

COUNTY GOVERNMENT OF EMBU

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02/03/2021

COUNTY ASSEMBLY OF EMBU

SECOND ASSEMBLY : FOURTH SESSION

COMMITTEE ON PUBLIC PARTICIPATION

REPORT ON THE PUBLIC PARTICIPATION FORUMS HELD TO
CONSIDER THE PUNGUZA MIZIGO (CONSTITUTION OF KENYA
AMENDMENT) BILL, 2019

SUBMITTED FOR CONSIDERATION AND ADOPTION BY THE
COUNTY ASSEMBLY

Clerk's Office
County Assembly of Embu
P.O. Box 140-60100
EMBU

C.C.A.
For further directions
DPLCS
07/03/2021

TABLED ON 03/03/21

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forwarded.
DPLCS
01/3/2021

FEBRUARY, 2021



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ACRONYMS AND ABBREVIATIONS

CAE	-	County Assembly of Embu
C.G.A	-	County Governments Act, 2012
C.O.K	-	Constitution of Kenya, 2010
FY	-	Financial Year
P.P.A	-	Public Participation Act, 2015
P.W.D	-	People with Disabilities
S.O	-	Standing Orders

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Annex 20. Attendance register for members of the public attending public participation forum at Makima ward

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Annex 22. Attendance register for members of the public attending public participation forum at Kirimari ward

EXECUTIVE SUMMARY.

The Public Participation Committee was formed pursuant to The Embu County Public Participation Act, 2015 which was enacted by the County Assembly on 23rd September 2015. Section 20 (1) of the Act provides for the establishment of the Public Participation Committee at the County Assembly.

In the matter under consideration, the Committee was involved in preparation of the Public Participation forums for the **Punguza Mizigo (Constitution of Kenya Amendment) Bill, 2019** jointly with the Justice and Legal Affairs Committee. (*Annex 1*)

The County Assembly of Embu sought the input of members of the public on the proposed Punguza Mizigo (Constitution of Kenya Amendment) Bill, 2019, as presented by the Third Way Alliance Kenya to the County Assembly. The Bill aimed at amending the Constitution of Kenya 2010 in order to reduce the burden and cost of governance.

The Members of the Public Participation Committee and Justice and Legal Affairs Committee were divided into sub committees which spearheaded Public Participation in all the twenty wards in the County. The forums were held starting from **Wednesday, 18th September, 2019** up to **Tuesday 24th September, 2019**. The Members drawn from the two Committees, accompanied by the rest of the Members of the County Assembly held four forums daily, translating to four wards having the exercise per day. The committee noted that the turnout was encouraging unlike in the previous years and that copies of the Bill were dispatched to participants in relatively good time.

This report therefore summarises the issues raised by the members of the public on the organisation and planning of the public forums and the observations made by the Committee regarding the same. The Committee has also made recommendations to improve future forums with reference to the provisions of the law regarding Public Participation forums.

1.1 MANDATE OF THE COMMITTEE

The Committee derives its mandate from Section 20 (4) and Section 21(1) (a) to (k) of the Embu County Public Participation Act, 2015. The Act under Section 20 (4) provides that the Committee shall coordinate public participation in the Assembly.

Section 21(1) Provides that the Assembly Public Participation Committee shall be responsible for--

- (a) Coordinating and moderating Public Participation activities and programs to ensure they are inclusive of the broad spectrum of the public;*
- (b) Co-ordinating and promoting co-operation between all participants in Public Participation;*
- (c) Ensuring that clear and reasonable timelines are established for Public input and comment and that these timelines are communicated to Public;*
- (d) Ensuring that the Public Participation device used is appropriate to the nature of a specific Initiatives, issues involved and the target groups affected;*
- (e) Establishing a feedback process to the Public including opportunities for the Public to for Additional comments or input to the decision taken;*
- (f) Developing an evaluation framework to the Public Participation plan;*
- (g) Providing advice to the Assembly on managing Public Participation process;*
- (h) Preparing reports on Public Participation facilitated by Assembly;*
- (i) Preparing annual report on Assembly Public Participation processes for consideration by the Assembly*
- (j) Developing networks and partnerships with key stakeholders for the purposes of enhancing Public Participation; and*
- (k) Carrying out any other function that may be assigned by the Assembly.*

1.2 MEMBERSHIP OF THE COMMITTEE

The Committee is made up of the following Members;

- | | | |
|-------------------------------------|---|------------------|
| 1. Hon. Salesio Njeru Kimaru, MCA | - | Chairperson |
| 2. Hon. Benard Nyaga Kandia, MCA | - | Vice/Chairperson |
| 3. Hon. Duncan Ileri Mbui, MCA | - | Member |
| 4. Hon. Margaret Lorna Kariuki, MCA | - | Member |
| 5. Hon. Martin Mwangi Kimani, MCA | - | Member |
| 6. Hon. John Gichovi Gatumu, MCA | - | Member |
| 7. Hon. Judy Mbuya Njue, MCA | - | Member |

1.3 PROBLEM STATEMENT

The proposed Punguza Mizigo (Constitutional Amendment) Bill, 2019 was received in the County Assembly on 19th July, 2019. The Committee got seized of the matter jointly with the Justice and Legal Affairs Committee as per the provisions of the Standing Orders of Embu County Assembly and in conformity with the provisions of Section 21(h) of the Embu County Public Participation Act, 2015.

The Committee is by law required to make a report to the County Assembly on the Public Participation forums held and facilitated by the Assembly. The report seeks to address the concerns raised by the members of the public regarding the public participation forums and it should also prescribe possible solutions to the issues raised.

1.4 OBJECTIVES/TERMS OF REFERENCE

- (a) To evaluate how the planning and organization of the Public Participation forums for the Punguza Mizigo (Constitutional Amendment) Bill, 2019 was executed.
- (b) To scrutinize the views collected from the public matters organization and planning of the forums between 18th and 24th September, 2019 across the 20 wards in Embu County.
- (c) To assess how the forums were executed in the wards.
- (d) To make a report to the County Assembly on how the Public Participation exercise conducted.

1.5 METHODOLOGY

The committee used the following methods in coming up with this report

1. Committee meetings
2. Actual participation in the public forums
3. Observations
4. Interviews with participants.
5. Interrogation of public participation exit survey questionnaire.

1.6 TOOLS OF REFERENCE

The following tools were used for reference.

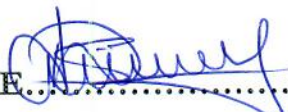
- 1) The Constitution of Kenya, 2010.
- 2) The County Governments Act, 2012
- 3) The Embu County Public Participation Act, 2015
- 4) Embu County Assembly Standing Orders (*Revised Edition, 2017*)

1.7 ACKNOWLEDGEMENT

The Committee wishes to acknowledge the support given to it by the office of the Speaker, the office of the Clerk and the general support of all the members without which the public participation on the Punguza Mizigo (Constitutional Amendment) Bill, 2019 would not have been successful. The Committee also wishes to appreciate the Members of the Committee on Justice and Legal Affairs with whom the Committee worked closely to ensure the public participation forums in the wards were successful.

Special mention to the members of the public from across all the wards who took time to attend the sessions and gave their views, the organised groups who made submissions and the professionals who gave valuable input to the document.

Finally, the Committee is grateful to all the staff from the various departments of the County Assembly for their professionalism, input and dedication to duty during the process.

SIGNATURE..........DATE...24/02/2021.....

HON. SALESIO NJERU KIMARU, MCA
CHAIRPERSON
COMMITTEE ON PUBLIC PARTICIPATION

2.0 COMMITTEE FINDINGS AND OBSERVATIONS

The Committee held meetings to plan on the modalities of conducting the exercise. The Embu County Public Participation Act, 2015 envisages a situation where after a public participation forum facilitated by the Assembly is held, a report is made and tabled before the Assembly for adoption.

The public participation forums to consider the Punguza Mizigo (Constitutional amendment) Bill, 2019 were held in all the 20 wards and teams spearheading the forums were drawn from two Committees namely, Justice and Legal Affairs and Public Participation committee, pursuant to Standing Orders 196.

Other Honourable Members of the County Assembly joined the sub committees for the exercise.

2.1 PLANNING FOR THE PUBLIC PARTICIPATION FORUMS.

The Public Participation Committee held meetings to plan for the forums in consultation with the Justice and Legal Affairs Committee. It was resolved that the two committees would work together to ensure that the exercise was successful, and that there would be a smooth flow of events. An advertisement was made in a newspaper on 15th September, 2019 calling for opinions and memoranda on the Punguza Mizigo (Constitutional Amendment) Bill 2019 to be submitted to the Clerk of the County Assembly not later than 24th September, 2019. (*Annex 2*)

In addition to the notice in the newspaper, there were social media advertisements as follows;

- i. On the official "*Facebook page*" of the County Assembly
- ii. A link to the County Assembly website from where one could download a copy of the Bill
- iii. On the official "*twitter account*" of the Assembly
- iv. Messages sent to groups under the "*WhatsApp*" platform
- v. Emails to the accounts in the County Assembly database

Prior to the actual date of the exercise, the County Assembly had facilitated production of over 2,000 copies. The elected members were given fifty (50) advance copies of the Bill. All the Ward Managers had also been tasked with collection of twenty (20) copies of the Bills and copies of the advertisement and placing them at strategic points to ensure that highest number of people were informed. Other remaining copies were taken to the venues during the day of the Public Participation.

The venues had been secured through the Ward Liaison Office in consultation with area Members of County Assembly. These venues were secured as per the table below;

WARD	VENUE	DATE	TIME
Mbeti North	Majimbo Market	18 th September, 2019	9.00 AM
Kithimu	Kithimu Market	18 th September, 2019	2.00 PM
Nginda	Kathangariri Market	18 th September, 2019	9.00 AM
Ruguru Ngandori	Manyatta Market	18 th September, 2019	2.00 PM
Runyenjes Central	Runyenjes Social Hall	19 th September, 2019	9.00 AM
Gaturi South	Karingari Market	19 th September, 2019	2.00 PM
Kagaari North	Kianjokoma Market	19 th September, 2019	9.00 AM
Kyeni North	Mufu Chief's Camp	19 th September, 2019	2.00 PM
Kyeni South	Karurumo Market	20 th September, 2019	9.00 AM
Gaturi North	Kavutiri Market	20 th September, 2019	2.00 PM
Kiambere	Mutuobare Market	20 th September, 2019	9.00 AM
Mavuria	Kiritiri CDF Hall	20 th September, 2019	2.00 PM
Mbeti South	Muraru Market	23 rd September, 2019	9.00 AM
Makima	Kitololoni Market	23 rd September, 2019	2.00 PM
Mwea	Karaba Market	23 rd September, 2019	9.00 AM
Kirimari	Embu Social Hall	23 rd September, 2019	2.00 PM
Kagaari South	Ugweri New Market	24 th September, 2019	9.00 AM
Evurori	Ishiara Market	24 th September, 2019	2.00 PM
Muminji	Kathanje Market	24 th September, 2019	9.00 AM
Nthawa	Siakago baraza	24 th September, 2019	2.00 PM

Table 1. Schedule of public participation

2.2 OBSERVATIONS AND VIEWS GATHERED FROM SPECIFIC VENUES

The following observations were made in specific venues where Public Participation forums were conducted:

1. Mbeti North Ward- Majimbo Market

- i. That, the Members arrived at the venue few minutes past 9:00 a.m but there were no seats and no public address system.
- ii. That, the exercise was delayed as seats and public address were sought.
- iii. That, the venue was ideal for the proposed exercise.
- iv. That, copies of the Bill were availed to the public on arrival at the venue.
- v. That, participants complained that the advertisements made in the newspapers for such forums were not effective as many people in the rural areas do not have access to newspapers.
- vi. That, the citizens in attendance were thirty one (31). (*Annex 3*).
- vii. There were ten (10) respondents to the exit survey questionnaire. Their responses were captured as follows;

(a)	Gender;	
	(i) Male	(8)
	(ii) Female	(2)
(b)	Age bracket:	
	(i) 18-25yrs	(2)
	(ii) 26-40yrs	(3)
	(iii) 41-59yrs	(4)
	(iv) 60+	(1)
(c)	Level of Education:	
	(i) Primary	(2)
	(ii) Secondary	(2)
	(iii) "A" level	(1)
	(iv) College	(4)
	(v) Others	(1)
(d)	Occupation/Profession:	
	(i) Business person	(2)
	(ii) Farmer	(5)
	(iv) Professional	(2)
	(v) Others	(1)
(e)	Sub location:	
	(i) Kamiu	(3)
	(ii) Itabua	(2)
	(iii) Gatunduri	(2)
	(iv) Gatituri	(3)
(f)	Have you ever attended a public hearing on a Bill before this event?	
	Yes	(7)
	No	(3)
(g)	Have you previously seen the Bill presented today?	
	Yes	(2)
	No	(8)

- (h) Do you feel that your views were adequately represented in this Bill?
 Yes (8)
 No (2)

2. Kithimu – Kithimu Market

- i. The County Assembly team arrived past 2:00 p.m.
 ii. The venue was ideal for the proposed exercise.
 iii. Copies of the Bill were availed on arrival at the venue.
 iv. The participants claimed that they had not been given adequate time to peruse through the Bill.
 v. The citizens in attendance were forty one (41). (*Annex 4*).
 vi. There were three (3) respondents to the exit survey questionnaire. Their responses were captured as follows;

- (a) Gender
 (i) Male (2)
 (ii) Female (1)
- (b) Age bracket:
 (i) 18-25yrs (1)
 (ii) 26-40yrs (2)
 (iii) 41-59yrs (0)
 (iv) 60+ (0)
- (c) Level of Education:
 (i) Primary (1)
 (ii) Secondary (1)
 (iii) 'A' Level (0)
 (iv) College (1)
 (v) Others (0)
- (d) Occupation/Profession:
 (i) Farmer (2)
 (ii) Professional (1)
 (v) Others (0)
- (e) Sub Location:
 (i) Kithegi (0)
 (ii) Kithimu (2)
 (iii) Kiandundu (0)
 (iv) Rangwa (1)
 (v) Gatumu (0)
- (f) Have you ever attended a public hearing on a Bill before this event?
 Yes (2)
 No (1)
- (g) Have you previously seen the Bill presented today?
 Yes (2)
 No (1)
- (h) Do you feel that your views were adequately represented in the Bill?
 Yes (3)

3. Nginda – Kathangariri Market

- i. The venue was ideal for the proposed exercise.
- ii. The seats were sufficient for the public participation exercise.
- iii. Participants complained that the advertisements made in the newspapers for such forums were not effective as many people in the rural areas do not have access to newspapers.
- iv. Some residents claimed that they should have been provided with transport.
- v. The citizens in attendance were forty (40) (*Annex 5*).
- vi. There were zero (0) respondents to the exit survey questionnaire.

4. Ruguru Ngandori – Manyatta Market

- i. The venue was not ideal for the proposed exercise the space was small.
- ii. The Assembly team arrived in the venue in time.
- iii. The seats were not enough.
- iv. Copies of the bill were enough.
- v. Participants complained that the advertisements made in the newspapers for such forums were not effective as many people in the rural areas do not have access to newspapers.
- vi. The citizens in attendance were forty six (46) (*Annex 6*).
- vii. There were zero (0) respondents to the exit survey questionnaire.

5. Runyenjes– Runyenjes Social Hall

- i. The venue identified was ideal for Public Participation forum.
- ii. The seats were enough for the exercise.
- iii. The participants complained that they were not given adequate time to make meaningful contribution to the Bill.
- iv. The citizens in attendance were sixty eight (68) (*Annex 7*).
- v. There were two (2) respondents to the exit survey questionnaire. Their responses were captured as follows;

- | | | |
|-----|----------------|-----|
| (a) | Gender: | |
| | (i) Male | (2) |
| | (ii) Female | (0) |
| (b) | Age bracket: | |
| | (i) 18-25yrs | (0) |
| | (ii) 26-40yrs | (0) |
| | (iii) 41-59yrs | (1) |
| | (iv) 60+ | (1) |

- (c) Level of Education:
- | | | |
|-------|-----------|-----|
| (i) | Primary | (1) |
| (ii) | Secondary | (1) |
| (iii) | 'A' Level | (0) |
| (iv) | College | (0) |
| (v) | Others | (0) |
- (d) Occupation/Profession:
- | | | |
|-------|-----------------|-----|
| (i) | Business person | (0) |
| (ii) | Farmer | (0) |
| (iii) | Professional | (0) |
| (v) | Others | (2) |
- (e) Sub Location:
- | | | |
|--------|------------|-----|
| (i) | Gichiche | (0) |
| (ii) | Gikuuri | (0) |
| (iii) | Runyenjes | (0) |
| (iv) | Nthagaiya | (0) |
| (v) | Kathanjuri | (0) |
| (vii) | Mbiruri | (1) |
| (viii) | Gitare | (1) |
| (ix) | Kigaa | (0) |
- (f) Have you ever attended a public hearing on a Bill before this event?
- | | |
|-----|-----|
| Yes | (2) |
| No | (0) |
- (g) Have you previously seen the bill presented today?
- | | |
|-----|-----|
| Yes | (0) |
| No | (2) |
- (h) Do you feel that your views were adequately represented in this Bill?
- | | |
|-----|-----|
| Yes | (2) |
| No | (0) |

6. Gaturi South – Karingari Market

- i. The venue was ideal for the Public Participation forum.
- ii. The members and staff of the County Assembly arrived on time
- iii. The seats were enough for public participation exercise.
- iv. The turnout was low.
- v. The Participants complained that they were not given adequate time to make meaningful contribution to the Bill
- vi. The citizens in attendance were twenty four (24) (*Annex 8*).
- vii. There was one (1) respondent to the exit survey questionnaire. The response was captured as follows;
 - (a) Gender;

(i)	Male	(1)
(ii)	Female	(0)
 - (b) Age bracket:

- | | | | |
|-----|--|-----------------|-----|
| | (i) | 18-25yrs | (0) |
| | (ii) | 26-40yrs | (1) |
| | (iii) | 41-59yrs | (0) |
| | (iv) | 60+ | (0) |
| (c) | Level of Education: | | |
| | (i) | Primary | (0) |
| | (ii) | Secondary | (0) |
| | (iii) | 'A' Level | (0) |
| | (iv) | College | (0) |
| | (v) | Others | (1) |
| (d) | Occupation/Profession: | | |
| | (i) | Business person | (0) |
| | (ii) | Farmer | (0) |
| | (iii) | Others | (1) |
| (e) | Sub location: | | |
| | (i) | Gatunduri | (0) |
| | (ii) | Nembure | (0) |
| | (iii) | Ena East | (1) |
| (f) | Have you ever attended a Public hearing on a Bill before this event? | | |
| | Yes | | (1) |
| | No | | (0) |
| (g) | Have you previously seen the Bill presented today? | | |
| | Yes | | (1) |
| | No | | (0) |
| (h) | Do you feel that your views were adequately represented in the Bill? | | |
| | Yes | | (1) |
| | No | | (0) |

7. Kagaari North – Kianjokoma Market

- i. The Assembly team arrived at 10 minutes to 9.00 am.
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of the Punguza Mizigo (Constitutional Amendment) Bill, 2019, were availed on arrival at the venue. The advance copies did not reach any of the attendees.
- iv. The citizens in attendance were forty six (46) (*Annex 9*).
- v. There was one (1) respondent to the exit survey questionnaire. The response was captured as follows;
 - (a) Gender;

(i)	Male	(1)
(ii)	Female	(0)
 - (b) Age bracket:

(i)	18-25yrs	(0)
(ii)	26-40yrs	(1)
(iii)	41-59yrs	(0)

- | | | |
|------|-----|-----|
| (iv) | 60+ | (0) |
|------|-----|-----|
- (c) Level of Education:
- | | | |
|-------|-----------|-----|
| (i) | Primary | (0) |
| (ii) | Secondary | (0) |
| (iii) | “A” level | (1) |
| (iv) | College | (0) |
| (v) | Others | (0) |
- (d) Occupation/Profession:
- | | | |
|------|-----------------|-----|
| (i) | Business person | (1) |
| (ii) | Farmer | (0) |
| (iv) | Professional | (0) |
| (v) | Others | (0) |
- (e) Sub Location:
- | | | |
|-------|------------|-----|
| (i) | Kianjokoma | (0) |
| (ii) | Mugui | (1) |
| (iii) | Itonguri | (0) |
- (f) Have you ever attended a Public hearing on a Bill before this event?
- | | |
|-----|-----|
| Yes | (1) |
| No | (0) |
- (g) Have you previously seen the Bill presented today?
- | | |
|-----|-----|
| Yes | (0) |
| No | (1) |
- (h) Do you feel that your views were adequately represented in the Bill?
- | | |
|-----|-----|
| Yes | (0) |
| No | (1) |

8. Kyeni North – Mufu Chief’s Camp

- i. Assembly team arrived on time
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of the Punguza Mizigo (Constitutional Amendment) Bill, 2019 were availed on arrival at the venue. The advance copies were not availed to any attendees.
- iv. Participants also complained that they were not given adequate time to peruse through the documents.
- v. The citizens in attendance were sixty three (63) (*Annex 10*). There were four (4) respondents to the exit survey questionnaire. Their responses were captured as follows;
 - (a) Gender;

(i)	Male	(4)
-----	------	-----

- | | | |
|-----|---|-----|
| | (ii) Female | (0) |
| (b) | Age bracket: | |
| | (i) 18-25yrs | (0) |
| | (ii) 26-40yrs | (2) |
| | (iii) 41-59yrs | (1) |
| | (iv) 60+ | (1) |
| (c) | Level of Education: | |
| | (i) Primary | (0) |
| | (ii) Secondary | (2) |
| | (iii) 'A' Level | (1) |
| | (iv) College | (1) |
| | (v) Others | (0) |
| (d) | Occupation/Profession: | |
| | (i) Business person | (1) |
| | (ii) Farmer | (1) |
| | (iii) Professional | (2) |
| | (v) Others | (0) |
| (e) | Sub location: | |
| | (i) Mufu | (2) |
| | (ii) Kiangungi | (2) |
| | (iii) Kathageri | (0) |
| (f) | Have you ever attended a Public hearing on a Bill before this event? | |
| | Yes | (3) |
| | No | (1) |
| (g) | Have you previously seen the Bill presented today? | |
| | Yes | (2) |
| | No | (2) |
| (h) | Do you feel that your views were adequately represented in this Bill? | |
| | Yes | (2) |
| | No | (2) |

9. Kyeni South – Karurumo Market.

- i. The Assembly team arrived on time.
- ii. The venue was ideal for the proposed exercise.
- iii. Members of the public were provided with water.
- iv. Copies of the Punguza Mizigo (Constitutional Amendment) Bill 2019 were availed on arrival at the venue.
- v. The citizens in attendance were forty eight. (48) (*Annex 11*)
- vi. There were eleven (11) respondents to the exit survey questionnaire. Their responses were captured as follows;
 - (a) Gender;

(i) Male	(9)
(ii) Female	(2)

- (b) Age bracket:
- | | | |
|-------|----------|-----|
| (i) | 18-25yrs | (2) |
| (ii) | 26-40yrs | (5) |
| (iii) | 41-59yrs | (3) |
| (iv) | 60+ | (1) |
- (c) Level of Education:
- | | | |
|-------|-----------|-----|
| (i) | Primary | (2) |
| (ii) | Secondary | (4) |
| (iii) | 'A' Level | (1) |
| (iv) | College | (3) |
| (v) | Other | (1) |
- (d) Occupation/Profession:
- | | | |
|------|--------------|-----|
| (i) | Farmer | (3) |
| (ii) | Professional | (5) |
| (v) | Others | (3) |
- (e) Sub Location:
- | | | |
|-------|-----------------|-----|
| (i) | Karurumo - | (5) |
| (ii) | Kyeni Central - | (1) |
| (iii) | Kathanjuri - | (2) |
| (iv) | Kigumo - | (2) |
| (v) | Kasafari | (1) |
- (f) Have you ever attended a Public hearing on a Bill before this event?
- | | |
|-----|-----|
| Yes | (2) |
| No | (9) |
- (g) Have you previously seen the Bill presented today?
- | | |
|-----|-----|
| Yes | (4) |
| No | (7) |
- (h) Do you feel that your views were adequately represented in this Bill?
- | | |
|-----|-----|
| Yes | (9) |
| No | (2) |

10. Gaturi North – Kavutiri Market

- i. The Assembly team arrived on time.
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of the Punguza Mizigo (Constitutional Amendment) Bill, 2019 were availed on arrival at the venue.
- iv. The citizens in attendance were eighty two (82) (*Annex 12*).
- v. There were zero (0) respondents to the exit survey questionnaire.

11. Kiambere – Mutuobare Market.

- i. The Assembly team arrived on time
- ii. Venue was ideal for the proposed exercise
- iii. Copies of the Punguza Mizigo (Constitutional Amendment) Bill, 2019 were availed on arrival at the venue.
- iv. The citizens in attendance were sixty one (61) (*Annex 13*).
- v. There were two (2) respondents to the exit survey questionnaire. Their responses were captured as follows;

- (a) Gender;
 - (i) Male (2)
 - (ii) Female (0)
- (b) Age bracket:
 - (i) 18-25yrs (0)
 - (ii) 26-40yrs (1)
 - (iii) 41-59yrs (0)
 - (iv) 60+ (1)
- (c) Level of Education:
 - (i) Primary (1)
 - (ii) Secondary (1)
 - (iii) "O" Level (0)
 - (iv) College (0)
 - (v) Others (0)
- (d) Occupation/Profession:
 - (i) Business person (0)
 - (ii) Farmer (1)
 - (iii) Others (1)
- (e) Sub location
 - (i) Kindaruma (0)
 - (ii) Mutuobare (0)
 - (iii) Kiambere (2)
 - (iv) Gacabari (0)
 - (v) Ntharawe (0)
- (f) Have you ever attended a public hearing on a Bill before this event?
 - Yes (1)
 - No (1)
- (g) Have you previously seen the Bill presented today?
 - Yes (1)
 - No (1)
- (h) Do you feel that your views were adequately represented in the Bill?
 - Yes (2)
 - No (0)

12. Mavuria – Kiritiri CDF Hall

- i. The Assembly team arrived few minutes past 2:00 p.m.
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of the Punguza Mizigo (Constitutional Amendment) Bill, 2019 were availed on arrival at the venue.
- iv. The citizens in attendance were sixty (60) (*Annex 14*).
- v. There was one (1) respondent to the exit survey questionnaire. The response was captured as follows;

- (a) Gender;
 - (i) Male (1)
 - (ii) Female (0)
- (b) Age bracket:
 - (i) 18-25yrs (0)
 - (ii) 26-40yrs (1)
 - (iii) 41-59yrs (0)
 - (iv) 60+ (0)
- (c) Level of Education:
 - (i) Primary (0)
 - (ii) Secondary (1)
 - (iii) "A" level (0)
 - (iv) College (0)
 - (v) Others (0)
- (d) Occupation/Profession:
 - (i) Business person (0)
 - (ii) Farmer (1)
 - (iv) Professional (0)
 - (v) Others (0)
- (e) Sub Location:
 - (i) Kombo Munyiri - (0)
 - (ii) Gichiche - (1)
 - (iii) Mavuria - (0)
 - (iv) Irambari - (0)
 - (v) Kithunthiri (0)
 - (vi) Kiritiri - (0)
- (f) Have you ever attended a public hearing on a Bill before this event?
 - Yes (1)
 - No (0)
- (g) Have you previously seen the Bill presented today?
 - Yes (1)
 - No (0)
- (h) Do you feel that your views were adequately represented in the Bill?
 - Yes (1)
 - No (0)

13. Kagaari South- Ugweri Market

- i. The Assembly team arrived twenty minutes past 9:00 a.m.
- ii. The venue was ideal for the proposed exercise.
- iii. The seats were enough for the exercise
- iv. Copies of the Punguza Mizigo (Constitutional Amendment) Bill, 2019 were availed on arrival at the venue.
- v. The citizens in attendance were seventy four (74) (*Annex 15*).
- vi. There were eighteen (18) respondents to the exit survey questionnaire. Their responses were captured as follows;

- (a) Gender;
 - (i) Male (12)
 - (ii) Female (6)
- (b) Age bracket:
 - (i) 18-25yrs (4)
 - (ii) 26-40yrs (6)
 - (iii) 41-59yrs (6)
 - (iv) 60+ (2)
- (c) Level of Education:
 - (i) Primary (4)
 - (ii) Secondary (5)
 - (iii) 'A' Level (3)
 - (iv) College (3)
 - (v) Others (3)
- (d) Occupation/Profession:
 - (i) Business person (3)
 - (ii) Farmer (5)
 - (iii) Professional (5)
 - (v) Others (5)
- (e) Sub location:
 - (i) Ugweri (2)
 - (ii) Gichera (4)
 - (iii) Kiringa (3)
 - (iv) Maranga (2)
 - (v) Nthagaiya (7)
- (f) Have you ever attended a public hearing on a Bill before this event?
 - Yes (12)
 - No (6)
- (g) Have you previously seen the Bill presented today?
 - Yes (10)
 - No (8)
- (h) Do you feel that your views were adequately represented in this bill?
 - Yes (14)
 - No (4)

14. Evurori- Ishiara Market

- i. The assembly team arrived on time
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of the Punguza Mizigo (Constitutional Amendment) Bill, 2019 were availed on arrival at the venue.
- iv. The citizens in attendance were eighty seven (87) (*Annex 16*).
- v. There were twelve (12) respondents to the exit survey questionnaire. Their responses were captured as follows;
 - (a) Gender;
 - (i) Male (6)
 - (ii) Female (6)
 - (b) Age bracket:
 - (i) 18-25yrs (1)
 - (ii) 26-40yrs (5)
 - (iii) 41-59yrs (4)
 - (iv) 60+ (2)
 - (c) Level of Education:
 - (i) Primary (3)
 - (ii) Secondary (7)
 - (iii) 'A' Level (0)
 - (iv) College (1)
 - (v) Other (1)
 - (d) Occupation/Profession:
 - (i) Civil servants (1)
 - (ii) Farmer (4)
 - (iii) Teacher (2)
 - (iv) Businessmen (1)
 - (v) Others (2)
 - (e) Sub location:
 - (i) Kyenire (3)
 - (ii) Iria Itune (1)
 - (iii) Evurore (2)
 - (iv) Kamwambia (0)
 - (v) Muthanthara (0)
 - (vi) Ishiara (2)
 - (vii) Kanyuambora (1)
 - (viii) Ngoce (0)
 - (ix) Ndenderu (1)
 - (f) Have you ever attended a Public hearing on a Bill before this event?
 - Yes (8)
 - No (4)
 - (g) Have you previously seen the Bill presented today?
 - Yes (2)
 - No (10)
 - (h) Do you feel that your views were adequately represented in the Bill?
 - Yes (4)
 - No (8)

15. Muminji- Kathanje Market

- i. The Assembly team arrived on time
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of the Punguza Mizigo (Constitutional Amendment) Bill, 2019 were availed on arrival at the venue.
- iv. There were enough seats for participants.
- v. The citizens in attendance were seventy three (73) (*Annex 17*).
- vi. There were zero (0) respondents to the exit survey questionnaire.

16. Nthawa- Siakago Baraza

- i. The Assembly team arrived on time.
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of both the Punguza Mizigo (Constitutional Amendment) Bill, 2019 were availed on arrival at the venue.
- iv. The citizens in attendance were fifty six (56) (*Annex 18*).
- v. There was zero (0) respondents to the exit survey questionnaire.

17. Mbeti South- Muraru Market

- i. The Assembly team arrived on time.
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of the Bill were availed on arrival at the venue.
- iv. The citizens in attendance were sixty two (62) (*Annex 19*).
- v. There were eight (8) respondents to the exit survey questionnaire. Their responses were captured as follows;

- (a) Gender;
 - (i) Male (6)
 - (ii) Female (2)
- (b) Age bracket:
 - (i) 18-25yrs (2)
 - (ii) 26-40yrs (4)
 - (iii) 41-59yrs (1)
 - (iv) 60+ (1)
- (c) Level of Education:
 - (i) Primary (2)
 - (ii) Secondary (3)
 - (iii) A" Level (1)
 - (iv) College (1)
 - (v) Others (1)
- (d) Occupation/Profession:
 - (i) Business person (1)
 - (ii) Farmer (3)

- | | | | |
|-----|--|--------------|-----|
| | (iii) | Teacher | (1) |
| | (iv) | Professional | (1) |
| | (v) | Others | (2) |
| (e) | Sub Location: | | |
| | (i) | Muraru | (0) |
| | (ii) | Kirima | (3) |
| | (iii) | Gachoka | (0) |
| | (iv) | Minuri | (0) |
| | (v) | Kiamuringa | (0) |
| | (vi) | Mbita | (4) |
| (f) | Have you ever attended a Public hearing on a Bill before this event? | | |
| | Yes | | (6) |
| | No | | (2) |
| (g) | Have you previously seen the Bill presented today? | | |
| | Yes | | (3) |
| | No | | (5) |
| (h) | Do you feel that your views were adequately represented in the Bill? | | |
| | Yes | | (6) |
| | No | | (2) |

18. Makima - Kitololoni Market

- i. The Assembly team arrived on time
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of the Punguza Mizigo (Constitutional Amendment) Bill, 2019 were availed on arrival at the venue.
- iv. The Participants complained that they were not given adequate time to make meaningful contribution on the Budget.
- v. The citizens in attendance were ninety nine (99) (*Annex 20*).
- vi. There were nine (9) respondents to the exit survey questionnaire. Their responses were captured as follows;
 - (a) Gender;

(i)	Male	(8)
(ii)	Female	(1)
 - (b) Age bracket:

(i)	18-25yrs	(0)
(ii)	26-40yrs	(2)
(iii)	41-59yrs	(4)
(iv)	60+	(3)
 - (c) Level of Education:

(i)	Primary	(1)
(ii)	Secondary	(5)
(iii)	“A” level	(0)
(iv)	College	(1)
(v)	Others	(2)

- (d) Occupation/Profession:
- (i) Business person (1)
 - (ii) Farmer (5)
 - (iii) Professional (1)
 - (iv) Others (2)
- (e) Sub location:
- (i) Mbondoni (5)
 - (ii) Makima (0)
 - (iii) Mwea (4)
- (f) Have you ever attended a Public hearing on a bill before this event?
- Yes (5)
 - No (4)
- (g) Have you previously seen the Bill presented today?
- Yes (3)
 - No (6)
- (h) Do you feel that your views were adequately represented in the Bill?
- Yes (7)
 - No (2)

19. Mwea- Karaba Market.

- i. The venue was ideal for the proposed exercise.
- ii. The participants complained that they were not given adequate time to make meaningful contribution on the bill
- iii. The citizens in attendance forty seven (47). (*Annex 21*).
- iv. There were zero (0) respondents to the exit survey questionnaire.

20. Kirimari- Embu Social Hall.

- i. The Assembly team arrived on time
- ii. The venue was ideal for the proposed exercise.
- iii. The attendance was minimal
- iv. The seats were enough.
- v. The Participants complained that they were not given adequate time to make meaningful contribution on the Bill
- vi. The citizens in attendance were fifteen (15) (*Annex 22*).
- vii. There were zero (0) respondents to the exit survey questionnaire.

2.3 DATA ANALYSIS TABLE

The Committee noted the following observations and made the indicated comments;

NO	ITEM	NUMBER
1	Total number of people in attendance for the entire exercise	1134
2	Total number of respondents to exit survey questionnaire	82
3	The number of males	62
4	The number of females	20
5	Number of respondents between the age 18-25 Years	11
6	Number of respondents between the age 26-40 Years	35
7	Number of respondents between the age 41-59 Years	23
8	Number of respondents between the age over 60 Years	13
9	Number of respondents who had attained below "O" level/ Secondary	17
10	Number of respondents who had attained at least a certificate at "O" level/Secondary	65
11	Number of respondents who had attended a previous public participation exercise	51
12	Number of respondents who had not attended any previous public participation	31
13	Number of respondents who had previously seen the Bill	31
14	Number of respondents who had not seen the Bill	51
15	Number of the respondents who indicated that their views were represented in the Bill	59
16	Number of respondents who indicated that their views were not represented	23

Table 2. Analysis of exit survey questionnaires

2.4 OTHER COMMITTEE OBSERVATIONS

The Committee made the following observations based on the views and other general findings gathered from the Public.

1. Venues

- i. That, the venues served the needs for public participation forums.
- ii. That, there were no cases of insecurity across the venues.
- iii. The highest group of the respondents were farmers.
- iv. The highest group of respondents were from the villages where the forums were held.

2. Involvement of the Committee on Public Participation in the planning of public forums

- i. The Committee on Public Participation was fully involved in the planning and organization of the forums.

3. Adequacy of notice to the members of the public

- i. That, the complaint by the residents that the notice given was not adequate was a genuine concern. The notice in the advertisement was made on 15th September, 2019 while the event was slated for 18th September, 2019.

4. Adherence of the County Assembly to the Public Participation Act, 2015.

- i. That, under the circumstances, the Committee noted that the County Assembly adhered to the provisions of the Embu County Public Participation Act, 2015.

5. Submission of written memoranda

- i. That, no written memoranda was received.

6. Attendance

- i. That, there was low turnout.
- ii. That, there was prevalent expectation of payment for attending the Public Participation forums.

7. Distribution of copies

- i. That, fifty advance copies of the proposed bill were supplied to the Ward Managers of the various Wards, two days before the actual day of the Public Participation. However, some wards did not receive any copies.
- ii. That, other copies were distributed on the day of Public Participation forums.

8. Timing

- i. That, the time allocated for each Ward was insufficient to go through the entire document.

9. Persons with Disabilities (PWDs)

- i. That, the exit survey questionnaire did not have a provision for Persons with Disabilities (PWDs).


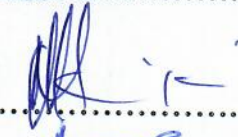



3.0 RECOMMENDATIONS

The committee made the following recommendations from the observations and findings;

1. That, the County Assembly should ensure that copies documents are availed at least seven (7) days prior to the date of Public forums to allow time for adequate interrogation by the members of the public. These documents can be circulated through the social media, County Assembly of Embu website and the stakeholder's individual emails as contained in the databank.
2. That, the County Assembly should ensure that adequate notice of at least seven (7) days prior to the public participation day is given to members of the public to enable the public prepare adequately.
3. That, the County Assembly should consider having a braille version of the Public documents for the blind and sign language interpreters for the deaf.
4. That, the County Assembly should ensure that publicity including placing advertisements in local radio stations for optimum circulation of information to the public. This will improve on attendance in the forums.
5. That, the County Assembly should ensure that for the documents that are bulky, a day is given for each venue so as to allow the public to give comprehensive contributions.

4.0 CONCLUSION

The recommendations in this report were agreed upon by the Members of the Committee without any dissenting opinion and consequently appended their respective signatures to the report as a confirmation of the same. The committee urges the County Assembly to adopt this report with the recommendations therein.

- | | | | |
|--------------------------------|---|------------------|---|
| 1. Hon. Benard Nyaga Kandia | - | Vice/Chairperson |  |
| 2. Hon. Margaret Lorna Kariuki | - | Member |  |
| 3. Hon. Duncan Ireri Mbui | - | Member |  |
| 4. Hon. Martin Mwangi Kimani | - | Member |  |
| 5. Hon. John Gichovi Gatumu | - | Member | |
| 6. Hon. Judy Mbuya Njue | - | Member |  |

SIGNED  DATE 24/02/2021

HON. SALESIO NJERU KIMARU

CHAIRPERSON

COMMITTEE ON PUBLIC PARTICIPATION

