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POLICE OFFICER CHARGED FOR GREIVIOUS BODILY HARM ON MATATU DRIVER

On the morning of 29th July 2013, Kasarani Traffic Base police officers stopped and arrested a matatu driver for an alleged traffic offense. **Police Constable Jamal Hussein** handcuffed and severely assaulted the driver in the groin before booking him at Kasarani Police Station. The driver spent the night in police detention and was not taken to hospital despite complaining of assault related injuries.

The following day, he was arraigned in Milimani Law Court and charged with six offenses. These were obstruction, failure to stop when directed by an Officer, unclear vehicle route, driving an un-roadworthy vehicle and picking passengers in an undesignated area. He pleaded guilty to five of the counts, but denied picking passengers in an undesignated area. He was sentenced to one year jail term and sent to Nairobi Remand and Allocation Prison. It is while at the prison that a medical officer established the serious injuries and immediately referred the driver to Kenyatta National Hospital. After establishing the severity of the injuries, the hospital had no other option but to remove the driver's right testicle. Later, the remaining testicle was also removed at Kikuyu Hospital. The assault effectively rendered the driver handicapped. He has since been unable to engage in his marital conjugal obligations and in gainful employment to provide for his family's needs.

Consequently, IPOA initiated independent investigations into the assault allegations with a view of establishing culpability on the part of PC Hussein. The investigation file was compiled and forwarded to the Director of Public Prosecutions who concurred with IPOA's recommendations. He directed that PC Hussein be arrested and arraigned in Court for causing grievous bodily harm to the driver.

On Thursday, 27th October 2016, PC Hussein who now serves as a Traffic Police Officer in Ongata Rongai Police Division appeared in court charged with causing grievous bodily harm to the driver. The case will be mentioned in February 2017.

DENNIS DANSON OKETCH

HEAD, COMMUNICATIONS AND OUTREACH DEPARTMENT

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