

# COUNTY ASSEMBLY OF NAKURU

## THE HANSARD

**Third Assembly (Second Session)**

**Tuesday 21<sup>st</sup> February, 2023**

**Assembly Building**

**The House met at 10:35 AM**

*[Speaker (Hon. Joel Karuri) in the Chair]*

### PRAYERS.

### PETITION

#### OMISSIONS OF PERSONS WITH DISABILITY

**The Speaker** (Hon. Joel Karuri): We have a Petition by Ambrose Kiplangat Lasoy concerning omission of Persons with Disability Mainstreaming and Empowerment Program that was founded in respect to the approved budget for the medium term framework for the Financial Year 2022 /2023. The Honorable Chair Budget Committee will table the Report.

**Hon. Alex Mbugua:** Thank you Hon. Speaker. On the 22<sup>nd</sup> November 2022 before this Honorable House a Petition was laid and one Ambrose Kiplangat Lasoy petitioned this House to interject and bring fourth on a matter pertaining omission of PWDs funds in the County Budget Estimates since the Financial Year 2019/2020 onwards.

Mr. Speaker the Petitioner was seeking the Assembly's intervention to remedy in the budget allocation in the coming Financial Years and to get clarification as to why this fund was not utilised. Mr. Speaker the Budget Committee sat down and on various we have held meetings and also interacted with the previous Administrations mainly from the Budget Committee. We have had background search and Hon.Speaker, pursuant to the provision of Standing Order 205, the Petition was tabled and committed to the Budget Committee and hence the resolution as per why the omission was there has been tabled. The rationale of the Petition by Ambrose Kiplangat Soi was to seek intervention of this Assembly on PWDs fund which was not allocated with the Budget then. After deliberations by the Committee Members the following were the findings;

#### FINDINGS

- i) The Committee was disappointed to note that money amounting to Kshs 55 million for PWDS had not been utilised denying the much needed support to the most vulnerable segment of the people. The previous Budget Committee within the Second Assembly held several meetings with the Department of Sports, Youth, Gender, Culture and Social Services to shade more light on what occasioned delays in disbursement of funds for the Financial Year 2019- 2020 and 2020.
- ii) The Committee after thorough interrogations with the Department on the above matter, it confirmed the Kshs 55 million was eventually utilised and assured the Committee of future commitments once allocated the funds.

## RESOLUTIONS

My Committee had some resolutions on that and within the coming budget, we find that even if the monies were placed back to this fund, there are some resolutions that must be made for these funds to be utilised.

- i) To allocate the Kshs 27.5 million in the Financial Year 2023- 2024 which is to be shared equally across the 55 Wards; that is each and every Ward will be getting Kshs 500,000.
- ii) Nakuru County People Living with Disability Regulations be amended in order to conform to the recommendations of the Controller of Budget. This fund was not well utilised or not utilised at all because of the regulations that are there. We must realign our regulations to conform to our PWDs Act 2016 so as to ensure that this money is well utilised.

**The Speaker** (Hon Joel Karuri): Thank you the Hon. Chair I am going to allow three Members to comment on that Report so that we can proceed. Hon. Member from Keringet.

**Hon. William Mutai:** Thank you very much Mr. Speaker Sir, I take this opportunity to first of all commend the Committee on Budget for studying the Report and giving the resolutions accordingly. I took time to go through the Report and there are certain loopholes that are supposed to be addressed. We have the aspect of youth empowerment; now according to me, I have a view that strategy no. 5 should be People with Disability. I believe they should be treated with a lot of humane. A lot of consideration should actually be put in place. You know it is so worrying when you hear that some Kshs 55million was allocated but it was never used so it brings a lot of questions such as what was the work of PIAC and Implementation Committees. Denying the right of this allocation of Kshs 55 million until it is taken back without being used seems to indicate that there is a lot of disregard to these People Living with Disability.

Therefore my further recommendation which I believe the Committee on Budget and Appropriations should take is first of all is to increase allocation. Kshs 27.5 million is a very small amount. Even arriving at that figure without having networked with Wards to identify People Living with Disability is not appropriate and not clear. How do you arrive at Kshs 500,000 without statistics on the needs of these people? I believe we should still go down to the ground, get some statistics about these people, get to know their needs and from there we establish their budget.

Otherwise Mr. Speaker, I believe this will be the right direction to go, bearing in mind these people have actually been abandoned for a very long time. Thank you so much.

**The Speaker** (Hon. Joel Karuri): Thank you Hon. Mutai. The Hon Gathanwa you are raising your hand; you should be upstanding.

**Hon. Michael Gathanwa:** I was trying to catch your attention. First I wish to commend the Chair Budget and on behalf of Members that we have interacted with, the CIDP Report and the Governor's maiden speech that was delivered in this House. I am very confident that the issue on PWDs is largely considered in this Administration and from the response from the Chair, I have gathered we have enabling laws and I am happy that he has pointed some of them out. It will be largely on the part of the House especially the Rules and Delegated Committee to ensure we have enabling regulations that marry with the Acts so that we are able to utilise this amount.

Therefore having considered that there is an allocation, we would wish now to call for an expedited process so that we can go back to our Wards and spend the money. Thank you.

**The Speaker** (Hon. Joel Karuri): The Hon. Member from Elburgon.

**Hon. Njuguna Mwaura:** Thank you Mr. Speaker. Allow me to commend the Budget Committee for responding to that Petition and how I wish the petitioners were in this House. I do not know whether they are in the Public Gallery so that they can see that we are still considerate of them. I know that the County has evolved since the inception of Devolution but there has been some challenges about People Living with Disability. I want to thank the Member who has suggested that we come up with their register so that we know how many of them are in each Ward. There are some officers employed in this County who do not render any service as they are supposed and these are Social Service Officers. Each Ward has a Social Service Officer but those Officers do not report to their offices so that they attend to these people and because of stigma, PWDS have been hidden under the beds so that their neighbors do not know of the existence of such victims. We need to go an extra mile so that we establish how many PWDs are there so that when we appropriate as far as those people are concerned. We know how much we are going to spend in this Financial Year as far as those people are concerned.

Secondly, those Members who were here previously know that when these people are called for public participation you can imagine somebody who is on a wheel chair being told to go for a public participation. Some of them are critically ill and are at a stage where they cannot even express themselves.

Mr. Speaker, there is a lot to be done and if there is a public participation for the PWDs, let their care givers go and present their views. They are actually dictated to what is coming to them, on what to be given such as all devices and some of them do not require them. Therefore Mr. Speaker, there is need for a regulation as to what they are supposed to be given. I am happy because the Governor said other than giving them the devices, we ought to be giving them something; a card sort of that can keep their money. We give them food, money for upkeep and NHIF cards so that when they fall sick, they can go to hospitals for free treatment. Those who would wish to study can be given some pocket money so that they can also go to school to study and further their education. Mr. Speaker that is not enough, if one of the Persons With Disability can come to this House and does not know how to speak there is no Interpreter.

I would also as an affirmative action, we need to come up with a law whereby each and every public office in this County should have an Interpreter. If that can be done they will be happy to attend our sessions to also listen to us and follow the proceedings. Also bearing in mind there is inflation in this Country, Kshs 500,000 is not enough and ask this House to be considerate at least each Ward to be allocated Kshs 1m to go direct to their pockets so that they are able to feel as citizens of this Country.

Otherwise the current situation is bad. These people are desperate and the only saviours of these people is this House and Jesus Christ. Therefore I request this Honourable House you be considerate and come up with proper budget for the PWDs so that we can add on that Kshs 500,000 that was passed in the first Regime to become Kshs 1m so that even when they will be allocated they be given something that is tangible. Otherwise I thank you Mr. Speaker and I believe this House is going to consider the PWDs.

**The Speaker** (Hon. Joel Karuri): Thank you. The other gender. We have listened to the gentlemen; where are the ladies on the same front? Hon. Doreen.

**Hon. Doreen Korir:** Thank you so much Mr. Speaker, I also rise to support that being a woman, there are so many women suffering out there in our Wards with kids and family members who are disabled. So I support that we add the allocation to Kshs 1million so that we support these people who are really in need. Thank you Mr. Speaker.

**The Speaker** (Hon. Joel Karuri): Thank you; the Hon. Chair for Budget you have listened to your membership and also the Chairperson Committee on Sports, Youth Gender Culture and Social Services, take note; and the Chairperson Committee on Delegated Rules and Procedures take note and see how the three Committees can work together to come up with the necessary enabling legislations and to expedite on what is remaining. There are laws and regulations to the fund so that now the fund can be operationalised.

### **ADJOURNMENT**

Honourable Members this House stands adjourned until today 2.30pm

**The House rose at 10.55AM**