

**COUNTY ASSEMBLY OF MOMBASA**Tuesday, 22nd March, 2022.

The House met at 2:44p.m.

*[The Temporary Speaker (Hon. Raphael Bwire) in the Chair]***PRAYERS**

The Temporary Speaker (Hon. Bwire): Be seated Members. Yes Clerk, next order please?

STATEMENT

ALLEGED MISCONDUCT BY A DOCTOR EZEKIEL AT COAST GENERAL HOSPITAL

Yes Honourable Boniface Faith Mwende?

Hon. Mwende: Thank you Mr. Speaker. Mr. Speaker Sir, I seek a Statement from the Chairperson, Committee on Health Services on what disciplinary measures the Department of Health Services, County government of Mombasa will take against one Dr. Ezekiel of Coast General Hospital regarding an incident which occurred on Thursday, 17th March, 2022 from 9:29p.m in the evening whereby he arrived on duty late, was rude to patients and refused to attend to an emergency case of sick child in the casualty unit. Mr. Speaker, I wish to note that part of this incident is captured on video in my possession. Thank you Mr. Speaker.

The Temporary Speaker (Hon. Bwire): Thank you Honourable Faith. Honourable Faith you have the evidence?

Hon. Mwende: Yes, Mr. Speaker.

The Temporary Speaker (Hon. Bwire): Okay. Yes because it is a grave allegation and must be backed up by evidence of the same chairperson on Committee on Health?

[Silence]

Vice Chair?

[Silence]

Any Committee Member?

[The Chairperson on Health walked into the Chamber]

Yes I can see the Chair, Chairperson, welcome.

There is a Statement here touching on your Departmental Committee. Kindly just get your two to three minutes get through it and give us instant response if you have.

[Silence]

Yes Chair?

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Honourable Speaker, I have gone through the Statement from Honourable Faith Mwende MCA Kipevu Ward but since it is a matter of disciplinary issue at the moment I have no answer until next week so that I can comprehensively give the report to this issue. Thank you.

The Temporary Speaker (Hon. Bwire): Chair if you read that Statement you will find out that Hon. Faith Mwende has a video as evidence to back up her allegation, so sit down with your Committee with Honourable Faith Mwende share with her or she will share with you the video so that when you approach the Department and I am sure the Department must be aware of this since its in public domain so you are satisfied with next week will you be ready with the response Honourable Chair?

Hon. Kibwana Swaleh: Honourable Speaker thank you for also helping me on this. I think next week will not be the appropriate time because this is a grave matter which needs professional approach so I think I need more time Mr. Speaker.

The Temporary Speaker (Hon. Bwire): More time does it mean two years?

Hon. Kibwana Swaleh: Two weeks Honourable Speaker specifically.

The Temporary Speaker (Hon. Bwire): Okay. Yes, Honourable Samba?

Hon. Samba: The allegation and the issue that has been raised by Honourable Faith Mwende is a sensitive allegation and Mr. Speaker there is a norm and tendency in this House of requesting for two weeks. I would rather request because our time is also limited having the fact that we are also heading towards campaign time. I think if the Chairperson can narrow it down to one week as he had stated before that by next week he should furnish the House with relevant response so I think Mr. Speaker through your wisdom I think two weeks is a lot of time let us have one week. Thank you Mr. Speaker.

The Temporary Speaker (Hon. Bwire): Thank Honourable Tobias Samba. Yes Honourable Faith you are up ? then Honourable Ogutu.

Hon. Mwende: Thank you Mr. Speaker again. Mr. Speaker according to the misconduct of this particular Doctor I do not think it is appropriate to give more time. This is because of the way he handles the patients to an extent of telling a patient is mad and you expect to cure that person and believe you have given that person the right medication! I think this matter should be taken urgently because we do not know how many people are suffering from the same Doctor. Thank you.

The Temporary Speaker (Hon. Bwire): Thank you. Yes, Honourable Bernard? Honourable Bernard you know very well that you are not properly dressed up.

Hon. Ogutu: How? How Mr. Speaker?

The Temporary Speaker (Hon. Bwire): Your tie is very loose and that is not the way people put on ties.

Hon. Ogutu: Thank you Mr. Speaker.

[Interruption]

The Temporary Speaker: Honourable Ogutu put on your tie properly!

[Honourable Ogutu tightened his tie assisted by the Sergeant-At-Arms]

And next time you are required to be doing it outside the Chambers.

[Silence]

Hon. Ogutu: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kuna mahasidi kama akina Mheshimiwa Samba usiwape masikio...

[Laughter]
[Murmurings]

Mheshimiwa Spika?

The Temporary Speaker (Hon. Bwire): He must be too fat.

Hon. Ogutu: Yes.

The Temporary Speaker (Hon Bwire): Yes Honourable Ogutu, go on please.

Hon. Ogutu: Ahsante sana Mheshimiwa Spika. Hii taarifa ambayo iko mbele yetu ni muhimu sana pia hata *conduct* ya Mwenyekiti wa Afya inakupatia taswira ambayo iko kule. Hata yeye ni mjeuri hapa aliniita kwamba mimi ni Mheshimiwa *fake*...

[Interruption]

The Temporary Speaker (Hon. Bwire): Order!

Hon. Ogutu: Unatarajia aje...

[Interruption]

The Temporary Speaker (Hon. Bwire): Honourable Ogutu you are out of order! Honourable Ogutu you are out of order! I thought you are contributing towards the matter that is before us. The other issue does not concern this Honourable House Honourable Ogutu and I will just appeal that you go straight to the matter that is before the House.

Hon. Ogutu: Ahsante Mheshimiwa Spika.

Ningependa hii maneno ipewe kama siku tatu manake hata wale ambao walitendewa huo unyama pia ni binadamu na wanahitaji haki kwa hiyo Mwenyekiti awache kichwa kubwa alete majibu.

The Temporary Speaker (Hon. Bwire): Thank you Honourable Ogutu but again you also have to refrain from using a language that is not allowed in the House. You are an Honourable Member. Yes, Honourable Chair I think you have heard what the Members have said and it seems to be an urgent matter and since Members are afraid of two weeks can you kindly work within this one week and bring back the response next week.

Hon. Kibwana Swaleh: Honourable Speaker with my experience we want to do things professionally. Honourable Speaker anything to do with misconduct must pass through various organs within the Department of Health; there is also a Disciplinary Committee within the Department. Let us give it a fair hearing on both sides and if you want to do our work professionally give us two weeks I have said Mr. Speaker. We can even engage the person, we can even call the Chief Officer to not only give us a report but even answering this query physically Honourable Speaker. So I think there is no hurry at this moment; the only thing we want at the end of the day is fair hearing on both sides. I think that is to do with justice Honourable Speaker. Thank you.

The Temporary Speaker (Hon. Bwire): Thank you Chair. What is it Honourable Tobias?

[Consultations]

Hon. Samba: Mr. Speaker I do not know whether he is requesting for two weeks from now or two weeks as from next week because already today is on Tuesday if he is again requesting for two weeks as from next week that will be around three weeks. Today is Tuesday, tomorrow we have a working day Wednesday, Thursday, Friday are working days so maybe he can elaborate this week and part of next week or as from next week so he needs to be clear Mr. Speaker.

The Temporary Speaker (Hon. Bwire): You asked for a period of time you intend to bring a response from the very day the issue is discussed; yeah, so I think Chairman was asking for two weeks from now. So I think it is this week and next week and then perhaps next week but one you bring the response.

Hon. Kibwana Swaleh: Thank you Honourable Speaker.

The Temporary Speaker: Thank you. Yes Clerk?

ADJOURNMENT

Honourable Members there having been no other Business this House stands adjourned until Wednesday 23rd March, 2022 at 10:00.a.m.

The House rose at 2:58p.m