

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – THIRD SESSION

Wednesday, 03rd July, 2024

House met in the Main Chamber at 09:00 a.m.

(The Speaker (Hon. Elisha Jack Oraro) in the Chair)

PRAYERS

The Speaker (Hon. Oraro): Honorable Members, according to the provisions of Orders No. 32 (2) of the Kisumu County Assembly Standing Orders, I direct that the quorum bell be rung for the first five minutes. Consequently, when the quorum bell is being rung no Member shall leave the House except the Whips who may go out to whip the Members who are outside.

(Quorum bell was rung for five minutes)

The Speaker (Hon. Oraro): Hon. Nereah you went outside to whip the Members. Do we have quorum.

Hon. Okombo (MCA, Manyatta “B”): Yes, Mr. Speaker. We have quorum.

The Speaker (Hon. Oraro): Clerk, please take us through the Order Paper of today.

The Speaker (Hon. Oraro): Next order!!

COMMUNICATION FROM THE CHAIR

The Speaker (Hon Oraro): Honourable Members, I have one communication to make by way of a reminder. We had re-scheduled the Kisumu County Assembly Open Day for to be held on 05th July, 2024 at the Assembly precincts. I also want to appreciate Members who have been going to the local radio stations to convey the same. Similarly, I also want to remind Members that as we agreed, let us all participate on Friday, 05th July, 2024 from 9:00 a.m. I hope that this message will reach Members who are not in today, that Friday 05th July, 2024 will be Inaugurating our Open Day, at the Kisumu County Assembly precincts. Thank you.

The Speaker (Hon. Oraro): Next order!!

PAPERS LAID

REPORT ON ADMINISTRATION OF LAW, JUSTICE, CONSTITUTIONAL AFFAIRS AND SECURITY COMMITTEE ON PETITION TO THE COUNTY ASSEMBLY ON THE NEED FOR VOLUNTEERISM POLICY

BY

HON. MOSES OCHELE, MCA, EAST KANO/WAWIDHI

(CHAIRPERSON, ADMINISTRATION OF LAW, JUSTICE, CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE AND SECURITY)

The Speaker (Hon Oraro): Hon Ochele.

Hon Ochele (MCA, East Kano/Wawidhi): Thank you Mr. Speaker. Pursuant to the provisions of Standing Orders No. 182 (6) of the Standing Orders, I wish to table today Wednesday, 03rd July, 2024 report on Administration of Law, Justice, Constitutional Affairs and Security Committee on a Petition to the County Assembly on the need for Volunteerism Policy. Thank you.

(Hon. Ochele lays the report before the House for consideration)

The Speaker (Hon Oraro): Honourable Members, the Standing Committee on Administration of Law, Justice, Constitutional Affairs and Security have properly laid before the House the Report on Petition to the County Assembly on the need for County Volunteerism Policy. This was a Petition that was brought to this House. The committee has worked on it. However, I want to refer ourselves to the provisions of Standing Order No. 217 and I want to be specific to Orders No. 217 (2). That, whenever a Petition is committed to the Sectoral Committee, the House Committee shall in not more than sixty calendar days from the time of reading the prayer respond to the Petitioner by way of a report addressed to the Petitioner(s) and laid on the Table of County Assembly and no debate on or in relation to the report shall be allowed.

Subsequently, the Speaker may, in exceptional circumstances, allow comments or observations in relation to the Petition, for not more than twenty minutes.

Honourable Members, I want to direct that this Petition be shared with the Members so that they can go through it. May be before close of this session, I direct that the clerk conveys the findings of the report to the Petitioner and to the relevant persons for purposes of action.

The Speaker (Hon Oraro): Next order!!

STATEMENTS

The Speaker (Hon Oraro): Hon Odari.

Hon Adonija (MCA, Chemelil/Tamu): Thank you Mr. Speaker. Pursuant to Standing Orders No. 41 (2) (b), I rise to seek a Statement from the Chairperson of the Standing Committee on Infrastructure, Energy and Public Works about the Construction of Akodhe-Loth Road in Chemelil Tamu Ward, Muhoroni Sub County.

Mr. Speaker, the provisions of Article 187 (2) of the Constitution of Kenya devolves the roads to counties. It states; roads that are not classified as national roads or county roads are local roads and are under the management of respective county governments. This provision empowers counties to manage and maintain roads that are not classified as national or county roads within their jurisdiction.

Hon. Speaker, despite the legal procedure outlined in the law regarding tender, awarding and project completion, the contractor commenced work on the road in July, 2023. Subsequently, the site was handed over in January, 2024. Hon. Speaker, I therefore wish to seek a statement from the Chairperson of the said Committee to provide response on the following matters;

1. Provide clarification on why work on the project commenced before the site was formerly handed over?
2. The specific terms and conditions outlined in the contract regarding the commencement of work before the site handover?
3. Legal procedural and justification for starting work prior to the site handover? If so, could you please explain?
4. How was the contractor selected for the project, and were there any condition in the tendering process, that allowed for work to begin before site handover?
5. Measures that were taken to ensure that starting work before the site handover did not compromise safety, quality or legal compliance?
6. Any challenges or obstacles encountered during the period between the start of work and the official site handover?
7. Did the contractor face any delays or difficulties die to the lack of formal site hand over? If so, how were they addressed?

8. Steps taken to ensure that the work done before the site handover aligns with the specification and requirements outlined in the contract?
9. How will the completion of work before the sight handover affect the project timeline and budget?
10. Provisions put in place to mitigate any potential risk or issues arising from starting work before the site handover, both legally and practically?

Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Hon. Chairperson of the Standing Committee on Infrastructure, Energy, and Public Works or the Vice Chairperson, or the member of the committee to respond? If there is none then the Statement be committed to the Standing Committee on Infrastructure, Energy and Public Works to work on it accordance with the provisions of the Standing Orders.

It is still Statement hour.

(Silence)

The Speaker (Hon. Oraro): Next Order!!

MOTION

ADOPTION OF A REPORT BY THE COMMITTEE ON ADMINISTRATION OF LAW,
JUSTICE, CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE, AND SECURITY ON
THE BENCHMARKING EXERCISE WITH NAIROBI CITY COUNTY ASSEMBLY

PRESENTED BY;

HON. MOSES OCHELE, MCA, EAST KANO/WAWIDHI.

(CHAIRPERSON, STANDING COMMITTEE ON ADMINISTRATION OF LAW, JUSTICE,
CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE, AND SECURITY)

The Speaker (Hon. Oraro): Hon. Moses Ochele

Hon. Ochele (MCA, East- Kano Wawidhi): Thank you, Mr. Speaker, I rise to move a motion from the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security on their Benchmarking Exercise with Nairobi City County Assembly.

Mr. Speaker and Hon. Members, the Committee on the Administration of Law, Justice, Good Governance and Constitutional Affairs established under the provisions of the Standing Orders No. 193 of the Kisumu County Assembly Standing Orders. conducted a benchmarking visit to Nairobi City County Assembly which took place from the 20th – 25th of February, 2024. In the Benchmarking exercise, the Committee sought to learn from Nairobi City County Assembly's

execution of policies and strategies that foster oversight on matters related to the County's Legal Services and Administration at the Village Units.

The delegation led by the Chairperson included other Members of the Committee and Staff and intended to learn and implement ideas, policies and methods that have enabled Nairobi City County Assembly maintain sufficient oversight on the manner of which the County's Legal Services and County Administration were being performed and undertaken. The purpose of the visit was also to examine institutional frameworks, engage with the Nairobi City County Assembly's Committee on Justice and Legal Affairs and benchmark best practices for strengthening the Committee's mandate at Kisumu County Assembly.

The delegation had extensive meeting with the Nairobi City County Assembly Committee on Justice and Legal Affairs which outlined its structure, mandates and legal framework, highlighting its role in promoting, safeguarding and evaluating the administration of law within the County. The Committee provided insights into its constitutional mandate, organizational structure and objectives. Which include investigating, inquiring into and reporting on all matters related to:

- a) the mandate, management, activities, administration, operations and estimates of the department;
- b) the programme and policy objectives of the department and the effectiveness of the implementation;
- c) the review all county legislation referred to it;
- d) the relative success of the department as measured by the results obtained as compared with their stated objectives;
- e) the department as they may deem necessary, and as may be referred to them by the county assembly;
- f) all appointments where the constitution or any law requires the county assembly to approve, except those understanding order 196 (committee on appointments); and
- g) Make reports and recommendations to the county assembly as often as possible, including recommendation of proposed legislation.

Based on the foregoing, the Committee among other recommendations, generally recommends that the Committee on Procedures and Rules should evaluate the mandates of the Committee on Administration of Law, Justice, Constitutional Affairs and Good Governance and course the amendment of the Standing Orders to mandate the Committee to inquire into and review the constitutionality of all County Legislations whenever need arises. Further, the Committee should be directly tasked to develop and implement a monitoring system for the County's Legal Services, and to restructure its operational model in the manner conducted by the Nairobi County

Assembly Committee on Justice and Legal Affairs, focusing on legal, research and public education sectors to effectively address its mandates.

This report therefore contains the results of the Committee's successful benchmarking visit in Nairobi County Assembly where it held insightful discussions with the Committee on Justice and Legal Affairs.

The Committee wishes to thank the offices of the Speaker and the Clerk of the County Assembly for their support in the execution of its mandate. The Committee also appreciates the delegation Secretariat's input in preparing this report. Finally, I wish to express my appreciation to the Honorable Members who constituted the delegation for their valuable and insightful contributions throughout the benchmarking visit to Nairobi City County Assembly, which took place from the 20th – 25th of February, 2024.

Preamble.

Hon. Speaker, the Committee on the Administration of Law, Justice, Good Governance, Constitutional Affairs and Security is established under Standing Orders No. 193 (second Schedule) of the Kisumu County Assembly Standing Orders.

Mandate of the Committee

Under the Second Schedule to the Standing Orders No. 193, the Committee is mandated to consider all matters related to:

referendum, further Devolution in the County, issues of Integrity, Ethics and Conflicts of Interests including Anti-corruption and Human Rights; ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations in governance at the local level and assisting communities and locations to develop administrative capacity for the effective exercise of the functions and powers and participation in governance at the local levels; administration of law and justice, including working and collaborating with national government operatives within the County especially on security matters.

Committee Membership

The Committee as at the time of this benchmarking exercise was composed of:

1. Hon. Moses Ochele Chairperson

2.	Hon. Reuben Rakwach	Vice Chairperson
3.	Hon. Mariam Abeid	Member
4.	Hon. Anne Ochola	Member
5.	Hon. Samwel Onyango	Member
6.	Hon. Vincent Jagongo	Member
7.	Hon. James Were	Member

Committee Secretariat

The Secretariat is composed of:

- | | | |
|----|---------------|-----------------------|
| 1. | Herman Moses | - Clerk Assistant III |
| 2. | Patrick Okoyo | - Hansard Reporter |
| 3. | Rose Baraza | - Serjeant-at-arm |

Methodology for the Benchmarking Exercise.

Hon. Speaker, at its special meeting held on Friday 9th February, 2024, . the Committee resolved to undertake bench marking visit to Nairobi City County Assembly in order to apprise itself on the policies and strategies employed by the Nairobi City County Assembly Committee on Justice and Legal Affairs in the performance of its functions that are strategic to the mandates of the Committee.

Prior to the visit, the Committee conducted a literature review of County Administrative practices and framework and held three Meetings to identify specific areas of interest for the benchmarking exercise.

Vide a letter Ref. CAK/CLERK/VOL.IV/2/23 (01) dated February, 12, 2023 the Committee through the Office of the Clerk wrote to the Clerk of the Nairobi County Assembly requesting for a benchmarking visit to Nairobi on the 20th – 25th February, 2024.

Objectives of the Study Visit

Mr. Speaker and Hon. Members, the Committee delegation was expected to:

- identify principles, policies and strategies that have enabled the Nairobi City County Assembly Committee on Justice and Legal Affairs to fulfill its mandates and uphold the administration of law within Nairobi City County;

- b) Study and inquire the institutional frameworks that have responded to the County's administration of Law and Good Governance;
- c) Inquire into ways of promoting representation of marginalized groups especially with regards to the obligation by the County Assembly in ensuring passage of laws that promote equitable representation; and
- d) Benchmark on the best practices that would enhance the Committee to discharge its mandate in a more effective and efficient manner.

Activities of the Study

The Committee undertook the following activities:

- a) Held discussions with the Chairperson and Members of the Committee on Justice and Legal Affairs; and
- b) Held discussions with the Clerk for the Committee and Procedural Officers on the manner of addressing procedural gaps existing in the Committee mandates.

Presentation Highlights of the Meeting

Meeting with the Committee on Justice and Legal Affairs

Hon. Speaker, the delegation commenced its activities by meeting with the Vice Chairperson of the Nairobi City County Assembly Committee on Justice and Legal Affairs Hon. Hamisi Suleiman Maleya who was accompanied by the following Honorable Members of the Committee:

- i. Hon. Agnes Njeri Muthoni;
- ii. Hon. Asli Muhamud;
- iii. Hon. Maurice Onyango Oluoch;
- iv. Hon. Samora Wacira Mwaura;
- v. Hon. Silas Matara Ongwae and
- vi. Hon. Peter Owera Oluoch.

Hon. Speaker, the delegation was informed that the Committee on Justice and Legal Affairs was established in line with the provisions Standing Orders No. 209 of the Nairobi County Assembly Standing Orders and is mandated pursuant to the said Standing Orders to consider all matters

related to Constitutional affairs, the administration of law and justice, including the elections, ethics, integrity and anti-corruption and human rights; city inspectorate and enforcement.

On the organizational structure, the Committee is composed of twenty-one (21) Members of the County Assembly. The mandate of the Committee includes the following:

1. Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the department;
2. Study the programme and policy objectives of the department and the effectiveness of the implementation;
3. Study and review all county legislations to it;
4. Study, assess and analyze the relative success of the department as measured by the results obtained as compared with their stated objectives;
5. Investigate and inquire into all matters relating to the department as they may deem necessary, and as may be referred to them by the county assembly;
6. To vet and report on all appointments where the constitution or any law requires the county assembly to approve, except those under Standing Order No. 196 (Committee on Appointments); and
7. Make reports and recommendations to the county assembly as often as possible, including recommendation of proposed legislation.

The Delegation was informed by the Committee:

- a) that its mandates pursuant to the Standing Orders has the broadest Jurisdiction as compared to other committees;
- b) that following the nature of its mandates, the Committee is on average allocated a budget between 7 million and 9 million in every financial year to ensure that it performs its functions amicably;
- c) that the Committee has challenges in overseeing legal services due to a lack of compliance with Committee Summons by the County Attorney and relevant Officers; and

- d) that the dynamics of Nairobi City County, being a metropolitan County, has been the major challenge faced by the Committee and the County in establishing the decentralized units.

Meeting with the Committee Clerk and Procedural Officers

Hon. Speaker, the delegation also met with the Committee Secretariat composed of the Committee Clerk and other Procedural Officers. The Secretariat at the meeting included:

- a) Ms Josephine Njeri Kamau - Senior Clerk Assistant (Committee Clerk) and;
- b) Ms. Mercy Senewo Murero - Clerk Assistant

On the management of the Committee Secretariat; the Committee Clerk informed the Committee delegation;

- a) THAT the Secretariat operates on a mandatory rotational basis; where each officer is assigned in a Committee for one financial year and re-assigned to a different Committee in every 30th June of a Fiscal Year. This is done to ensure that in-House Officers such as the Clerks, Hansard Officers and Serjeant-at-arms develop competent skills to perform committee functions in all committees of the House.

Committee Recommendations.

Hon. Members, following the submissions made to the Committee during its benchmarking exercise; the Committee generated the following comprehensive set of recommendations on each focus area aimed at enhancing the effectiveness and efficiency of the County Assembly.

Identifying principles, policies, and strategies for the fulfillment of the mandates of the Committee.

The Committee recommends;

- a) Adoption of streamlined legislative procedures that ensure laws are passed efficiently while upholding rigorous standards of scrutiny and debate.
- b) Implementation of Robust Continuous Training Programs and capacity-building programs for committee members and secretariat to ensure that the Committee stay updated on legal and administrative developments.

Institutional frameworks for the oversight of matters related to administration of law and good governance;

The Committee recommends;

- a) Strengthening Institutional Collaboration or enhancement of inter-agency collaboration frameworks between the Committee and institutions such as the Office of the

Ombudsman, CBOs and NGOs to ensure cohesive and coordinated oversight on administration of law.

- b) Development of a Monitoring and Evaluation Systems within the Assembly to assist the Committee to regularly assess the performance and impact of legal and governance frameworks within the County.

General Recommendations

The Committee recommends;

1. Establishment of a Performance Metrics and Accountability to assist in the evaluation of the effectiveness of the committee's work and ensure accountability and reporting on implementation of the Committee resolutions.

It is the conviction of the Committee that these recommendations will strengthen the Committee and this Hon. House at large by initiating the adoption of proven strategies and frameworks, promoting inclusive governance, and continuously improving operational efficiency of the Committee.

Conclusion

Mr. Speaker and Hon. Members, it is therefore my honor and privilege, on behalf of the Committee on the Administration of Law, Justice, Good Governance, Constitutional Affairs and Security to move this Motion before this Honorable House for consideration. At that point Madam Speaker, I would like to call on Hon. James Oyugi Were to second. Thank you, Madam Speaker.

(The Speaker vacates the Chair)

(The Deputy Speaker Hon. Okombo chairs)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta B): Yes, Hon. James Were.

Hon. Were (MCA, Nyalenda "B"): Thank you, Madam Speaker, I also rise to add my voice before I second. It is always prudent to compare notes, and the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security got a chance to interact with their fellow Members at the Nairobi City County Assembly by comparing notes and ensuring that they learn from each other.

Madam Speaker, going by the committee's recommendations and findings, you will realize that there are two important issues that we can pick from this benchmarking assignment. Madam Speaker, we are finding that out of the benchmarking trip, there is performance improvement because we got an opportunity to interrogate how they conduct their businesses, operations, and compared it with how Kisumu County Assembly does. Madam Speaker, we found out that the

Nairobi City County Assembly had the privilege to get more allocation compared to what Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security in Kisumu is appropriated as the operating budget. That one gives them a better chance of carrying out their mandate compared to us.

Madam Speaker, again we find out that out of the trip, Kisumu County Assembly had an opportunity of leaning the best practice. Benchmarking opportunity gave us an opportunity of learning what they do better than what we do here. Besides that, it was also an opportunity for them also to learn on what we are doing and excelling and performing better than them. I would also implore this House that we continue making several trips and comparing notes with our other colleagues so that we can better on activities that we do that can improve on our mandates and can help us discharge the duties that we were elected to do. Madam Speaker, with the few remarks, I so second. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, the precedence set under the Westminster Parliamentary System that the Kenyan parliament subscribes to and domesticated by our devolved Assemblies is that benchmarking reports are not meant to be adopted by the Assemblies unless they make serious recommendations that the Assembly considers important for their adoption and inclusion in their practices. So, Honourable Members, considering the recommendations made by the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security on their benchmarking exercise with Nairobi City. Having been moved and seconded, I want to propose it for debate.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Hon. Ouko.

Hon. Ouko (MCA, West Kisumu Ward): Thank you, Madam Speaker. I rise here to disagree with the motion. Madam Speaker, there is an abnormality here. Before the report is approved, the composition of members should be checked. Madam Speaker the report is copy pasted report from a source. How comes Hon. Ken Ouko who is not a member the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security is appearing undersigned. Who signed on my behalf? This report does not belong to this House. This is a report which is made from another bush and brought to the Assembly. In addition, the able Chair of the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security is a joker in this House and the Member has gone to the extent of reading a report which is copy pasted and not done by the Members of the County Assembly. Madam Speaker I reject this report and this report should be rejected at all cost. Thank you, Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Hon. Chair, the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security. Do you want to clarify on the matter raised by Hon. Ouko?

Hon. Ochele (MCA, East Kano/Wawidhi): Thank you Chair. I have heard the tone of Hon. Ouko. It seems that the Member has serious problems with either the committee or I as the Chair. That is because, even if the Member was rejecting the report, it could have been parliamentary. So, if the Member has personal issue, then I believe that one can be sorted outside.

Madam Speaker, what is annexed at the last page is the Composition of Members of the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security. I am struggling to look for the name the Member has mentioned but Madam Speaker I am only seeing for the Members of this House Committee. So, unless the Member is making reference from what I do not know, but what we have as Member who endorsed this report are very genuine members of the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security. Unless in a committee which I do not subscribe to, the Honourable Member attended the meeting and assigned himself as a member of the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security, the Member discredits the hard work done by this House Committee. I beg to disagree with him.

(Applause)

The Deputy Speaker (Hon. Okombo MCA, Manyatta “B”): Hon. Ouko, I can see the annexed Adoption Schedule and I can see; number I, it is signed by the Chair, 2 the Deputy Chair who is Hon. Rakwach, Hon. Anne Ochola and Hon. James were as the members who have signed. So, unless you have a different report. Hon. Ouko, you want to withdraw the report. Hon. Ouko.

Hon. Ouko (MCA, West Kisumu): Madam Speaker I am just here to substantiate all these. Just give me one minute. Do not worry.

(Laughter)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Hon. Ouko.

Hon. Ouko (MCA, East Seme): Madam Speaker, I am sorry...

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): You want to withdraw?

Hon. Ouko (MCA, West Kisumu): Madam Speaker, I had my wrong report. I therefore want to withdraw and apologize to the Chairperson of Justice and Legal Affairs Committee, my friend. Thank you very much.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Thank you, Honourable Members.

(Hon. Dede rises on a Point of Order)

Hon. Dede (MCA, Kisumu North): Point of Order Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Hon. Dede, what is your point of Order?

Hon. Dede (MCA, Kisumu North): Madam Speaker, being that pursuant to the provisions of Orders No. 89, I believe that Members have been attending House sessions and it is my opinion that they have not been inducted well on the use of iPads. So, at least if you can assist honourable...

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Order! Hon. Dede. You are out of Order.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Hon. James Omollo.

(Hon. Omollo rises on a Point of Order)

Hon. Omollo (MCA, West Nyakach): Point of Order.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Please proceed.

Hon. Omollo (MCA, West Nyakach): Madam Speaker, I want to agree with my colleague Hon. Ouko on that mistake and apologizing. However, notwithstanding Madam Speaker, the Member was making reference to the tabled report for the Volunteerism Policy. So, there you find the members of the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security the Member is a member and he is not captured as a Member in this report. I believe that there was an error in that one and I believe that the Chairperson should really...

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Order!! Hon. James Omollo. The report you are making reference to is not tabled in the House yet. So, we should avoid anticipating debates.

(Silence)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members we are still debating on the Benchmarking report of the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security on their benchmarking exercise with Nairobi City County. As I said earlier, the practice is that benchmarking exercise reports are usually for the House Committees to digest but not for the House to adopt. Unless the House sees it fit to embrace some of the recommendations and, it had been moved, seconded and proposed for debate. So, we are still debating.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Hon. Okoyo.

Hon. Okoyo (MCA, Central Kisumu): Thank you, Madam Speaker. I was just wondering aloud if we are not going wrong way and if our Standing Orders do not allow us to adopt a benchmarking...

The Deputy Speaker (Hon. Okombo, MVA, Manyatta “B”): Order!! Hon. Okoyo...

Hon. Okoyo (MCA, Central Kisumu): Why do we waste time debating on these reports....

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Order!! Hon. Okoyo it is not our Standing Orders. I said that it is a practice under the West Minister Parliamentary Practice that the Kenyan parliament subscribe to and domesticated by its devolved assemblies. But their host saw it fit to debate on the recommendations of the report and that is why we are debating. Hon. Okoyo you still want to say something?

Hon. Okoyo (MCA, Central Kisumu): Thank you, Madam Speaker. If it is a practice then let me say something about the report. Madam Speaker, I am pleased with the report of the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security and I want to say we really need to do more benchmarking and more so this House Committee. Madam Speaker, the benchmarking exercise between our House Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security and Nairobi County Assembly, as I have seen it, it was an eye opener and it equally opened our ears Madam Speaker...

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Order!! Hon. Okoyo...

Hon. Okoyo (MCA, Central Kisumu): Madam Speaker, I support...

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Hon. Okoyo Order! Are you a member of the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security?

Hon. Okoyo (MCA, Central Kisumu): Madam Speaker, I am not a member of the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security. I am just quoting the report. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Hon. Okoyo. You do not debate like the report is purely meant to benefit the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security. The report appears as a Substantive Motion having been considered necessary for adoption by the House. So, it is a property of the House not a property of the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Hon. Adeg.

Hon. Adegga (MCA, Kajulu): Thank you, Madam Speaker. Going by the mood of the House. May the mover reply.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Hon. Adegga, I can spot Hon. Bill on his feet.

Hon. Bill (MCA, Kobura): Thank you Madam Speaker, I rise to support the report, if you look at the recommendations that we are having there is one there for continuous training. The Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security is one of the very serious House Committees that we have in this House that requires continuous training. It is my belief that if this is done, it will help this House Committee to at least look at the principles, policies and strategies from other corners so that we can always keep them updated.

Secondly, if you look at the allocation that Nairobi County Assembly sister committee is allocated; it shows that the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security is a committee that if well-funded then it can assist a lot within our County. I want to support that even if that is not in the report this House Committee then, it should be considered for allocation of enough resources so that it helps to at least look at the policies and anything on administration that we have in Kisumu County so that they should always be updated since we are in an ever changing world and everything that runs the system should be up to date. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): that Chairperson, Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security, you had been called upon to reply.

Hon. Ochele (MCA, East Kano/Wawidhi): Thank you Madam Speaker, I would like to begin by commending the Honourable Members for giving us time and listening to our recommendations on the benchmarking report. I also want to take this opportunity to thank Members for the work that they have done and this equally goes to the office of the Clerk and the Speaker who accorded us the opportunity to visit Nairobi County Assembly.

Madam Speaker, I just want to add on what Hon. Bill stated that when it will come at the time for apportionment of House Operation Budget and Madam Speaker you being the ‘Minister for Finance Committee in that department, may you consider this House Committee that at least if we cannot reach the bar of Nairobi City County Assembly but at least we can reach half. Kshs 5 million is not bad for this House Committee to do its work effectively.

Madam Speaker, I don’t want to delve much on the recommendations and the findings of Nairobi City County Assembly because some might appear demeaning to my neighbour here Hon. Dede who has been complaining that the recommendation of the House Committee doing a number of things cutting across all the House Committees is not testing well. Generally, the role of this

House Committee cuts across all departments because when we talk of governance then no department can exist without proper governance, when we talk of administration of law, we will be considering any illegality in all departments, when you talk of security like the people being butchered in North Kisumu today, I thought Hon. Dede could have brought a statement therefore that is a matter to be considered by this House Committee. Otherwise I take this opportunity to thank you so much and may the House stay in peace. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, a Motion of Adoption of the Report on Benchmarking Exercise by the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security to Nairobi City County Assembly has been moved, seconded and debated upon. I therefore want to put a question on the adoption of the same?

(Question put and agreed to)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honorable Members, the Motion of Adoption of the report on Benchmarking Exercise by the Standing Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance, and Security committee to Nairobi City County Assembly is hereby adopted together with the recommendations therein today Wednesday, 03rd July, 2024 at 10:10 hours. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Next Order!!

ADJOURNMENT

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, there being no any other business to transact, the House stands adjourned to today Wednesday, 03rd July, 2024 at 02.30 p.m.

(House rose at 10.12 p.m.)

*Addendum***Hansard Team**

<i>Zablon Otiende</i>	-	<i>Senior Hansard Reporter (Acting Editor)</i>
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<i>Jesca Otieno</i>	-	<i>Hansard Reporter</i>
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<i>Mercy Rapando</i>	-	<i>Attache'</i>
<i>Wendy Akinyi</i>	-	<i>Attache'</i>