

As a citizen of Kenya, I hereby submit the following issues that I think should be considered in the bill.

We need a law that legislated how institutions that collect digital data should protect that data. The law should demand that

1. Institutions are legally required to state how they protect their data and the software and digital space used to protect the data
2. Institutions are legally required to published their data policy and the officers who have access to that data
3. That institutions are prohibited for giving access or selling that data to anyone who is not legislated as having legal access to that data
4. Data of minors should be protected and parents informed of access to it
5. Police access to digital data in non-governmental institutions and businesses should only be granted by a court of law

As a teacher, I am concerned that the current practices of schools collecting digital data on children is unconstitutional because it violates our constitutional right to privacy.

The proposal by the ministry of education to collect the biometric data of university students should be considered illegal and unconstitutional for as long as universities have not stated how they will protect that data and who has access to it.

And if the data is supposed to include behavior, Kenyans must be very wary about the democratic implications of data from children from the age of 4 up to whenever they graduate. To have such data in the hands of government, without public access or a clear legal framework for such data, is very dangerous for a democratic society. Data on behavior could give the government the ability to put your kid on the "pathway" to jail or marginalization, based on the opinion of a teacher who doesn't like your kid because of your kid's tribe, faith, or who knows what else. The point of education is that a child's future can be continually molded through knowledge, training and opportunity. And any record of your kid before age of majority should be used with very strict guidelines, especially regarding parents' access to that information.

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