

**APPROVED**

*Rt. Hon. Speaker*

*Recommended for approval  
for permanent tabling.*



*15/6/23*

*EP 14/06/2023*

REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT | SECOND SESSION

THE SENATE

STANDING COMMITTEE ON EDUCATION

	PAPERS LAID
DATE	20/06/2023
TABLED BY	Vice Chairperson
COMMITTEE	Education
CLERK AT THE TABLE	<i>Dauw</i>

REPORT ON THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE  
BILLS NO 9 OF 2023)

PARLIAMENT  
OF KENYA  
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Clerk's Chambers,  
The Senate,  
Parliament Buildings,  
NAIROBI.

June, 2023

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## PRELIMINARIES

The Standing Committee on Education is established pursuant to standing order 228(3) and the Fourth Schedule of the Senate Standing Orders.

### 1.1 Membership of the Committee

1. Sen. Joe Nyutu, MP	<b>Chairperson</b>
2. Sen. Peris Tobiko, CBS, MP	<b>Vice Chairperson</b>
3. Sen. (Prof) Margaret Kamar, EGH, MP	Member
4. Sen. Johnes Mwaruma, MP	Member
5. Sen. John Kinyua Nderitu, MP	Member
6. Sen. Agnes Kavindu Muthama, MP	Member
7. Sen. Joseph Githuku Kamau, MP	Member
8. Sen. James Kamau Murango, MP	Member
9. Sen. Lenku Ole Kanar Seki, MP	Member

### 1.2 Mandate of the Committee

The Standing Committee on Education is mandated to “*Consider all matters related to education and training.*” Specifically-

1. Build capacity of Committee Members to undertake their roles in line with Article 96 of the Constitution;
2. Develop and facilitate the development of legal frameworks, policies and guidelines in the Education Sector;
3. Provide oversight for the Education Sector;
4. Facilitate budgetary resources toward the Education Sector; and
5. Any matter that relates to education and training.

## **CHAIRPERSON'S FOREWORD**

**Mr. Speaker Sir,**

The Kenyan Sign Language Bill, 2023 (*Senate Bills No. 9 of 2023*) aims to create a legal framework for the use of sign language in judicial proceedings, schools and public institutions to ensure that deaf learners are given the same opportunities, as all the other learners in the education system so, to be fully effective and productive members of the society.

The Bill creates provisions that obligate the two levels of the government to carry out their respective duties in promoting the development and use of the Kenyan sign language as stipulated in Article 7 (3) (b) of our Constitution. The Bill seeks to ensure that deaf persons and person who are hard of hearing are entitled to use Sign language as means of communication.

The Bill further seeks to ensure there is deliberate promotion of inclusion, recognition and integration of people that are hard in hearing to workplaces and work opportunities. Once enacted, public institutions shall be required to put in place facilities to ensure the inclusion of deaf persons and person who are hard of hearing in their processes.

**Mr. Speaker Sir,**

The Kenyan Sign Language Bill, 2023 (*Senate Bills No. 9 of 2023*) was introduced in the Senate by way of First Reading on 22<sup>nd</sup> March, 2023 and thereafter stood committed to the Standing Committee on Education for consideration.

Pursuant to the provisions of Article 118 and standing order 145 (5) of the Senate Standing Orders, the Standing Committee on Education invited interested members of the public to submit their representations on the Bill by way of written memoranda to be received on or before Monday, 10<sup>th</sup> April, 2023.

**Mr. Speaker Sir,**

The Committee reviewed all the submissions received and has taken into account the views of all stakeholders in proposing the amendments to the Bill and during preparation of this report.

During the consideration of the stakeholder submissions, the Committee observed that-

- a) Kenyan Sign Language is the sign language used by the deaf community and those hard of hearing across the country. It has a unique vocabulary comprising signs that represent concepts, objects, actions and emotions which makes its understanding among the Kenyan deaf community easy;
- b) deaf persons and person who are hard of hearing face difficulties in accessing adequate sign language resources, including qualified sign language interpreters, instructional materials and specialized training programs. They may miss out on auditory cues, announcements or important discussions which can impact their learning and overall educational experience;
- c) Sign language learners face challenges in accessing appropriate educational support to develop sign language skills alongside their academic curriculum. This may hinder their overall learning experience and limit their opportunities to compete with other learners. Schools may lack sufficient numbers of qualified sign language interpreters, teachers or staff who are trained in working with deaf and hard of hearing students; and
- d) majority of learning and public institutions lack adequate assistive technology, such as hearing aids and cochlear implants to support the hearing needs of deaf and hard of hearing students which hinders their ability to communicate and participate in both curricula and co-curricular activities.

**Mr. Speaker Sir,**

On behalf of the Committee, I wish to sincerely thank all the stakeholders who responded to our call and made their well-researched and articulate submissions on the Bill.

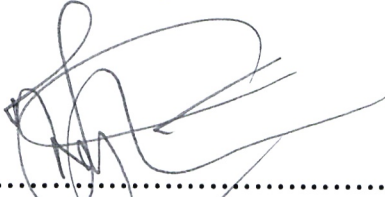
As I conclude, I wish to sincerely thank the Members of the Committee on Education and the co-sponsors of the Kenyan Sign Language Bill, 2023 for their insightful contributions during the consideration of this Bill, the stakeholder submissions and development of this report.

The Committee also thanks the Offices of the Speaker and the Clerk of the Senate for the support extended to it in the execution of its mandate.

**Mr. Speaker, Sir**

It is now my pleasant duty, pursuant to standing order 145 (5) of the Senate Standing Orders, to present the Report of the Standing Committee on Education on the Kenyan Sign Language Bill, 2023 (*Senate Bills No. 9 of 2023*).

**Hon. Speaker,** I thank you.

Signed..........Date.....13/06/2023.....

**SEN. JOE NYUTU, MP**

**CHAIRPERSON, STANDING COMMITTEE ON EDUCATION**



## CHAPTER ONE: INTRODUCTION

### 1.1. Background

1. The Kenyan Sign Language Bill, 2023 (Senate Bills No. 9 of 2023) aims to create a legal framework for the use of sign language in judicial proceedings, schools and public institutions to ensure that deaf learners are given the same opportunities as all the other learners in the education system so to be fully effective and productive members of the society.
2. The Bill creates provisions of law that obligate the National Government and the county governments to carry out their duties in promoting the development and use of the Kenyan sign language and also ensure deaf persons and person who are hard of hearing access appropriate means of communication.
3. The Bill also seeks to ensure there is deliberate promotion of inclusion, recognition and integration of people that are hard in hearing to workplaces and work opportunities and are included in all public institution processes.
4. The Kenyan Sign Language Bill, 2023 (Senate Bill No. 9 of 2023) was read at the Senate for the First Time on 22<sup>nd</sup> March, 2023 and thereafter stood committed to the Standing Committee on Education for consideration and facilitation of public participation.

### 1.2 Overview of the Bill

5. **Clauses 1, 2 and 3** contain the preliminary sections of the Bill; the short title of the Bill, the interpretations clause and the objects clause which spells out the purpose of the Bill respectively. **Clause 4** gives recognition to the use of Kenyan Sign Language by the deaf or those hard of hearing.
6. **Clause 5** spells out the duties of the national and county levels as regards Kenyan Sign Language by ensuring that-
  - 1) members of the deaf community are consulted on all matters related to the development, use and promotion of Kenyan Sign Language;
  - 2) Kenyan Sign Language is used in the promotion of government services and in the provision of information to the public;

- 3) all public bodies provide free interpretation in the Kenyan Sign Language to those who wholly rely on it to access statutory entitlements or services provided by that public body; and
  - 4) information relating to public services is made accessible to the deaf community through the use of appropriate means including Kenyan sign language.
7. **Clause 6** requires a judicial officer to ensure that a competent and recognized interpreter is available during legal proceedings. On the other hand, **Clause 7** obliges the Cabinet Secretary for education to ensure educational support for deaf learners by ensuring they are taught in a manner which they are able to understand, ensuring their teachers assist them to acquire competence in the use of other languages and setting aside adequate funds for the development of educational materials for learners.
  8. **Clause 8** requires the Kenya Institute for Curriculum Development (KICD) to develop, review and approve appropriate programs, curricula and curriculum support materials for learners who are deaf and hard of hearing.
  9. Moreover, **Clause 9** and **10** requires the development of a national system of standards, accreditation and procedures for Kenyan sign language interpretation and development of a national system of standards, accreditation and procedures respectively.
  10. **Clause 11, 12** and **13** deals with the registration of sign language interpreters and the establishment of an office of a registrar and the inspection of such a register. On the other hand, Clause 16, provides for the publication of the code of conduct for sign language interpreters.
  11. The Kenyan Sign Language Bill, 2023, seeks to place upon both the national and county government the duty to ensure accessibility of their services and the positive obligation to ensure non-discrimination and participation of persons who are deaf and hard of hearing in public activities.

## CHAPTER TWO

### 2.1 OVERVIEW OF PUBLIC PARTICIPATION ON THE BILL

12. Pursuant to the provisions of Article 118 of the Constitution and Standing Order 145 (5) of the Standing Orders of the Senate, the Standing Committee on Education invited interested members of the public and stakeholders to submit their representations on the Bill. The invitations for submissions were made vide advertisements which appeared in the *Daily Nation* and the *Standard* on Friday, 24<sup>th</sup> March, 2023.
13. The deadline for submission of views was Monday, 10<sup>th</sup> April, 2023. At the close of the public participation period, a total of seven (7) written memoranda had been received by the Committee.
14. The stakeholders in their submissions informed the Committee that although the Constitution officially recognizes the Kenyan sign language, the recognition has not led to adequate awareness and support for the rights of deaf personas and those hard of hearing, including access to education, employment, and legal services.
15. The Committee was further informed that there is limited awareness and understanding of sign language and Deaf culture which in most cases results in misconceptions, biases or inadequate accommodations both in private and public spheres.
16. The stakeholders further informed the Committee that Kenyan sign language has its own distinct vocabulary, which consists of manual signs, facial expressions, and body movements. These signs are used to represent words, ideas, and concepts although they can vary across different regions of Kenya.



## CHAPTER THREE

### 3.1 COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

#### 3.1.1 COMMITTEE OBSERVATIONS

Following extensive discussions with the co-sponsors of the Bill and analysis of the submissions and comments received from the members of public, the Committee makes the following observations –

- 1) Article 10(2) of the Constitution designates human dignity, equity and social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized as national values and principles of governance. Further, Article 7(3)(b) provides that the State shall promote the development and use of indigenous languages, Kenyan sign language, braille and other communication formats and technologies accessible to persons with disabilities;
- 2) Kenyan Sign Language is the sign language used by the deaf community and those hard of hearing across the country. It has a unique vocabulary comprising signs that represent concepts, objects, actions and emotions which makes its understanding among the Kenyan deaf community easy;
- 3) deaf persons and person who are hard of hearing face difficulties in accessing adequate sign language resources, including qualified sign language interpreters, instructional materials and specialized training programs which hinder their efficiency. They may miss out on auditory cues, announcements or important discussions which can impact their learning and overall educational experience;
- 4) there is limited awareness and understanding of sign language and Deaf culture which results in misconceptions, biases or inadequate accommodations, and further hinders their access to fair treatment and equal opportunities;



- 5) Sign language learners face challenges in accessing appropriate educational support to develop sign language skills alongside their academic curriculum. This may hinder their overall learning experience and limit their opportunities to compete with other learners. Schools may lack sufficient numbers of qualified sign language interpreters, teachers or staff who are trained in working with deaf and hard of hearing students;
- 6) majority of learning and public institutions lack adequate assistive technology, such as hearing aids and cochlear implants to support the hearing needs of deaf and hard of hearing students. They have fewer resources and often their curricula and textbooks are designed at a pace which hinders the ability of learners to communicate and participate in curricula activities. This can result in educational gaps and difficulties in accessing the same educational opportunities as their hearing peers.

### 3.1.2 COMMITTEE RECOMMENDATIONS

The Committee therefore **recommends** that—

1. **clause 6** of the Bill be amended –
  - a. in subsection (1) by deleting the words “Signed English” appearing immediately after the words “to use Kenyan” in paragraph (d) and substituting therefor the words “Sign Language”; and
  - b. in subsection (2) by deleting the words “signed English” appearing immediately after the words “to use Kenyan” and substituting therefor the words “Sign Language”;
2. **Clause 9** of the Bill be deleted
3. **Clause 12** of the Bill be amended by deleting subsection (2) and substituting therefor the following new subsection-
  - (2) A person shall not be nominated as a registrar under subsection (1) unless the person is –
    - (a) a citizen of Kenya;
    - (b) holds a Bachelors degree in social sciences or its equivalent from a university recognized in Kenya;
    - (c) has at least five years proven experience in sign language proficiency in Kenya; and
    - (d) meets the requirements of Chapter Six of the Constitution.
4. Clause 19 of the Bill be amended by deletion and substitution therefor with the following new clause-

Action plan.	<b>19.</b> (1) The Cabinet Secretary shall, in consultation with the most representative registered association for the Deaf, National Council for Persons with Disabilities and the Council of County Governors develop a Kenyan Sign language action plan twelve months upon the commencement of this Act.  (2) A plan developed under subsection (1) shall include – <ol style="list-style-type: none"><li>(a) an assessment of the approach which the national and county government entities are taking in interactions with and the provision of its services to members of the Deaf community;</li><li>(b) an assessment of the accessibility of National and county government services by members of the Deaf community; and</li><li>(c) a statement on the actions proposed to be taken by National and county governments so as to take into consideration the needs of the Deaf community in delivery of services.</li></ol>
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5. **Clause 2** of the Bill be amended-

- (a) by deleting the definition of the words “Kenya signed English”
- (b) by deleting the definition of the words “Kenya sign language” and substituting therefor the following new definition —

“Kenyan Sign Language” means the sign language used by the Deaf community and includes other types of language like Kenyan Signed English, pidgin, cued speech, contact sign language for the deaf blind and other sign language based medium of communication as may emerge from time to time to meet unique needs of the deaf community;

#### **4 LIST OF ANNEXURES**

- Annex 1** : Minutes of the Committee Meetings
- Annex 2** : Kenyan Sign Language Bill, 2023
- Annex 3** : Advertisement as published in the Media
- Annex 4** : Stakeholder submissions
- Annex 5** : Matrix of Submissions to the Bill by the Stakeholders
- Annex 6** : Committee Stage amendments





**MINUTES OF THE TWENTY-SEVENTH MEETING OF THE STANDING COMMITTEE ON EDUCATION HELD ON TUESDAY, 13<sup>TH</sup> JUNE, 2023 AT 10:00 AM AT VIP ANNEX I, FIRST FLOOR, KICC BUILDING**

**PRESENT**

- |                                  |                    |
|----------------------------------|--------------------|
| 1. Sen. Joe Nyutu, MP            | - Chairperson      |
| 2. Sen. Peris Tobiko, CBS, MP    | - Vice-Chairperson |
| 3. Sen. John Kinyua Nderitu, MP  | - Member           |
| 4. Sen. Lenku Ole Kanar Seki, MP | - Member           |
| 5. Sen. Johnes Mwaruma, MP       | - Member           |

**ABSENT WITH APOLOGY**

- |                                         |          |
|-----------------------------------------|----------|
| 1. Sen. (Prof.) Margaret Kamar, EGH, MP | - Member |
| 2. Sen. James Kamau Murango, MP         | - Member |
| 3. Sen. Joseph Githuku Kamau, MP        | - Member |
| 4. Sen. Agnes Kavindu Muthama, MP       | - Member |

**SENATE SECRETARIAT**

- |                         |                        |
|-------------------------|------------------------|
| 1. Mr. Humphrey Ringera | - Research Officer I   |
| 2. Ms. Doris Obure      | - Clerk Assistant III  |
| 3. Ms. Carol Cheruiyot  | - Senior Legal Counsel |
| 4. Mr. Kenneth Ndirangu | - Research Officer III |
| 5. Mr. Denis Amunavi    | - Research Officer III |
| 6. Ms. Mumbi Mwaura     | - Audio Officer        |
| 7. Ms. Hawa Abdi        | - Sergeant-at-Arms     |

**MIN/SEN/SCE/129/2023**

**PRELIMINARIES**

The meeting was called to order at thirty minutes past ten and the proceedings commenced with a word of prayer said by Sen. Joe Nyutu, MP.

**MIN/SEN/SCE/130/2023**

**ADOPTION OF THE AGENDA**

The agenda of the meeting was adopted having been proposed by Sen. Peris Tobiko, CBS, MP, and seconded by Sen. John Kinyua Nderitu, MP as follows:

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of the Minutes of the Previous Meetings-
  - a. *Minutes of the 23<sup>rd</sup> sitting held on 18<sup>th</sup> May, 2023*
  - b. *Minutes of the 24<sup>th</sup> sitting held on 25<sup>th</sup> May, 2023*
  - c. *Minutes of the 25<sup>th</sup> sitting held on 30<sup>th</sup> May, 2023*
  - d. *Minutes of the 26<sup>th</sup> sitting held on 6<sup>th</sup> June, 2023*

4. Matters arising from Minutes of the Previous Committee Meetings;
5. Consideration and Adoption of the Committee Report on the Kenyan Sign Language Bill (Senate Bills No. 9 of 2023) (*Committee Paper No. 26*);
6. Any Other Business; and
7. Adjournment /Date of the Next Meeting.

**MIN/SEN/SCE/131/2023**

**CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS**

1. The Minutes of the 23<sup>rd</sup> meeting held on 18<sup>th</sup> May, 2023 were confirmed as a true record of the deliberations after being proposed by Sen. Lenku Ole Kanar Seki, MP and seconded by Sen. Joe Nyutu, MP;
2. The Minutes of the 24<sup>th</sup> meeting held on 25<sup>th</sup> May, 2023 were confirmed as a true record of the deliberations after being proposed by Sen. Lenku ole Kanar Seki, MP and seconded by Sen. Joe Nyutu, MP;
3. The Minutes of the 25<sup>th</sup> meeting held on 30<sup>th</sup> May, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Joe Nyutu, MP and seconded by Sen. Lenku Ole Kanar Seki, MP; and
4. The Minutes of the 26<sup>th</sup> meeting held on 6<sup>th</sup> June, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Lenku Ole Kanar Seki, MP and seconded by Sen. Joe Nyutu, MP.

**MIN/SEN/SCE/132/2023**

**MATTERS ARISING FROM MINUTES OF THE PREVIOUS MEETINGS**

1. **Ex-MIN/SEN/SCE/116/2023**, the Committee is to schedule a meeting with the Director General, National Industrial Training Authority (NITA) to facilitate timely prosecution of a matter before the Committee; and
2. **Ex-MIN/SEN/SCE/120/2023**, the Members were informed that the summons had been issued to the Cabinet Secretary, National Treasury and Economic Planning to appear before the Committee on Tuesday, 20<sup>th</sup> June, 2023 at 10:00 a.m to respond to issues raised in the petition by 1997-2007 retired teachers; and
3. **Ex-MIN/SEN/SCE/126/2023**, the Committee was resolved to re-schedule the proposed county oversight visit to Uasin Gishu County from Thursday, 15<sup>th</sup> June to Sunday 18<sup>th</sup> June, 2023.

**MIN/SEN/SCE/133/2023**

**CONSIDERATION AND ADOPTION OF THE COMMITTEE REPORT ON THE KENYAN SIGN LANGUAGE BILL, 2023**

1. The Committee Secretariat presented *Committee Paper No. 26* on the report on the Kenyan Sign Language Bill (*Senate Bills No. 9 of 2023*) for consideration and adoption; and

2. The Committee considered and unanimously adopted its report on the Kenyan Sign Language Bill, 2023 (Senate Bills No. 9 of 2023); and

3. The adoption of the report was proposed by Sen. Johnes Mwaruma, MP and seconded by Sen. John Kinyua Nderitu, MP.

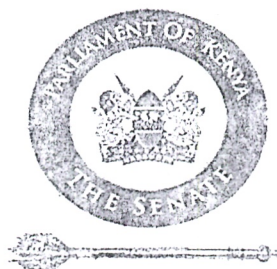
**MIN/SEN/SCE/134/2023**

**ADJOURNMENT AND DATE OF THE NEXT MEETING**

There being no other business, the meeting was adjourned thirty five minutes past eleven. The Committee resolved to hold the next meeting on notice.

**SIGNED: ..... DATE: .....**  
**(CHAIRPERSON: SEN. JOE NYUTU, M.P.)**





**MINUTES OF THE TWENTY-SIXTH MEETING OF THE STANDING COMMITTEE ON EDUCATION HELD ON TUESDAY, 6<sup>TH</sup> JUNE, 2023 AT 10:00 AM AT FIRST FLOOR BOARDROOM, RED CROSS BUILDING**

**PRESENT**

- |                                         |               |
|-----------------------------------------|---------------|
| 1. Sen. Joe Nyutu, MP                   | - Chairperson |
| 2. Sen. (Prof.) Margaret Kamar, EGH, MP | - Member      |
| 3. Sen. Lenku Ole Kanar Seki, MP        | - Member      |
| 4. Sen. Johnes Mwaruma, MP              | - Member      |

**ABSENT WITH APOLOGY**

- |                                   |                    |
|-----------------------------------|--------------------|
| 1. Sen. Peris Tobiko, CBS, MP     | - Vice-Chairperson |
| 2. Sen. James Kamau Murango, MP   | - Member           |
| 3. Sen. Joseph Githuku Kamau, MP  | - Member           |
| 4. Sen. John Kinyua Nderitu, MP   | - Member           |
| 5. Sen. Agnes Kavindu Muthama, MP | - Member           |

**SENATE SECRETARIAT**

- |                         |                        |
|-------------------------|------------------------|
| 1. Mr. Humphrey Ringera | - Research Officer I   |
| 2. Ms. Doris Obure      | - Clerk Assistant III  |
| 3. Ms. Carol Cheruiyot  | - Senior Legal Counsel |
| 4. Mr. Kenneth Ndirangu | - Research Officer III |
| 5. Ms. Mumbi Mwaura     | - Audio Officer        |
| 6. Ms. Ann Onsare       | - Audio Officer        |
| 7. Ms. Hawa Abdi        | - Sergeant at Arms     |

**MIN/SEN/SCE/123/2023**

**PRELIMINARIES**

The meeting was called to order at thirty minutes past ten and the proceedings commenced with a word of prayer said by Sen. (Prof.) Margaret Kamar, EGH, MP.

**MIN/SEN/SCE/124/2023**

**ADOPTION OF THE AGENDA**

The agenda of the meeting was adopted with amendments having been proposed by Sen. (Prof.) Margaret Kamar, EGH, MP and seconded by Sen. Lenku Ole Kanar Seki, MP as follows:

1. Prayer;
2. Adoption of the Agenda;



3. Confirmation of the Minutes of the Previous Meetings-
  - a. *Minutes of the 21<sup>st</sup> sitting held on 2<sup>nd</sup> May, 2023*
  - b. *Minutes of the 22<sup>nd</sup> sitting held on 4<sup>th</sup> May, 2023*
4. Matters arising from Minutes of the Previous Committee Meetings;
5. Consideration of the Kenyan Sign Language Bill (Senate Bills No. 9 of 2023) (*Committee Paper No. 25*);
6. Any Other Business; and
7. Adjournment /Date of the Next Meeting.

MIN/SEN/SCE/125/2023

CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

1. The Minutes of the 21<sup>st</sup> meeting held on 2<sup>nd</sup> May, 2023 were confirmed as a true record of the deliberations after being proposed by Sen. (Prof.) Margaret Kamar, EGH, MP and seconded by Sen. Johnes Mwaruma, MP; and
2. The Minutes of the 22<sup>nd</sup> meeting held on 4<sup>th</sup> May, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Johnes Mwaruma, MP and seconded by Sen. (Prof.) Margaret Kamar, EGH, MP.

MIN/SEN/SCE/126/2023

MATTERS ARISING FROM MINUTES OF THE PREVIOUS MEETINGS

1. Ex **MIN/SEN/SCE/103/2023**, the Committee was informed that a letter had been sent to the Cabinet Secretary, Ministry of Education seeking clarification and supplementary information on different issues raised in the Statements sought from the Committee; and
2. Ex **MIN/SEN/SCE/103/2023**, the Committee was informed that an approval to conduct a county oversight visit to Uasin Gishu County had been sought and was awaiting approval. The Committee was further informed that the objective of the visit is to inquire into the implementation status of the Sector Policy for Learners and Trainees with Disability.

MIN/SEN/SCE/127/2023

CONSIDERATION OF THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)

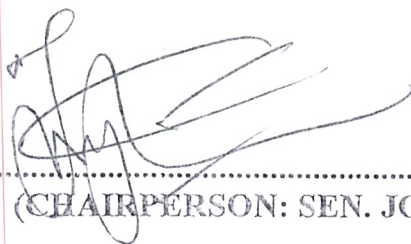
1. The Committee Secretariat presented *Committee Paper No. 25* on the Matrix on Stakeholder submissions to the Kenyan Sign Language Bill (*Senate Bills No. 9 of 2023*) for consideration; and
2. The Committee considered the matrix and requested the Secretariat to finalise drafting the Committee Report for consideration and adoption during the next meeting.

MIN/SEN/SCE/128/2023

ADJOURNMENT AND DATE OF  
THE NEXT MEETING

There being no other business, the meeting was adjourned forty minutes past twelve noon. The Committee resolved to hold the next meeting on notice.

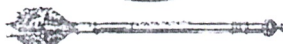
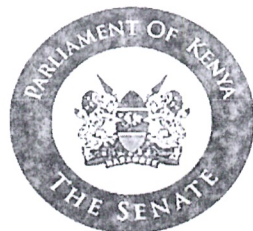
SIGNED: .....



DATE: .....

13/06/2023

(CHAIRPERSON: SEN. JOE NYUTU, M.P.)



**MINUTES OF THE TWENTY-FIRST MEETING OF THE STANDING COMMITTEE ON EDUCATION HELD ON TUESDAY, 2<sup>ND</sup> MAY, 2023 AT 12:00 NOON AT THE FIRST FLOOR BOARDROOM, RED CROSS BUILDING AND ON THE ZOOM ONLINE MEETING PLATFORM**

**PRESENT**

- |                                         |                    |
|-----------------------------------------|--------------------|
| 1. Sen. Peris Pesi Tobiko, CBS, MP      | - Vice-Chairperson |
| 2. Sen. (Prof.) Margaret Kamar, EGH, MP | - Member           |
| 3. Sen. Johnes Mwaruma, MP              | - Member           |
| 4. Sen. Agnes Kavindu Muthama, MP       | - Member           |

**ABSENT WITH APOLOGY**

- |                                  |               |
|----------------------------------|---------------|
| 1. Sen. Joe Nyutu, MP            | - Chairperson |
| 2. Sen. John Kinyua Nderitu, MP  | - Member      |
| 3. Sen. Lenku Ole Kanar Seki, MP | - Member      |
| 4. Sen. James Kamau Murango, MP  | - Member      |
| 5. Sen. Joseph Githuku Kamau, MP | - Member      |

**SENATE SECRETARIAT**

- |                          |                               |
|--------------------------|-------------------------------|
| 1. Ms. Veronicah Kibati  | - Principal Clerk Assistant I |
| 2. Mr. Humphrey Ringera  | - Research Officer I          |
| 3. Ms. Marale Sande      | - Principal Research Officer  |
| 4. Ms. Carlyne Cheruiyot | - Senior Legal Counsel        |
| 5. Mr. Dennis Amunavi    | - Research Officer III        |
| 6. Mr. Kenneth Ndirangu  | - Research Officer III        |

**MIN/SEN/SCE/097/2023**

**PRELIMINARIES**

The meeting was called to order at twenty-five minutes past noon and the proceedings commenced with a word of prayer said by Sen. Peris Tobiko, CBS, MP.

**MIN/SEN/SCE/098/2023**

**ADOPTION OF THE AGENDA**

The agenda of the meeting was adopted having been proposed by Sen. (Prof.) Margaret Kamar, EGH, MP and seconded by Sen. Agnes Kavindu Muthama, MP as follows:

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the twentieth Committee meeting;
4. Matters arising from Minutes of the twentieth Committee meeting;
5. Consideration of the Kenyan Sign Language Bill, 2023 (Senate Bills No. 9 of 2023);



6. Any Other Business;
7. Adjournment /Date of the Next Meeting.

MIN/SEN/SCE/099/2023

CONFIRMATION OF MINUTES OF  
THE TWENTIETH MEETING

The Minutes of the twentieth meeting held on Thursday 27<sup>th</sup> April, 2023 were confirmed as true record of the proceedings after being proposed by Sen. Agnes Kavindu Muthama, MP and seconded by Sen. (Prof.) Margaret Kamar, EGH, MP.

MIN/SEN/SCE/100/2023

MATTERS ARISING FROM THE  
MINUTES OF THE TWENTIETH  
MEETING

*Ex MIN/SEN/SCE/094/2023*

*CONSIDERATION AND ADOPTION OF THE  
COMMITTEE REPORT ON THE LEARNERS  
WITH DISABILITIES BILL, 2023*

The Committee to seek information on the implementation status of the Sector Policy for Learners and Trainees with Disability launched in 2018.

MIN/SEN/SCE/101/2023

CONSIDERATION OF THE  
KENYAN SIGN LANGUAGE BILL,  
2023

1. The Committee Secretariat presented Committee Paper No.20 on the Kenyan Sign Language Bill, 2023 (Senate Bills No. 9 of 2023);
2. Members observed that the Committee was required to have submitted its report on the Bill within thirty (30) calendar days of its committal, which was by Tuesday, 25<sup>th</sup> April, 2023; and
3. The Committee **resolved** to consider the matrix on stakeholder submissions during its meeting to be held on the week commencing Monday 8<sup>th</sup> May, 2023 and thereafter prepare, consider and adopt its report before the end of May recess.

MIN/SEN/SCE/102/2023

ANY OTHER BUSINESS

The Committee should seek information and reports from the Ministry of Education on the implementation of the Competency Based Curriculum and especially on the Junior Secondary Schools.

MIN/SEN/SCE/103/2023

ADJOURNMENT AND DATE OF  
THE NEXT MEETING

There being no other business, the meeting was adjourned at ten minutes past one. The Committee resolved to hold the next meeting on notice.

SIGNED: ..... DATE: 06/06/2023  
(CHAIRPERSON: SEN. JOE NYUTU, M.P.)



**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 21 (Senate Bills No. 9)*

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REPUBLIC OF KENYA

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***KENYA GAZETTE SUPPLEMENT***

**SENATE BILLS, 2023**

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**NAIROBI, 28th February, 2023**

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**THE KENYAN SIGN LANGUAGE BILL, 2023**

**ARRANGEMENT OF CLAUSES**

*Clause*

- 1 — Short title.
- 2 — Interpretation.
- 3 — Objects.
- 4 — Recognition.
- 5 — Role of the National and county governments.
- 6 — Use of sign language in legal proceedings.
- 7 — Educational support for deaf learners.
- 8 — Curriculum development.
- 9 — Development of action plan.
- 10 — Standards, accreditation and procedures.
- 11 — Registration of sign language interpreters.
- 12 — Registrar.
- 13 — Register of sign language interpreters.
- 14 — Certificate of registration.
- 15 — Inspection of register.
- 16 — Code of conduct.
- 17 — Sign language at the workplace.
- 18 — Promotion of Kenyan sign language.
- 19 — Action plan for Kenyan sign language.
- 20 — Regulations.

**THE KENYAN SIGN LANGUAGE BILL, 2023****A Bill for**

**AN ACT of Parliament to give effect to Article 7(3)(b) of the Constitution on the promotion and development of the use of Kenyan Sign language; to give effect to Article 54(1)(d); to provide for the inclusion of sign language in education curriculum; to provide for the use of sign language in legal proceedings; and for connected purposes.**

**ENACTED** by the Parliament of Kenya, as follows —

1. This Act may be cited as the Kenyan Sign Language Act, 2023.

Short title.

2. In this Act —

Interpretation.

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to education;

“Council” means the National Council for Persons with Disabilities established under section 3 of the Persons with Disabilities Act;

No. 14 of 2003.

“deaf community” means a socio-linguistical cultural group who use Kenyan Sign Language in their everyday communications and as a native or mother tongue, first or preferred language;

“deaf culture” means the way deaf people interact and includes a set of social beliefs, behaviours, art, literary traditions, history, values and shared institutions of communities that are influenced by deafness;

“Kenya signed English” means manually coded English involving producing signs which correspond to an English word in an English sentence in English word order designed to facilitate communication between the deaf and hearing community;

“Kenya sign language” means sign language predominantly used in Kenya by the deaf community;

“public university” means a university established and maintained out of public funds;

“recognised schools” means schools registered under the Basic Education Act;

“relevant public authority” means an entity established by the Constitution, an Act of Parliament or any other law; and

“sign language” means system a system of communication, both visual or tactile, as the case may be, by manual signs or symbols including body movement.

No. 14 of 2013.  
Objects.

3. The objects of this Bill are to –

- (a) ensure that persons who are deaf or hard of hearing integrate into society;
- (b) protect and promote the right to justice and fair administration action with respect to persons who are deaf and hard of hearing
- (c) promote access to quality education by learners who are deaf or hard of hearing;
- (d) provide for the training, recognition and regulation of sign language interpreters;
- (e) promote access to public services by deaf persons;
- (f) promote the inclusion and diversity in the workplace by creating opportunities for persons who are deaf or hard of hearing to compete for employment opportunities; and
- (g) promote literacy development of learners who are deaf or hard of hearing;
- (h) ensure that there is compliance in the development, recognition, promotion and integration of sign language as a language in Kenya; and
- (i) promote and recognize deaf culture in Kenya.

4. (1) The Kenyan sign language is the language used by the deaf or hard of hearing in Kenya for expressing themselves and communicating with others.

Recognition.

(2) The community of deaf persons in Kenya shall have the right to use and preserve Kenyan Sign Language.

5. The national government and county governments when exercising their powers and functions under the Constitution or any other written law shall, so far as is reasonably practical, ensure that—

Role of the  
National and  
county  
governments.



- (a) members of the deaf community are consulted on all matters related to the development, use and promotion of Kenyan sign language;
- (b) Kenyan sign language is used in the promotion to the public of government services and in the provision of information to the public;
- (c) all public bodies shall do all that is reasonable and necessary to provide free interpretation in the Kenyan Sign Language to those who wholly rely on it to access statutory entitlements or services provided by that public body;
- (d) information relating to public services shall be made accessible to the deaf community through the use of appropriate means including Kenyan sign language.

6. (1) A person whose first or preferred language is the Kenyan sign language is entitled to use the Kenyan sign language where the person is —

Use of sign language in legal proceedings.

- (a) member of a court, tribunal or body before which proceedings are being conducted;
- (b) is a party or witness in a legal proceeding;
- (c) is an Advocate of the High Court of Kenya representing a party in proceedings; or
- (d) is given leave by the judicial officer to use Kenyan Signed English.

(2) A judicial officer in a legal proceeding shall ensure that a competent and recognized interpreter is available to a person entitled under subsection (1) to use Kenyan signed English.

(3) The judicial officer shall make a determination as to the accuracy of any interpretation from the Kenyan sign language into spoken or written language or from spoken to written language into the Kenyan sign language.

(4) Any person intending to use sign language in any legal proceeding may be required under any regulations made under this Act or any other written law, give reasonable notice of that intention, and generally regulate the procedure to be followed where Kenyan Sign Language is, or is to be used in such proceedings.

(5) Any such failure may warrant an award of costs as per any regulations, rules of court or any other appropriate written rules of procedure, but no person may be denied the right to use Kenyan sign language in any legal proceedings because of any such failure.

7. The Cabinet Secretary for education shall –

Educational support for deaf learners.

- (a) ensure that deaf learners and learners who are hard of hearing are taught in a manner which they are able to understand and use the dominant language of instruction in the education system;
- (b) ensure that teachers of deaf children assist learners to acquire sufficient competence in the use of the English and Kiswahili language including ensuring that Kenyan sign language is taught in sign form and not written form;
- (c) ensure development of supportive instructional materials for the education of deaf learners and learners who are hard of hearing;
- (d) set aside adequate funds for the development of educational materials for deaf learners and learners who are hard of hearing;
- (e) ensure that Kenyan sign language in digital form contains inscription in standard English as a medium of instruction;
- (f) institutions of education for the deaf cater for formal and non-formal education, skills development and self-reliance for deaf learners as appropriate;
- (g) ensure that institutions offering teaching training offer, as part of their curriculum, courses on Kenyan sign language and interpretation;
- (h) ensure that there are sufficient number of placements for teachers of children who are deaf or hard of hearing and who are attending recognized schools;
- (i) establish a scheme for the provision of Kenyan sign language classes to-
  - (i) the parents, siblings and grandparents of a child who is deaf; and

(ii) other persons who may serve as a guardian or primary care giver to a child who is deaf or hard of hearing; and

(j) ensure that there are adequate reading materials in the English and Kiswahili languages for the educational support of, and that are accessible, by members of the deaf community.

**8.** (1) The Kenya Institute for Curriculum Development established under section 3 of the Kenya Institute for Curriculum Development Act shall develop, review and approve appropriate programmes, curricula and curriculum support materials for learners who are deaf and hard of hearing.

Curriculum development.  
No. 4 of 2013.

(2) Notwithstanding the provisions of subsection (1), the Institute shall carry out a comprehensive assessment and review of the programmes, curricula and curriculum support programmes and instructional materials for learners who are deaf and hard of hearing.

(3) In carrying out the review and assessment under subsection (2), the Institute shall invite and collaborate authors to submit published works relevant to the curriculum for deaf learners for purposes of inclusion as curriculum support materials.

(4) The Institute shall, one year after the commencement of this Act, prepare and transmit to Parliament a report of the review carried out under subsection (1).

**9.** (1) The Cabinet Secretary shall, in consultation with the National Council for Persons with Disabilities and the Council of County Governors, develop a Kenyan sign language action plan within one year upon the commencement of this Act.

Development of action plan.

(2) The Cabinet Secretary shall, in developing the Kenyan sign language action plan, undertake public participation.

**10.** (1) The Cabinet Secretary shall, in consultation with the Kenya National Accreditation Agency established under section 4 of the Kenya Accreditation Act and members of the deaf community, develop a national system

Standards, accreditation and procedures.  
No. 17 of 2019.



of standards, accreditation and procedures for Kenyan sign language interpretation.

(2) For purposes of subsection (1), the Cabinet Secretary shall —

- (a) regulate the provision of Kenyan sign language interpretation;
- (b) establish additional procedures and criteria for registration of Kenyan sign language interpreters;
- (c) establish and maintain a register of Kenyan sign language interpreters; and
- (d) determine the education, training and qualifications required for a person to be registered as a Kenyan sign language interpreter.

**11.** (1) A person who wishes to provide Kenyan sign language interpretation services shall apply for registration by the Ministry responsible for matters relating to education in accordance with such criteria and procedures as may be prescribed by the Cabinet Secretary.

Registration of sign language interpreters.

(2) An application under subsection (1) shall be made in a form prescribed in Regulations by the Cabinet Secretary.

**12.** (1) The Cabinet Secretary shall designate a public officer within the Ministry as the registrar of Kenyan sign language interpreters.

Registrar.

(2) The Cabinet Secretary shall, in consultation with the most representative registered association for sign language interpreters, determine the conditions and qualifications for registration as a sign language interpreter.

**13.** (1) The registrar shall keep and maintain a register in which the name of every person registered by the Cabinet Secretary to provide sign language interpretation services shall be entered showing—

Register of sign language interpreters.

- (a) the date of the entry in the register;
- (b) the address of the person registered;
- (c) the qualifications of the person; and
- (d) such other particulars as the Cabinet Secretary may prescribe.



(2) A person whose name is entered in the register under subsection (1) shall inform the registrar of any changes in the particulars set out under subsection (1).

14. (1) The registrar shall issue a certificate of registration to a person whose name is entered into the register.

Certificate of registration.

(2) Where the name of a person is removed from the register, the registrar shall give notice to that person, or if the person is dead, to that person's legal personal representative, requiring surrender of the certificate of registration to the registrar.

(3) A certificate of registration issued by the registrar shall be valid and shall remain in force for one year.

15. A person may, during normal office hours and on payment of the prescribed fee, inspect the register and any document relating to an entry and may obtain from the registrar a copy or extract from the register of any such document.

Inspection of register.

16. (1) The Cabinet Secretary shall, in consultation with the most representative registered association of sign language interpreters, publish in the *Gazette* a code of conduct for sign language interpreters.

Code of conduct.

(2) The code published under subsection (1) shall act as a guide for the provision of quality sign language interpretation services.

(3) A person who contravenes the provisions of the code under subsection (1) may be removed from the register of sign language interpreters.

17. (1) The National and county governments shall—

Sign language at the workplace.

- (a) take all reasonable measures to promote and encourage the use of basic Kenyan sign language among its deaf and hearing employees;
- (b) set aside adequate funds for the promotion of Kenyan sign language including funding activities to celebrate and promote awareness of the language;
- (c) conduct awareness and training seminars on the use of the Kenyan sign language;

- (d) provide sign language interpreters where necessary or requested in all national and county government offices including during all conferences, meetings cultural events, sport competitions, community affairs and activities conducted by government agencies; and
- (e) subsidize the acquisition of hearing aids and other ancillary services to the deaf community.

(2) An employer shall create reasonable opportunity for persons who are deaf or hard of hearing to be eligible for employment in the respective organization and shall promote the career progression of such employees.

**18.** (1) The national and county government shall take all necessary steps to propagate sign language competency among hearing people by offering sign language as a language subject in the mainstream curriculum.

Promotion of  
Kenyan sign  
language.

(2) Kenyan sign language shall be offered as a discipline of study at technical and vocational training institutions, public colleges and centres and public universities.

(3) Public institutions of higher learning shall undertake continuous research in the use and development of sign language.

**19.** (1) The Cabinet Secretary responsible for matters relating to persons with disabilities shall, in consultation with the most representative registered association for deaf persons, National Council for Persons with Disabilities and the Council of County Governors, develop a Kenyan Sign Language Action Plan six months upon the commencement of this Act.

Action plan for  
Kenya sign  
language.

(2) A plan developed under subsection (1) shall include –

- (a) an assessment of the approach which the national and county government entities are taking in interactions with, and the provision of its services to, members of the deaf community;
- (b) an assessment of the accessibility of national and county government services by members of the deaf community;

- (c) a statement on the actions proposed to be taken by national and county governments so as to take into consideration the needs of the deaf community in delivery of services;
- (d) details of the consultations held and proposed to be held by the national and county government with members of the deaf community in respect of delivery of services; and
- (e) details of the guidance and training which national and county government entities have given and proposed to give to staff in respect of the needs of members of the deaf community.

(2) The plan developed under section (1) shall be reviewed regularly and in any case every five years.

**20.** The Cabinet Secretary may make Regulations for the better carrying out of the provisions of this Act. Regulations.

## **MEMORANDUM OF OBJECTS AND REASONS**

### **Statement of the Object and Reasons for the Bill**

The principal objective of this Bill is to provide for the use of sign language in judicial proceedings, schools and public institutions to ensure that deaf learners are given the same opportunities as all other learners to be productive members of the society. Article 10(2) of the Constitution designates human dignity, equity and social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized as national values and principles of governance.

Further, article 7(3)(b) of the Constitution provides that the State shall promote the development and use of indigenous languages, Kenya sign language, braille and other communication formats and technologies accessible to persons with disabilities. Similarly article 54(1)(d) provides that a person with any disability is entitled to use Sign language, Braille or other appropriate means of communication. The Constitution therefore contemplates that public institutions shall put in place facilities to ensure the inclusion of deaf persons and person who are hard of hearing in their processes.

### **Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms**

Clause 20 of the Bill provides that the Cabinet Secretary responsible for matters relating to education may make Regulations for the better carrying out of the provisions of the Act. The Bill therefore delegates legislative powers to the Cabinet Secretary. The Bill however does not limit fundamental rights and freedoms.

### **Statement on how the Bill concerns county governments**

The Bill concerns county governments in terms of Articles 110(1)(a) of the Constitution in that it contains provisions that create obligations both for the national and county governments to ensure that they put in place mechanisms for efficient delivery of services to deaf persons. The Bill therefore concerns county governments in terms of Articles 110(1)(a) of the Constitution as it affects the functions and powers of the county governments as set out in Part 2 of the Fourth Schedule to the Constitution.



**Statement that the Bill is not a money Bill within the meaning of Article 114 of the Constitution**

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

Dated the 6th February, 2023.

MARGARET KAMAR,  
*Senator.*

CRYSTAL ASIGE,  
*Senator.*

# REPUBLIC OF KENYA



## THIRTEENTH PARLIAMENT THE SENATE

### INVITATION FOR SUBMISSION OF MEMORANDA

At sittings of the Senate held on Wednesday, 22<sup>nd</sup> March, 2023 and Thursday, 23<sup>rd</sup> March, 2023, the Bills listed at the second column below were introduced in the Senate by way of First Reading and thereafter stood committed to the respective Standing Committees indicated at the third column.

Pursuant to the provisions of Article 118 of the Constitution and standing order 145(5) of the Senate Standing Orders, the respective Standing Committees now invite interested members of the public to submit any representations that they may have on the Bills, by way of written memoranda.

The memoranda may be sent by email to the Clerk of the Senate on the address: [clerk.senate@parliament.go.ke](mailto:clerk.senate@parliament.go.ke) and copied to the email addresses of the respective Committee indicated at the fourth column below, to be received on or **before Monday, 10<sup>th</sup> April, 2023.**

Bill	Committee Referred To	Email
a) The County Boundaries Bill, 2023 (Senate Bills No. 3 of 2023)	Standing Committee on Devolution and Intergovernmental Relations	<a href="mailto:senate.devolution@parliament.go.ke">senate.devolution@parliament.go.ke</a>
b) The Kenya Sign Language Bill, 2023 (Senate Bills No. 9 of 2023)	Standing Committee on Education	<a href="mailto:educationcommittee.senate@parliament.go.ke">educationcommittee.senate@parliament.go.ke</a>
c) The Persons with Disability Bill, 2023 (Senate Bills No.7 of 2023)	Standing Committee on Labour and Social Welfare	<a href="mailto:laboursocialwelfarecomm.senate@parliament.go.ke">laboursocialwelfarecomm.senate@parliament.go.ke</a>
d) The Heritage and Museums Bill, 2023 (Senate Bills No.8 of 2023)	Standing Committee on Labour and Social Welfare	<a href="mailto:laboursocialwelfarecomm.senate@parliament.go.ke">laboursocialwelfarecomm.senate@parliament.go.ke</a>
e) The Division of Revenue Bill, 2023 (Senate Bills No.9 of 2023)	Standing Committee on Finance and Budget	<a href="mailto:financebudgetcomm.senate@parliament.go.ke">financebudgetcomm.senate@parliament.go.ke</a>

The Bills may be accessed on the Parliament Website at <http://www.parliament.go.ke/the-senate/house-business/bills>.

**J.M. NYEGENYE, CBS,  
CLERK OF THE SENATE.**



# AMAZING GRACE BAWO FOUNDATION

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NAIROBI, KENYA

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10/04/2023

TO: STANDING COMMITTEE ON EDUCATION

REF: THE KENYA SIGN LANGUAGE BILL, 2023 (SENATE BILL NO.9 OF 2023)

Sign language is one that categorized as the third National Language in Kenya after English and Kiswahili. It is a basic language for more than 650,000 people of Kenyans who can not do without this language; otherwise they will be in total darkness if the sign language is left behind.

SIGN LANGUAGE SHOULD BE TAUGHT AS COMPULSORY IN SCHOOLS IN CBD.

Therefore it should be taught as an examined paper in schools in Kenya as from play group to primary, after that in junior secondary to universities it can be optional like English and Kiswahili. This will make our country and children grow knowing that our country is inclusive in terms of communications and languages.

It should be compulsory subject, all training institutions and collages should also take it serious since the children with disability should be attend at per with the normal children, this will make even teachers to be eloquent in sign language, this shall be very great development to the people with disability and caregivers direct.

COMMUNICATION EFFECTIVENESS .

As a matter of urgency the sign language interpreters should be put in social places like:

- I. HOSPITALS
- II. CHURCHES
- III. SECURITY SECTORS
- IV. COMPANIES
- V. JUDICIARY
- VI. FACTORIES
- VII. PARASTATOLS ETC

SENSITIZATION/ SKILLS NURTURING AND AID PROVISION.

There should be free provisions of free hearing Aid to those who can use them. The societies should be sensitized about the deaf and dumb people within us so that some of the cultural beliefs can be done through engagement on sporting activities, games and any other social activities.

EXAMINATION AND MARKING OF EXAMS PAPERS OF DEAF AND DUMB.

Another key issue is, when it comes to TVET tutors marking of deaf exams. Most tutors are not well trained on the vocabulary of deaf and dumb are writing, this make most of the deaf and dumb students fail exams.

FROM: AMAZING GRACE BAWO FOUNDATION.





MEMORANDA

TO

REPUBLIC OF KENYA

THE SENATE OF THE REPUBLIC OF KENYA

MEMORANDA ON THE KENYAN SIGN LANGUAGE BILL, 2023 AND THE PERSONS WITH DISABILITIES  
BILL, 2023

Pursuant to the provisions of Article 118 of the constitution and standing order 145 (5) of the senate Standing Orders.

Following the invitation from the Senate Standing Committee on Education, and the Standing Committee on Labour and Social Welfare.

We, the Consortium of Disabled Persons Organizations in Kenya (CDPOK), on behalf of Organizations of Persons with Disabilities (OPDs) and Political Parties in Kenya through Kenya Inclusive Political Parties programme (KIPP) wish to submit these memoranda to the Senate of the Republic of Kenya regarding the two Bills captioned above.

**The Kenya Sign Language Bill, 2023**

Section of the Bill	Proposed Amendment/change	Reason
Under objects and purposes	Add/reference Article 120 of the constitution as well.	To promote the use of sign language in Parliament and County Assemblies as a good practice for disability inclusion.
All sections	Letter 'd' in deaf should be capitalized all through the Bill.	The Deaf is a community and is therefore a Noun.

Under definition – Kenya sign language	Only use Kenyan Sign Language instead of....Kenya sign English language.	Kenyan sign language is an independent language and therefore there is no need to say Kenya sign English language – to avoid confusion.
Under definition	Include definition for Kenyan sign language interpreters.	The interpreters should be those who are conversant with Kenyan sign language
Section 9	Include Organizations of Persons With Disabilities (OPDs) in all matters requiring consultation.	It is a good practice to also consult the organizations of persons with disabilities in developing the action plan and for all matters requiring consultation.
The role of National Council for Persons with Disabilities (NCPWDs)	Include the role of the NCPWDs as vetting sign language interpreters.	Sign language interpreters should be qualified and therefore their qualification should be determined by the NCPWD
Section 19 (1) change ‘for’ with ‘of’ in Association for the deaf ‘persons’. Also remove the word persons after deaf, and add hard of hearing instead.	It should be Association of the Deaf and hard of hearing	The Deaf community include hard of hearing as well.
Section 12 (1) Cabinet Secretary shall designate a ‘public officer’	Replace the ‘public officer’ with a person who has knowledge and experience on Deaf culture and Kenyan sign language	
Section 12 (2) .....in consultation with the most representative registered association for sign language interpreters.	Also add Association of the Deaf and hard of hearing	
To promote inclusive communication, add a section	Add Kenyan sign language/television inset and or closed captioning, the inset should cover a third of television screen.	For ease of communication with the Deaf and hard of hearing.

#### The Persons with Disabilities Bill, 2023

Section of the Bill	Proposed Amendment/change	Reason
Purpose of the Bill... to restructure the NCPWD	Remove the word restructure and replace with the word ‘strengthen’ instead	The word restructure is ambiguous
Under definition of disability	Remove the word illness and replace with the word ‘condition’	Disability is not an illness

Section 27		Add Kenyan sign language/television inset and or closed captioning, the inset should cover a third of television screen.	For ease of communication.
Section 29 (6)		Reinstate the right to free access to recreational facilities for PWDs	PWDs should be allowed free access to recreational facilities as captured in the current PWDs Act, 2003 Section 28 (1)
Various sections.		Penalties provided under section 81 (1) should be the irreducible minimum for all the offenses.	Penalties provided for committing offenses under this Bill are too low/meagre for effective deterrence.
Under nomination section		IEBC should consult the National Council for Persons With Disabilities to determine nomination for PWDs in Senate, National Assembly and County Assemblies.	To avoid instances of shortchanging deserving PWDs in nomination processes.
Section 37		All institutions including political parties should work closely with NCPWD to collect and keep disintegrated data of PWDs members.	It is a good practice to have an up to date data of all PWDs in the country.
Section 37 (c)		Add standardization of data collection tools and central storage of PWDs data under this section	It is important to standardize tools for PWDs data collection and also to store the data in a central place.

**Name:** Joseph Atela

**Organization:** Consortium of Disabled Persons Organizations in Kenya (CDPOK)

**Date:** 7<sup>th</sup> April 2023

**Signature:**







**KICTANet**  
The Power of Communities

**To:** Clerk of the Senate

**Cc:** Education Committee, Senate

**From:** Florence Awino Ouma, KICTANet ICT Access and Equality for Persons with Disabilities

**Date:** 10-4-2023

**Subject:** The Kenya Sign Language Bill, 2023

These digital provisions could help to ensure that deaf and hard-of-hearing individuals have equal access to information and services provided by public institutions, as required by the Constitution of Kenya.

- Captioning and transcription services for all online videos and audio content public institutions produce.
- Development and distribution of educational materials in sign language through online platforms, such as YouTube or e-learning portals.
- Provision of digital sign language interpreters for remote meetings or video conferences.
- A mandate for all public websites and mobile applications to be accessible for people who are deaf or hard of hearing, including transcripts, alternative texts, and captions.
- Development and implementation of technology for real-time translation of spoken language to sign language and vice versa, which could be utilized in legal proceedings, emergencies, or public announcements.
- Provision of assistive technology devices, such as smartphones or tablets with sign language apps, for deaf and hard of hearing people in schools and public institutions.



# KENYA NATIONAL ASSOCIATION OF THE DEAF

*Advocating for Deaf Rights through Sign Language Recognition.*

KNAD/NA/01/02/2022

28<sup>th</sup> February, 2022

The Clerk, National Assembly  
Kenyatta International Conference Centre,  
P. O. box 41842-00100, Nairobi, Kenya

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Dear Sir/Madam,

#### **RE: KENYAN SIGN LANGUAGE BILL**

Kenya National Association of the Deaf (KNAD) is a legal Non- Governmental Organization (NGO) registered in 1987 under the Registrar of Societies Act 1968 rule 4. KNAD advocates for the rights of the estimated over 2.5 million Deaf and Hard of hearing Kenyans. KNAD advises the government and other interested parties on policies and issues that affect the lives of the Deaf Kenyans.

Kenyan Sign Language (KSL) foremost recognized in the provisions of Articles 7 (3) (b) and 120 of the Constitution of Kenya. The Deaf community therefore appreciates the attempt by the senate to put measures in place to ensure that Deaf and hard of hearing Kenyans' Constitutional Rights are upheld by coming up with **Kenya Sign Language Bill**.

The collaboration between Persons with Disabilities Organizations, the World Federation of the Deaf, and the linguistic experts under the initiation of the Kenya National Association of the Deaf (KNAD) ensured that submission to the then Committees of Expert entrusted with the constitutional making process and the Parliamentary Committee on legal ensured acceptance and insertion of Kenyan Sign Language as a language after over 50 years of struggle by the Deaf community in Kenya for acceptance. This has also resulted into parliamentary proceedings being made accessible to Deaf and hard of hearing persons in KSL.

To come up with a comprehensive Bill, the Deaf community initiated KSL Bill formulation that were started 117 Deaf People and Kenyan Sign Language interpreters from 7 counties, namely; Nairobi, Mombasa, Kisumu, Nyeri, Machakos, Migori and Kakamega. Validation of the bill has been ongoing by the stakeholders in Nairobi and Kisumu. However, to our surprise Senate came up with another bill without consultation of the intended user and public participation, and to the extreme bill has introduced a "**Kenya Signed English (KSE)**" a language not recognized by the Constitution.

The bill also focusses on Education and Judiciary, forgetting that Kenyan Sign Language is a language and is in the life of the Deaf community everyday everywhere and not limited to education. It should be expanded to include Kenyan Sign Language Council board that will see its operation by the competent who understand Sign Language issues

Attached herein is our view on the Senate bill, we are open for further dialogue should there be need.

#### REGIONAL CENTRE

Central Region (Nyeri)  
West Region (Kisumu)  
Coast Region (Mombasa)

#### NATIONAL OFFICIALS

Mr. Nickson O. Kakiri  
National Chairman  
chairman@knad.or.ke

Ms. Christine Mathii  
Vice Chairlady  
Vicechairlady@knad.or.ke

#### DEAF ASSOCIATE REGIONS

Central Kenya  
Kakamega  
Kisii  
Meru  
Nairobi  
North Rift  
Nyanza  
Pwani  
South Eastern  
South Nyanza  
South Rift

**A member of the World Federation of the Deaf (WFD)**

Registered on 1st December 1987 under the Societies Act (Cap.108) No.Soc/24623



	<b>DOMAIN</b>	<b>GAP</b>	<b>RECOMMENDATION</b>	<b>JUSTIFICATION</b>
	Title	AN ACT of parliament to give effect to Article 7(3) (b) of the constitution on the promotion and development on the use of Kenyan Sign Language; to give effect to Article 54(1)(d); to provide for the inclusion of sign language in education curriculum; to provide for the use of sign language in legal proceedings; and for connected purposes.	AN ACT of Parliament to give effect to Articles 7(3)(b), 44, 50(2)(m), 54(1)(d) and 120 of the Constitution; to provide for the recognition, promotion, development and use of Kenyan Sign Language; to provide for the establishment of a body corporate for the regulation of Kenyan Sign Language and other appropriate means of communication; to provide for the regulation of sign language interpretation in Kenya through accreditation and registration of the sign language interpreters, for an enhanced communication and access to information and justice and connected purposes.	Sign language is not limited to Education and Legal proceedings but all aspect communication for Deaf people as a community with own culture and language.
Part I – preliminary	Interpretation of terms	Ministry of Education (cabinet secretary)	Kenyan Sign Language is a language, and Languages are under the Ministry of sports, Culture and heritage but not Ministry of Education	Kenyan Sign Language is a language developed by the influence of culture of the Deaf community.
	Interpretation of terms	Kenya Signed English	Should be deleted from the bill as it does not exist. Not recognized by the law and doesn't exist	Kenyan Sign Language is in the Kenyan constitution.



	Interpretation of terms	<b>KENYA SIGN LANGUAGE</b>	Use <b>KENYAN SIGN LANGUAGE (insert “N” in the word “Kenya”)</b>	The constitution of Kenya recognizes it AS <b>KENYAN SIGN LANGUAGE</b>
	Interpretation of terms	Definition of Sign Language Interpreter and Sign Language interpretation	Sign language Interpreter: A person who is certified, registered and issued with a certificate to practice as a sign language interpreter under this act	Part II (10) introduces interpreter and interpretation without prior definition of the terms.
	Interpretation of terms	Sign Language definition	Is a system of communication both visual and tactile as the case may be by manual symbols including the hand, face, torso and non-manual grammatical markers	The definition as it is in the bill does not capture the complete definition of sign language.
	Objects	Object of bill Amend 3 (d) and insert “Kenyan” between the words “regulation of” and “sign language”	(d) Provide for the training recognition and regulation of Kenyan sign language interpreters	The bill focusing in Kenyan Sign Language and not any other sign language and therefore should be specific it is “Kenyan”
	Objects	H Ensure that there is compliance in the development, recognition, promotion and integration of sign language as a language in Kenya	ensure that there is compliance in the development, recognition, promotion and integration of <b>Kenyan</b> sign language as a language in Kenya	Should be specific that it is Kenyan Sign Language
PART II – Kenyan Sign Language	Role of the National and county governments	C All public bodies shall do all that is reasonable and necessary to provide free interpretation in	All public and private bodies shall ensure their services are accessible to Deaf persons through the services of a registered and certified sign language interpreter.	Accessibility should not just limit to public bodies, private entities should also be accessible

		the Kenyan Sign Language to those who wholly rely on it to access statutory entitlements or services provided by that public body		in Kenyan Sign Language
		D Information relating to public services shall be made accessible to the Deaf community through the use of appropriate means including Kenyan Sign Language	All information available to the public should be made accessible to Deaf persons in different formats including but not limited to KSL.	
	Use of sign language in legal proceedings	Use of sign language in legal proceedings	Like other languages in judiciary	Like other languages in court , it should be seen as such
		6 (1)d USE OF <b>KENYAN SIGN ENGLISH</b>	Instead use <b>KENYAN SIGN LANGUAGE</b>	A person whose first or preferred language is the Kenyan Sign Language is entitled to use the KSL
	EDUCATION SUPPORT FOR Deaf learners	7(g) Ensure that institutions offering teacher training offer, as part of their curriculum, courses on Kenyan sign language and interpretation	TO BE DELETED	Kenyan Sign Language is a language and should be taught as a language in linguistics then those who specialized can be trained as Interpreters, researchers, teachers etc

		For the purpose of section 9,10, 11, 12, 13, 14, 15, 16, 17, 18, 19	<p>The Cabinet Secretary shall create an office of the Registrar for Interpreters.</p> <p>The office of Registrar of Interpreters shall work in consultation with;</p> <ul style="list-style-type: none"> <li>- most representative registered association of the Deaf</li> <li>-most representative registered association for sign language interpreters,</li> <li>- National Council of Persons with Disability</li> </ul> <p>Any duty in section 9,10, 11, 12, 13, 14, 15, 16, 17, 18, 19 taken by the Cabinet Secretary, shall be under the jurisdiction of the Registrar of Interpreters</p>	<p>The office as stated in the Bill does not project capacity to give standard accreditation of interpreters.</p> <p>There is need to set up a body in charge of this who shall vet and nominate instead of giving CS powers</p>
	Within one year of the commencement of this act the cabinet secretary shall set up the office of registrar.....		<p>(1) The Cabinet Secretary shall, through an open, transparent and competitive process, recruit a suitably qualified person to be the Registrar of the Interpreters.</p> <p>(2) A person is qualified for appointment as the Registrar of the Interpreters, if the person—</p> <ul style="list-style-type: none"> <li>(a) is a citizen of Kenya;</li> <li>(b) holds a bachelor’s degree in social sciences or its equivalent, from a university recognized in Kenya;</li> <li>(c) has had at least five years proven experience in sign language proficiency in Kenya; and</li> <li>(d)Meets the requirements of Chapter Six of the Constitution and the Leadership and Integrity Act.</li> </ul> <p>(3) The Registrar shall serve for a term of five years and may subject to satisfactory performance, be eligible for appointment of a single further term of five years.</p>	
		19(1) <b>Cabinet secretary responsible for matters relating to persons with disabilities...</b> ....	Secretary responsible for Language and culture	Clarity is needed.



		Association of the Deaf and hard of hearing and Association of Sign Language interpreters is missing in the consultation team	Registered Association of the Deaf and Hard of hearing and interpreters be included.		There is big different between Association for and Association of
		Action timelines differ in 9(1) and 19(1) differ	Timelines to read one year in both cases.		

Thank You

Nickson O. Kakiri  
National Chairperson



MEMORANDUM ON THE KENYA SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO 9 OF 2023).

Submitted to: [educationcommittee.senate@parliament.go.ke](mailto:educationcommittee.senate@parliament.go.ke); [Clerk.senate@parliament.go.ke](mailto:Clerk.senate@parliament.go.ke)

S/NO	PROVISION	PROPOSAL	RATIONALE
1.	<p><b>Clause 2</b></p> <p><b>Interpretations</b></p> <p>"Cabinet Secretary" means the Cabinet Secretary responsible for matters relating to education</p>	<p>The Commission proposes that the Cabinet Secretary as interpreted should be the Cabinet Secretary responsible for issues of disability as follows-;</p> <p>"Cabinet Secretary" means the Cabinet Secretary responsible for matters relating to disability.</p>	<p>Hearing impairment is a category of disability and so the onus of ensuring the challenges experienced by this group are solved rests with the State Department of Social Protection. This department has to ensure that sign language interpretation services are offered in all places that offer services to the public by coordinating all the relevant players.</p> <p>Clause 19 on the Action plan for sign language indeed recognizes the Ministry in charge of disability as the appropriate implementer of the proposed law i.e</p> <p>19. (1) The Cabinet Secretary responsible for matters relating to Persons With Disabilities shall, in consultation with the most representative registered association for deaf persons, National Council for Persons with Disabilities and the Council of County</p>

			<p>Governors, develop a Kenyan Sign Language Action Plan six months upon the commencement of this Act.</p> <p>The Cabinet Secretary responsible for matters of education has obligations in the proposed bill which includes ensuring that sign language is part of the curriculum e.g Clause 7 on Educational support for deaf learners, clause 10 on standards, accreditation and procedures and clause 18 on Promotion of Kenyan sign language.</p> <p>The term “Cabinet Secretary” appears 16 times and it is used interchangeably with terms ‘<i>Cabinet Secretary for Education</i>’ and ‘<i>Cabinet Secretary responsible for issues of disability</i>’.</p> <p>The main problem faced by the deaf community is not only on the training of sign language but the barriers faced when interacting and integrating with the rest of the community in terms of communication.</p> <p>These barriers result in exclusion in employment, participation in the developmental activities of the society and also in miscarriage of justice.</p> <p>The Commission has belabored on this point because it is critical to identify the appropriate entity to implement a law so that the objects are realized. We hold the opinion that the Ministry in charge of issues</p>
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			of disability should be in charge of implementation of this Act.
2.	<p><b>Clause 5- Role of the National and County Governments</b></p> <p>5. The national government and county governments when exercising their powers and functions under the Constitution or any other written law shall, so far as is reasonably practical, ensure that— (a) members of the deaf community are consulted on all matters related to the development, use and promotion of Kenya sign language; (b) Kenya sign language is used in the promotion to the public of government services and in the provision of information to the public; (c) all public bodies shall do all that is reasonable and necessary to provide free</p>	<p>Clause 5 is commendable however the Commission proposes an amendment as follows-;</p> <p>Amend clause 5 by inserting the additional new obligations as follows-:</p> <p>( e) Access to health care services-</p> <p>The Ministry of Health will ensure that all health facilities have sign language interpretation services through the training of its employees at all levels.</p> <p>(f) Public Transport</p> <p>The State Department of transport will ensure that all public transport systems</p>	<p>The proposed new clauses are key for persons with hearing impairments. The proposed obligations in the clauses also double up as rights for the category.</p> <p>e) The obligation to ensure all health facilities have sign language interpreters. Persons with hearing impairment face language barriers while seeking treatment in health facilities especially in cases where they are not accompanied by an aide, or when in facilities that do not have interpretation services. In summary the system is discriminatory. In such circumstances, they do not receive quality treatment due to these barriers.</p> <p>In some cases, due to the inability to communicate they are not attended to.</p> <p>f) The current public transport system is highly discriminative to deaf persons right from the stations/ports stretching into the bus/aero plane/train.</p>

	<p>interpretation in the Kenyan Sign Language to those who wholly rely on it to access statutory entitlements or services provided by that public body;</p>	<p>including buses, trains and air have either a screen reader or monitor for the deaf and those who face difficulties with hearing</p> <p>(g) Telecommunication</p> <p>Telecommunication service providers shall make their services accessible to the deaf, hard of hearing, and deafblind community through the establishment and provision of relay services, including text relay, video relay, captioned telephone relay, and communication facilitators for the deaf or deafblind</p> <p>(h) Television programs</p> <p>Communications Authority of Kenya as a regulator shall ensure television stations provide closed captioning and a Kenyan Sign Language inset covering at least one third of the size of the television screen, in all newscasts, educational and national</p>	<p>The group is unable to follow any announcements being made and without interpretation/scripts, it becomes frustrating especially when one does not have an aide</p> <p>g) To ensure there is access to information as enshrined in the constitution.</p> <p>h) This ensures that this group enjoy all the important programs being aired and participate where necessary without feeling left out and discriminated.</p>
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		programs, for the purpose of ensuring equality, dignity and respect in terms of the promotion and broadcasting of such programs.	
3.	<p><b>Clause 6- Use of sign language in legal proceedings</b></p> <p>6. (1) A person whose first or preferred language is the Kenyan sign language is entitled to use the Kenyan sign language where the person is –</p> <p>(a) member of a court, tribunal or body before which proceedings are being conducted;</p> <p>(b) is a party or witness in a legal proceeding;</p> <p>(c) is an Advocate of the High Court of Kenya representing a party in proceedings; or</p>	<p>The Commission proposes that Clauses 6(2) and 6(3) that require the judicial officer, gets a competent recognized interpreter and makes an accuracy of any interpretation, be deleted without any replacement.</p> <p>The Commission proposes that every court station should have a competent and qualified sign language interpreter who will not only serve in the court but also serve other persons within the court station precincts.</p> <p>The proposal is therefore to amend clauses 6(2) and (3) by substituting the subclauses with the following-</p> <p>“The Judicial Service Commission with advice from the National Council of Persons with Disability shall ensure that every court station has at least one qualified sign language interpreter and also ensure</p>	<p>6(1) is commendable because it allows any of the enumerated parties to communicate in their first language without discrimination.</p> <p>6 (2) places the onus on the judicial officer to ensure that the interpreter is competent.</p> <p>However, there is a need to be clear on whose responsibility it is to get a competent interpreter and confirm accuracy of the interpretation.</p> <p>A judicial officer who is not competent in KSL may not be able to make a determination of the accuracy of the interpretation either way.</p> <p>The Commission opines that the preferable option is to ensure that at least one competent sign language interpreter is employed in a permanent position per Court station. The Council can vouch for a competent KSL interpreter.</p> <p><i>The Commission alternatively invites further consideration of Clause 6(2) and (3) with the proposers of the Bill and relevant stakeholders.</i></p>



	<p>(d) is given leave by the judicial officer to use Kenyan Signed English.</p> <p>(2) A judicial officer in a legal proceeding shall ensure that a competent and recognized interpreter is available to a person entitled under subsection (1) to use Kenyan signed English.</p> <p>(3) The judicial officer shall make a determination as to the accuracy of any interpretation from the Kenyan sign language into spoken or written language or from spoken to written language into the Kenyan sign language.</p>	<p>that crucial staff are trained in basic sign language.”</p>	
4.	<p><b>Clause 9- Development of Action plan</b></p> <p>9. (1) The Cabinet Secretary shall, in consultation with the National Council for Persons with Disabilities</p>	<p>Amend by deleting the entire clause 9 and transferring the entire provisions therein to clause 19 on Action plan for Kenya sign language and re-number them accordingly. (serial No 8 below)</p>	<p>Clause 19 on Action plan for Kenya sign language has elaborate provisions on the same as follows-;</p> <p>19. (1) The Cabinet Secretary responsible for matters relating to Persons With Disabilities shall, in consultation with the most representative registered association for deaf persons, National Council for</p>

	<p>and the Council of County Governors, develop a Kenyan sign language action plan within one year upon the commencement of this Act</p> <p>(2)The Cabinet Secretary shall, in developing the Kenyan sign language action plan, undertake public participation. Development of action plan.</p>		<p>Persons with Disabilities and the Council of County Governors, develop a Kenyan Sign Language Action Plan six months upon the commencement of this Act. Action plan for Kenya sign language.</p> <p>(2) A plan developed under subsection (1) shall include – (a) an assessment of the approach which the national and county government entities are taking in interactions with, and the provision of its services to, members of the deaf community; (b) an assessment of the accessibility of national and county government services by members of the deaf community.</p>
5.	<p>10(1) Standards, accreditation and procedures. No. 17 of 2019.</p> <p>10. (1) The Cabinet Secretary shall, in consultation with the Kenya National Accreditation Agency established under section 4 of the Kenya Accreditation Act and members of the deaf community, develop a</p>	<p>a. Amend by substituting the phrase” Kenya National Accreditation Agency” with “Kenya Accreditation Service”</p> <p>b. Amend clause 10(1) further by substituting the words “members of the deaf community” with “Stakeholders of the deaf sector”</p>	<p>a. Kenya Accreditation Service (KENAS) is the correct description in Section 4 of the Act.</p> <p>b. As per the interpretations in section 2 “deaf community” means a socio-linguistical cultural group who use Kenyan Sign Language in their everyday communications and as a native or mother tongue, first or preferred language.</p> <p>The Commission holds the opinion that this is an undertaking that requires the collaboration of all</p>

	national system of standards, accreditation and procedures for Kenyan sign language interpretation		stakeholders in the sector including the curriculum developers, the training institutions, the Council and the two Ministries in charge of education and matters of disability.
6.	<p><b>Clause 11-Registration of sign language interpreters</b></p> <p>11. (1) A person who wishes to provide Kenyan sign language interpretation services shall apply for registration by the Ministry responsible for matters relating to education in accordance with such criteria and procedures as may be prescribed by the Cabinet Secretary.</p> <p>(2) An application under subsection (1) shall be made in a form prescribed in Regulations by the Cabinet Secretary</p>	Amend sub clause (11) 1 by substituting the phrase “Ministry responsible for matters relating to education” to the Ministry responsible for matters related to Persons With Disabilities”	The Commission is of the opinion that this task will be best discharged by the ministry in charge of matters related to disability.



7.	<p><b>Clause 16- Code of conduct</b></p> <p>16. (1) The Cabinet Secretary shall, in consultation with the most representative registered association of sign language interpreters, publish in the Gazette a code of conduct for sign language interpreters</p>	<p>Amend by inserting after the word “secretary” the following “in charge of matters of disability”</p> <p>Amend clause 16(1) by substituting the words “most representative registered association of sign language interpreters” with the following “National Council of Persons with Disability”</p>	<p>The Ministry in charge of issues of disability together with the Council which works with various stakeholders including all associations of Persons with Disability is the regulator of all matters concerning disability is most suited to deal with matters of code of conduct.</p>
8.	<p><b>Clause 17- Sign Language at work place</b></p> <p>17. (1) The national and county governments shall— (a) take all reasonable measures to promote and encourage the use of basic Kenya sign language among its deaf and hearing “deaf community” means a socio-linguistical cultural group who use Kenyan Sign Language in their everyday communications and as a native or mother tongue,</p>	<p>Amend Clause 17 1(e) by deleting the entire sub clause and substituting it with the following;</p> <p>“collaborate with the National Council of Persons with Disability to provide all appropriate assistive devices and services to persons with hearing impairments”</p> <p>Amend Clause 17(2) by deleting the entire clause and substituting it with the following-;</p>	<p>Function 7(1)(d) of the Persons with Disability mandates the Council with the obligation as follows-;</p> <p>(d) to provide, to the maximum extent possible— (i) assistive devices, appliances and other equipment to persons with disabilities; and</p> <p>Clause 17(2) as worded amounts to a statement that is not capable of implementation nor enforcement. The proposal by the Commission is lifted from Section 13 of the PWD Act on reservation of employment. So the obligation rests with the council.</p>

<p>first or preferred language; employees</p> <p>(d) provide sign language interpreters where necessary or requested in all national and county government offices including during all conferences, meetings cultural events, sport competitions, community affairs and activities conducted by government agencies.</p> <p>(e) subsidize the acquisition of hearing aids and other ancillary services to the deaf community.</p> <p>(2) An employer shall create reasonable opportunity for persons who are deaf or hard of hearing to be eligible for employment in the respective organization and shall promote the career</p>	<p>“The Council shall endeavor to secure reasonable reservation of all casual, emergency and contractual positions in employment in the public and private sectors for persons with hearing impairments”</p>	
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	progression of such employees		
9.	<p><b>Clause 19 Action plan for Kenya Sign Language</b></p> <p>19. (1) The Cabinet Secretary responsible for matters relating to persons with disabilities shall, in consultation with the most representative registered association for deaf persons, National Council for Persons with Disabilities and the Council of County Governors, develop a Kenyan Sign Language Action Plan six months upon the commencement of this Act</p>	<p>Amend this clause by transferring the provisions of clause 9 into it. See Serial No 4 above.</p> <p>Amend the clause further by reconciling the term of developing a Kenyan Sign Language action plan within one year upon the commencement of this Act in clause 9(2) and the term of developing a Kenyan Sign Language Action Plan six months upon the commencement of this Act in 19(1)</p> <p>Further amend by deleting from Clause 19(1) the following words “in consultation with the most representative registered association for deaf persons” and substituting it with “the deaf community”</p>	<p>Clause 9 is a repetition of clause 19 because the latter is more detailed.</p> <p>The deaf community as interpreted “deaf community” means a socio-linguistical cultural group who use Kenyan Sign Language in their everyday communications and as a native or mother tongue, first or preferred language” would be more preferable.</p>



8<sup>th</sup> April 2023

To,  
The Clerk of the Senate;  
And,  
The Standing Committee on Education  
The Senate  
NAIROBI, KENYA

Email: [clerk.senate@parliament.go.ke](mailto:clerk.senate@parliament.go.ke)  
[Educationcommittee.senate@parliament.go.ke](mailto:Educationcommittee.senate@parliament.go.ke)

**IN THE MATTER OF THE KENYAN SIGN LANGUAGE BILL, 2023**

**JOINT MEMORANDUM BY KENYA SOCIETY FOR DEAF CHILDREN AND KENYA  
ASSOCIATION OF PARENTS OF THE DEAF**

Greetings.

Kenya Society for Deaf Children (KSDC) is a charitable Public Benefit Society established in 1958 and committed to the rights, needs and welfare of children and youth with hearing impairment in education, health and social welfare. The Society is registered with the National Council for Persons with Disabilities as a DPO (Reg. NCPWD/O/215). KSDC has been at the forefront in establishing and equipping learning institutions for the Deaf, provision of hearing aids and audiological equipment, inservice training of education and health personnel, research and prevention of avoidable hearing loss, conducting of free ear clinics and parental support.

Kenya Association of Parents of the Deaf is a National membership forum of parents of children with hearing impairment, established in 2003 and registered under the Societies Rules on 17<sup>th</sup> December 2003. The association has been at the centre stage in training parents of deaf children in Kenyan Sign Language, bursary sponsorship of needy learners, soliciting of employment opportunities and lobbying and advocacy for the rights of the Deaf. KAPD has reached over 7,000 parents of the Deaf to date.

**Having read the Kenyan Sign Language Bill, 2023. KSDC and KAPD wish to make the following observations.**

1. The Bill is vital, timely and of much benefit to persons with hearing impairment. It will provide for better education and upbringing for our deaf children, and create an inclusive environment at home, at school, and within the community. The inclusion

**OUR VISION**

*For every deaf child in Kenya, the opportunity to reach full potential*

of interpreters, parents and employers in this bill will have a great impact in the overall learning, growth and development of children and persons with hearing impairment.

2. A few improvements may however be needed to improve the Bill's overall efficacy.

The following are our suggestions.

**Definition of terms:** Defining the **Cabinet Secretary** as the Cabinet Secretary responsible for matters relating to education, may be limiting in terms of the Bill's overall scope. The Cabinet Secretary for Education may not be responsible for some matters in the Bill not related to Education. These would include judicial processes, employment, and National and County Government coordination

**Kenyan Signed English:** The definition and application of Kenyan Signed English appears to define it as a definite language. While both Kenyan Sign Language and English language are legally recognised languages, there is no known recognition of Kenyan Signed English as a distinct language with its own structures and grammar. Its definition and inclusion in this Bill will therefore be the first in the Nation, and may negatively impact the acquisition, training and institutionalization of Kenyan Sign Language. This also applies to its proposed use in Court as an alternative to Kenyan Sign Language.

**CAP 7 (Educational Support for Deaf learners).**

The Bill proposes to ensure that both English and Kiswahili are taught to the Deaf. Tradition and policy however, have it that Deaf learners have the freedom to opt to either study Kenyan Sign Language, or Kiswahili. We are not aware of any Deaf learner who has opted for Kiswahili in place of Kenyan Sign Language over the years. The promotion of Kiswahili therefore runs contrary to the established norms for the Deaf.

The statement that Sign Language shall be taught in sign form and not written form is a matter of curriculum implementation and delivery. The Kenya Institute of Curriculum Development (KICD) is the only institution mandated under an Act of Parliament to manage curriculum delivery. This Bill therefore should not be seen as attempting to constrain or otherwise manage how KICD manages curriculum delivery and pedagogical approaches.

**CAP 11. Registration of Sign Language Interpreters.**

Whilst acknowledging the vital importance of proper KSL interpretation, we feel that interpreters have/should have a wide scope in specialization, including religious, legal, medical, social and other fields in the world of work and life. The Cabinet Secretary of Education may largely be responsible for Educational interpretation, and the educational qualifications of interpreters. Other line Ministries should also have a role in accreditation and registration of interpreters, relative to profession. We therefore feel that the Ministry responsible for Labour and Social Services could

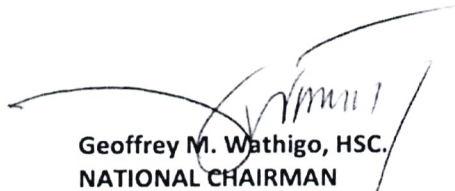
coordinate the registration and management of interpreters, with due collaboration with the Cabinet Secretary for Education. Interpreters themselves would also be encouraged to develop and maintain self managing mechanisms to develop standards, ethics and discipline.

Sir, these are our submissions. We do support the Bill as a great step towards achieving the rights and interests of persons with hearing impairment.

Signed on the 8<sup>th</sup> Day of April 2023,



**Rhodah Kabiti, HSC**  
**DIRECTOR**  
**Kenya Society for Deaf Children**



**Geoffrey M. Wathigo, HSC.**  
**NATIONAL CHAIRMAN**  
**Kenya Association of Parents of**  
**the Deaf**



**THE SENATE STANDING COMMITTEE ON EDUCATION**  
**STAKEHOLDER VIEWS ON THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

<b>THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)</b>				
	<b>CLAUSE</b>	<b>STAKEHOLDER</b>	<b>PROPOSED AMENDMENT</b>	<b>COMMITTEE RESOLUTION</b>
1.	All clauses	Consortium of Disabled Persons Organizations in Kenya	<ul style="list-style-type: none"> <li>• Letter ‘d’ in the word deaf should be capitalized all throughout the Bill.</li> <li>• <b>Rationale:</b> The Deaf is a community and is therefore a noun.</li> </ul>	<b>Accepted</b>
2.	Long title	Kenya National Association of the Deaf	<ul style="list-style-type: none"> <li>• The Bill should not be limited to education and legal proceedings.</li> </ul>	<b>Rejected</b>
3.	Clause 2	(a) Consortium of Disabled Persons Organizations in Kenya (b) Kenya National Association of the Deaf	<ul style="list-style-type: none"> <li>• The reference of Kenya sign language should be amended to Kenyan sign language.</li> <li>• <b>Rationale:</b> Kenyan sign language is an independent language and therefore there is no need to say Kenya sign English language to avoid confusion.</li> </ul>	<b>Typographical error to be corrected</b>
4.		(a) Kenya National Commission on Human Rights (NCPWD) (b) Kenya Society for Deaf Children (c) Kenya National Association of the Deaf	<ul style="list-style-type: none"> <li>• The Bill should retain the use of Kenyan Sign Language and not Kenyan Signed English.</li> <li>• <b>Rationale:</b> English is also a component of the Kenyan Sign Language and using Kenyan Signed English denotes that the</li> </ul>	<b>Accepted</b>

THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)				
	CLAUSE	STAKEHOLDER	PROPOSED AMENDMENT	COMMITTEE RESOLUTION
			English is different from the one in Kenyan sign language.	
5.		(a) Consortium of Disabled Persons Organizations in Kenya (b) Kenya National Association of the Deaf	<ul style="list-style-type: none"> <li>• Include definition of Kenyan sign language interpreters.</li> </ul>	<b>Accepted</b>
6.		Kenya Society for Deaf Children	<ul style="list-style-type: none"> <li>• The mandate of implementation of the Act should not be left entirely to the Cabinet Secretary for Education.</li> </ul>	<b>Rejected</b>
7.		Kenya National Association of the Deaf	<ul style="list-style-type: none"> <li>• Implementation of Kenyan Sign Language is a language and languages are under the Ministry of Sports, Culture and Heritage.</li> </ul>	
8.		National Gender & Equality Commission (NGEC)	<ul style="list-style-type: none"> <li>• Hearing impairment is a disability; the implementation of the Act should be by the Cabinet Secretary for matters relating to disability.</li> </ul>	
9.	Clause 2	Kenya Society for Deaf Children	<ul style="list-style-type: none"> <li>• Kenyan sign language should be defined as a system of communication both visual and tactile as the case may be by manual symbols including the hand, face, torso and non-manual grammatical markers.</li> </ul>	<b>Accepted amendments with</b>

**THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

	<b>CLAUSE</b>	<b>STAKEHOLDER</b>	<b>PROPOSED AMENDMENT</b>	<b>COMMITTEE RESOLUTION</b>
10.	Clause 3 provides for the objects of the Act.	Consortium of Disabled Persons Organizations in Kenya	<ul style="list-style-type: none"> <li>• Insert a reference to Article 120 of the Constitution which provides that the official languages of Parliament shall be Kiswahili, English and Kenyan Sign language, and the business of Parliament may be conducted in the three languages.</li> <li>• <b>Rationale:</b> To promote the use of sign language in Parliament and County Assemblies as a good practice for disability inclusion</li> </ul>	<b>Accepted Amendments with</b>
11.	Clause 3(d) provides that the objects of this Bill include providing for the training, recognition and regulation of sign language interpreters.	Kenya National Association of the Deaf	<ul style="list-style-type: none"> <li>• The Bill should be limited to regulating Kenyan sign language interpreters.</li> </ul>	<b>Rejected</b>
12.	Clause 5 provides that all public bodies shall provide free interpretation in the Kenyan Sign Language to those who wholly rely on it to access statutory entitlements or services	Kenya National Association of the Deaf	<ul style="list-style-type: none"> <li>• Free interpretation of the Kenyan Sign Language should not be limited to public bodies. This also applies to clause 5(d).</li> </ul>	<b>Rejected</b>
13.		National Gender & Equality Commission (NGEC)	<ul style="list-style-type: none"> <li>• Proposes the following insertions –</li> </ul>	



**THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

	<b>CLAUSE</b>	<b>STAKEHOLDER</b>	<b>PROPOSED AMENDMENT</b>	<b>COMMITTEE RESOLUTION</b>
	provided by that public body.		<p>(a) the Ministry of Health ensures that health facilities have sign language interpretation services.</p> <p><b>Rationale:</b> To ensure the Deaf receive quality treatment the delivery of which should not be hindered by the lack of an interpreter at the health facility.</p> <p>(b) State Department for Transport to ensure that all public transport systems have a screen reader or monitor for the Deaf.</p> <p><b>Rationale:</b> The current public transport system is discriminative to the Deaf.</p> <p>(c) Telecommunication providers to make their services accessible to the Deaf.</p>	<b>Covered in clauses 5 (c) and (d) of the Bill</b>
14.	Clause 6 provides for the use of sign language in legal proceedings.	NCPWD	<ul style="list-style-type: none"> <li>The use of sign language should not be limited in the court room or tribunal but should also be adopted in the alternative dispute resolution mechanisms.</li> </ul>	<b>Rejected</b>

**THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

	<b>CLAUSE</b>	<b>STAKEHOLDER</b>	<b>PROPOSED AMENDMENT</b>	<b>COMMITTEE RESOLUTION</b>
			<ul style="list-style-type: none"> <li>• <b>Rationale:</b> To enhance access to justice as per Articles 48 and 159 (1)(c) of the Constitution.</li> </ul>	
15.		National Gender & Equality Commission (NGEC)	<ul style="list-style-type: none"> <li>• Delete clause 6(2) &amp; (3).</li> <li>• <b>Rationale:</b> It should be the responsibility of the Judicial Service Commission to ensure that every court station has a sign language interpreter and other staff are trained in basic sign language.</li> </ul>	<b>Rejected</b>
16.	Clause 7(b) provides that the CS shall ensure that teachers of deaf children assist learners to acquire sufficient competence in the use of the English and Kiswahili language.	Kenya Society for Deaf Children	<ul style="list-style-type: none"> <li>• The promotion of Kiswahili runs contrary to established norms for the deaf.</li> </ul>	<b>Rejected</b>
17.	Clause 7(b) further provides that the CS shall ensure that Kenyan sign language is taught in sign form and not written form.	Kenya Society for Deaf Children	<ul style="list-style-type: none"> <li>• Curriculum implementation and delivery is exclusively under the mandate of Kenya Institute of Curriculum Development.</li> </ul>	<b>Rejected</b>

**THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

	<b>CLAUSE</b>	<b>STAKEHOLDER</b>	<b>PROPOSED AMENDMENT</b>	<b>COMMITTEE RESOLUTION</b>
18.	Clause 7(g) provides that the CS shall ensure that institutions offering teaching training offer as part of their curriculum, courses on Kenyan sign language and interpretation.	Kenya National Association of the Deaf	<ul style="list-style-type: none"> <li>Kenyan Sign Language is a language and should be taught as a language in linguistics then those who specialized can be trained as interpreters, researchers or teachers.</li> </ul>	<b>Rejected</b>
19.	Clause 9 provides that the CS shall in consultation with NCPWD and the Council of County Governors develop a Kenyan sign language action plan within one year upon the commencement of this Act.	(a) NCPWD (b) Kenya National Association of the Deaf (c) National Gender & Equality Commission	<ul style="list-style-type: none"> <li>Merge with clause 19 which also provides for an action plan for Kenya sign language.</li> </ul>	<b>Accepted with amendments</b>
20.		NCPWD	<ul style="list-style-type: none"> <li>The plan should also include aspects of placement of deaf learners or those who are hard of hearing in schools either in the deaf schools or mainstream schools.</li> <li><b>Rationale:</b> This will enable the State to gauge whether deaf learners or those who are hard of hearing are actually accessing quality education in the institutions they are placed in.</li> </ul>	
21.		Consortium of Disabled Persons Organizations in Kenya	<ul style="list-style-type: none"> <li>Include organizations of persons with disabilities in all matters requiring consultation.</li> </ul>	



**THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

	<b>CLAUSE</b>	<b>STAKEHOLDER</b>	<b>PROPOSED AMENDMENT</b>	<b>COMMITTEE RESOLUTION</b>
			<ul style="list-style-type: none"> <li>• <b>Rationale:</b> It is a good practice to also consult the organizations of persons with disabilities in developing the action plan and for all matters requiring consultation.</li> </ul>	
22.	Clause 10 provides for standards, accreditation and procedures for Kenyan sign language interpretation.	NCPWD	<ul style="list-style-type: none"> <li>• The provision should include a mechanism that will ensure opportunities for continuous training are provided for interpreters.</li> <li>• The reference in the clause should be stakeholders of the deaf sector and not members of the deaf community.</li> </ul>	<b>Rejected</b>
23.	Clause 11 provides for the registration of sign language interpreters by the Ministry of Education.	Kenya Society for Deaf Children	<ul style="list-style-type: none"> <li>• The Ministry of Labour and Social Services should also be involved in the registration.</li> </ul>	<b>Rejected</b>
24.	Clause 12(1) provides that the CS shall designate a public officer as the registrar of Kenyan	Consortium of Disabled Persons Organizations in Kenya	<ul style="list-style-type: none"> <li>• The registrar should be a person who has knowledge and experience on the deaf culture and Kenyan sign language.</li> </ul>	<b>Accepted amendments with</b>
25.	sign language interpreters.	Kenya National Association of the Deaf	<ul style="list-style-type: none"> <li>• There is need to set up a body in charge of this who shall vet and nominate instead of giving the powers to the CS.</li> </ul>	
26.		Kenya National Association of the Deaf	<ul style="list-style-type: none"> <li>• The qualifications of the registrar should be as follows –</li> </ul>	

**THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

	<b>CLAUSE</b>	<b>STAKEHOLDER</b>	<b>PROPOSED AMENDMENT</b>	<b>COMMITTEE RESOLUTION</b>
			(a) A citizen of Kenya; (b) Holds a Bachelor’s degree in social sciences or its equivalent from a university recognized in Kenya; (c) Has at least five years proven experience in sign language proficiency in Kenya; and (d) Meets the requirements of Chapter Six of the Constitution and the Leadership and Integrity Act. • The Registrar shall serve for a term of five years and may subject to satisfactory performance be eligible for appointment of a single further term of five years.	
27.	Clause 12(2) provides that the CS shall in consultation with the most representative registered association for sign language interpreters determine the conditions and qualifications for registration as a sign language interpreter.	Consortium of Disabled Persons Organizations in Kenya	• Include Association of the Deaf and hard of hearing.	<b>Rejected</b>

**THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

	<b>CLAUSE</b>	<b>STAKEHOLDER</b>	<b>PROPOSED AMENDMENT</b>	<b>COMMITTEE RESOLUTION</b>
28.	Clause 17 provides for sign language at the workplace.	NCPWD	<ul style="list-style-type: none"> <li>Kenyan sign language should also be mainstreamed in private institutions, including media houses in addition to the public institutions at the National and County governments as provided for in the Bill.</li> </ul>	<b>Marginal notes to be amended</b>
29.	Clause 17(1)(e) provides that the National and county governments shall subsidize the acquisition of hearing aids and other ancillary services to the deaf community.	National Gender & Equality Commission	<ul style="list-style-type: none"> <li>Proposes that the government should collaborate with NCPWD to provide assistive devices and services to persons with hearing impairment.</li> </ul>	<b>Rejected</b>
30.	Clause 17(2) provides that an employer shall create reasonable opportunity for persons who are deaf or hard of hearing to be eligible for employment in the respective organization and shall promote the career progression of such employees.	National Gender & Equality Commission	<ul style="list-style-type: none"> <li>Proposes that NCPWD should endeavor to secure for persons with hearing impairment, reasonable reservation of all casual positions in employment the public and private sectors.</li> </ul>	<b>Rejected</b>



**THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

	<b>CLAUSE</b>	<b>STAKEHOLDER</b>	<b>PROPOSED AMENDMENT</b>	<b>COMMITTEE RESOLUTION</b>
31.	Clause 18 provides that the national and county governments shall offer sign language as a subject in the mainstream curriculum and as a discipline of study at post-secondary training institutions.	Amazing Grace Bawo Foundation	<ul style="list-style-type: none"> <li>Kenyan sign language should be taught as an examined paper from play group to primary school and as an optional subject from junior secondary to universities.</li> <li>It should be compulsory subject in all training institutions and colleges.</li> </ul>	<b>Rejected</b>
32.	Clause 19 provides that the CS shall in consultation with the most representative registered association for deaf persons, National Council for Persons with Disabilities and the Council of County Governors develop a Kenyan Sign Language Action Plan six months upon the commencement of the Act.	<p>(a) Consortium of Disabled Persons Organizations in Kenya</p> <p>(b) Kenya National Association of the Deaf</p>	<ul style="list-style-type: none"> <li>The reference on association for deaf persons should be amended to association of deaf persons. Further, substitute the word persons after deaf and insert hard of hearing.</li> <li>Rationale: It should be Association of the Deaf and hard of hearing since the deaf community also includes hard of hearing.</li> </ul>	<b>Rejected</b>
33.	New provisions	Kenya ICT Action Network (KICTANet)	<ul style="list-style-type: none"> <li>Captioning and transcription services for all online videos and audio content that public institutions produce.</li> </ul>	

**THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

	<b>CLAUSE</b>	<b>STAKEHOLDER</b>	<b>PROPOSED AMENDMENT</b>	<b>COMMITTEE RESOLUTION</b>
			<ul style="list-style-type: none"> <li>• Development and distribution of educational materials in sign language through online platforms.</li> <li>• Provision of digital sign language interpreters for remote meetings or video conferences.</li> <li>• All public websites and mobile applications to be accessible for people who are deaf or hard of hearing, including transcripts, alternative texts, and captions.</li> <li>• Development and implementation of technology for real-time translation of spoken language to sign language and vice versa, which could be utilized in legal proceedings, emergencies, or public announcements.</li> <li>• Provision of assistive technology devices with sign language apps for deaf and hard of hearing people in schools and public institutions.</li> </ul>	
34.	New provisions	(a) Consortium of Disabled Persons Organizations in Kenya	<ul style="list-style-type: none"> <li>• Insert a provision to provide that the television inset and closed captioning should cover a third of television screen.</li> </ul>	

THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)				
	CLAUSE	STAKEHOLDER	PROPOSED AMENDMENT	COMMITTEE RESOLUTION
		(b) National Gender & Equality Commission (NGEC)	<ul style="list-style-type: none"> <li>• <b>Rationale:</b> For ease of communication with the deaf and hard of hearing.</li> </ul>	
35.	General comments	Consortium of Disabled Persons Organizations in Kenya	<ul style="list-style-type: none"> <li>• Include the role of the NCPWD in vetting of sign language interpreters.</li> <li>• <b>Rationale:</b> Sign language interpreters should be qualified and their qualification should be determined by the NCPWD.</li> </ul>	
36.	General comments	Amazing Grace Bawo Foundation	<ul style="list-style-type: none"> <li>• Provision of free hearing aid.</li> <li>• Society should be sensitized about the deaf and dumb people.</li> <li>• TVET tutors should be marking of deaf exams. Most tutors are not well trained on the vocabulary of deaf and dumb are writing, this make most of the deaf and dumb students fail exams.</li> </ul>	



**9<sup>th</sup> June, 2023**

The Clerk of the Senate,  
Parliament Buildings,  
**NAIROBI.**

**RE: COMMITTEE STAGE AMENDMENTS TO THE KENYAN SIGN  
LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)**

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**NOTICE** is hereby given that Sen. Joe Nyutu, Chairperson of the Senate Standing Committee on Education, intends to move the following amendments to the Kenyan Sign Language Bill, Senate Bills No. 9 of 2023 at the Committee Stage –

**CLAUSE 6**

**THAT** clause 6 of the Bill be amended –

- (a) in subsection (1) by deleting the words “Signed English” appearing immediately after the words “to use Kenyan” in paragraph (d) and substituting therefor the words “Sign Language”;
- (b) in subsection (2) by deleting the words “signed English” appearing immediately after the words “to use Kenyan” and substituting therefor the words “Sign Language”;

**CLAUSE 9**

**THAT** the Bill be amended by deleting clause 9;

**CLAUSE 12**

**THAT** the Bill be amended in clause 12 by deleting subsection (2) and substituting therefor the following new subsection –

(2) A person shall not be nominated as a registrar under subsection (1) unless the person is –

- (a) a citizen of Kenya;
- (b) holds a Bachelors degree in social sciences or its equivalent from a university recognized in Kenya;
- (c) has at least five years proven experience in sign language proficiency in Kenya; and
- (d) meets the requirements of Chapter Six of the Constitution.

## CLAUSE 19

**THAT** the Bill be amended by deleting clause 19 and substituting therefor the following new clause –

Action plan.

**19.** (1) The Cabinet Secretary shall, in consultation with the most representative registered association for the Deaf, National Council for Persons with Disabilities and the Council of County Governors develop a Kenyan Sign language action plan twelve months upon the commencement of this Act.

(2) A plan developed under subsection (1) shall include –

- (a) an assessment of the approach which the national and county government entities are taking in interactions with and the provision of its services to members of the Deaf community;
- (b) an assessment of the accessibility of National and county government services by members of the Deaf community; and
- (c) a statement on the actions proposed to be taken by National and county governments so as to take into consideration the needs of the Deaf community in delivery of services.

## CLAUSE 2

**THAT** clause 2 of the Bill be amended –

- (a) by deleting the definition of the words “Kenya signed English”
- (b) by deleting the definition of the words “Kenya sign language” and substituting therefor the following new definition —

“Kenyan Sign Language” means the sign language used by the Deaf community and includes other types of language like Kenyan Signed English, pidgin, cued speech, contact sign language for the deaf blind and other sign language-based medium of communication as may emerge from time to time to meet unique needs of the deaf community;

Dated ....., 2023.

.....  
Sen. Joe Nyutu,  
*Chairperson, Standing Committee on Education.*