

COUNTY ASSEMBLY OF NAKURU

THE HANSARD

Third Assembly (Second Session)

Tuesday 26th September, 2023

Assembly Building

The House met at 10:35 AM

[Speaker (Hon. Joel Karuri) In the Chair]

PRAYERS.

COMMUNICATION FROM THE CHAIR

A WELCOME NOTE

The Speaker (Hon. Joel Karuri): I recognise Members from Kiambu County Assembly, Committee on Welfare, led by the Chairperson Hon. John Njinu and the following Members;

1. Hon. Peter Njoroge
2. Hon. Kung'u Smart
3. Hon. Shiru Mungai

I also recognise members of staff from the Assembly who are accompanying the Members.

1. Ms. Stella Njeru
2. Ms. Mary Wangui
3. Ms. Judith Mokei
4. Mr. David Kung'u

I also take this opportunity to welcome visiting teachers and pupils from Crater View Ngata Academy, Mosop Ward. The team is led by Mr. Oriwo Albert Odulo. Welcome.

MOTION

WATER COMPANIES

The Speaker (Hon. Joel Karuri): There is a Motion by Hon. Chairperson Committee on Public Accounts and Investments, Hon. Simon Kamau.

Hon. Simon Kamau: Thank you Mr. Speaker sir. I beg to move a Motion THAT this House adopts the Report of the Committee on Public Accounts and Investments on the Report of the Auditor General on the Financial Statements of the Nakuru Water and Sanitation Services

Company Limited, of Nakuru County for the year that ended June, 2021, laid before the table of the Assembly on Wednesday 20th September, 2023 during the morning plenary.

Mr. Speaker, Water is a very important resource in our County and if these Water Companies do not manage this resource efficiently, there may emanate some problems which will affect us and *Wanjiku* directly. We have 3 Water Companies within Nakuru. We have Nakuru Water and Sanitation Company (NAWASCO), we have Naivasha Water and Sanitation Company (NAIVAWASCO) and we have Nakuru Rural Water and Sanitation Company (NARUWASCO).

The queries that have been laid by the Auditor General and for this particular session, I want to highlight some of the Audit queries that have been raised by the Auditor General specifically on the Nakuru Water and Sanitation Company.

Mr. Speaker, on behalf of the Members of County Assembly Public Accounts and Investments Committee, I beg to move the adoption of the Report of the Committee on the Report of the Auditor General on the Financial Statements of the three Water Companies of Nakuru for the year that ended 30th June, 2021.

The Public Accounts and Investments Committee is a select Committee established under Standing Order 188 and is responsible for the examination of the working of Public Accounts and Investmentss.

Mandate of the Committee includes, among others,

1. Examining the Accounts showing the appropriation of the sum voted by the House to meet the Public Expenditure and of such, other Accounts laid before the House as the Committee may think fit.
2. Examine the Reports and Accounts of the Public Investmentss.
3. Examine the Reports, if any, of the Auditor General on the Public Investments.
4. Examine, in the context of the autonomy and efficiency of the Public Investmentss whether the affairs of the Public Investmentss in accordance with sound financial or business principles and prudent commercial practices.

Mr. Speaker, the Committee shall however, not examine;

1. Matters of Major Government Policy as distinct from business and commercial functions of the Public Investmentss.
2. Matters of the day-to-day Administration.
3. Matters for consideration of which machinery is established by any special Statute under which a particular Public Investments is established.

The Committee has powers under the provision of the Constitution, The State Corporations Act Cap 446 and the Public Audit Act Cap 412 to summon witnesses, examine them under the oath and receive evidence from them.

COMMITTEE MEMBERSHIP

The Committee is comprised of the following Members: -

- | | |
|--------------------------|--------------------|
| 1) Hon. Simon Kamau | - Chairperson |
| 2) Hon. Michael Njenga | - Vice Chairperson |
| 3) Hon. Samwel Ngarama | - Member |
| 4) Hon. Joseph Muraya | - Member |
| 5) Hon. Ann Njaguara | - Member |
| 6) Hon. Kezziah Okumu | - Member |
| 7) Hon. Bathsheba Kerubo | - Member |
| 8) Hon. Irene Cherop | - Member |
| 9) Hon. Robert Rutto | - Member |
| 10) Hon. Bernard Kirui | - Member |
| 11) Hon. Robert Lang'at | - Member |
| 12) Hon. Neto Sakwa | - Member |
| 13) Hon. Gathuita Mwangi | - Member |

Mr. Speaker, having called some of these Water Company Managements of course as per the Audit queries that were raised from the Office of the Auditor General, we realised that we have some of audit queries that of course we wanted this Management from the NAWASCO to highlight so at least we can minimise some of these losses in terms of finances and of course to ensure that there is transparency and efficiency in as far as matters running the Water Companies are concerned.

And Mr. Speaker, before I go to the audit queries, there are some challenges that we are facing as a Committee.

Challenges Experienced by the Committee

Members noted time and resources allocated to the Committee is too little in comparison to the work they are supposed to handle.

Members also noted that Management of the County Assembly was delaying in tabling Reports from the Office of the Auditor General and therefore we were affected as a Committee in as far as implementing what we were supposed to implement was concerned.

Committee Proceedings

The Committee held sittings in which it closely examined and heard evidence from the Management of Nakuru Water and Sanitation Company Limited.

In its inquiry into the audit response of NAWASSCO for the year ended 30th June 2021, the Committee heard and received both oral and written evidence from the Management.

The records of evidence adduced, Documents and Notes received by the Committee form the basis of the Committee's observations and recommendations as outlined in the Report and can be obtained in the Hansard Reports of the Committee available in the County Assembly of Nakuru.

Committee's Objectives

These observations and recommendations, if taken into account and implemented will enhance accountability, effectiveness, transparency, efficiency, prudent Investments and financial Management in Nakuru Water and Sanitation Services Company Limited.

Nakuru County Water Entities

Nakuru County Government owns three Water Companies. They are;

1. Naivasha Water and Sanitation Company Limited
2. Nakuru Rural Water and Sanitation Company Limited
3. Nakuru Water and Sanitation Services Company Limited

Mr. Speaker, of interest today, and in this session, we are going to deal with NAWASSCO

The Material Issues (Highlights from the Report of the Auditor General)

Mr. Speaker, the Committee, after in-depth analysis, insights and engagement with the Management of NAWASSCO Limited, identified key issues raised by the Auditor General which affected both directly and indirectly the performance of the Company during the year under the review; that is the year that ended 30th June, 2021.

The audit queries are of course so many but of major concern as follows;

1. Non-Revenue Water was a major sticking point. This refers to Water supplied but not billed due to burst pipes, dilapidated infrastructure or theft of meters. The resultant effect is that the Company could not realise enough revenue to effectively sustain its operations.
2. The Committee also noted that the Company Management had not instituted strong Internal Controls. This resulted to the loss of over Kshs. 3 Million through a fuel theft syndicate. And maybe later, I am to expound on the same.

The County Government of Nakuru owed the Company more than Kshs. 200 Million, which are monies owed by the defunct Municipal Council of Nakuru. This contributed to an unhealthy financial

The Committee appreciates efforts of the Company Management to improve performance by increasing metering and area of coverage which have improved revenue and service delivery. However, a lot needs to be done to realise the Company's key mandate of providing Water to all residents in its area of operation.

The Committee has proposed recommendations in this Report which if implemented will go a long way in making the Company more effective in delivering services.

Other matters raised by the Auditor General and considered by the Committee are in this Report, apart what we have mentioned there above.

Basis for Qualified Opinion.

Undisclosed Loan from African Development Bank (AfDB)

Audit Query

The Statement of profit or loss and other comprehensive income reflects operating and maintenance costs of Kshs 377 119 876 for the year ended 30th June, 2021. However, the balance differs with the amount of Kshs 282 779 924, disclosed in Note 12(a) which is taxed maybe behind this particular Report, resulting to unreconciled variance of Kshs 94 339 952. Also Included, in the balance is the AFDB loan repayment amount of Kshs 39 468 545 which has been expensed. As previously reported, although the Company procured the amount of Kshs 994 706 658 from African Development Bank (AFDB) through Rift Valley Water Works Development Agency (RVWDA) and continues to service it, the outstanding loan balance is not reported on the Financial Statements as required by the standards. This is in breach of Section 628(3) of the Companies Act No.17 of 2015 which requires accounting records of the Company to contain day-to-day entries of all amounts of monies received and spent.

Consequently, the accuracy and fair Statement of the Liabilities in respect of the undisclosed African Development Bank (AfDB) which was obtained through the Rift Valley Water Works Development Agency (RVWDA) and which the Company is servicing could not be confirmed.

Of course we told them to provide the Management response, which they did and I am going to read as it is.

Management Response

(a) Operating and Maintenance Costs

The correct amount of operating and maintenance cost is Kshs 282 779 924 as disclosed in Note 12(a) to the Financial Statements. The amount of Kshs 377 119 876 reflected in Statement of Profit or Loss and other comprehensive income was due to a typing error and it does not affect the figure of total expenses. This typing error has since been corrected in the Financial Statements for period ended 30th June, 2022, of which as a Committee we confirmed.

The loan was used in the construction of the Olbanita Project and other related works. We were told the other related works were wells that were dug, springs that were dug and another sewerage network that is from Kanu Street all the way to Njoro River. Those are some of the other networks they provided responses to us.

After the completion of the project, RVWSB handed over the project to the Company for operations and maintenance but retained the ownership of the Assets and the Assets have not been transferred to the Company. If we record the loan and the assets in our books, it would result to double accounting since the same is already recorded in the books of RVWSB currently Central Rift Valley Water Works Development Agency (CRVWWDA).

However, the Water Act 2002 was reviewed in 2016, has not been fully operationalised through a regulation hence Assets acquired by obligations by CRVWWDA have not been transferred to the Company for proper accounting. The then Transitional Authority also did not remedy this situation for the County Government, Water Companies and Water Service Boards.

Current Status

The Company is waiting for the transfer of assets from the Central Rift Valley Water Works Agency as per the Water Act 2016

Committee Observations.

The Committee observed that:

- (i) The issue has been raised over a long period and the Company Management has not yet come up with a solution.
- (ii) The Company did not disclose the Principal Loan Amount in the Statements thereby contravening Section 628(3) of the Companies Act No.17 of 2015 which requires Accounting Records of the Company to contain day to day entries of all amounts of monies received and spent.

Committee Recommendations

After close scrutiny of the issues raised by the Auditor General and responses provided by the Company Management, the Committee recommends that:

- (i) All monies received and spent should be included in the Financial Statements pursuant to Section 628(3) of the Companies Act No.17 of 2015. Thus, the Principal Loan Amount of the loan should be included in the Financial Statements, and also the accrued interest.
- (ii) All assets developed from the loan should be transferred to the Company from the Central Rift Valley Water Works Development Agency.
- (iii) The Company Management should expedite the transfer process and provide a status Report to this Committee by 30th December 2023.

Trade and Other Receivables

Audit Query

The Statement of financial position as at 30 June, 2021 reflects trade and other receivables balance of Kshs714 643 719 and as disclosed in Note 19(a) to the Financial Statements. However, the balance includes net trade receivables of Kshs.666 570 684 which is at variance with the supporting schedule amount of Kshs.617 528 935 resulting to unreconciled variance of Kshs 49 041 749.

Consequently, the accuracy and fair statement of the trade and other receivables balance of Kshs 7 14 643 719 as at 30 June, 2021 could not be confirmed

Management Response

The variance of Kshs49 041 749 between Financial Statements and supporting schedule relates to customer prepayments which had been classified under other payables in Note 25.

The net trade receivables balance of Kshs. 666 570 684 as Reported under Note 19 (a) relates to customers with debit balances while the supporting schedule amount of Kshs. 617 528 935 is net of customers with credit and debit balances thus the variance of Kshs. 49 041 749. This was corrected in the Financial Year 2021/2022.

Committee Observations

The Committee observed that:

- (i) The net trade receivables Reported did not tally with the supporting schedule provided,; and of course, with a variance of Kshs 49 041 749.
- (ii) The variances were reconciled and corrected in the subsequent Reporting period.

The Speaker (Hon. Joel Karuri): What is it Honorable Member for Kaptembwo Ward?

Hon. Peter Kajwang’: Thank you Mr. Speaker sir. The Chairman could quickly take us through the summary because it is a lot of literature; we might not be able to comprehend everything that he is trying to go through very fast so that we can give our productive contribution to it. Thank you.

The Speaker (Hon. Joel Karuri): Thank you Honorable Member for Kaptembwo Ward. Chair, take note.

Hon. Simon Kamau: Thank you Mr. Speaker sir. I take note. Again, I was not reading everything. I was almost. I am only going to give matters of great importance and that is what I am doing, that is why I wanted Honorable Members to understand in depth because this is the elephant in the room. The others that have no great importance I am of course going to skip, Hon. Kajwang’ ...

The Speaker (Hon. Joel Karuri): Honorable Chair! Address the Speaker.

Hon. Simon Kamau: Sorry, Mr. Speaker sir. Honourable Members, as guided by the Speaker, I am not going to read everything. I am going to take note of the very critical Audit Queries so that the Members can have time to contribute. So, another elephant in the room is Non-Revenue Water. This is water that is used by the Customers and is not billed.

Audit Query

Available records indicate that the Company produced 13,358,950 cubic meters of Water out of which, only 9,130,940 cubic meters were billed to Customers leaving out the balance of 4,228,010 cubic meters Non-Revenue Water at an estimated value of Kshs 328,257,551. This represents 32 % of the production, which exceeded the set threshold of 25% approved by the Water Services Regulatory Board (WASREB) guidelines. No explanations have been rendered for the high Non-Revenue Water and measures being put in place to resolve the loss in revenue.

Management Response

The Company is very keen on reducing Non-Revenue Water to the sector benchmark levels of 25% and a lot of efforts have been put in place to reduce Non-Revenue Water

Some of the interventions which have been undertaken include;

- (i) Rehabilitating the old dilapidated and spoiled networks within the supply area which recorded the highest of physical losses.
- (ii) Conducting minimum Night Flow Measurements to apportion contribution of physical losses in various places to aid in decision making for NRW reduction interventions.
To highlight on this, I wanted to get a clarification from the Managing Director of Nakuru Water and Sanitation Company what he meant by this Night Flow Measurement. He told me that we have some of these residential areas within Nakuru City whereby he wanted to ensure that they have some machines that they use to see whether there are leakages during the night when these people are asleep.
He told me that between 1 AM and 3 AM when they assume that everybody within the residential area is asleep, that is when they use that said machine to test whether there are leakages or not and where they note that there are leakages, they go the following morning. He told me that the machine is perfect that when they go the following morning to look where there were leakages during the night, they find that there were leakages and they try to mend it. Therefore, they are trying to reduce the loss of this Non-Revenue Water.
- (iii) Use of High-Density Poly Ethylene (HDPE) pipes in place of Ultra Poly Vinyl Chlorite (UPVC) for network extension and maintenance since HDPE pipes are stronger, can withstand higher pressure, have less joints and less prone to leaks and bursts.
- (iv) Replacement of Consumer Meters whereby faulty/old/und registering Meters are being replaced with Automatic Meter Reading (AMR) enabled meters, which are more accurate

with hope to automate them fully for real time meter reading and easier NRW computations. So far, 13,000 Smart Enabled Meters have been installed within Central and Southern Zones.

- (v) Surveillances for illegal users being intensified whereby the Illegal Use Team have been facilitated with a vehicle, a motorbike and security reinforcement where necessary.

I interrogated further on these Enforcement Officers. The Managing Director told me that there was one of his staff who was almost killed because as I have said, water is very critical and anybody coming to withdraw water services from them, you are going to face it rough. That is why they have to use the Enforcement Officers.

- (vi) Relocation of 3,500 Consumer Meters to the nearest mains in the low-income areas which have high number of water theft cases
- (vii) Automation of water production sites by installing more efficient meters for accurate meter reading
- (viii) Replacement of 13,000 old and faulty meters with smart meters.

Committee Observations.

The Committee observed that:

- i) The Company contravened Water Services Regulatory Board guidelines, which recommends allowable loss of unaccounted for water to be at 25%.
- ii) The installation of Smart Meters is a good strategy by Management to reduce water loss.
- iii) Dilapidated infrastructure continued to aid Non-Revenue Water.

Committee Recommendations

After scrutiny of the issues raised by the Auditor General and responses provided by the Company Management, the Committee recommends that:

Pursuant to the Water Services Regulatory Board, - Non-Revenue Water Management standards in Kenya Guideline June 2022, Nakuru Rural Water and Sanitation Company Management should adhere to the following guidelines on non-revenue water reduction measures.

- i) Determine the accuracy of Production Meters by testing and calibrating, and replacing if faulty or inaccurate.
- ii) Eliminate major commercial losses by servicing and testing (and replacing faulty) Customer Meters and, identifying illegal uses (starting with large and then medium customers).
- iii) Install Meters for unmetered Customers and identify unbilled Customers through Customer Identification Survey (CIS) and issue them with bills.
- iv) Reduce the time taken to repair bursts, surface leaks and overflows

- v) Management should seek funding to upgrade its Infrastructure, which is outdated to prevent Non-Revenue Water and adhere to Water Regular Authority Services Board.

Committee Recommendation

After close scrutiny of the issues raised by the Auditor General and responses provided by the Company Management, the Committee recommends that:

- (i) The Company Management should update its Assets Register by including all serialized water meter numbers.

Acknowledgement

I take this opportunity to commend the Members of the Committee for their devotion and commitment to duty, which made the consideration of the Auditor General's Report on Nakuru Water and Sanitation Company Limited successful.

I also wish to thank the Offices of the Speaker and the Clerk to the Assembly for the support extended to the Committee in undertaking this important assignment.

Lastly, I wish to thank the Management of Nakuru Water and Sanitation Company Limited who submitted written responses of the Report, and who appeared before the Committee to give further clarity to issues raised by the Auditor General.

At this juncture, I wish to request Honorable Lang'at from Amalo Ward to second the Report. Thank you.

Hon. Robert Lang'at: Thank you Mr. Speaker sir. I rise to support the Motion. I do not want to dwell much on what the Chairperson has said.

First of all, let me thank the Committee for the job well done. Thank you very much for burning the mid-night oil to come out with this Report. As the Chairman has said, we had the Management Response and as the Committee, we did some observation. After that, we came with recommendations, which the Chairperson has really highlighted.

On the positive Report on Nakuru Water and Sanitation Services, the Company is rising. Up to today, they have a base of 48,000 Customers on Water and almost the same number on the Sewer connections. Given opportunity and sound Management, Nakuru Water and Sanitation Company has a very high potential.

As we speak today, their monthly revenue stands at Kshs. 90 Million per Month. There is an ongoing project of about Kshs. 5.4 Billion, which is on networks of Water and Sewage. Given time, after the completion of the said projects, Nakuru Water and Sewerage Company will be able to give out on 24-Hour basis and there would be no much difficulty on water.

At close scrutiny, Nakuru Water and Sewage Company are doing additional 20 boreholes. These boreholes will increase the production of 20 cubic liters of water per day. They will also increase

the production of 48, 000 cubic liters to 65,000 cubic liters. I stand to second the Motion. Thank you.

The Speaker (Hon. Joel Karuri): Thank you. The Motion is now properly seconded. The Motion is that this House adopts the Report of the Committee on the County Public Accounts and Investments on the Report of the Auditor General on the Financial Statements of the Nakuru Water and Sanitation Company Limited, Nakuru County for the year ended 30th June, 2021, laid before the table of the Assembly on Wednesday 20th September, 2023 during the morning plenary.

The Motion is open for Debate.

The Honorable Leader of Minority Party.

Minority Leader (Hon. Philip Wanjohi): Thank you Mr. Speaker sir. I take this opportunity to thank the Committee led by *Mheshimiwa* Simon for coming up at least with the first Report. There has been a concern that this Committee has had more than 20 Reports and we were getting worried that they were not submitting one Report in this House.

Therefore, this Morning, we are happy as a House because we are able to come up with a Report and the Report they have given us is an extensive one. However, although the Honorable Member for Amalo Ward says the Company is doing well, if you look at the entire Report, to me, the Company is doing poorly. However, because it is a Report they have given, I am concerned because if you look at every other part they are losing money. People have not been paid and if you look here, they are saying 1,600 Meters have not been serialized.

That is a loophole where they are losing money. Individual Meters have not been captured. The Assets have not been registered. All that and 13,000 faulty Meters, fuel theft money being spent and being lost is a very worrying trend and as a County, we are putting money into that company. Therefore, because we have the Chairperson for Implementation Committee and the Committee for Implementation and the Chairperson for budget is here.

We will be looking at that Company critically and say whether it deserves to get more money because it is not using the money for the value that it is intended for. However, I thank the Committee for that Report but in future, we need to look at these Companies, the Nakuru Water and Sanitation Company, Naivasha Water and Sanitation Company, Nakuru Rural Water and Sanitation Company and see whether they are giving value to the people of Nakuru County. Thank you.

The Speaker (Hon. Joel Karuri): Thank you. The Honorable Member for Subukia Ward.

Hon. Isabella Makori: Thank you Mr. Speaker sir. Water is life but if the Report will go through, unless with amendments, I am not in support. On page 12 on Committee recommendations, bullet 1 which says the County Government should put plans of payments amounting to Kshs. 215 Million and this debt is for former Municipal Council. The County works under budget and I do

not see where Kshs. 215 Million which is not allocated for the Company where we can get Kshs. 215 Million.

I come from a rural set up where we have a lot of problem with water. By chipping in Kshs. 215 Million to Nakuru Rural Water and Sanitation Company, they do not give water for free. They usually sell. They make a lot of money and so I differ on that bullet. Thank you.

The Speaker (Hon. Joel Karuri): Hon. Hassan

Hon. Hassan Ali: Thank you Mr. Speaker sir. Allow me as I support the Report from the Committee of Public Accounts and Investmentss, allow me to also thank your Office for these gadgets that we are using here. This World is going paperless and I think we are the first County Assembly to go paperless in this Country and your Office should be thanked enough for doing this. You do not have to see me carrying a lot of these papers. It becomes a *mzigo* to me. Thank you to your Office for doing this wonderful work.

As I stand here, I also wish to support the Report but there are so many issues that are coming up on this Report and needs to be addressed immediately. There is the issue of pending bills that the County Government is owing to the Water entity. I think that is an elephant in the House and it should be addressed immediately so that these people can proceed doing their work.

There is also the issue of Undisclosed Public Loan. This loan should be made public and as a matter of fact, it should be tabled in this House so that we know how was this money spent.

Water is still a problem in Nakuru and I think every Member would agree with me that we still have a big problem with Water in Nakuru. So many people are still complaining of not getting Water and we have these entities that have been using a lot of public money and they are not doing their jobs. I think Water is still a problem in Nakuru and should be addressed immediately.

There is also an issue of high bills. People are receiving high bills that the water entities cannot even explain. These bills, let us say, you are living in a domestic House but once they bring these water bills, it is becoming and read as commercial water bills. You are wondering if you have a factory in your house. Through the Committee, this matter should be addressed because this is a matter of concern to the citizens of Nakuru and there is a lot of complaints. I ask the Committee to take up that matter and make sure that it is addressed. Thank you. I support.

The Speaker (Hon. Joel Karuri): Now, there is an issue of precedence. The Deputy Leader of Majority Party and then Honorable Member for Lakeview Ward.

Hon. Rose Njoroge: Thank you Mr. Speaker. I want to congratulate the Committee for the good work and I would like to add that it was long overdue. This is what we have been waiting for and now that it is on the floor, we are grateful that we are going to discuss it.

Mine is to add pressure to the Company because I feel it has a lot of incompetence. There is no good work going on there, the high bills that cannot be accounted for; they cannot explain how

that bill has come up. Also, according to the period that we are, we have been devolved for a very long time and water has not reached to most of the residents and those people with water, it is not well managed. You find that there is no good flow of how this water is coming to the people's houses. There is need to discuss this Motion or to have more time awarded to this Motion or rather, to the Committee to go to the depth of it because they have alleged that they have got some debts and this should not be a reason why they have incompetence in the office.

I would like to commend the Committee and also urge the Members to discuss this Motion in depth and come up with a solution for our people because there is a lot of outcry. In Gilgil, new areas that have been occupied, like Mbegi and Kikopey are not able to access these water pipes. If there is a breakage, it is becoming very difficult to come and repair that breakage. They complain that they have no pipes, that they have no money and then we wonder, where do they expect us to go? I recommend the Report but still there is more to be done. Thank you.

Hon. Alex Mbugua: Thank you Mr. Speaker sir. Let me start by acknowledging Members of the County Assembly from Kiambu County who are seated amongst us here; my friend Honorable Kung'u Smart and the Committee on Welfare. I also start by appreciating the pupils amongst us here. We are setting a good precedent to a future generation that we can inspire a generation and these are the same people who will occupy these seats in years to come as we rise the ranks of politics and leadership in this great Country and even the world.

There is this book '*Why Nations Fail*' and it was written by James A. Robinson. In this book, you will find that different nations have been given different parameters of rising and even failing. Why African Countries have not met the threshold of popularity that should have been met yet we have gold, diamonds and major resources within this continent and yet other Countries of the world do not have such resources but have prospered more than us. Take for example Singapore.

When I look at this Report on Nakuru Rural Water and Sanitation Company and more so the Auditor General's Report on Nakuru Rural Water and Sanitation Company, I am perturbed. First, I felt very bad that the Chairperson Public Accounts and Investments Committee indicated that ...

The Speaker (Hon. Joel Karuri): Honorable Alex, are we referring to the wrong Report? Because the Report that was presented is for Nakuru Water and Sanitation Company.

Hon. Alex Mbugua: Mr. Speaker sir, it is Nakuru Water and Sanitation Company. I think it is just the agitation of what is there because that Organisation should just be rebranded for the sake of good precedents and saving public resources.

The Chairperson, when he was on the floor, indicated that there are some Reports that are within this Assembly and I do not know which entities are not tabling this Report because it was a concern that this is the first Report that is being tabled here. I think that one should have caught your ears because it is important that we get to know why they are not being tabled because that is a concern from the Committee.

On the part of the undisclosed loans from the Africa Development Bank, I feel that these loans should be contained and curbed by this House. There is no way that we get to learn from a Report that major loans were taken by such Companies and we are not even aware as a House or as Nakuru County, and yet these loans will later come to affect us.

Among some of the development plans that the Chairperson has indicated is that the Company has a plan to do projects worth about Kshs 5.5. If these projects will be funded or serviced by loans at the exploit of the people of Nakuru, then I think we need to get to the bottom of these loans Mr. Speaker. There is another glaring matter that the Chairperson mentioned on the unreconciled Kshs. 94. 3 Million. I felt very perturbed and in the reply from the Management, they quoted and said that it was a typing error yet from the Auditor General it is not reflecting within the major accounts and the major Statements.

I am reminded of May 5th, 2008 when the former President then the Minister of Finance claimed that there was a “*computer error*” that incurred a Supplementary Budget with an increase of Kshs 120 million dollars. Is this the same case that we are having in Nakuru County and more so in NAWASCO? These are things that make many Nations and Counties fail. There are some springs that have been quoted by my Chairperson and when I am told that springs, wells and boreholes have been dug then I wonder how do you dig a spring Mr. Speaker?

A spring for those who did Geography in form one, is a natural exit of water where the water is oozing out of the ground from an aquifer that is just below the rock. So, when they tell us that they are digging a spring then I think it is only Jesus Christ who can save us from such things. I am of the opinion that the Report is very good, having that the Committee is bringing its first Report here but as a County we need to be very much agile in what we do.

Water is a resource that supports life and without taking this urgency into account, then we shall fail Nakuru as a city. This morning I welcomed Members from Kiambu County and I told them that they are sandwiched by two cities, the Nairobi and the great city of Nakuru County and we must set precedence here. Thank you. I support the Report but with recommendations as stated.

The Speaker (Hon. Joel Karuri): Thank you. On my right, the last Honorable Member, the Member from Maai Mahiu then we cross over to the left side.

Hon. Eliud Kamau: Thank you Mr. Speaker Sir for giving me this opportunity. First, I would like to recommend the Committee on Public Accounts and Investments. As a County of Nakuru and the honorable Members of this House we know very well that the most crucial thing and the biggest agenda we have is water, Nakuru is unique in some way because we do not have service water. We depend on boreholes and if we are not careful with these Water Companies they might lead us to a mess. In page 14 minute 218, they are saying that they produced 13,358,950 cubic meters of which they only billed 9 130 940 cubic meters and 328 257 551 went unbilled.

You should look at that deficit because that is almost 32% of unbilled water. If you talk about 32% of water is unbilled then that becomes an issue of great concern. If you go to the same page that is

page 13, they are talking about uncounted money for fuel. They lost fuel worth Kshs 3 219 256. Although in the recommendations they are saying that the matter is in court but if this is the route that is going to be taken by all other Water Companies, then I think we are going in the wrong direction.

Mr. Speaker, in the Committee recommendations, they should question the Leadership of those Companies because they say that the lost fuel was caused by employees and a Leader should take full responsibility. We are not talking of employees stealing water worth hundreds of thousands yet we are talking of stolen fuel worth Kshs 3 Million. As much as they are saying that this matter is in court, I feel that the problem is the Leadership of these Water Companies and if as a House we are going to adopt this Report as it is, then we will be throwing our County into a pit and for us to come out of it, it might take years.

Mr. Speaker, what I am seeing here is, they are talking about our Water Services Companies and Rift Valley Waters; what are the demarcations between the two? Because it looks like a game between our Water Services Companies and Rift Valley Water; and that is a trend in other Water Companies. When you go question them they only blame Rift Valley Waters. How are these services demarcated? In one of their recommendations they are saying that some of the projects are not given back to our Water Body Services. There should be a clear line between the Rift Valley Water and County Water Companies. This Report should be looked at in another way. It requires an extension where as a County we need to look at this Report before we allocate more funds to these people. They must first be responsible for the ones we have given them. Thank you Mr. Speaker for giving me this chance.

The Speaker (Hon. Joel Karuri): Thank you the Hon. Member for Maai Mahiu. The Hon. Member for Eburu.

Hon. Michael Gathanwa: Thank you Mr. Speaker. I also wish to support the Report but with a few amendments. To begin with, I would go to the Committee recommendation on page 12 where they are recommending in clause one that the County Government should put a plan to pay the Kshs.215 Million owed but in the Second Clause they are saying that the Company Management should make a provision for bad and doubtful debts owed by dormant customers. You realise that in clause one, we are calling the defunct Municipal Council of Nakuru then in clause two, we are saying that we should be given what we are calling bad debt defunct Institutions. I think that is contradictory.

Secondly Mr. Speaker, given what we are realising from the Finance Audit, I would also wish to recommend for an overall audit where you will audit the Supply Line, the Customer Register, the Human Resource and also the Store because if they are stealing fuel, we are not sure whether the pipes and other repair materials are also safe. Finally Mr. Speaker, I believe because we have seen that the Company is handling a lot of funds and a resource that has interest of Nakuru City, I would also wish to recommend that the Committee or the Management of these Companies be brought through the Assembly for vetting and also approval as we move forward. Thank you.

The Speaker (Hon. Joel Karuri): Thank you the Hon. Member for Eburu-Mbaruk. The Hon. Member for Kivumbini.

Hon. Neto Sakwa: Thank you Mr. Speaker for giving me this opportunity. I stand as a Committee Member for Public Accounts and Investments and also in support of this Report. There are some observations that honorable Members are coming up with and within our Report we have highlighted some observations and some recommendations. This is not the first time a Report on Nakuru Water and Sanitation Company is coming to the floor of this House, we have had some other Report before this Committee came in place and there were also some recommendations.

Mr. Speaker, the Auditor General had some queries and when we were examining the Officers responsible, we found that some of the observations that honorable Members are coming up with are the same observations that were there before some other Committees and some recommendations were done during that time. During that time Non-Revenue Water was almost above 30%. There were some recommendations that were done to the same Companies and now we can see that when the Auditor General was giving this Report, Non-Revenue Water should be at 25% and when this Report came, Non-Revenue Water is now at 28%. So, we can support and say that the Nakuru Water and Sanitation Company has been putting our recommendations into action. Now that Non- Revenue Water is at 28%, I urge Members to adopt this Report and leave some recommendations then we shall do something about the 3% Non-Revenue Water that is getting lost and also those customers that still have some areas of dissatisfaction.

Mr. Speaker, during our observations, we captured that 1,600 consumers had meters which were not serialised. Our observations and our recommendations are on the same lines. We are recommending the Water Company to come up with strong debt measures and mechanisms to collect debts owed by active accounts.

Mr. Speaker, the installation of Smart Meters was good to curb Non-Revenue Waters, install Meters for unmetered Customers and bill customers through digital systems. All these measures we are coming up with as a Committee are in line with the Audit Queries from the Auditor General and it will help strengthen the working relationship of this Company and the complains that are on the ground. As I sit down, I still support that if these recommendations are not followed to the latter we will bring the same Audit Queries or the same questions that honorable Members are still coming up with. So, honorable Members we had observations and we had recommendations. Thank you.

The Speaker (Hon. Joel Karuri): Thank you. The Hon. Member for Nakuru East.

Hon. Anthony Kanyere: Thank you Mr. Speaker for giving me this opportunity to give my input on the Report. First and foremost is to commend the good work done by this great Committee, and of concern to me is the issue about the bad debt or the pending bills. If you critically look at what has been provided as the pending Water bills amounting to Kshs. 245 Million, a big chunk of that money amounting to Kshs 215 703 000 emanated from the defunct Municipal Council so it is upon

this honorable House to come up with measures that are going to deal with the Balance Sheet because as we all know, we have the duty to appropriate money.

Mr. Speaker, for the betterment of the Books of such a Company, as a House we need to come up with recommendations or regulations to see how we are going to address the bad debts. It has been tabulated here what each and every Department owes and it is now like ten or eleven years since we had the Nakuru County Government. If you look at it we only have 29 million coming from Nakuru government so as a House we have the duty of seeing how we are going to address the issue of the unpaid water bills. I understand the ownership of Nakuru Water and Sanitation Service Water Company (NAWASCO) 100% belongs to the Nakuru County government so it is upon this House to come up with measures that will help address this issue. Having said that I am a little bit disturbed by what has been highlighted by the Committee on a lot of seepage of funds. We have been told that money to a tune of Three Million is lost in terms of fuel and the unbilled water.

I recommend that the Management of Nakuru Water to come up with measures and to tell this House how they are going to address such issues and also non-digitised Meters. We are now in the digital era so they should come up with a way they can get rid of non-digitised meters. There was also an issue on Disaster Management that was highlighted during the COVID 19 period. They lost a lot of money and also as a Country we are going to face El Niño very soon and it is going to affect the Water Infrastructure so even the Company should tell us the measures that they have put in place to address such issues. From what I understand the statute that formed this Water Companies have no aspect of profit making. They are supposed to do service delivery and also to help on the last mile, those people who have not been connected to water. Something that is of great concern to me is that in Nakuru City there are many people especially in my ward who have not been connected to the water from NAWASCO. The NAWASCO Company should tell us the measures they have put so as to connect those people who have not been connected to their grid since they purport to be in the city but most of them depend on rain water and some water we do not even know its source. I want to support this Report with some few recommendations that has been highlighted by most of the Members. Thank you.

The Speaker (Hon. Joel Karuri): Thank you Hon. Member for Nakuru East, Hon Kanyere. The Hon. Leader of Majority party then later the Hon. Kajwang then the chairperson will respond. What is it the Hon. Kajwang?

Hon. Peter Kajwang: Mr. Speaker if you allow then I could go before the Majority Leader. He is the senior most and I think if he makes his last recommendation...

(Laughter)

The Speaker (Hon. Joel Karuri): Order! Order! The Hon. Majority leader.

The Majority Leader (Hon. Alex Langat): Thank you Mr. Speaker. I rise to make my contribution first as a Member of this Honorable House and before I do that allow me to also recognise the Pupils who come from Crater View Ngata, which is part of the area I represent. I just want to

welcome them and encourage them to continue working hard so that God will continue blessing them and they can be able to sit in such an Honorable House. Together with the Teachers and all the Staff that are around, kindly feel very much welcomed.

Mr. Speaker, let me also take this opportunity to welcome the honorable Members who have visited this House. On behalf of County Assembly of Nakuru, kindly feel welcome. I want to thank the Committee that after a long time, they sat and worked on this great Report. I have taken time to conceptualise what the Committee has written and the findings they made. My only worry about the Report is that there are very many recommendations that have been done. I want to believe that when a Report comes to this House basically it should continue being active so that it will not end up lying somewhere in the shelves and I hope major actions are taken on it.

Mr. Speaker, in my view, the way to make it active is to attach it to workable plans so that we can follow up on the Report as a House. In Research, there is something that we call SMART and any Report should conform to the principles of SMART. This Report is Measurable and what is missing is just one thing, Time bound on recommendation. We have seen very good recommendations and the Management should apply this. It should put Systems in place and work on issues to do with recovery of debts. Most of our Reports are not time bound. My recommendation as I support the Report is...

Hon. Isaac Rottok: Point of order Mr. Speaker.

The Speaker (Hon. Joel Karuri): What order Honorable Rottok?

Hon. Isaac Rottok: Thank you Mr. Speaker. I think the School that has been mentioned that is Crater View Academy is in Menengai West, not in Mosop as the Honorable Member said. Thank you.

(Laughter!)

The Majority Leader (Hon. Alex Langat): That was a point of Information. Okay, thank you Mr. Speaker. We will not, through the Chair, fight for the votes over Institution. We will let the Honorable Member have his time for now but later on Mr. Speaker I will find out where the school is located.

So Mr. Speaker, I was actually saying that we attach our recommendations to a time frame so that we can follow up a Report that we when pass as a House, we can go back and instill some action so as to save the resources that are being lost. We can increase efficiency in service delivery of Water to this great County. So as I support, in most of the recommendations, there are few that have given us their time frame. Therefore, this Committee can add a timeframe like for how long or by when do we really want to see the recommended changes done so that we can go back to the same Company as a House without even the Auditor General's Report and find out whether they have taken the recommendations of this House seriously or they would to make a nice story and

for them to be able to just shelf it and put it somewhere and say it was passed in the Assembly; the Assembly has heard us.

We need more action after the Report has been passed in this Assembly and what can attach that one is when we really expect some of these recommendations that are doable to be implemented and by a set time frame. Thank you, Mr. Speaker, I support.

The Speaker (Hon Joel Karuri): Thank you the Majority Leader. Honorable Member for Kaptembwa.

Hon. Peter Kajwang: Thank you Mr. Speaker. I stand to appraise this Committee for the work well done. I think they made very good observations based on the Report that was brought, the Management Response and the queries that emanated from the Auditor General.

Mr. Speaker, Just to retaliate on what the Majority Leader said, is that when we are looking on the recommendations we should actually insist on timelines, and this is a call for the Implementation Committee that these recommendations should not just end here in papers. The Implementation Committee should also come with a program on how to give closures on recommendations that have come from previous Committees on issue that have been raised on the floor of this House.

Mr. Speaker, one thing that has been coming up from the Reports emanating from Public Accounts and Investments Committee (PAIC) is that this Committee, and I am speaking as a former Chairman of this Committee, I appreciate the workload that this Committee has. Mr. Speaker, It is impossible for lack of any other description for this Committee to implement its work effectively if it is not properly facilitated, and also given enough time; otherwise we will be getting copy paste of recommendations and observations of so many Reports that are bestowed upon this Committee.

Mr. Speaker, this Committee is taking care of two aspects. There is Public Accounts (PAC) and there is the Public Investments (PIC), and my recommendation Mr. Speaker, is that this House might now consider splitting this Committee into two Committees so that we have PAC to deal with issues of the Auditor General and we have PIC to deal with the issues of Investmentss, because we are seeing that as Devolution matures, we are seeing Investmentss are also increasing day by day and from Counties.

So Mr. Speaker, the Chairman did not want to say, because we are here and it is one year down the line, this is the first Report we are receiving in the floor of the House. We have been expecting that we should have dealt with more than twenty Reports from the same Committee. But it is impossible if you ask me, for this Committee to deal with these so many Reports. The meagre resources that I am sure they are dealing with, we will be having a Committee that probably is just a Talk Show and not a Committee that is able to execute duties for the benefit of this County.

Mr. Speaker as I wind up, I want to say that NAWASCO has improved greatly because a few years ago NAWASCO was at forty something percent with water that was not billed, which was a very bad. If you look at today's Report that NAWASCO is now posting 28%, and you know the global

recommended percentage of the unbilled water is 25%, then I think it is a matter that we need to applaud this Company for having improved tremendously.

Mr. Speaker, last week in my residence I did not have water for three day, and when I inquired they told me that they had just replaced my old line with a new line. My old line was depleted so they had replaced it with the new line. That means that the Company is now concentrating in new infrastructural Investments to improve water supply. That is a very big plus for the NAWASCO; let them keep it up. We want to see them at 25% and even come down to around 20%, because in other Counties like Kericho, right now it is at 18% which is highly recommendable. So, I think there is still room for improvement and NAWASCO should take that challenge to get us to that level.

Otherwise Mr. Speaker, I want to say that the Committee did a good job but the burden is too much on them. This is just NAWASCO; they have not shown us what is happening in NAIVAWASCO, NARUWASCO and this is just a Report of one Financial Year. Just imagine all those Financial Years accumulated. Mr. Speaker we need to do something to help this Committee to deliver. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you. The Honorable Member for Menengai West. Since there was a question as to whether Crater View Academy is in Mosop Ward or Menengai West and already the Leader of the Majority Party has gone ahead to welcome the school so the Member for Menengai Wes; he has gone out? Is there a further contention around that?

The Majority Leader (Hon. Alex Langat): Thank you Mr. Speaker, I would like to make the Member of Menengai West a bit comfortable. He is actually my neighbour; and if you read my English very well, I said that I am welcoming the students from Mosop Ward who are in Crater View Academy. So, we are neighbours. The school is physically in Menengai but I donate most of the students from Mosop Ward. They just cross the road to the other side. So Mr. Speaker, there is no much contention, and I have many of my Mosop pupils up there so I was only welcoming them being their Leader in Mosop but the school is owned by the Honorable Member and I really want him to be comfortable so that we do not fight for votes. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you. It is now clear that physically the school is in Menengai West but then the school could mean the pupils, so if they came from whatever part of the County whether Menengai East or even Nakuru, the Leaders are at will to welcome the pupils who go to school in that particular institution. The Chairperson.

Hon. Simon Kamau: Thank you Mr. Speaker sir. I want to take this opportunity to take the comments from all the Honorable Members positively because I believe every Honorable Member who has spoken here has talked with an interest of his or her *Wanjiku* at heart and therefore I want to take all of them positively and maybe to put some of these comments into perspective.

Mr. Speaker, the question that was raised by Honorable Isabella from Subukia about the Kshs. 215 Million that is supposed to be paid or a request was put by the Management of this NAWASCO

that this Kshs 215 million be paid by the County Government of Nakuru, is emanating from the defunct Municipal Council. So when I talked to the Managing Director NAWASCO, he was making a plea to the County Assembly if it is possible for them to offset this, otherwise if it is not done then it will keep recurring as an Audit Query because as per what he was saying, they are not ready to offset these loans that were accrued from the Defunct Municipal Council.

I am also praying and begging if it is possible and if this Honorable House finds it fit they can help and the Chairperson Budget Committee is here. If he can see it fit to appropriate some of these monies to offset it because at the end of the day as long as we put measures. this money, and I want to assure the Chair Budget that I am going to be very strict on this to ensure that the Kshs. 215 Million that is going to be allocated to NAWASCO will be put into proper use and it is going to help *Wanjiku*. He might not be coming from Nakuru but I believe that the services of NAWASCO are extending all the way to Naivasha where he is. Therefore, it is going to benefit his *Wanjiku*. This is a humble plea from the Managing Director of NAWASCO.

The Speaker (Hon. Joel Karuri): The Hon. Chairperson, the Member for Lake View Ward who is the Chairperson Budget, is it information or new information?

Hon. Alex Mbugua: [On a point of Information]. Mr. Speaker it is a point of information that I am a bona fide citizen of Nakuru County and I come from Nakuru County. He has stated that I do not come from Nakuru.

Hon. Simon Kamau: Agreed and point taken Mr. Speaker. So Hon. Duale is the Honorable Member from Mosop Ward, and I want to agree with him that something needs to be done as far as AfDB is concerned. This was a loan that was given to this Water Company through Central Rift Water Development Agency and it is a major concern even to the Management of NAWASCO. When we were interrogating those people, they told the Committee that they are paying a loan of Kshs 1billion for a period of 20 years so this is a lot of money and I agree that something needs to be done in as far as this loan is concerned.

There are high bills as raised by Honorable Duale again, and I want to agree with him and say that this is happening even where we are coming from. The Managing Director assured us that they are working on it to see that they are going to bring down the rate of these bills. The shortage of water is another issue that was raised by Honorable Duale. If the Water Management is going to keenly look into our recommendations then they will be able to curb the shortage of water and it will become a thing of the past.

There was also a question that was raised by Hon. Rose from Gilgil about the delayed replacement of breakages. I want to agree with her that the Management of NAWASCO needs to go with speed because the longer they take the more the loss of water through leakages and of course this will contribute to losses. So I agree with honourable Rose that something needs to be done to ensure that whenever there is a breakage, it should be sorted as soon as possible to avoid losing a lot of water.

There were questions that were raised by Hon. Alex, Chair Budget Committee and I want to correct myself from the onset. I did say that some of these monies that were given by the AfDB were used to acquire some of the assets and these assets include 8 Boreholes and Water Treatment Plants. We have 3 Boreholes in Kabatini, 2 Boreholes and Wells in Baharini, in Free Area and Honorable Members from these areas can confirm these assets are within their Wards.

Another thing that the loan was used for is the expansion of the Sewer network within the City and he highlighted some of the areas that is one near Woolmart, Kipanga Way, and Mwariki Njoro Sewerage Treatment Plant. These are some of the assets that were acquired using the Kshs 1 Billion so it is good for this Committee to highlight before the House so that the Members can confirm that this one exists.

I was curious to ask if maybe they could tell us the price of all these and maybe the amount of money that was used to install the same but they were hesitant and they said that they cannot tell because it was way back when the Management of NAWASCO was different. Something else that was raised by Hon. Kamau from Maai Mahiu is that these people are at 32% and I want to say this Mr. Speaker that, I can just confirm as the Chair of PAIC that this Committee is really trying. The Managing Director told the Committee that they have moved all the way from 50%, they have closed that gap and the current situation is at 28% and the recommended percentage is 25% from the Water Service Regulatory Board (WASREB); so we can confirm that they have not reached there yet but they are really trying. They are at 28% from 50% and we believe as Honorable Kajwang has said, as time goes by, maybe they are going to even surpass Kericho County who are at 16%, if I got the Honorable Member right.

The same Hon. Member from Maai Mahiu raised the issue of a court case; the fuel theft syndicate that was raised by the Office of the Auditor General, but this a matter that is in Court and I want to request the Honourable Members that we desist from commenting on something that is in Court. I asked the Managing Director if the case is active and the answer was yes and he told me the mention is supposed to happen in the Month of October. Let us wait for the outcome then we shall act from that point.

I want to agree with Hon. Gathanwa that if there is a theft syndicate of fuel then the pipes can even be worse and something has to be done in as far as reviewing the Pipe Network is concerned. Honorable Anthony Kanyere raised an issue on the Kshs. 3 million fuel theft syndicate but we have said that this is a matter that is active in Court and maybe as of now we can desist from discussing about it until when it is going to be mentioned and maybe a ruling is going to be made by the Court.

Then, Non-digitised Meters was again raised by Honorable Member from Nakuru Town East. I want to agree, and that is some of the intervention measures that the Managing Director NAWASCO is putting in place. I believe that one is going to happen and is going to change, as we interrogate them in the subsequent years. So, Honorable Kajwang has spoken about the timelines and I want to agree that this is the first Report that we are presenting before the House

as a Committee of Public Accounts but we did highlight some of the problems that we are going through and I believe the Honorable Speaker is here and he has gotten and taken note of the same. If we are facilitated as the Honorable Member has said, then we are ready and we are equal to the task to bring even up to ten Reports and present them to the House, if we are facilitated.

Mr. Speaker, again, I do not want to take the role of the Speaker, it is the prerogative of the Speaker to know whether PAC and PIC is supposed to be split into two. We are going to leave that work to the Speaker to know whether that is possible. I have no objection as the Chair for Public Accounts and Investments Committee (PA&IC), if it is going to be in the interest of the House. If we are going to have proper service delivery to the House and to Wanjiku when PAIC is split into two then who am I as the Chair of PIAC to object. Honorable Kajwang, we leave that to the Speaker. If the Committee will be well facilitated as Honorable Kajwang is saying, then I am sure we are the Committee who will be providing the business of the House often.

Lastly Mr. Speaker, I want to conquer with Honourable Lang'at the Majority Leader who has said that all these recommendations need to have a timeline and as the Chair we are going to look into it to ensure that we put a time frame to each and every recommendation. There are some of the recommendations that we have put a time frame and said that by the 30th of this year we are supposed to have gotten a feedback from the Water Company. If you allow us we are going to insert timelines to other recommendations so as to set the ball rolling. After we have presented this Report to the House, I want to request the Honorable Member from Turi who is the Chair Implementation Committee to take up the matter so that this Report is implemented and with that Mr. Speaker, I beg the House to adopt the Report.

The Speaker (Hon. Joel Karuri): Thank you Chair. I am going to put it to question.

(Question proposed that this House adopts the Report of the Committee on County Public Accounts and Investments on the Report of the Auditor General on the Financial Statements of the Nakuru Water and Sanitation Services Company Limited of Nakuru County for the year ended 30th June, 2021 that was laid before the table of the Assembly on Wednesday, 20th September, 2023 during the morning Plenary.)

(Question put and agreed to)

Next order.

Hon. Michael Gathanwa: Mr. Speaker.

The Speaker (Hon. Joel Karuri): What is it the Hon. Member for Eburu Baruk?

Hon. Michael Gathanwa: Mr. Speaker, I am rising on Standing Order 36 on Adjournment on definite matter of Urgent County Importance.

The Speaker (Hon. Joel Karuri): The Hon. Member for Eburu, allow the Majority Leader... What is it the Leader of the Majority Party?

The Majority Leader (Hon. Alex Langat): Thank you Mr. Speaker, I am aware about the matter of the County Importance that the Honorable Member wants to raise. However, when I look at my watch I realise that the normal sittings of this Assembly are supposed to end at 12:30 pm. In view of what the Honorable Member, and I do not want to pre-empt what he wants to raise, my assumption is that the remaining few minutes will not be adequate for this Honorable House to listen and to debate on whatever matter the Honorable Member wants to raise.

So Mr. Speaker, I wish to state that pursuant to our Standing Order 33 (3), and because the Standing Orders give us the ability to extend the hours, that this Honorable House extends its sitting time from the normal 12:30 pm to at least 1:30 pm so that we can have adequate time to listen to this matter of County Importance. With that Mr. Speaker I want to request someone to second and to allow us to extend the normal sittings so that we are in tandem with our Standing Orders. Allow me to request Honorable Hassan to second the extension of the sitting hours. Thank you.

Hon. Ali Hassan: Thank you Mr. Speaker, I wish to second the matter that is before the House.

The Speaker (Hon. Joel Karuri): Thank you the Leader of the Majority Party and the Honorable Member, Hassan who has seconded. I am going to put it to question.

(Question proposed that pursuant to the Standing Orders 33 (3), that this House extends its sitting hours to 1:30pm.)

(Question put and agreed to)

The Hon. Member for Eburu Baruk.

Hon. Michael Gathanwa: Thank you Mr. Speaker. On 19th of September that is Tuesday of last week in the evening a young girl by the name Jasmine Njoki Wambugu was heading home from school at around 4pm...

The Speaker (Hon. Joel Karuri): The Hon. Member for Eburu Baruk, is it a Motion? You earlier said that it is Standing Order No. (36) matter of County Importance. Do you have Members supporting that? You could ...

Hon. Michael Gathanwa: Yes Mr. Speaker.

The Speaker (Hon. Joel Karuri): Clerk confirm if the support threshold is sufficient.

(The Clerk counts the Members standing in support and affirms)

The Speaker (Hon. Joel Karuri): It is sufficient. The Hon. Member for Eburu you can proceed with the matter.

Hon. Michael Gathanwa: Thank you Mr. Speaker and the Members. I was talking about Jasmine Njoki Wambugu, a young 12-year-old girl Grade Six pupil, that on 19th of September that is Tuesday of last week as she was heading home from school she was kidnapped, raped, sodomised and assaulted. The assailants then left her soaking in their semen and her own blood and ended up being killed in cold blood. Mr. Speaker, I would wish that we take this opportunity to seek justice for Jasmine and also to reassure the students that I see we have in the plenary today that we are going seek for justice and at the same time push for security measures to be put in place for our students to feel safe.

Mr. Speaker, Jasmine was the first-born child of a young family of Mr. Francis Wambogo and his wife. They had really struggled to get a second born for the last 12 years and were able to get a second born this year because she is just six months old and unfortunately in the same year, the life of the firstborn of their womb was ruthlessly taken by... I do not know what to call them Mr. Speaker. I wish to take this opportunity to request that the security apparatus in Nakuru give us an assurance that they are going to do investigations to make sure that no stone is left unturned. Also make sure that the Family is accorded justice for Jasmine and also probably a Report on the same to be tabled.

That was my request and also as we send her condolences we can get an assurance from the Security Agency and also from the schools that they are going to be ensuring that students who leave home are well monitored and tracked until they get home.

Also, at the same time, a call to parents to make sure that they monitor and track their children on their way to and from school, and whenever they are out with the public. It is a touching story, it is quite disheartening and that is why we are considering it a matter of County Importance. Thank you Mr. Speaker,

The Speaker (Hon. Joel Karuri): Thank you; the floor is open for comments; the Honorable Member for Elementaita Honorable Nene.

Hon. George Nene: Thank you Mr. Speaker I am in support of my neighbour Hon. Gathanwa from the Eburu-Mbaruk Ward, following a Motion that he has laid before this House of a young girl, who had plans and who had goals to achieve. However, her ambitions were cut short by criminals Mr. Speaker. I want to condole with the family because of losing their firstborn and I want to support that as an Honorable Member of Nakuru County, we need to be on the first line to seek for justice for this young girl. Thank you Mr. Speaker,

The Speaker (Hon. Joel Karuri): Thank you, The Hon. Dorcas Gatherere

Hon. Dorcas Gatherere: Thank you Mr. Speaker for giving me this opportunity to contribute to this unfortunate event that happened in Eburu-Mbaruk. It is very unfortunate that a young school-going girl can be raped and killed; and one week down the line, nobody has been arrested and we wonder if our children are safe, and will this girl get justice? So, we condemn this act in the strongest terms possible and ask our Security Operators to move with speed to give this girl justice. Thank you

The Speaker (Hon. Joel Karuri): The Hon. Doreen.

Hon. Doreen Korir: Thank you so much Mr. Speaker for giving me this opportunity, I also rise to support the Honorable Member from Eburu-Mbaruk Ward on the issue of the rape case that happened on the 19th. Mr. Speaker sir this story is so disheartening and it is so sad, as a Mother of a young girl, I also have a girl who is eight years old and I can try to imagine how sad, I cannot imagine the pain the parents of this girl are going through. We call for justice for Jasmine and call on the Security apparatus in this County, this has been the trend and this is not the first time that we are encountering such a rape issue. I just pray that these acts, I do not know even how to describe; it is disheartening. So, these criminals should be brought to book and also the Security apparatus in this County should come up with a way that the school-going kids are protected.

We are not sure of our kids' safety when they leave home. So, I do support that we condemn this act and also come up with a way of solving this issue once and for all. We have had so many cases where we have lost young girls and in most of these sexual assault cases issues, it is estimated that 91% are female while the male victims are at 9 %. So Mr. Speaker sir, as a woman, I call upon the Security Apparatuses and also the Investigating Agencies to do a thorough investigation on this matter so that justice for Jasmine is served. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you; on this note, we recognise the presence of Honorable Members from Kiambu Assembly and we want to invite the Honorable Member Kung'u Smart, if you would just make a comment on the matter at the floor of the House and then later we are going to excuse you.

Hon. Kung'u Wanjiku (*Visiting Kiamwangi Ward MCA, Kiambu County*): Thank you very much Hon. Speaker; for the records, my name is Kung'u Smart Wanjiku representing the great people of Kiamwangi Ward in Gatundu South, Kiambu County and a Member of Welfare Committee, which brought us here for Benchmarking.

Mr. Speaker, I would not like to comment much but I will urge Members of this Assembly to take that matter seriously, let us have a healthy debate and we pray that we will get justice because it is all on Social Media, we have seen and heard about that incident; thank you very much Honorable Member for bringing up that issue.

We would like to take this chance to thank you, the Honorable Members and the entire Leadership of this great County of Nakuru. We had come here for Benchmarking and would like to say that we have learnt a lot from you and we believe that the insight that we have shared and the connections that we have made here today, will be of great benefit to our two Counties and that it will bring benefit and positive impact.

Mr. Speaker once again, thank you so much for having us, we truly appreciate and we look forward to staying in touch with this great Assembly. We would like to excuse ourselves because of the business we have and so with your permission, when we step out, kindly allow us. Thank you, very much honorable Members and Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you the Hon. Member for Kiamwangi, thank you for visiting us, we invite you again to the Nakuru County Assembly, thank you for visiting with us. The Hon. Member for Shabaab and the Hon Member Hassan from Rongai in that order.

Hon. David Macharia: Thank you Mr Speaker, *nashukuru kwa kupata hii nafasi. Kwa kweli hili janga ambalo lilifanyika pale Eburu-Mbaruk limetia Kaunti yetu huzuni sana. Nikiongea kama mzazi, kweli nilipokea hiyo Ripoti Bwana Spika kwa huzuni sana, kwa sababu watoto wetu wanabebwa na hizi basi wanapelekwa nyumbani na sisi tukitoka kazini, tunataka kufika pale nyumbani tunakuta pia wao wamefika nyumbani. Ni jambo la huzuni na mimi nitaomba jamii ya Eburu- Mbaruk na watu wote wa huo mtaa, kama kanisa wakiwa pale kwa kijiji watakuja kujua kuna mtu aliyefanya hicho kitendo na wachukue hilo jukumu la kuchukua huyo mshukiwa wampatie kichapo kabla wamfikishe polisi wakuwe wamemfanyia justice kabla apelekwe polisi Mr. Speaker, kwa sababu, huyu msichana alikuwa na maisha yake marefu sana na yalikatizwa mara moja. Na yeye si muumba Mbingu yule aliyekatiza maisha ya yule mtoto. Tunaomba polisi waendeleo kufanya kazi yao na tunaombea pia wasaidiane na wana kijiji ndio justice ipatikane. Asante sana Bwana Spika.*

Hon. Ali Hassan: Thank you very much, Mr. Speaker. Allow me to send my sincere condolences to the family of Jasmine and the people of Eburu Mbaruk for this heinous act that has been done to one Jasmine. As the Chair of Security in this Assembly and of course, we have no resources to work and set out our mandate clearly; but I want to send this message from this Assembly that we are not happy with Security Agencies for what they are doing in Nakuru. This is a very serious matter; this is not a small matter and also as a father of two girls, I am not even sure that the security of my girls is assured when they go to school.

Mr. Speaker, I want to ask the Security Apparatus that they should work with speed and make sure that the perpetrators of this act are brought to book. This is because for other small girls that are going to school, their security is not guaranteed and we also want to ask the Security Agencies, please the surveillance of security of all school going children, not only girls, but also boys, their security should be guaranteed. It is paramount, and it is disheartening that this is happening in Nakuru. Nakuru is a City that is known to be safe but if this is happening to our girls, it tells you that it is no longer safe.

Mr. Speaker, we ask the community of Eburu-Mbaruk, or areas around the school to work with the Security Agencies to make sure these suspects are brought to book. Having said that, I also join my honorable colleagues in asking for justice for Jasmine. We are not going to relent nor sit down until justice is served for Jasmine. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you, the Hon. Member for Malewa-West

Hon. Francis Kuria: Thank you Mr. Speaker; first of all, I would urge the Honorable Member for Eburu-Mbaruk to take our condolences to the family of Jasmine and it is very sad Honorable Speaker losing a young beautiful girl at that tender age. Mr. Speaker, security needs to be enhanced

in our society. And because today we happen to have school children amongst us, we ask them to be vigilant and be weary of strangers.

Therefore, as Security Committee together with and our Chair, we are going to have meetings so that we can make sure that security is enhanced in our County and that everything will run smoothly. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you; this is a very emotive matter and eventually, we are going to allow every Member to contribute. At this point, the Hon. Cynthia Mukami.

Hon. Cynthia Mukami: Thank you Mr. Speaker for giving me this opportunity to pass my condolences to the Hon. MCA Eburu-Mbaruk. It is very crucial for us to speak up against child rape; it is very sad that something like this can happen at 4 o'clock; in broad daylight! It is important that we speak up and let people know how evil it is and that it is unacceptable and if possible, once these criminals are arrested, they should be brought to us and we should do whatever we want to do with them...

(Laughter)

The Speaker (Hon. Joel Karuri): Order!

Hon. Cynthia Mukami: ...and do justice to the people. Thank you.

The Speaker (Hon. Joel Karuri): The Hon. Cynthia Mukami, when criminals are arrested, the most obvious place for them to call home would be a Police Station.

So now, how would that be?

Hon. Cynthia Mukami: Mr. Speaker, once they are arrested we can find them there.

The Speaker (Hon. Joel Karuri): Thank you kindly sum up; you are through: Thank you we had to cut you. It is very emotive but then there is a Justice System that is clarified that we may not be able to go above it. However, after this, the Member for Eburu-Mbaruk and other Honorable Members, you may want to agree, not to proceed with that, and have the matter and your voices be most heard. Of course in ways that you know best. The Honorable Member for Lake View, then the Honorable Member for Maai Mahiu and then the Hon. Wamaitha in that order.

Hon. Alex Mbugua: Thank you Mr. Speaker. It is such a sad afternoon when you imagine that someone's daughter, maybe a future Queen, a future President has just been wiped out of this planet. It is very disheartening and more so I look at the Gallery and I see young girls and young boys who are prone to such attacks. Mr. Speaker, it is high time that our Security Agencies took note of such heinous crimes. Nakuru County has always been known to cater for young girls and to promote the girls within our community.

Mr. Speaker, how come we have lost our values as a County? that we dismantle, we do such heinous acts to such young girls? We are speaking for all the ladies within the Country; we are

also speaking for all the young boys and men within this Country. It is time that this Country came back to its senses, we are a God-fearing Country and we must protect Children. In my Ward, three days ago, a young student was attacked by a hippo on his way back home from school and to this time the KWS has not addressed that and yet the young man lies in Intensive Care Unit (ICU). Mr. Speaker, where are we headed if we cannot protect the sanctity of life? I support that Motion and urge Members who will be free tomorrow when the Member informs us to attend that funeral to castigate that heinous act. Thank you, Mr. Speaker sir.

Hon. Eliud Chege: *Asante Bwana Spika kwa kunipatia nafasi hii. Kwanza nitoe pole zangu kwa familia hiyo kwa sababu ya kuachwa na mtoto wo. Mheshimiwa Spika, ni jambo la huzuni na la kusikitisha sana kuona ya kwamba mtoto mdogo wa umri huo aliye na maono na ndoto kubwa anaweza zimwa na maisha yake yanaweza malizwa kwa njia ya kinyama kama hiyo. Ni jambo la huzuni Kenya ambayo tuko leo, ya kwamba kuna watoto wako hapa, nia yao kubwa na kesho yao kubwa ni kuona ya kwamba wamebadilisha taifa hili lakini kama njia hii itapitiwa, Bwana Spika, naona ni jambo ambalo litaweka watoto wetu kwa huzuni.*

Mimi mwenyewe nikiwa baba mzazi wa wasichana, nasikia moyo wangu unaumia; siwezi kujua jambo hilo niweze kutafakari jinsi familia hiyo inavyosikia. Hiki ni kitendo kimefanyika sio tu kitendo ambacho nio kibaya kwa machio ya binadamu; pia hata machoni ya Mungu ni kitendo ambacho ni cha kishetani, kibaya. Nikisoma maandiko katika kitabu cha Matayo 6: 16, inasema kuna mambo ambayo Mungu anachukia; anasema ulimi unaonena uwongo, macho ya kiburi, mikono inayo harakisha kumwaga damu isiyo na hatia; hili jambo hata Mungu mwenyewe ni jambo ambalo hata Kwake ni chukizo. Basi hatuna linguine isipokuwa kama Mwanasheria katika Bunge hili, ni tukemea hili jambo na tuulize Wizara yetu ya Ulinzi, laziuma waamke na kama Mwakilishi Wadi ya Maai Mahiu Bwana Spika, na pia Mwanasheria katika Nyumba hii, kwangu sijafurahishwa na jinsi ambavyo Idara ya Usalama yetu ya Nakuru inavyoangaliwa.

We must be assured ya kwamba watoto wetu wako salama wanapoenda shule na watakaporudi. Kama leo nimetoka mapema mida wa saa kumi na moja hivi na nimepata watoto wa shule wamejaa kwa barabara wanainua mikono kusimamisha malori waende shule. Bwana Spika sijui ni mbinu itakayochukuliwa kutoka kwa Wizara ya Elimu, Wizara ya Security ya kwamba tuangalie watoto wetu na tuhakikishe wako salama wanapoenda shuleni na wanaporudi. Mheshimiwa Spika nashukuru kwa nafasi hiyo.

The Speaker (Hon. Joel Karuri): The Honorable Wamaitha, Honorable Okumu and then the Honorable Member for Waseges, the Honorable Member for Dundori, the Honorable Gathuita, in that order.

Hon. Ann Wamaitha: Thank you Mr. Speaker sir for giving me this opportunity. I take this opportunity to give my condolences to the family of Jasmine Njoki. I denounce the very sad situation that we are in right now because it said that it takes a village to raise a child but Mr. Speaker sir; this village has turned out to be an enemy of our children; How is it even possible for

someone to see a child of whom they have been seeing going home at that time, 4.00 pm, every single day decide to sexually assault this child and kill her.

Mr. Speaker, we need justice for Jasmine Njoki, and if within a month we do not get justice done for this young girl, we are going to march to the Police Station. We are going to do a Petition within this honorable House so that justice for this young girl is served. It is not right Mr. Speaker that parents of Nakuru County are living in fear for their own children that when it is around school time we start worrying about our children. Mr. Speaker, this must stop. Jasmine will be the last Child to be defiled and killed in such a manner; we need justice for our child Jasmine Njoki, and all kids whether a boy or a girl. Every child must be protected in this Country. Thank you Mr. Speaker.

Hon. Keziah Okumu: Thank you Mr. Speaker sir for giving me this opportunity. From that day I heard about Jasmine, I have been very sad and what has been playing in my mind; how can a whole grownup man rape a child? Mr. Speaker, I request if we can get such a person, can Kenya have a law that such a person can be castrated? Why should he live? Because....

(Applause)

I wish I could be one of the Investigating Agencies; I could have this man castrated him. Thank you Mr. Speaker sir.

The Speaker (Hon. Joel Karuri): The Honorable Member for Waseges.

Hon. Elijah Murage: Thank you Mr. Speaker for giving me this chance to register my condolences to the family of Jasmine Njoki and to the culprits, may they never find peace; and I will call for thunder from Heaven to strike them because this is very bad. Mr. Speaker, they will not live because of what they did. Thank you Mr. Speaker.

Hon. James Mwangi: Thank you, Mr. Speaker. First, I want to acknowledge the pupils who are here. Mr. Speaker, I happen to be a parent in that School, Roots Academy. The heinous act happened at around 5 pm and it is very sad to have our children's lives endangered to that extent. From that day, it has not been business as usual for parents of that school because we have to wake up at 5:00 a.m. and escort the kids to school.

Having said that, I want us as an Assembly and as a County, maybe we change the laws and have a more severe punishment for such perpetrators.

Mr. Speaker, even our Security team needs to do their job because there is some level of laxity. It is one week down the line and no one has been arrested. Honorable Geru and I come from that community and we had a community meeting on the issue of insecurity. There was an issue of street boys around that area from Stem to Kasambara, roaming the area and I think though I am not a prophet they are the ones who committed that act.

So, in matters of security, we want to check on that and also want to urge the Labour Committee to check on why these street children aged 9 to 15 years are loitering around that area so that we can have a way forward. The other measure we can take is the time on the Ministry of Education. Students go to school from around 5.00 a.m. and usually, it is still dark and the time they leave school is also alarming. On that note, I want the Ministry of Education to take note, and the Ministry of Internal Security to have an agreement on how we can save students from such menace. Thank you.

The Speaker (Hon. Joel Karuri): Thank you the Honorable Member for Dundori Ward. At this moment the Honorable Member for Kiptororo, Honorable Bor then the Honorable Member for Nakuru East and the last Member would be the Hon. Loise Kagecha.

Hon. Alex Bor: *Asante sana Bwana Spika kwakunipa nafasi hii. Kwanza kabisa nachukua nafasi hii kutoa pole zangu na rambirambi zangu kwa jamii ya mwendazake, mtoto wetu mpendwa Jasmine. Na nataka niseme ya kwamba ni jambo la kusikitisha sana, ya kwamba muda wa wiki moja sasa, hamna yeyote ambaye ametiwa mbaroni. Kuonyesha ya kwamba watoto wetu, hawana security ya kutosha kwa sababu kama jambo hili limefanyika wiki moja ambayo imepita na hamna mtu yeyote ambaye ameweza kutiwa mbaroni, inaonyesha ya kwamba, Wizara ya Security, Wizara ambayo inashughulika na security ya watoto wetu, lazima pia wawajibike.*

Nataka kusema ya kwamba katika Biblia inatuambia ya kwamba sisi tulio zaliwa na wanawake tuna miaka ya kuishi 70, wale wako na nguvu zaidi wakapewa miaka 80. Biblia hiyo ikatuambia ya kwamba wale watakao tenda mema watapewa miaka 120. ninaashiria nini? Kwamba wale ambao watakuwa na jukumu la kuchukua maisha ya watoto wetu kwamba hata na wao pia tunawalaani na wasiishi miaka mingi. Kwa hivyo naungana na Waheshimiwa ambao wametoa laana yao kwamba hata ikiwezekana, sisi ni waafrika na hatuwezi tukasahau tamaduni zetu kwamba tunaweza ita radi wakati bado security wanazembea iweze kuwapiga hao na kuwamaliza.

Vile vile Mheshimiwa Spika, nataka kusema ya kwamba, ni kama unyama umetoka kwa wanyama ukaingia kwa binadamu. Kwa sababu ninafikiria na kuangalia kwamba ni nini kinaweza kumfanya mwanaume akamshika yule mtoto mdogo. Sisi kisaikologia huwa tunasema kile kinakufurahisha kwa macho ndicho unataka kukila. Lakini sasa mwanaume kama huyu, ni nini kilimuingilia kama si unyama na shetani pepo mbaya? Na hatuwezi pia laumu shetani kwamba alimuingilia kwa sababu shetani anamuingilia mtu wakati amekubali shetani amuingie; ni kweli.

Mheshimiwa Spika, nataka kusema ya kwamba, jambo hili tunalikemea na tunataka Security yetu pamoja na Wizara ya Elimu waweze kuingilia kati na waweze kufanya uchunguzi kwa haraka sana. Nashukuru Mheshimiwa wa sehemu ile kwa kazi ambayo ameifanya vizuri na tulipoongea na yeye asubuhi, akaniambia ya kwamba familia inaendelea kufanya vijembe jembe ambavyo najua ya kwamba Mheshimiwa Spika, itakuwa ni garama kwa familia kwa sababu the DNA tests would have to be done so that the perpetrators of the act can be taken liable. Otherwise Hon. Speaker, jambo hili tunalikemea na tunalaani wale ambao walihusika katika kitendo hicho. Asanteni sana.

Hon. Anthony Kanyere: *Asante sana Bwana Spika; wacha pia mimi niungane na wenzangu nichukuwe nafasi kwa niaba yangu na ya familia nitume rambi rambi zangu kwa familia ya mwenda zake Jasmine na pia nichukue nafasi hii nikemee kitendo hicho ambacho kilifanyika.*

Mimi kama mzazi ambaye niko na mtoto wa kike mwenye umri wa miaka tisa, ni jambo la kufedhehesha sana na kusikitisha kuona ya kwamba jambo hilo lilikiweza kufanyika na kama vile wenzangu wemesema, tuko na karibu wiki moja na hakuna jambo ambalo limetendeka. Kwa hivyo ningependa kuita pia vifaa vyote vya Usalama katika Nchi yetu tufanye kazi na itupatie ripoti ambayo at least tujue ya kwamba nani walifanya jambo hilo.

Pia niungane na wenzangu kusema ya kwamba sisi kama viongozi wa jiji hili ambalo linaitwa Nakuru Girls, kukemea kitendo hicho na kusema ya kwamba tunaunga mkono sana mambo na maslahi ya watoto wasichana na pia watoto wa kiume kwa sababu tumeitwa. Kama vile wenzangu wamenukuu Biblia, ni jukumu letu kama wazazi kuchunga watoto na pia tumepewa hilo jukumu na Mwaneyzi Mungu tuweze kufanya vyovyote vile. Kwa hivyo sisi kama viongozi inatufaa tuje na pendekezo ambalo litakuwa ni la kuangalia maslahi ya watoto. Mimi kama Kiongozi ningependa kupendekeza kama vile mwenzangu alikuwa ameeleza, Wizara ya Elimu iweze kuangalia hata masaa ya watoto kwenda shule kwa sababu ukiangalia katika nchi zingine, watoto wanasoma katika mazingira ambayo kwa kimombo tunasema pressure. Hii Wizara yetu ya Elimu na mfumo wetu wa elimu, umeweka pressure nyingi sana kwa watoto wetu. Kwa hivyo yatufaa tuangalie kama tunaweza badilisha hata sheria ya kuona ya kwamba watoto wetu wanasoma katika mazingira masafi ambaye yanaweza kulea mtoto. Niseme ya kwamba kitendo hichi ambacho kilifanywa kama mwenzangu alisema kwamba kuna watoto ambao wanarandaranda mitaani katika eneo la Barnabas ambayo ni area yangu na tumepakana na mwenzangu pale, mimi ni jirani katikla Wadi ile ya Eburu-Mbaruk, tuingalie kama Idara ya Usalama, tuangalie maslahi ya wale watoto, kwa sababu that is a security threat and as Leaders of that area we are going to see how we are going to come with measures to address that issue. It has been addressed to the Committee on Labour and Social Services, I think we will take upon that but we stand guided.

So, Bwana Spika maybe nikimalizia, nikusema ya kwamba tumeombwa kesho ni wakati ambao mwenda zake atapumzishwa, ni vizuri, ninaomba wenzangu tuweze kupatia support ile familia hata kwenda tu pale kama Viongozi wa Kaunti hii ili tuweze kukemea hata pale mbele ya wananchi na tupatiane rambi rambi zetu. Kwa hayo machache Bwana Spika, nashukuru kwa nafasi ambayo umenipatia. Nashukuru.

The Speaker (Hon. Joel Karuri): Thank you, the Hon Loise Kagecha then the Hon. Jerop Olare.

Hon. Loise Kagecha: Thank you Mr. Speaker, allow me to pass my condolences to the Honorable Gathanwa from the Eburu-Mbaruk Ward and also pass my condolences to the bereaved family and their neighbours. Indeed, it is so disheartening that one week down the line and tomorrow we are burying Jasmine, society has no clue who perpetrated that heinous act. In this era when we have so much intelligence out there, I am wondering what the relevant authorities are lacking. Is it the machinery? Is it welfare or the wisdom to follow up that matter and bring the culprits to book?

You know as a parent, I can imagine what those parents are going through; it is not just enough to lose their daughter, to know that they are burying their daughter tomorrow and it is even more painful to imagine how she died.

That is so painful and therefore, I really want to urge the relevant authority, the Government, to do everything possible to ensure that as we bury Jasmine tomorrow, she gets justice. But the story will not end with her burial tomorrow. We shall see the Media out there following up and putting pressure on the Government so that at the end of the day, we are able to get justice for Jasmine.

I also want to urge the NGOs, I want to believe that even in this County we have registered NGOs that fight against Gender-Based Violence. I am wondering where they are, and why they are so silent; they are the voice of the people like Jasmine. She has gone, who is going to speak on her behalf, who will cry for Jasmine's justice? So, I want to beseech, I want to pray, I want to beg and for lack of better words, that anybody who has the power, and wisdom to seek justice for this child, do what is humanly able to do.

Finally, I want to beg people out there, again I want to beseech if we have to kneel down, we can even do it to anyone with information, any slight information about those who perpetrated this heinous act against Jasmine, please report to the relevant Authority. I want to say if you do that, you will go to Heaven because you will have served Jasmine; you will have spoken on behalf even of her parents. So, with that Mr. Speaker Sir, thank you so much.

The Speaker (Hon. Joel Karuri): Thank you; the Honorable Jerop and then we have two other Members, the Honorable Member for Viwandani and Honorable Member for Kamara in that order.

Hon. Irene Cheboi: *Asante sana Bw. Spika kwa nafasi hii. Ningependa kutoa risala za rambi rambi kwa familia ya Jasmine pia Mheshimiwa wa Eburu-Mbaruk Ward na jamii yote kwa jumla. Kwangu mimi, ni uchungu sana kumpoteza mtoto mmoja kama huyo. Nasema pole na wale wahusika naamini Mungu atatenda jambo na watapatikana. Kwa Idara ya Usalama pande hiyo, mimi naona wamelala sana. Bwana Spika mimi niko na machungu sana kwa kifo cha huyo mtoto; huyo ni malaika hajui chochote na kitendo hicho ni kiovu sana.*

Nimesimama hapa pia mimi nikiwa na machungu, my husband was killed there na hatukupata haki lakini Mungu alitutendea, waliotutendea wote walikufa kwa hivyo hata huyu mtoto Jasmine haki isipotendeka, mimi kama mama naamini hata na wao hawatakuwa hai. Jambo lingine ambalo ningetaka kusema Waheshimiwa wenzangu, ni uchungu sana kumpoteza mtoto kama huyu na tusipopata haki, tutafanya maandamano ya amani ili haki ya huyo mtoto ipatikane. Bwana Spika nasema ni asante kwa nafasi hiyo.

Hon. Joseph Muraya: *Asante sana Bwana Spika kwa nafasi hii; kwanza nitoe rambirambi zangu kwa familia ya Jasmine na niseme ya kwamba ni kitendo ambacho ni cha kinyama na nikemee wanaume wenye fikra kama hizo, na wenye walitenda hicho kitenda; kwamba Mungu awanyime amani kama vile Jasmine aliaga bila amani. Awanyime amani kabisa. Tena Mheshimiwa Spika, ninataka kuungana na kutoa rambi rambi kwa mheshimiwa wa Eburu -Mbaruk kwa sababu ni siku*

hiyo ambayo mimi nilikuwa nimekimbizwa mpaka hapa na Askari ambaye angekuwa anahitajika kuangalia usalama pande hiyo. Kwa hivyo Mheshimiwa Spika ni jambo la kusikitisha kwamba nilikuwa na Mheshimiwa Kaptembwa Police Station wakati alipigiwa simu kwamba mtoto amenajisiwa na ameuawa.

Mheshimiwa Spika, inaadhihirika kwamba Afisa wetu wa Usalama badala ya kulinda maisha ya wananchi na watoto wetu, kazi yao ni kukimbizana na watu kutafuta hongo. Kwa hivyo tunakemea tendo hili na ni kwamba the same day, unaweeza angalia na ukaona kwamba kama huyu Officer angekuwa eneo hilo, huyu mtoto hangepata kufanyiwa kitendo kama hicho. Kwa hivyo tunalaani na kuwaambia ya kwamba Walinda Usalama wetu kwamba wapate kuwajibika kwa vyovtote vile na pia Wizara ya Elimu, ipate kupatiana nafasi kwamba kama ni Walimu wana uzembe wa kukaa katika madarasa ndio waambie watoto waamke mapema, wapewe Ratiba Mpya ambayo itawafanya watoto wetu wawe na usalama wa kutosha kutoka nyumbani na wanaporudi nyumbani.

Nikiongezea vile Mheshimiwa alisema, jana hatukukaa chini kwa sababu ya mtoto mwingine aliyejeruhiwa na kiboko. Na jana ilikuwa kama ni sisi na mheshimiwa tulinde wananchi wetu wanapo pitia mahali. Kwa sababu hao Maafisa wa KWS tunapowaita tunawauliza mnyama alikuja akiwa mmoja, since 2020 amezaa mpaka viboko wamekuwa wanane na wamekuwa wakisema wanafanya Scientific Research wanataka kuchukua ripoti vile watatoa viboko.

Kwa hivyo wana uzembe hao Walinda Usalama wetu, na unafaa sisi kama Waheshimiwa, Wabunge wa Kaunti ya Nakuru, tuwajibike katika kufanya haki kwa Jasmine na wengine.

Pia sisi tuna mtu alijeruhiwa na kuuliwa na kiboko kwa hivyo ni kama maisha ya mwanadamu yamekuwa tu kama maisha ya mahindi; ukitaka kuchuna mahindi unachuna jioni, ukitaka asubuhi unachuna. Ni jambo ambalo linatukera sana na tunaomba ya kwamba vile Jasmine amelala, hajakuwa akilala kwa amani bali amelala kwa uchungu na ule uchungu ufuate hawa watu waangamie kabisa. Na kama jinsi maandiko yanavyosema kwamba mtu yetyote atakayefanya tendo la kinyama, anafaa kuuwawa, hilo tu ndilo mimi naweza uliza.

Maandiko ni supreme, tunaweza badilisha Katiba lakini maandiko hatuwezi. Huyu mtu akipatikana, mimi naomba hata kama wakati wa Musa, jicho kwa jicho na upanga kwa upanga kwa hivyo vile alivyofanya naya afanyiwe hivyo ili haki itendeke.

Mwisho, kwa Wabunge wa Kaunti ya Nakuru, nawaombeni nyote kesho kwa sababu ya solidarity ya Mheshimiwa Gathanwa na familia ya Jasmine, tutakapopata nafasi hata kama ni Kikao cha asubuhi kupitia kwa kiongozi wa Walio Wengi katika hii Bunge, atuombee nafasi ili tuende kufaijii hii familia na kwamba tupatiane muda wa hawa watu wawe wamekamatwa kwa sababu Internationally, Kenya Investigation iko ranked namba 2. Security Apparatus sio kwamba hawajui ama hawana fununu ya kwamba ni nani walihusika katika hilo tendo.

Ni hayo tu Bwana Spika, na pia wanafunzi walio hapa tuko pamoja na nyinyi na tutahakikisha kwamba usalama wenu umelindwa. Asante sana Bwana Spika.

The Speaker (Hon. Joel Karuri): Thank you; the Hon. Member for Kamara.

Hon. John Maritim: Thank you very much Mr. Speaker. First, I want to send my sincere condolences to Jasmine's family, the community there, and to the school that Jasmine was going; "*nasema pole kabisa*".

Secondly, I believe it is high time now that we let some men be taught a lesson because this shows that there are a lot of bad men out there and it is like some people have turned into animals. Stiff penalties should be taken. If that person is found, I think the best thing is to kill him because such people in society should not exist. When a person becomes an animal then they can be taken to the zoo or be killed.

Mr. Speaker, Finally I want to curse the culprits, and I believe each and every Honorable Member has cursed *na itashika yeye vizuri sana*. Thank you very much.

The Speaker (Hon. Joel Karuri): Thank you Hon. Members, indeed it is a sad day for the family and also for our County, and you have raised very important and pertinent issues about the security of our kids, and I think that because we are the Leaders, we have an opportunity to raise the issues with the Security Organs so that we are properly briefed on to what extent they have done their work in as far as getting justice for Jasmine is concerned.

ADJOURNMENT

Hon. Members, we have come to the end of that matter and I think we had already exhausted our Orders for the day; so be upstanding.

This House is adjourned to 2.30 pm this afternoon.

The House rose at 1.20PM