

# Kitui County Assembly

## THE HANSARD

First County Assembly – First Session

Tuesday, 2<sup>nd</sup> July 2013

*The County Assembly met at 2:45pm*

*[The Deputy Speaker (Hon. George Ndotto) in the Chair]*

### PRAYERS

*(Communication from the Chair)*

**The Speaker:** Now Honourable Members, I don't have much communication from the chair, since we had our own *Kamukunji* yesterday I was able to tell you what I wanted to say in our *Kamukunji* yesterday, so I don't have much to say in communication from the chair.

Next Order.

**The County Assembly Clerk** (Ms Waema): Messages.

**The Speaker:** Any messages?

Next Order.

**County Assembly Clerk:** Petitions.

**The Speaker:** Any... Petitions?

Next Order.

**County Assembly Clerk:** Any papers to be laid on the table?

Next Order.

**County Assembly Clerk:** Notices of motion.

Right. Next order.

**County Assembly Clerk:** Statements.

**The Speaker:** Any statements?

Next Order.

**County Assembly Clerk:** Motions and Bills.

The Speaker, Hon Ngoima Kimanzi.

**Hon. Ngoima:** Thank you Mr Speaker Sir. My name is Honourable Ngoima Kimanzi – Township Ward.

Mr Speaker Sir, I beg to move that pursuant to the provisions in the Interim County Assembly Standing Orders number 44, that provision of

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armed security personnel be made to man all Automated Teller Machine points within Kitui County.

I beg to move.

Mr Speaker Sir, as I stand to put this motion to this honourable House...

*(Stranger walks into house)*

**The Speaker:** Young man! Young Man! This man who is moving around the house! You crossed this bar without bowing!

What is your name?

What are you doing here?

It is only the staff or the Sergeant-at Arms who are serving this house who can come in! You can't come in!

Sergeant-at-Arms, why did you allow him to come in?

Sorry Honourable Kimanzi.

**Hon. Ngoima:** Thank you. Mr Speaker I want to caution that this is how this house is being taken for a ride by the outsiders, so I think this should be checked, because somebody can come in and beat another and go out without these security men outside there.

I wish to proceed Mr Speaker Sir.

I started by saying, as I contribute to this motion, I want to have questions here, which we'll answer as I present this. One is why we are in this Honourable House and who has sent us here. And those who have sent us here, what is their expectation. And as we answer these simple questions, I want to move that the security in our county is very important-very very important. It is paramount, also very important to the world. As we sit here, I want to address the security in our ATMs we have locally here in this county. These points are not secure at all. This one I'll support it by the incidences which go on as you walk into the ATM and go *'talk with the wall'* or cash your deposit there; we have heard of many. Just to mention but a few: in 2005, my friend, and he's from your area Mulutu, by name Benjamin Kimatu; he was hijacked from his home by the thugs, he was brought to the ATM lobby, he was ordered to take money from the ATM machine at gunpoint – that was a time like 11pm at night and he withdrew money, he gave the thugs and he was hurt and they went away. That was 2005. Just recently, we had one of the old *Mzee* who was doing savings for a certain Petrol Station here in town by the name *Mobilhe* was an old *Mzee*; he was trusted by the virtue that he was old, but as he was doing the deposit - it was on Sunday at 10am – he was attacked by thugs there at the point. He was shot from one rib to the other. Because I was there, I saw and I saw that. He died there and then immediately. After the shooting, the

thugs ran away with the money. The owner of the cash (this money) was left alive and the innocent *Mzee* died there and then.

The problem, or the blame, we would give it to the blame to the owner of the cash; the owner of the *Mobil* Petrol Station, and also the manager of *National Bank*. Because the owner of the petrol Station would have provided for armed security personnel to transport this money to the ATMs. Also, the bank manager could have seen it wise to provide armed security officers to these points because there were security officers without being armed; they were with *rungus*. They just watched helplessly as this *Mzee* was shot, the money going on a motorbike, and there they could do nothing to save that. They could not even shout, they could not even call, because they're being watched. So as I watched this incident, and as you know where the majority are businessmen, I have no words to tell them why this could happen and why this would not happen again as they do their deposits. In the ATMs we have armed security, working hours' working days. We don't have armed security personnel at the weekends and at the closure of business or at 5pm these working days at the banks. Now these guys who shot and ran away, even today they are at large. I don't see why these guys, after using this huge sum of money they ran away with, why they cannot come back and use the same method or somebody else somewhere use the same same method to capture these savings that are being done by the big businessmen.

And so I want us to think ahead by counter attacking such incidences in the ATMs. Nowadays you can withdraw up to Ksh 100,000 if you have an arrangement with the bank. Normally we withdraw Ksh 50,000 and that is a lot of money. Now if a thug monitors you and obviously knows how you withdraw and how you bank through that hall, it is very likely that we'll have a repeat of the incident.

So I'm standing here to ask honourable members to support this motion to be a requirement for ATM points to have armed security officers 24/7. The reason is, as you know we are Honourable Members and some of us live down there at *Resort*, others other places, you can be attacked the same way and be taken to the ATM and be told "withdraw this money for us", at night and you will not evade - because there at that point there are no armed security officers, and they know that. So we must do something Mr Speaker Sir to safeguard our people who have a lot of trust with us, who want us to pass laws to safeguard their security, to safeguard their welfare as they work in their businesses. And it is not only for the businessmen I have reiterated. It is not only for the businessmen who can be hijacked, even a layman who has an ATM, it can be done to you. So let's think ahead and see how we can help our people who have sent us here.

With those few remarks, Mr Speaker Sir, I beg to move.

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**The Speaker:** Very well.

Nobody wants this motion? Because if you don't second it, it will die. Honourable Ngoima tell us who is going to second your motion.

**Hon. Ngoima:** This guy...

**The Speaker:** There are no guys here Honourable Ngoima.

*(Laughter)*

**The Speaker:** I'm afraid there are no guys here Honourable Ngoima.

**Hon. Ngoima:** Honourable Kilonzo.

**The Speaker:** Honourable Kilonzo from Athi.

**Hon. Kilonzo:** Thank you Mr Speaker for protecting unwanted names in the house. I think I'm the first victim and the Honourable members are noting.

Mr Speaker Sir, Automated Teller Machines is a technology we cannot do without right now. As we all know it allows us to conduct our banking transactions without help of the bank employees and especially when we are doing the withdrawals, deposits, maybe balancing and such sort of things Mr Speaker. Not to take you so far, but this is a technology which James Goodfellow patented and the earliest a prototype kind was done in 1967 and Shawn White, an American installed the first one in London. And it has all the advantages: we all know that we can bank, we can do transactions at our convenience, we can visit the bank 24/7 as the Honourable member said, even holidays when the banks are closed and we don't have to worry about banking hours Mr Speaker. And you know to the banks it also has advantages; they spend very small spaces which we are sure that they utilize a lot of... actually there they gain a lot of profits because of utilizing a small space and reaching to many customers Mr Speaker.

One of the earlier guys said Mr Speaker that one of the greatest journeys in life is to overcome insecurity and learning to be truly... not to give a damn about security Mr Speaker. Mr Speaker if I am insecure I am sure, not even in this house, even outside there, nobody can show me love Mr Speaker. Insecurity as the Honourable Member said... or security is a paramount thing which should be allowed and which should be ensured. I know the Honourable Member has really touched on a small base about the ATMs Mr Speaker, which I want to say this is key. We don't even have to debate about the ATMs. We need to have security in Kitui town.

I want to urge the Honourable Members to know that Kitui County is going to receive the money it has never received. And the hit men and gang men are going to know that Kitui is a source of money and they will be here. And if we don't control, if we don't take the basic measures to put

security in place Mr Speaker, I am telling you not even those who are banking – the big businessmen that the Honourable Member has mentioned, but even an Honourable Member of this house will face the same thing. Insecurity does not know whether it is a governor of this county, it does not know whether it is an Honourable Member – it does not know anybody. If you meet with a hit man or you meet a gangster, they are in for what they want and you have to give Mr Speaker. So it is for myself and maybe to urge this Honourable House to look into this matter and we pass some basic laws which we can cover the ATMs.

And if I may expound, even in the near future, in the surrounding Mr Speaker, there will be too much of insecurity. I know this county has a very good will, maybe to come up with CCTVs (Closed Circuit Television) cameras and all that kind of thing Mr Speaker, but what I would urge this Honourable and dignified House is to support this house. That to support with, first we make sure that our ATMs are well guarded. As much as these banks spend very little to acquire these little rooms where we do our transactions from, they should ensure that we are secure, that even our relatives are secure when they are doing their transactions, or when they are doing whatever they are doing in there. And to me, what has happened to the ATMs, that is pure reluctance from the banks Mr Speaker. And I think, this Honourable House Mr Speaker, I should urge it so that we could pass this motion and say that there is no ATM in Kitui town or any other town where there is an ATM in Kitui County which is going to be operated without at least an armed guard Mr Speaker. To guard millions of money with a *rungu* is a big joke for banks Mr Speaker. We know that they are paying peanuts; we know they are paying these guys very little money. Can they spend? Because Mr Speaker when we do banking Mr Speaker we know that this money they utilise it to do other things Mr Speaker, and they declare a lot of profits Mr Speaker.

Mr Speaker, with those remarks I beg to second this motion and request this honourable House to look into the security of this county.

Thank you Mr Speaker.

**The Speaker:** I'll now propose the question, that pursuant to the provisions of the Interim County Assembly Standing Orders number 44, that provision of armed security personnel be made to man all Automated Teller Machine points within Kitui County.

I'm sure by now you know the drill; once the question has been proposed, it means it is ready for debate. Anybody can now contribute on it, and you do not have to confine yourself to the security of the ATMs, you can talk about the security of anything in the county. Now you can take this opportunity to ventilate, to tell the world, to tell this country, to tell this

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county the situation of security in the county. You can digress a little and talk about any security you think of, but the motion is security for ATMs.

That gentleman, *alikuwa na mkono yake juu*. That gentleman, yes, *mpatie microphone*.

**Hon. Munuve:** Thank you Mr Speaker, I don't know whether I'm supporting the motion or I'm opposing, because to me the motion should be amended to cater for all the areas. It seems like Kitui County is comprised only of rich people who need to be...

**The Speaker:** Order Honourable Member!

When I say 'order' you sit down!

Do you want to amend the motion? If you do, I will give you some few minutes, you go and draft your amendments, then I can give you time to introduce the amendments. But if you want to contribute to the motion as it is, then you can go ahead. If you want to amend it, you can draft an amendment and then you bring it and then I'll put it so that it can be incorporated into the motion.

What is your position now?

**Hon. Munuve:** I think I need first to oppose it because I don't have time to amend it at the moment so that I can proceed.

**The Speaker:** Okay, go ahead.

Hon. Munuve: It seems that the people of Kitui County are very rich; they need to be protected only when they are using ATMs, when we know very well this town is not secure. Last week but one, one of our Honourable Members, I think she'll allow me to mention her name; Honourable Mwendu was mugged in her house – she was not using the ATM. So I think we need to protect everybody. Motorbikes are disappearing every day. To me I don't see why we should narrow down to ATMs.

**The Speaker:** You are still out of order Honourable Member.

**Hon. Munuve:** So Mr Speaker I tend to oppose.

*(Laughter)*

You have not opposed, you have only supported but said that it should not be narrowed. You have not opposed.

**Hon. Munuve:** I said Mr Speaker, I don't have time right now to amend it but I said it needs to be amended to cater for all the people of Kitui.

**The Speaker:** So you are supporting the motion?

**Hon. Munuve:** Thank you, I can also support.

*(Laughter)*

**The Speaker:** Okay. Mulongo.

**Hon. Mulongo:** Thank you Mr Speaker Sir, I stand to support the motion. As we know, the security of our citizens is of paramount importance. The motion could not have come at a better time than now. As my colleague has said, we are experiencing a lot of insecurity activities in this town and outside – I'm saying within the county.

**The Speaker:** Honourable Mbula. Can you come here please?  
Go on Mulongo.

**Hon. Mulongo:** Mr Speaker Sir, as I stand to support the motion, we have observed with a lot of keenness the laxity of security agents. In our towns Mr Speaker Sir we have security agents.

*(Honourable Angeline Mbula takes over as temporary Speaker)*

**Hon. Mulongo:** Madam Speaker Sir...

*(Laughter)*

**The [Temporary] Speaker:** Go ahead, Honourable Member.

**Hon. Mulongo:** Thank you Madam Speaker, for your protection. I've come to realise it's not Madam Speaker Sir, its Madam Speaker.

I was saying we have been experiencing a lot of laxity with our security agents. We really need to urge our security agents to be keen and to patrol the areas throughout the day and throughout the night. Madam Speaker I do walk at night and I can assure you I rarely meet security agents and I think they are the ones who are supposed to be roaming around at night – but we rarely see them. So Madam Speaker, we urge our security agents to be active and proactive to deal with crime because most of the criminals who are moving around they are using some other tactics. Our agents needs to be smart and smarted than the criminals. Because otherwise if they are beaten in that wisdom, then we are left vulnerable as the citizens of Kitui County.

Madam Speaker I want to bring to the attention of this house, the insecurity that is going on at our borders. As we talk about security|insecurity in the ATMs, we should also elaborate and see what is happening to our brothers and sisters and our mothers at the border of our county. We have seen those bandits; they come they kill, they maim our people – we really need our house to pass some laws which will enable our security agents to flash out these bandits and other criminals.

I support the motion. Thank you.

**The [Temporary] Speaker:** Thank you Honourable Member. Can we have the member for Kanziku... Oh, Ikanga. Okay.

**Hon. Mwango:** Thank you Madam Speaker. I stand here to support the motion. As many here have said that security is paramount to our county, we are aware that for about five years now, our people are living in fear because especially we have seen some intruders coming into our land and taking our land forcefully. Like as we talk today, we have about some 25 kilometres of our land being taken by intruders especially the people from Tana River, as you go down Mutha there a place called Kalalani. I happen to have visited that place last year but one and we found that most of the people who live there do not belong to this county. And most of the activities taking place there is like those people have already taken our land - they have already developed the land; they have built schools, they have started building towns in that area, of which it's not their area Madam Speaker. So Madam Speaker we want to say that our people are not secure, so we need to have security in this town. I happened sometime back to go to somewhere called Malalani - a place called Twambui where people have already moved out of that area, moved to the bush and left their houses. People there do not have faith in whatever we call security agencies because it seems like there are some people who tells them or who are guiding them (bandits) to come and graze in that area. Because in that area called Twambui, it's only that there is grass and water which has brought insecurity in that area.

So Madam Speaker we want clarity from whoever who is concerned with security in this area that we need our people to live in peace. We don't want our people to leave their houses and go and live in the bush as if we are in Kakuma in Southern Sudan. Madam Speaker we want strict measures to be taken as far as security is concerned; this matter has already been reported in related offices like the OCS and DC areas and no strict measures have been taken. So Madam Speaker we want clarity; who is secure in this county. Because we don't want our people to be moved and wiped from their homes. Mr Speaker we need peace, so I stand to support the motion, and if the matter is going to be taken up, we want the strict measures very quick so that our people can settle in peace.

**The [Temporary] Speaker:** Thank you Honourable Member, can we hear Honourable Member from... eh... from where? Mbitini.

**Hon. Mbivi:** Thank you Madam Speaker. In supporting the motion Madam Speaker, I think everyone knows that Honourable Members had their salaries increased. My proposal is this Madam Speaker; everyone knows that the Honourable Members have always had money. In addition to the ATM machines, I'll also request this house if it is possible, these Honourable Members be accorded security. We have heard the mover of the motion, whereby a man by the name of Benjamin Kimatu was hijacked from his home, ordered to come to the ATM at gunpoint, ordered to

withdraw money, then he was let loose. How safe Madam Speaker are we that we can be left roaming around this town when everybody knows that these Honourable Members have money? Can I also propose that we also be given some security? In addition to that Madam Speaker, we also have cases where our security are sleeping on their jobs; we have a case in point whereby some AP policemen manning this road just as you go to Wikililye – as early as 6pm in the evening, the Aps, not traffic policemen, they are there soliciting for money from motorbikes and *matatus* when people are being harassed. May I suggest that if we can have patrols in the County of Kitui. These members will be happy.

People are sleeping in fear; they don't know when people will come for their necks and their families. We have heard cases whereby people are being ordered at night; thieves are coming raping our women and daughters when the policemen who are supposed to be guarding us and giving us security are sleeping on their jobs. Madam Speaker I support the motion, but apart from the machines that having some money, we also need security. We are at threat; everyone knows that we have money. It was reported last week that we have money. It was reported last week that MCAs salaries have been increased, we don't know where they got those reports. We don't have that money, let them not come for us. And before they come for us, let us have our security.

**The [Temporary] Speaker:** Thank you Honourable member. Are we all raising hands in support of the motion? Anybody to oppose the motion? Okay, can we listen to the Honourable former Mayor.

**Hon. Munyoki:** Thank you Madam Speaker. I'm not opposing the motion; I'm supporting it but I wanted to say something which has not been spoken.

Security is important for all of us. And when we talk about security, we should be careful especially where these things can happen. And first and foremost, when a thief goes to thief...

*(Laughter)*

**The [Temporary] Speaker:** To STEAL!

**Hon. Munyoki:** When a thief goes to steal, sometimes you don't know when really the thief comes to steal from you. And actually like here in town, there are many things which can make those thieves to hibernate. Especially we have many many hawkers surrounding our banks. Those thieves can hide there. If at all you want to eliminate these thieves or robbers, you have first to deal with those hawkers. First we clear those hawkers from town, so that whoever is managing those banks or ATMs

could see clearly. Because with those hawking just around those banks, it is impossible to control those people.

That incident of the man who was killed in the ATM, it was only one week after another man was robbed taking money to the bank. Those are some of the cases which of course can hinder that security in those areas.

Secondly, you have heard that robbery has gone everywhere, even at night. I heard even some *mshimiwas* here have been robbed at night, and this is something which is very serious. We need to involve our county police officer who is in charge to come and maybe answer to this assembly how they are going to deal with this insecurity because it's becoming a menace to this county or to this town. And if you want to finish this, you ought to collaborate with those people and maybe they send officers during the day to patrol and also at night. Thank you.

**The [Temporary] Speaker:** Thank you Honourable member. If I got the Honourable Member right, he's trying to put across a case where we have structures within the town which can encourage - which are the hideouts for the thugs. So even us as an assembly maybe we may have to do something; see what measures we can put to eliminate structures in the town which pose some security problems.

I think Honourable Members we all know that security is an issue in the whole county, whether in the town or not in the town. Because when we are talking of insecurity across the borders, when we are talking of insecurity in towns, we need to offer solutions to insecurity in totality, not just the ATMs and wherever.

Honourable Member, you want to support or...?

I think I was in this side. Honourable Member for Kiomo.

**Hon. Mutemi:** Thank you Madam Speaker. Madam Speaker we are speaking of serious violations of human rights. On article 29 - Bill of rights - Chapter 4 of our constitution, that's a serious violation of our rights, together with article 40 on the same chapter - Bill of Rights about security. Madam Speaker, when you look at our situation, really security is a serious prerogative of both the County and National Government. Madam Speaker, I tend to understand that in our County Government Act 2012, the governor, who is the head of the executive of the county is duty bound, along with the security agencies in our county to ensure both citizens together with their property are well provided with security. In this particular matter Madam Speaker, recently when we were approving the budget, we even approved budget allocation for provision of security. So Madam Speaker we need to see impact, although that was just recently.

Madam Speaker last weekend I went to a place called Nguni, and as I support this motion, those places called Sosoma have been intruded by foreigners. I tend to understand that even some other areas in Ngomeni like

Kasiluni - along that line. Really we are in total trouble with our insecurity. And Madam Speaker, in this particular case, we need to get clear explanations from the Minister concerned for this county and the government agencies providing security - What are they doing with the security of those areas? Those Automated Teller Machines together with the citizens. Madam Speaker when you read article 40, it talks about right to property, and to be deprived of the right to property is a serious insecurity. So Madam Speaker, in this particular case, I would like these Honourable Members to direct the committee responsible to summon the Minister concerned and the OCPD or the County Commander. I understand last week, the Inspector general of police appointed County Commanders. And Madam Speaker, I request this house to direct, through your humble chair, that that commander to be summoned because we cannot sit here as an assembly, people's eyes sent here by our respective constituency members and watch when our county has been attacked, when there is serious violation of human rights. Madam speaker I humbly request the members to support the motion as I do so.

Thank you Madam Speaker.

**The [Temporary] Speaker:** We've heard the Honourable Member loud and clear. Can we hear Honourable member for Kauwi/Kabati.

**Hon. Mutua:** Asante Madam Spika.

**The [Temporary] Speaker:** And Honourable Members I'm worried at the level at which members are walking out of the house. Is it because today it is Madam Speaker at the Chair?

Go ahead Honourable Member.

**Hon. Mutua:** Asante Madam Spika, nakubaliana na mswada kabisa kabisa. Na ni ya kwamba hatutakaa hapa kama Members of Parliament ya Kitui tukiangalia watu wetu wakiteseka nje kwa sababu ya security. Na security haiendi tu kabisa kabisa kwa watu wa ATMs ama wale wanaenda kuchukua pesa. It's a thorny issue ns asana sana kwa kaunti yetu. Ya kwamba tuko na wageni ambao wanatembelea huku na hatuwajui. Na ukiangalia hata ukijaribu kuongelesha mtu, hajui ile lugha unaongea. Kitambo kidogo watu walikuwa wanashikwa wanapelekwa polisi, naukiangalia hujui hata ile lugha wanaongea na asubuhi wakilala cell ukiangalia hujui hata wameenda wapi. Na hiyo imetendeka hapa. Na hao wageni ndio wamechangia hata kuleta bunduki hapa kwetu. Nikikubaliana na mswada nataka kusema kwamba Madam Mwendu, wale walienda kwake usiku ule walikuwa na bunduki - vile aliniambia. Na hizo bunduki tukiangalia hizo bunduki ni kama zimetoka kwa neighbours wetu ambao sijui tuwaite *Al Shabaab* ama tuwaite namna gani.

Ile ingine ni ya kwamba tukiangalia pande zote hata tukienda mashinani hata tukienda kwa wadi zetu. Nao machifu wadirectiwe, hakuna

chifu hajui mwizi wake. Nakila soko chifu anajua yule analala hapo jioni ni nani. Wawe kama ni mgeni ametembea huko, chifu ajue ni nani huwa anatembea huko, ili tuwache kunyanyasiwa watu wetu hadi kwa manyumba nyumbani.

Ile ingine na imezungumziwa ni mambi ya grazing. Kuna watu wanakuja in the name of ya kwamba wanakuja kutafuta malisho, nasana sana wakati kama huu, kuanzia mwezi kwa sababu nyasi ni kama inaendelea ikiishaisha upande ule mwingine....

**The [Temporary] Speaker:** Point of Order! Yes Honourable Member.

**Hon. Kilonzo:** As much as I support this motion, is it in order for the member for Kauwi to move us from English, French, Kikamba and Kiswahili Madam Speaker?

**The [Temporary] Speaker:** Go ahead Honourable Member and maintain one language.

**Hon. Mutua:** Thank you. Ni ya kwamba wale wanakuja wakitafuta malisho, hatuwajui. Na wakitembea huko ndio wanakuja hizo bunduki wakijifanya wamekuja kutafuta malisho huku kwetu na wao ndio wanaleta hizi silaha zinaenda mpaka kwa Mheshimiwa Mwendu usiku.

Ile ingine ni ya kwamba, tungeomba, na kama upande wa main towns, kila moja, na asana sana hapa Kitui town, kama ni mahali ule upande Mheshimiwa Mwendu anakaa ama sehemu nyingine, vile Mheshimiwa Gavana alikuwa amepropose mambo ya street lights, hata hizo estates ambazo ni main, mpaka huko kuteremka mpaka Majengo ziwewe street lights.

Ile ingine ningeliza madam spika ni kwamba, na imezungumziwa na imekuwa shida kubwa ya hapa Kitui town; kuna vibanda nyingi sana ziko kwa town nzima. Na hata ukiingia town hujui umeingia Gikomba ama ni town ya Kitui. Badala ya kuona benki vile zimeadvertisiwa pale mbele, unaona... sijui ni mtumba... kiatu imeteremshwa, hiyo ndio ile welcome unapata ukiingia Kitui town. Na tukiangalis, tukilinganisha na vile ilikuwa. Ilikuwa ukijaribu kugusa hata wenye wanauzia hapa kwa soko nini na nini na nini, walikuwa wanaita... sijui walikuwa wanaita nani. Wakati huo sijui alikuwa ni waziri wa nini. Lakini alikuwa anawatetea ya kwamba wakae hapo. Na mtu akikunyang'anya kitu hapo usiku – kuna wenye wanajifanya wanauza hapo mpaka masaa usiku, anakimbilia hapo na huwezi hata kumpata. Kwa hivyo Mazam Spika ile ningeeomba ni kwamba, kwa sababu ya security yetu, hizo vibanda zote kuanzia hapa kuteremka mpaka Kalundu tukiingia ndani, hizi ambazo zimewekwa mahali tungekuwa tunaenda kurest hata mpaka parking pale hii vibanza yote vimeteremka vibomolewe.

Na ingine ambayo imechangia ni *Miguka*. Unapata a whole minister anajengea watu vibanda wakuje kuuzia *Miguka*, ambayo watoto wetu wanapotelea. Mtu akichonga hiyo *Miguka* na akunywe kitu ingine inaitwa sijui black and white sijui ataona black ama ataona white Madam Spika. Na ni ya kwamba hiyo pia inachangia insecurity. Kwa hivyo kwa sababu watoto wetu wanapotelea hapo wakitafuna hiyo *Miguka* na wanapotea wakikunywa hizo vitu zinaitwa black and white. Na wanakunywa kutoka asubuhi na mapema. Ukiingia hapa Kitui niliskia mahali wanakaa wanauzia hizo *Miguka* huwa wanaskia hizo horn za hizo gari ambazo huwa zinatoka Embu na hiyo *Miguka* zikiwa Syongila. Na utaona kukiwa na msisimko; ya kwamba ni asubuhi na mapema unajiuliza huyu mtu amelewa wapi, amekunywa nini? Na ukiingia hata huko unaweza kanyanga mtu ukiteremkia upande huo.

Kwa hivyo nikikubaliana na mwada naomba tuchukue kama jukumu yetu vibanda zote na watu waallocatiwe mahali wataenda kuuzia vitu zao; tukijua tomato tutaenda Kalundu tunaenda Kalundu. Ndio soko iwe clean, ndio soki iwe tukitembea kila mahali iwe sawa sawa. Mtu akisimama pale anaona Yule mtu anataka kumnyang'anya kitu akiwa pale.

Ile ingine ambayo Madam Spika ningependa kupropose na iwe ni sheria ya kaunti ni ya kwamba kila nyumba zote za malazi ambazo ziko huku ziwe zikiweka rekodi za wageni ambao wamelala huko.

*(Applause)*

**Hon. Mutua:** kwa sababu, saa zingine maybe unaweza kwenda *Parkside*, upate hapo tu ndipo wanaweka rekodi za wale wageni wamelala hapo. Lakini ukitembea uteremke – sisemi tu *Mini* ana tu hoteli ingine – upate mtu tu ameingia na amepewa kigunguo na amelala. Asubuhi ama usiku, hao watu ndio wanatoka na bunduki. Na kwa sababu hatujui ni wageni wagani wamelala, kwa hiyo iwe ni sheria ya kaunti ya kwamba kila mtu, na kila mtu ako na manyumba za malazi awe akijua ni mgeni mgani amekuja na waweke proper records.

Na kwa hayo mengi ama machache nakubaliana na mjadala.

**The [Temporary] Speaker:** Thank you very much member for Kabati.

Honourable *Itilananga*.

**Hon. Wambua:** Thank you very much Madam Speaker. I'm not *Itilananga*, I'm Honourable Watson Nzuki Wambua, elected member – Kanyangi Ward.

*(Laughter)*

**The [Temporary] Speaker:** Point taken.

**Hon. Wambua:** Madam Speaker to support the motion, the county has turned to be a hub of thugs. And it has been encouraged by this drug called *Muguka*. If the county can put strict measures on this drug called *Muguka*, we can control a little bit of insecurity. Because this khat is chewed by our boys up to beyond midnight. And whatever they are discussing there is ways of getting money. Where can those boys get money from and they are not working? It is only by getting guns and after chewing khat they turn to our friends and they rob them of money.

I can propose this; if we can put a strong taxation of this *Muguka* which is coming from Kiritiri. When it crosses our borders – because it is a business like any other, when it gets into our county, it meets there with our taxation. When that *Muguka* or that khat gets to the grassroot, a single leaf can cost more than Ksh 10. We can eradicate this business of *Muguka* with a lot of wisdom, but if at all we are going to release this people who are trading in this *Muguka*, in fact the insecurity in this county we'll not control it.

The other thing is; let we not look at just the ATMs alone. Last month in my ward, a watchman in Kanyangi Boys was beaten to death by thugs at midnight. Because our institutions down there are not well guarded by well-trained security agents. Our institutions just take only the cheaper watchmen and they die at the mercy of the trained thugs who get their training and weapons from the *Al Shabaab*. Please Madam Speaker, I support the motion and propose to take strict measures on that side.

Thank you madam Speaker.

**The [Temporary] Speaker:** Thank you Honourable Member. Can we now have Honourable Mwendu Mutemi; a victim of insecurity.

**Hon. Mwendu:** Thank you madam Speaker. I would like first of all to say it was a very terrible situation that I had that day when thugs came to my house. It was past midnight. I was locked in one room with all my kids, left there either to die or call anybody for help after morning hours. Therefore I have stood here to support the motion. And in supporting the motion, my question is, since that day up to now, those thugs are still terrorising people, but there is no one who has gone to jail. Really do we have policemen and other security agents working? Do we have them?

After I was robbed what I had, the following day there are gentlemen from *Safaricom* who had the same same issue. And theirs was a little more terrible because a compound of six houses, they were locked in one room with their children – others were not having even clothes. And in the morning when they were opened for, they were running, everybody to his house 'empty' as I can call it.

**The [Temporary] Speaker:** NAKED Honourable member.

**Hon. Mwende:** Yes, naked to be sincere Madam Speaker. And it was the same same gun with a red tip at the wood handle. The day after that, Good Shepherd School woke up in the morning to find out that all their cars' engines and tyres were nowhere to be found. That day, school children did not get to school. It is so funny; it was just a day before yesterday when they robbed just up there next to my house; after where (Hon.) Jane was. Just the same people, and they are asking for just three things: phones, laptops and money. Surely, my question and what I'm worrying about; are policemen collaborating with these thugs, or they are the people who are robbing us? Because nobody... I've even gone to the DCIO and asked him: "Have gotten any suspect who is going around robbing us?" They are saying NO, yet robbery is still going on with the same people going around asking for laptops, phones and money only.

I think it's high time we ask the governor Kitui County also to work with the DCIOs and the OCS and every police security within the town to know what is going down and to know to what point they have taken security measures in this county.

And we are only talking about thieves around the area of Kitui town and even the money and laptops; down there at home, the robberies are too much – of chicken and even goats. I was even talking to my people of Thaana Nzau, they are now organising security for themselves. That anyone carrying a chicken or a goat in a crate should identify where he is coming from with the animals. Otherwise a lot of insecurity even in *mashinani* is going on. I think we should not sit here as a house and look at our people having no security, having themselves employing themselves for security yet I'm having my allowances taxed to pay for security and police. I think they should come out and work with us so that we can have security for our people.

I support the motion and we need security urgently.

Thank you.

**The [Temporary] Speaker:** There is a Point of Order.

**Hon. Kilonzo:** Hon. Kasinga relax...

My Point of Order Madam Speaker is: is Honourable Member Mr Mbiti in order to read newspapers in this house while we are transacting very important business. Is he in order?

**The [Temporary] Speaker:** He is not in order! Honourable Member – Mbiti, please observe the house rules.

Honourable Members, may I ask, should we continue contributing to the motion when we know we all support it? You want us to hear everyone's voice and everyone's opinion?

**Members:** Yes...

**The [Temporary] Speaker:** We can go ahead.

Honourable Member for Mumoni?

**Hon. Kasinga:** Thank you Madam Speaker. Indeed we don't need to really waste time, but I believe this motion touches on the heart and the very bit of what is important in our lives, not only in this county but also nationally. Indeed the magnitude of this motion, this kind of motion should have been raised a long time ago in our national parliament. I want to congratulate Honourable Ngoima for seeing it fit and important for us to debate this motion and take perhaps or propose the necessary measures.

I'll be very brief; I'll not go into the detail of what has been spoken. I want to bring to the attention of the house one thing; that provision of security for banks is normally an arrangement of banks and the security agents. In this particular case, the banks in this county and perhaps the banks in our country are perhaps the ones who are not taking into account their customers security interests. Whereas there are security officers during the normal banking hours as soon as the banks close, as the mover of the motion put it, the security officers are withdrawn. So the question is; where does the bank draw the line of providing security? Do they provide security for the money which is in the bank when it is banking hours, and since the machines cannot just be robbed of easily, they leave it to the customers... their own customers who withdraw money to be robbed? That's unfortunate, and I think as we call on the security measures to be advanced, the first people we should be calling upon to provide security 24/7 as the mover has said it, should be the banks; they pay for that security. And I believe perhaps they have never asked for security for those extra hours.

Madam Speaker, while supporting the motion, a member; Honourable Jane for Kauwi here put it that we need the hotels that within, the lodges that are within this area or within this county be required to keep record for the people who spend the nights in their premises. I want to bring to the attention of the house that it is a requirement by law, under the Ministry of Tourism, under the Hotels and Restaurants Authority Act CAP 494, for every person who operates a hotel to maintain a record for whoever sleeps there. And these records are actually supposed to be provided to the security details who are supposed to check either on weekly basis who slept where, what is their name, where did they come from. So if they're not doing that, then it means that they are committing an offence.

As we support the motion, our work is coming out clearly, as we were speaking here yesterday, that the respective committees especially the committee on Infrastructure and Urban Development, I want to propose that they should meet the respective person on the side... the executive officer who has been appointed so that they can talk and see

what can be done especially on the illegal structures that have been constructed on the road reserves because those are the dwellings of the people who mug people within the urban areas. Likewise the committee on tourism should also be able to meet the person who is in charge of tourism and try to find out from him, do the hotels really keep records that are supposed to be maintained in accordance with the law.

And with that Madam Speaker, I want to say as Honourable Mutemi, the MCA for Kiomo put it, that under the constitution, it is the right for everyone to enjoy security, and I want to add that you cannot enjoy the provision of article 43 (e) there down that says we have a right to social security also - we cannot enjoy it. And so we need the security, perhaps where we can come from. I can say perhaps some time back we had people traversing, and our neighbours actually are the main problems perhaps. But as we blame our neighbours, we also need to check within ourselves. Our people are also getting into crime, not because they like it, they are being initiated into it, there are all kinds of inducements that are coming in - we need to deal with those, we deal with the issue of insecurity. And so I call upon the agents that are supposed to deal with the security here, they combine; they involve the national government, coming down to the County Commissioner, the police commandants and combining with our governor. And we must appreciate one thing; that our governor at this particular time does not have the full instruments of providing security, but as time goes I believe it is going to be there, but now the onus is on the police commanders, the basis of those who have been given the mandate to man the security to work on it.

With that Madam Speaker, thank you for providing me with the opportunity to support this motion.

Thank you.

**The [Temporary] Speaker:** Thank you Honourable member, I think the Honourable Member for Mumoni has raised some pertinent issues on the business of some different committees. He has talked of the Committee on Tourism to oversee issues of the hotels and other social joints whether they adhere to what Honourable Member for Kabati had earlier suggested. He has also talked about the Committee on Land to look at the issue of parking and but I just want to know which particular committee should look at the issue of insecurity? The committee that we said that should put together the police OCPDs, County Commander for police, bank managers... which committee is that?

**Hon. Kasinga:** Administration.

**The [Temporary] Speaker:** Administration, okay. Okay, so can we mandate the committees to see the clerk today and schedule a meeting for them and the chairpersons to make appointments with the various

stakeholders that we have discussed here or they can visit the County Commissioner for police, the bank managers and sit with them to discuss insecurity issues on the ATMs and general insecurity? I think members... I can see honourable member for Ngomeni... disputing or?

**Hon. Ngwele:** Madam Speaker I stand to support. And in supporting the motion, I just want to confirm that insecurity is not just in this town, it is in virtually every other meaningful town in this county, be it Mutomo, Mutito, Kyuso, Mwingi especially, we have serious problems of insecurity. I was being told by the Honourable Member for Mwingi town just yesterday how in a matter of three weeks they have had serious armed robberies in supermarkets and hotels in Mwingi town. And really having armed robberies in a small place like Mwingi town in broad daylight, surely it means that there is something very serious that is not happening in our county.

But I just want to remind honourable Members Madam Speaker that crime doesn't just happen. Crime is an indication of something which is not happening in our society. And crime is not an indication that we don't have enough policemen guarding supermarket, guarding ATMs or guarding hotels. Crime is an indication that there is something dysfunctional in our society. Why do I say this? If you look at the countries the world over, the poorest and also the most unequal countries are usually the most insecure. The fact that we are having that rate of crime in our county means that there is a very serious lapse in things that we as a county are supposed to be doing to make sure that our youth are employed. A young person, let me say a young man because crime is usually carried out by mostly men, mostly young men and a young man who has been to a good school, to a good college and has a decent job will not leave his office like today and go home and take a gun and rob a bank. Most of the crime is carried out by young men who are unemployed, young men who need to make a living. And the fact that we are having that rate of insecurity in our county means that we are not doing enough as a county, as a government to provide opportunities for our young people to participate in gainful employment.

And I want to propose that this house provides leadership in directing the county government to be very serious with youth responsive programming. We passed a budget of nearly Ksh 6 billion the other day. We want to see a lot of that money being put in programmes that employ our young people. If it is road construction, let it not be the rich contractors coming with expensive equipment to do roads. Let us do what is called labour-based planning so that our young people can get employed to make our roads, to make our markets, to build dispensaries. So that as far as possible we can have our young people earning some money, however little, and they will desist from crime. Somebody said that prisons are not

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locked from inside; prisons are normally locked from outside. It is the things that we do outside the prisons that will enable a country or a county like ours to reduce the numbers of those going into prison it is not what you do inside the prison. So let us talk about crime, let us post policemen to ATMs and all the other places, but let us also take very seriously the issue or the need for creating employment; gainful employment for our young people. Expanding polytechnics expanding colleges and also expanding opportunities for employment in whatever way we can as a county will help us reduce the level of crime in our county.

With those few remarks Madam Speaker I beg to support.

**The [Temporary] Speaker:** Thank you Honourable Ngwele. You said we continue supporting until you exhaust, or members do we agree that we all support the motion.

**Members:** We all support...

**The [Temporary] Speaker:** So can I put across the question now?

**Members:** Yes...

**The [Temporary] Speaker:** As many as...

*(Members contest the procedure)*

**The [Temporary] Speaker:** I stand up...?

*(The Speaker Mr George Ndotto moves in to assist)*

**The [Temporary] Speaker:** Okay, I'm an amateur.

I now put the motion... the question...

I now put the question; the motion which was presented to us by Honourable Daniel Ngoima Kimanzi, Mr Speaker Sir, I beg to move that pursuant...

*(The Speaker intervenes again)*

**The [Temporary] Speaker:** Pursuant to the Interim County Assembly Standing Orders number 44, that provision be made of armed security personnel to man all Automated Teller Machine points within Kitui County.

As many as are of this opinion say AYE!

**Members:** AYE!

And as many as are of a contrary opinion say NAY!

*(Silence)*

**The [Temporary] Speaker:** The AYE's have it!

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*(The Speaker M George Ndotto assumes his position at the Chair)*

**The Speaker:** Its learning, you'll excuse them. I'll teach them; they're going to learn. They learnt to walk, they can learn this one.

Honourable Members, thank you very much, the motion by Honourable Ngoima has been approved. We will take the necessary action to make sure these things are implemented. Normally, Honourable N you should have given Honourable Ngoima time to reply to members' sentiments, but you went straight to putting the question. God will excuse us for those omissions; they are not very serious, but they are omissions. Honourable Ngoima you'll accept that the motion has been approved – we can't go backward.

Now I think it is time we stop the business of the house now. But after we finish, I want to have a short session with all the chairmen of the committees, the two leaders; majority and minority, they are here, and the two whips and the speaker's panel. I want to have a short session with them. After we adjourn they should remain behind, I want to talk to them.

Stand up we finish the business.

Honourable members, the house stands adjourned until tomorrow; Wednesday the 3<sup>rd</sup> day of July 2013 at 9am.

*The County Assembly rose at 3:50pm.*