida na sisi Mwenyezi Mungu ameweza kutupatia nafasi kuingia katika hii Bunge tuweze kuwaongelea. Kama hatuwezi tukakaa na kuwaongelea wale wanyonge waliotutuma hatutakuwa tumefanya vizuri hata kwa Mwenyezi Mungu. Mheshimiwa Spika nimechangia hii mjadala ambayo ni mzuri na najua wengi wao ambao wana shida zaidi. Kuna wale ambao wanatumia dawa za kuzimia ambazo ni ghali, Kaunti yetu hazipatikani hawa wazazi wakiomba ndio wanajaribu kuwanunulia. Mheshimiwa Spika hizo dawa zote tungefaa kuwa nazo katika hospitali kuu ili tuweze kuwasaidia hawa watoto. Kuna wale wako Almasi na hawapati hata mahali ya kukaa huko. Kaunti zingine wako na shule kubwa

ambapo watoto wanakaa na kuangaliliwa huko ambapo Serikali inawaangalia. Hawa walemavu sio watu wa Kaunti yingine, ni walemavu wetu na watoto wetu Mheshimiwa Spika. Kwa hivyo wale ambao wako na uwezo wa kusoma wasomeshwe na wale ambao hawana uwezo wa kusoma wakae kwa dunia kiasi Mwenyezi Mungu atawaweka. Sisi tujaribu kuwasaidia. Kuna wale ambao wanapata hizo madawa wanasaidika wanakuwa watu ambao si walemavu tena. Ni mashida kidogo kidogo tu tukiweza kuwasaidia kwa uwezo wetu ambayo tunaweza, Mungu pia atatusaidia sisi. Asante sana Mheshimiwa Spika.

Hon. Kamila Warsame (Nominated): Thank you Mr. Speaker Sir. I stand to second the Motion. Mr. Speaker Sir as the Motion states, provision of scholarship to persons living with disability. Mr. Speaker Sir, these are Special group of student who are supposed to be supported at the higher level of study but Mr. Speaker Sir before we talk of these students at high level, these student should be given that opportunity of their status or how they are doing starting with ECD level of Education which is the mandate of the County Government. When we are not getting facts or the records of these groups of student or people at their level we cannot make any progress at the level they have reached as far as high level of education is concerned. Mr. Speaker Sir, when we care for these groups of people, we must be having their representative at each level even at the Executive level . If you don't have someone to speak for you Mr. Speaker Sir, your problem will not reach anywhere. Our mandate as MCA is just overlooking the distribution of bursaries Mr. Speaker Sir which at many times we are in the limelight; when we are not even aware of what is going on as far as that distribution and allocation we have made on bursary has gone, can we talk of the scholarship? What am trying to say is this, in this County we have champions who are speaking for these kids and those are nobody other than the teachers. If we really cared for these kids Mr. Speaker Sir am from that Committee of Education concerning the issue of people living with disability. Mr. Speaker we must go round, out of our way. Most of the time it needs you going out of your way to get those fact Mr. Speaker. Right now we are lying to ourselves when we are talking of scholarship and we don't know the number of people living with disability who has reached that level. We don't know and when we are talking of scholarship, even those who have their normal senses we cannot help them. We cannot talk the issue of disability unless we are talking from knowledge of facts. Let us now, am mandating my Chair to get those

facts from the source which I am referring to the school so that we can know which progress we can make come our next budget . With those few remarks Mr. Speaker Sir, let us see whether those people even studying at Secondary level get the normal bursary of which we don't know how it is going, we are feeling embarrassed when we stand and talk about bursaries and we know what is taking place there Mr. Speaker Sir. With those few remarks, I beg to sit down.

Hon. Temporary Speaker: What is the feeling of the House? The Mover to reply.

Hon. David Waithaka (Bulapesa): Thank you Honorable Speaker for giving me this opportunity to reply to the Motion. I really thank the Members for supporting this Motion because for sure it is very sad that we don't have the data for the people with disability but I am inviting the Members of this House tomorrow we will be meeting with the CEC for Education and her team. So it is important for all of us to be there this question that we are putting forward we put it to them so that they can give us the necessary answers that we do require.

Hon. Temporary Speaker: What time are you meeting?

Hon. David Waithaka (Bulapesa): It is tomorrow at 9.00 am so it is important that all of us come. I have raised this Motion so that it can have impact . when many Members contribute to this Motion and come tomorrow the Executive will see the seriousness because as you say it is very true Honorable Halima we send some money for scholarship we don't know what happens, some children were selected they did not go. Those are the answers that we need to have because as a House we had given some money for that cause. While we will not like our County to go the Uasin Gishu way where their children were taken to Finland and even some of them committed suicide. I believe we can also sponsor our people here in Kenya where they can even be coming home and getting the best education because in Kenya, if our people are conquering when they go to those American and British Universities or those World class university, it simply means that we have the brains. So, I really thank the Members for supporting this worthy Motion. It is a fact that we have people with disability and they need our support. A Country that does not take care of its weak does not move far. So, as it is just imagine a person with kid that is disabled and he is poor and with this economy in this Country, it becomes more than five times double the normal person. With

those remarks I really love the Members for supporting this worthy Motion. Thank you Mr. Speaker Sir.

Hon. Temporary Speaker: Honorable Waithaka I am notified by the clerk that you have PWD's, Women, Marginalized and the Youth Fund Act of 2019 and I think it just requires implementation. I think as a Committee can you make a follow up of the same and also I understand there was a time we had Budgetary allocation of the same and they were not filed by the Executive that we don't have a lot to support the same. And that is why now and then we allocate money but without spending because there is no any law that can guide the allocation. So can you make that follow up of the Act of 2019 on the same from your Sector and then from there you can report that one to the House, so that we know what we can do. I now put the question ;That Aware that, article 54(1) of the Constitution of Kenya 2010 entitled the person living with disabilities to have access to educational institution and facilities;

Further aware that, Article 27(4) of the Constitution of Kenya 2010 provides for the equality and freedom from discrimination on the grounds including race, sex, pregnancy, marital status, health status, ethnic or social original, colour, age, disability, religion, conscience, belief, culture, dress, language or birth;

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(Question Put and Agreed to)

ADJOURNMENT

Hon. Temporary Speaker: Having no other business to transact at this time,,the House stands adjourned until today at 2.30 p.m.

The House rose at 9.55 a.m.