



Independent Policing  
Oversight Authority



PERFORMANCE REPORT  
JANUARY - JUNE 2016





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## ABBREVIATIONS AND ACRONYMS

AIEs	Authority to Incur Expenditure
CIC	Case-Intake-Committee
CMO	Complaints Management Officer
CMU	Complaints Management Unit
EACC	Ethics and Anti-Corruption Commission
ECM	Enterprise Content Management System
GoK	Government of Kenya
IAU	Internal Affairs Unit
ICT	Information Communication and Technology
IEBC	Independent Electoral and Boundaries Commission
IG	Inspector General
IP	Internet Protocol
IPCC	Independent Policing and Complaints Commission
IPID	Independent Police and Investigative Directorate
KNCHR	Kenya National Commission on Human Rights
NPS	National Police Service
NPSC	National Police Service Commission
OCPD	Officer Commanding Police Division
OCS	Officer Commanding Station
ODPP	Office of the Director of Public Prosecution
OPSA	Outstanding Police Service Award
PABX	Private Automatic Branch Exchange
PSC	Public Service Commission
SRC	Salaries and Remuneration Commission
UK	United Kingdom
UNODC	United Nations Office on Drugs and Crime

## STATEMENT BY BOARD CHAIRMAN

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The Independent Policing Oversight Authority (IPOA) has been in operation for the last four years. The Authority has made tremendous progress in this short time. It has within this period become clear that the Authority is crucial in ensuring the National Police Service is democratically and directly accountable to the people. On behalf of the board, the management and the staff, I am pleased to present the Statutory Performance Report for the Period January-June 2016.

In the spirit of cooperation, we continue to work with all our stakeholders in guarding public interest in policing in Kenya. In our mission to serve all, we continue to conduct impartial and independent investigations, inspections, audits and monitoring of the National Police Service. This indeed continues to prevent impunity in the police service, while seeking professionalism. Our vision to be a robust civilian accountability mechanism that promotes public trust and confidence in the National Police Service continues to be realized.

This report mainly focuses on IPOA's performance during the period, January to June 2016. Our key strategic objectives are to ensure compliance by the police to human rights standards, restored public confidence and trust in the Police, improved detention and Police premises, a functional IAU, and being a model institution in policing oversight in Africa.

In the last six months, 61 inspections of police premises were conducted and five police operations monitored. The status of detention facilities showed 81% had separate cells by gender, only 16% had juvenile cells, 75% had clean cells, 49% had clean toilets, 32% had bucket toilets, 56% had artificial lighting and only 9% had beddings available. It is of concern that 19% of police stations have only one cell thus temporarily holding one gender (mostly female) at the reporting office. It is also noted that the conditions in most of the detention facilities subject the detainees to inhuman and degrading treatment, which is against the constitution.

From the inspections, some of the recommendations made can be implemented with very little financial implications such as proper records management in police stations, clean cells and toilets. The recommendations that were made during this period have been annexed.

In its endeavor to promote public trust and confidence in the police service, the Authority joined in collaboration with partners and stakeholders to hold the second Outstanding Police Service Award (OPSA) in April 2016. This award ceremony was held to honor police officers on their outstanding performance. Forty six (46) police officers were feted with various awards. Police premises with outstanding level of cleanliness and orderliness, community policing and better detention/holding facilities were also awarded.

The Authority continued to receive complaints from members of the public and police officers against police misconduct. Within the period, the Authority received 1,326 complaints against the police. The Complaints-Intake-Committee (CIC) referred 38% of these complaints for investigations. The Investigations Department conclusively conducted 94 investigations. 40 were recommended for action by the ODPP, while 54 were completed with no need for further action, meaning the police were cleared of wrong doing.

The Authority would not have made the achievements contained in this report without the generous support and cooperation of its partners and stakeholders. We would like to express our gratitude to all our development partners, especially the embassies of the US and Sweden in Nairobi and UNODC. Their enormous support greatly helped the Authority to achieve results in this period. The Authority would also like to appreciate the cooperation shown by the National Treasury, the National Assembly's Committee on Administration and National Security and the Budget and Appropriation Committee for ensuring the Authority's budget for 2016/2017 was revised upwards to match the Authority's growing work. We are also grateful to the ODPP for the cooperation and support that we have continued to receive from this office.

In conclusion, I would like to thank my fellow Board members, for their continued support, the management and staff for their hard work and dedication that enabled the Authority to record another six months of success and achievements.



**Mr. Macharia Njeru**  
**Chairperson**  
**The Independent Policing Oversight Authority**

## MESSAGE FROM THE CEO

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The Independent Policing Oversight Authority's performance between January and June 2016 has been exceptionally well with increased visibility. The need for a robust civilian accountability mechanism that promotes public trust and confidence in the National Police Service has kept growing.

Since inception up to 30<sup>th</sup> June 2016, the Authority has received 6,978 complaints, 303 investigations and 498 inspections have been completed by the Authority, including follow up inspections.

To enhance performance, IPOA recruited more investigators and set up a Rapid Response and Forensic Team in Investigations to meet the ever-increasing demands of urgent investigations. The Rapid Response and Forensic Team investigated cases related to deaths and serious injuries caused by police.

During the report period, collaboration was maintained with partners and stakeholders. There were regular meetings with UNODC on updates and status of the 'Basket fund' from where the Authority benefited. Interaction with the US Embassy picked up much for the support provided on OPSA event and implementation of the Enterprise Content Management (ECM) system. Meetings were also held with teams from the British High Commission on support for the experiential learning visit to IPCC in the UK where experiential learning was done. There was also another experiential learning to IPID in South Africa that was supported by UNODC. We would like to extend our gratitude to all our partners and stakeholders for their continued support.

In order to get IPOA's services closer to the people, for a start, the Authority will be expanding its services by setting up regional offices in Kisumu, Mombasa and Garissa. The offices will serve these regions as we anticipate to cover more regions in the future.

On behalf of the staff, I would like to thank the Board for its continued guidance and support throughout the period. As a team, we look forward to an even better performance in the future, as we start rolling out to the regions and close-in the reach gaps.

A handwritten signature in blue ink, appearing to read 'Joel Mabonga', written in a cursive style.

**Dr. Joel Mabonga**  
**Chief Executive Officer**  
**Independent Policing Oversight Authority**

## EXECUTIVE SUMMARY

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### Complaints Management

During the report period (January-June 2016), complaints received by the Authority on police misconduct and criminal actions grew to 1,326 from 1,203 in previous half period of July-December 2015. Out of these complaints, 68% and 12% were by male and female complainants respectively.

Upon assessment of the complaints, the Complaints-Intake-Committee (CIC) approved 38% of the complaints to be within IPOA's mandate. These were internally referred for investigations, inspections or monitoring. 24% were referred to OCSs, OCPDs and County Commanders, 11% to Internal Affairs Unit (IAU), 10% to National Police Service Commission (NPSC) and 1% to Ethics and Anti-Corruption Commission (EACC).

Overall, IAU is the 2<sup>nd</sup> highest recipient of complaints referred by the Authority at 25% in the period. This calls for an urgent need to enhance the capacity of this Unit for effective and efficient delivery of services. Delay in handling complaints referred to IAU has a negative implication on IPOA's service delivery to the public.

### Investigations and Prosecutions

In January - June 2016, the Authority conclusively conducted 94 investigations compared to 63 during the previous half period. This increase is attributed to the additional investigators recruited. Out of the 94 cases investigated, 40 were recommended for action from the ODPP while 54 were completed without the need for further action.

As at 30<sup>th</sup> June 2016, the Authority had made recommendations to ODPP on 58 cases out of which 41 had been reviewed by ODPP and returned to IPOA for onward court processes or inquests. Twenty-three (23) matters were in court out of which one (1) was completed with conviction of 2 police officers. Cumulatively since IPOA's inception, the Authority has completed 303 investigations.

### Inspection of Police Premises

61 inspections of police premises (31 initial and 30 follow-up) were conducted. The status of detention facilities inspected seem to be consistent with the findings on inspections conducted during the previous half. Out of the 46 detention facilities inspected, 81% had separate cells by gender, only 16% had juvenile cells, 75% had clean cells, 49% had clean toilets, 32% had bucket toilets, 56% had artificial lighting and only 9% had beddings available. 19% of the facilities inspected have only one cell thus temporarily holding one gender (mostly female) at their reporting office.

The conditions in most of the detention facilities subject detainees to inhuman and degrading treatment, which is against the Bill of Rights. In this regard, NPS is expected to act with speed in improving these conditions and more so faster on areas that do not require funding.

It was observed that out of 61 inspected police facilities, only 23% had gender desks. Of greater concern was that only 4% of the facilities inspected had child protection units, a clear indication that this is an area of attention to ensure rights of children are protected in police

premises. In 36% of the premises inspected, there was no access provision to persons with physical disabilities such as ramps.

During the period under review, it was reaffirmed that the Ministry of Interior and Coordination of National Government should facilitate the NPS with enough resources including stationery materials, registers and records, vehicles, fuel and human resource, for improved service delivery to the public. Further OCS's should be AIE holders to enhance service delivery at the Stations.

### **Monitoring of Police Operations**

During the reporting period, 5 police operations were monitored. These included the Kericho Senatorial By-election, Small Scale Traders versus Nairobi County Enforcement Officers, Police Constables Recruitment Exercise, Yaya-Langata Road Kibra Effect Demonstration and the Anti-IEBC demonstrations. From these operations, it was observed that public order management skills remain an area of great attention in the Service.

### **Rewarding Outstanding Police Officers**

To recognize police officers serving the public professionally, the Authority in collaboration with several partners and stakeholders held the second Outstanding Police Service Awards (OPSA) in April 2016. 46 police officers - 25 male and 21 female were feted with various awards. The list of feted officers included in appendix II. Three detention facilities and five police premises were recognized for outstanding cleanliness, orderliness and effective community policing plans.

### **Partnership and Collaboration**

During the report period, collaboration was maintained with partners and stakeholders guided by section 6(f) of the Authority's Act. Meetings with UNODC were regular for updates and status of the 'Basket fund' from where the Authority benefited including experiential learning to IPID. Interaction with the US Embassy picked up significantly as evident in the support provided on OPSA event and implementation of the Enterprise Content Management (ECM) system. Meetings were also held with teams from the British High Commission on support for an experiential learning visit to IPCC.

## 1.0 INTRODUCTION

### Background

Establishment of Independent Policing Oversight Authority on 18 November 2011 through IPOA Act No. 35 of 2011 was premised on Article 244 of the Constitution of Kenya. According to this constitutional provision, National Police Service shall:

- i. Strive for the highest standards of professionalism and discipline among its members;
- ii. Prevent corruption, promote and practice transparency and accountability;
- iii. Comply with constitutional standards of human rights and fundamental freedoms;
- iv. Train staff to the highest possible standards of competence and integrity and to respect human rights and fundamental freedoms and dignity;
- v. Foster and promote relations with the broader society.

The principal functions of the Authority are therefore based on the above and include:

- a) Investigate any complaints related to disciplinary or criminal offences committed by any member of the National Police Service, whether on its own motion or on receipt of a complaint, and make recommendations to the relevant authorities, including recommendations for prosecution, compensation, internal disciplinary action or any other appropriate relief, and shall make public the response received to these recommendations;
- b) Receive and investigate complaints by members of the Police Service;
- c) Monitor and investigate policing operations affecting members of the public;
- d) Monitor, review and audit investigations and actions taken by the Internal Affairs Unit of the Police Service in response to complaints against the Police and keep a record of all such complaints regardless of where they have been first reported and what action has been taken;
- e) Conduct inspections of Police premises, including detention facilities under the control of NPS;

The execution of the above functions by the Authority is envisaged to contribute to the desired outcomes as stipulated in the Strategic Plan 2014-2018 as below:

- a. Compliance by police to human rights standards;
- b. Restored public confidence and trust in police;
- c. Improved detention and police premises;
- d. A functional Internal Affairs Unit (IAU);
- e. A model institution in policing oversight in Africa.

### Prevailing environment

During the report period, the Authority kept up the execution of its mandate within a fairly favorable environment. The legal and justice machinery provided the necessary support to the cases investigated on police misconduct and criminal actions through the ODPP and the judiciary system.

Provision of security plays a critical role in the growth of the economy. During the period, there was provision of security across the country. The political situation remained stable during

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the better part of the reporting period but later experienced some unrest following calls on removal of IEBC Commissioners. This escalated to demonstrations mainly in Nairobi, Kisumu, Migori, Mombasa and Siaya that prompted heightened monitoring by IPOA on how the police managed the demonstrations. This also led to rapid response investigation on cases related to deaths and serious injuries caused by police during these demonstrations.

## 2.0 PERFORMANCE STATUS

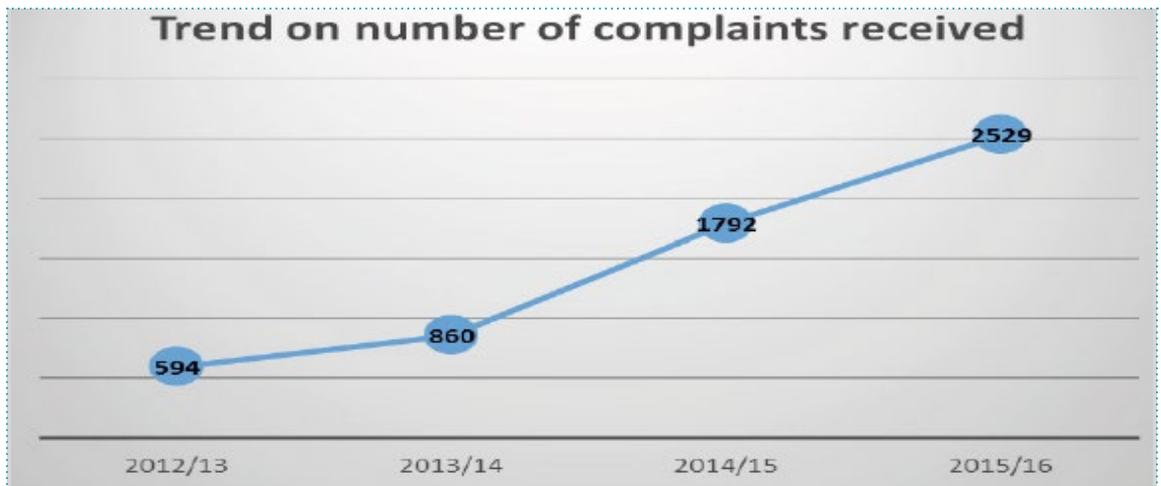
During the report period, 1<sup>st</sup> January-31<sup>st</sup> June 2016, the Authority made strides in execution of its mandate through receipt and processing of complaints against police; conducting investigations, inspecting police premises and detention facilities, and monitoring police operations. Achievements in these areas are detailed in the sections that follow.

### 2.1 COMPLAINTS MANAGEMENT

During the report period, the Authority continuously received complaints on police misconduct. This period was preceded by stepped up outreach forums that covered 15 counties spread in Coast, Western, Rift Valley, Nyanza and Central. The expected effect of these forums was a higher number of complaints resulting from increased awareness among the public and police on IPOA's mandate. This effect is evident in the 10% increase of complaints received during the period at 1,326 complaints compared to 1<sup>st</sup> July-31<sup>st</sup> June 2015 at 1,203.

Cumulatively during the year July 2015- June 2016 a total of 2529 were received leading to a grand total of 6,978 complaints since IPOA's establishment.

The trend in the growing number of complaints received is as shown in figure 1 below.



As seen in figure 1 above the rate of growth on complaints received, with 2012/13 as the baseline, is a clear indication that the publicity of IPOA's mandate is gradually yielding results.

#### 2.1.1 Source of Complaints

During the report period, the complaints received emanated largely from four sources namely; the public, non-state actors, police and state actors as illustrated in table 1 below. It is clear that 70% of the complaints were directly from members of the public. This trend has been consistent.

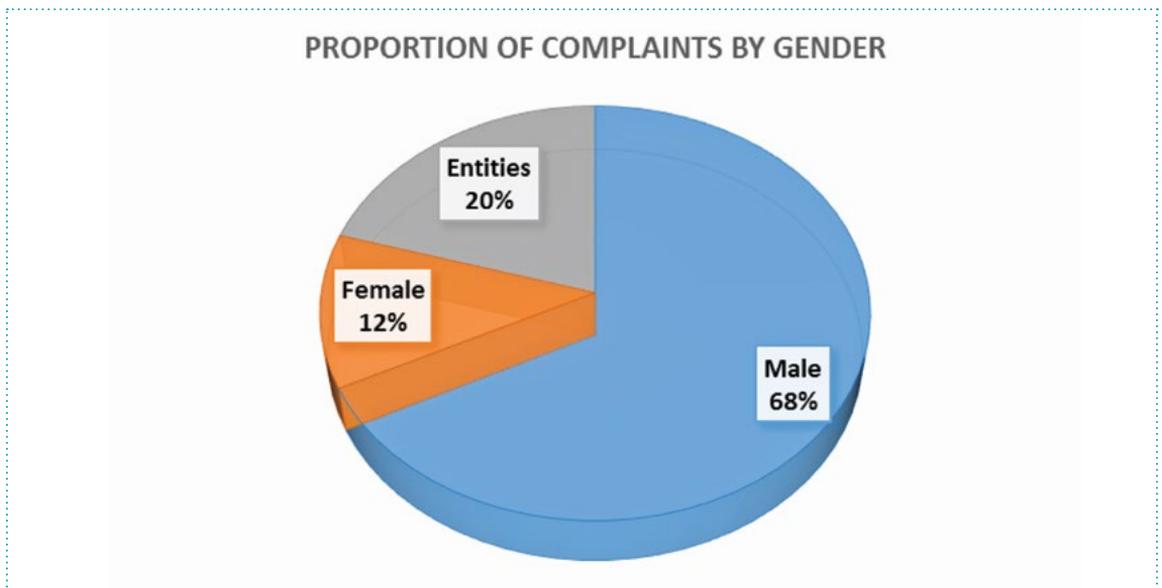
Table 1: Source of complaints

Source of Complaints	Number	Percentage
Public	928	70%
Police officers	98	7%
Non State actors <sup>1</sup>	171	13%
State actors <sup>2</sup>	129	10%
<b>Total</b>	<b>1326</b>	<b>100</b>

### 2.1.2 Gender Analysis on Complaints

As demonstrated in figure 3 below, complaints registered by men were dominant. Out of the 1,326 complaints received, 897 complaints were made by men while women made 159 complaints and 270 were made by entities<sup>3</sup>.

Figure 2: Proportion of Complaints by Gender



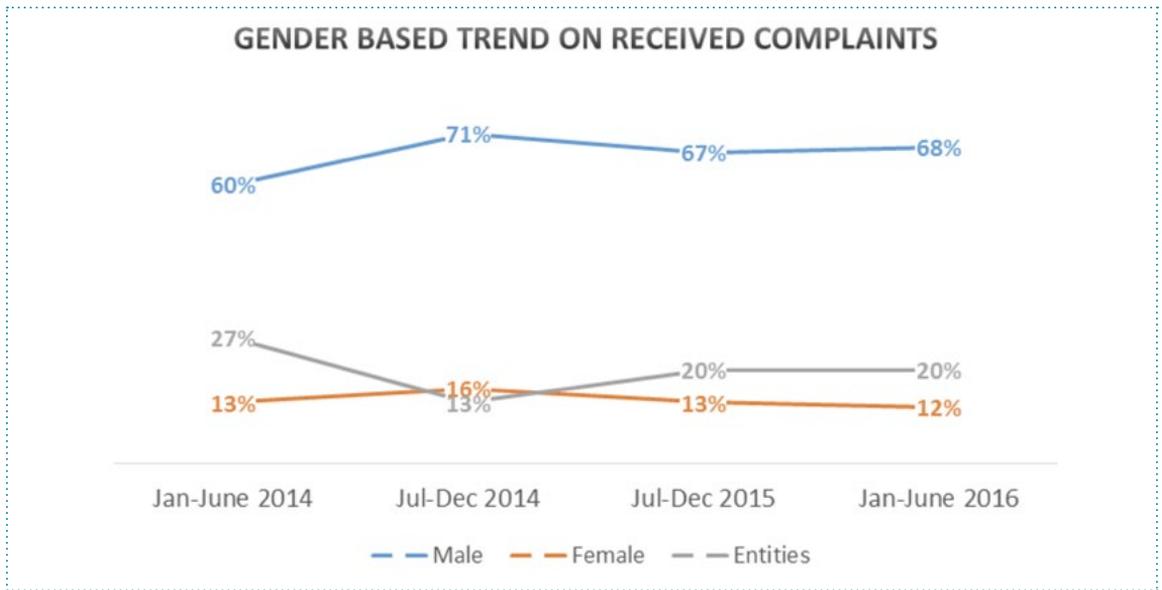
The gender classification of complaints received seems to be consistent over time with male gender dominating all through as presented in figure 4 below. This is in tandem with the baseline survey finding that showed 62% of men than 38% female reported to have experienced police malpractice.

<sup>1</sup> Refers to entities that submit the complaints on behalf of complainants/clients and they include Non-Government Organisations and law firms.

<sup>2</sup> Refers to Government entities such as KNCHR, CAJ that submit the complaints to IPOA on behalf of complainants.

<sup>3</sup> These include law firms, Non-Governmental Organisations among others

Figure 3: Trend on gender proportion of received complaints



### 2.1.3 Mode of Lodging Complaints

In January-June 2016, complaints were lodged through various channels/modes as shown in table 2 below. Letters were the most commonly used at 34% followed by walk-ins and telephone calls 30%. Telephone and social media were the least used at 2% and 0.1% respectively.

Table 2: Complaints lodging modes

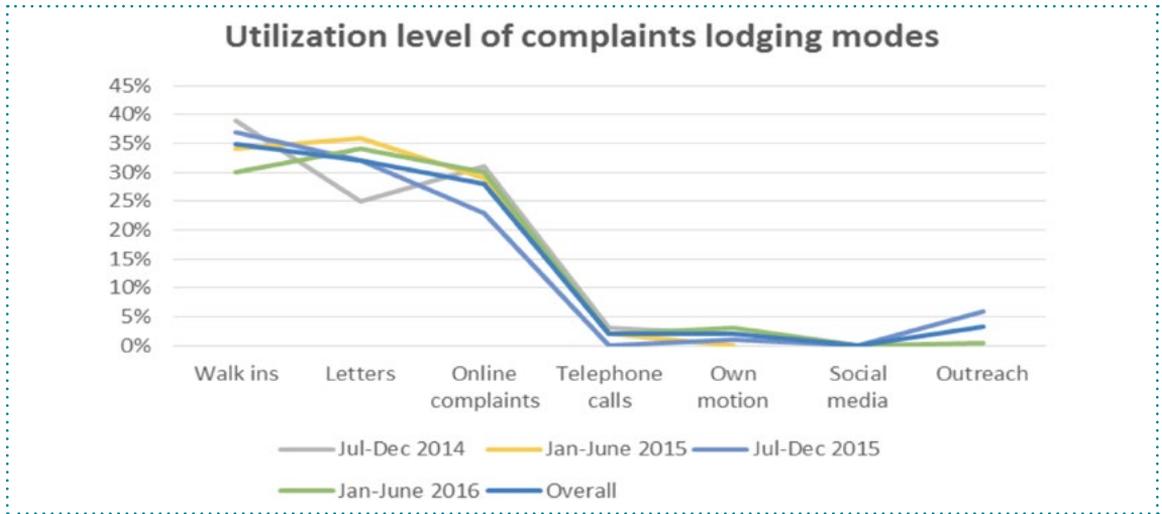
Mode	Walk ins	Letters	Online complaints	Telephone calls	Own motion	Social media	Outreach
Number of complaints	399	453	398	27	42	1	6
Percent	30%	34%	30%	2%	3%	0.1%	0.5%

The trend on the lodging modes used seem to be consistent over the periods as shown in table 3 and figure 5 below.

Table 3: Periodic use of complaints lodging modes

Period	Walk ins	Letters	Online complaints	Telephone calls	Own motion	Social media	Outreach
Jul-Dec 2014	39%	25%	31%	3%	2%		
Jan-June 2015	34%	36%	29%	2%	0%		
Jul-Dec 2015	37%	32%	23%	0%	1%	0%	6%
Jan-June 2016	30%	34%	30%	2%	3%	0.1%	0.5%
Overall	35%	32%	28%	2%	2%	0.10%	3.30%

Figure 4: Trend on complaints lodging modes



From the table 3 and figure 5 above, it is evident that the walk-ins and letters are alternately heavily utilized, closely followed by online mode. It is therefore imperative to ensure adequate and reliable ability of the 3 modes in receipt and feedback without unnecessary delay.

### 2.1.4 Nature of Complaints

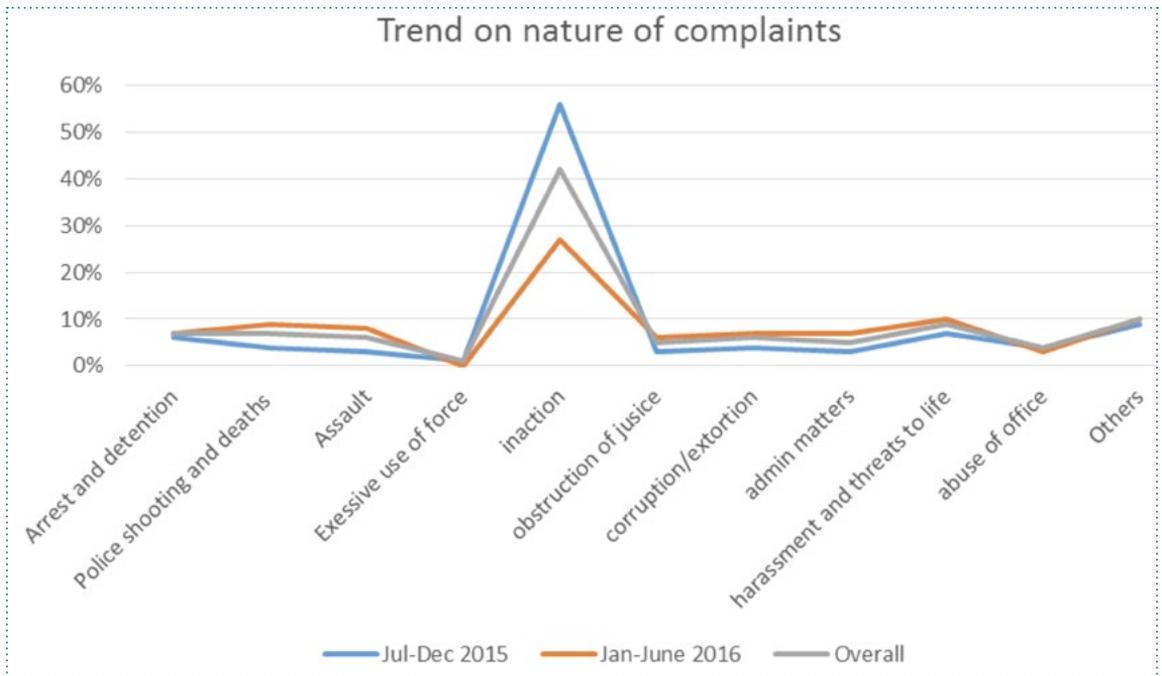
Complaints received during the report period were varied in nature as broken down in table 4 below:

Table 4: Nature of complaints received

Category	Number	Percentage
Unlawful arrest and detention	87	7%
Police shooting and deaths	117	9%
Assault	100	8%
Excessive use of force	6	0%
Inaction	359	27%
Obstruction of justice	83	6%
Corruption/extortion	88	7%
Admin matters (dismissals, promotions, transfers, training, discrimination)	98	7%
Harassment and threats to life	133	10%
Abuse of office	45	3%
Misconduct	208	16%
Total	1326	

The trend on nature of complaints as exhibited on figure 6 below, showing the highest proportion is under police inaction. This is an area of focus which the Authority will strengthen its attention while exploring strategies and recommendations for reduction of police inaction.

Figure 5: Trend on nature of complaints



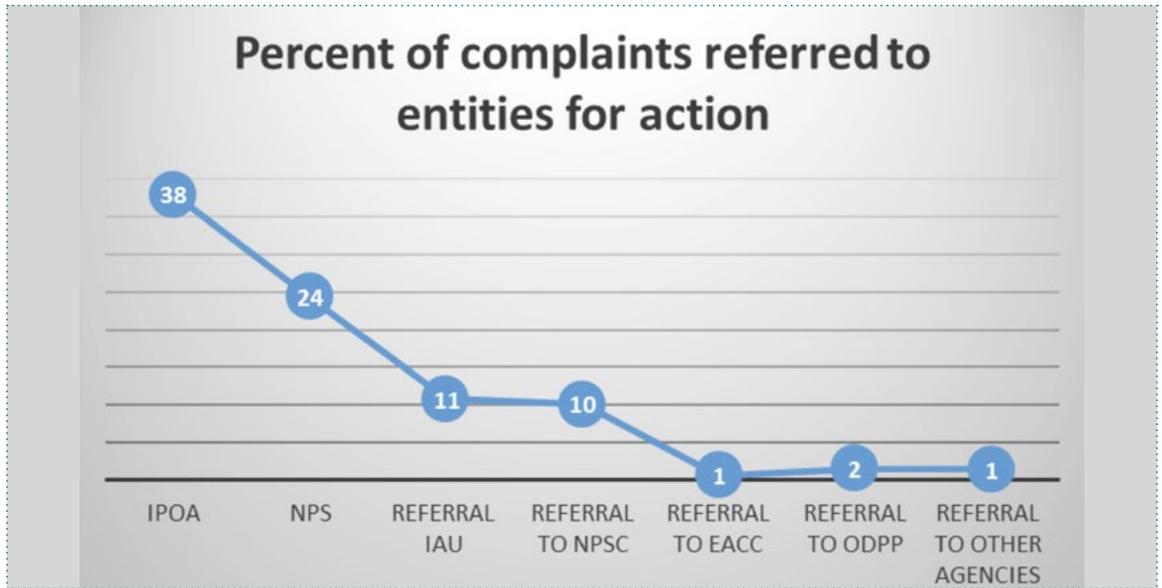
### 2.1.5 Recommendations on Received Complaints

On receipt of complaints, the Authority’s Complaints Intake Committee (CIC) appraises them and makes recommendations as appropriate. Out of the 1,326 complaints received during the period, the CIC recommended acquisition of more information on 138 complaints, IPOA’s action on 398 (299 for investigation, 96 for inspections of police premises and 8 for counselling- this number is not adding up). Recommendations were as in table 5 and figure 6 below.

Table 5 CIC recommendations

CIC Recommendations	Jan-June 2016	Percent
IPOA	398	38%
NPS	256	24%
More Information	138	
Referral IAU	113	11%
Referral to NPSC	106	10%
Referral to EACC	7	1%
Referral to ODPP	16	2%
Referral to Other Agencies	15	1%
<b>TOTAL</b>	<b>1049</b>	<b>100%</b>

Figure 6: Proportion of complaints referred to entities



During the reporting period, January-June 2016, 38% of the complaints admitted were taken up by IPOA for investigations, inspections or monitoring. 24% were recommended to the NPS, 11% to IAU, 10% to NPSC and the least at 1% & 2% to EACC, other agencies and ODPP respectively. The implication of the referrals is that effective handling of the cases by other agencies has a bearing on the Authority’s service delivery since some complainants still seek feedback on status from IPOA.

Trend on referrals over periods is as shown in table 6 and figure 8 below.

Table 6: Trend on number of complaints referred to entities

Recommendations	Jan-June 2016	Jul -Dec 2015	2014/2015	Overall
IPOA	38	39	37	37
NPS	24	26		25
IAU	11	22	32	25
NPSC	10	8	12	11
EACC	1	1	1	1
ODPP	2	1	1	1
<b>Other Agencies</b>	<b>1</b>	<b>3</b>	<b>18</b>	<b>11</b>

Figure 7: Trend on referrals of complaints to entities

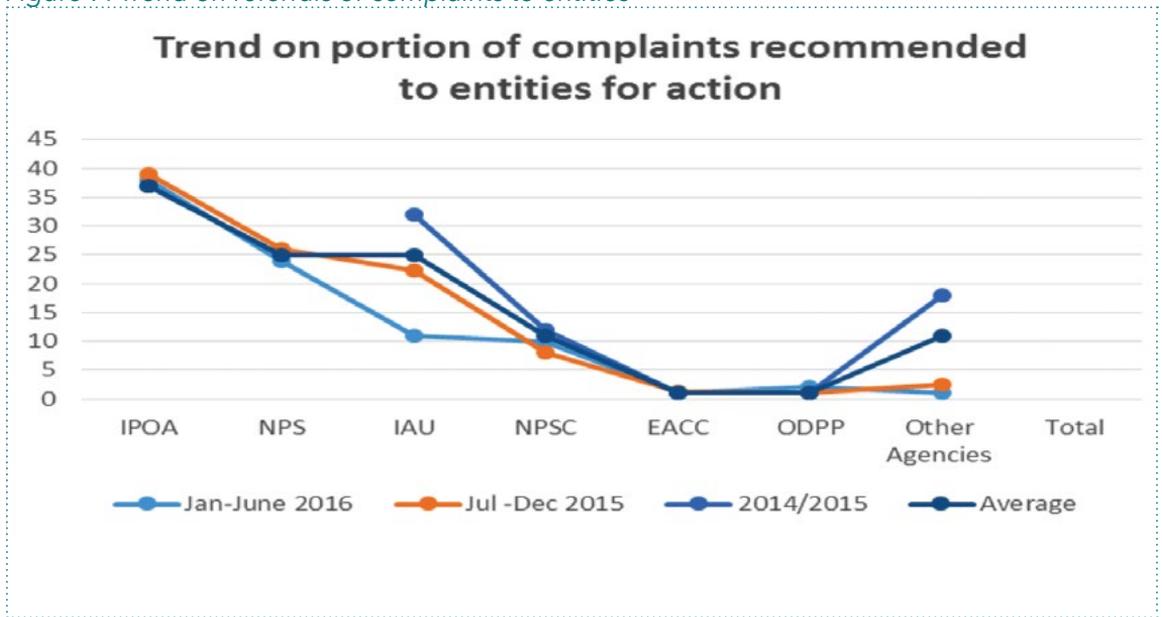


Figure 7 above shows the trend on recommendations made over three periods and is clear that the greatest proportion of complaints (37%) are investigated at IPOA. Others at about 25% are referred to OCS’s, OCPDs and County Commanders, 25% to IAU and 10% to NPSC.

### 2.1.6 Police Notifications

In line with section 25 of IPOA Act, the police is required to notify the Authority on deaths and injuries caused resulting from police actions. During the report period, 6 notifications were received by the Authority from Baharini Police Post (1), Jogoo Police Station (2), Maralal Police Station (1), Buruburu Police Station (1) and Mombasa Police Headquarters (1). Details are as in table 7 below.

Table 7: Number of police notifications

No	Police station	Deaths	Injuries
1	Baharini police station		2
2	Jogoo police station	3	
3	Maralal police station	1	
4	Buruburu police station	1	
5	Mombasa police headquarters		1
	<b>Total</b>	<b>5</b>	<b>3</b>

There were 5 deaths and 3 injuries in all the 6 notifications. It is a requirement by law that police notifies the Authority whenever such incidences occur in police custody or due to police action in the course of their duty.

## 2.2 INVESTIGATIONS

As stipulated in sections 6 (a), (b) and (c) and based on its powers provided in section 7 (a) and (b) of IPOA's Act, the Authority conducts investigations on cases of police misconduct and criminal actions. During January to 30<sup>th</sup> June 2016, the Authority enhanced the capacity on investigations by recruiting 29 staff to facilitate fast tracking of backlog of cases.

Complaints received against police misconduct largely formed the backlog of cases for investigations by the Authority. Other cases were also considered for investigations as identified by the Authority through own motion as were featured in the media. Cases investigated that meet the necessary evidentiary threshold were escalated to the ODPP with recommendations for prosecution or inquests.

### 2.2.1 Status on Investigations by IPOA

During the period, 94 cases were conclusively investigated spread across Counties. Out of these 48 were in Nairobi; 5 each in Kajiado and Lamu; 4 each in Kiambu, Mombasa; 3 in Isiolo; 2 each in Uasin Gishu, Nyandarua, Nakuru, Kisumu, Kakamega, Wajir, Migori, Bungoma, 1 each in Bomet, Machakos, Nyeri, Marsabit, Kisii, Elgeiyo Marakwet, Vihiga, Thika and Garissa.

It is clear a higher proportion (51%) of the investigations was in Nairobi. This could be attributed to the centralized location of IPOA. It is expected that with decentralization of IPOA's services, this trend will change with a fair coverage in other counties.

Forty cases were recommended for action by the ODPP. The recommended action varied and mainly included criminal charges for murder, assault, and use of excessive force but also non-criminal proceedings such as a public inquest.

Fifty four investigations were completed with no need for further action owing to various reasons. Cases closed with no need for further action include cases where another Agency was already investigating or taking relevant action. This include cases where the Police have already instituted criminal action against a police officer or civil proceedings were ongoing in relation to the subject matter. Cases were also closed with no need for further action where the complaints were withdrawn by the complainant and the withdrawal was accepted by the Authority or due to lack of cooperation from the complainant or victim. Closure without the need for further action also include cases where the investigation was inconclusive owing to lack of evidence, resolution reached through other means such as arbitration or negotiation or no misconduct or criminal offence was identified against police officers.

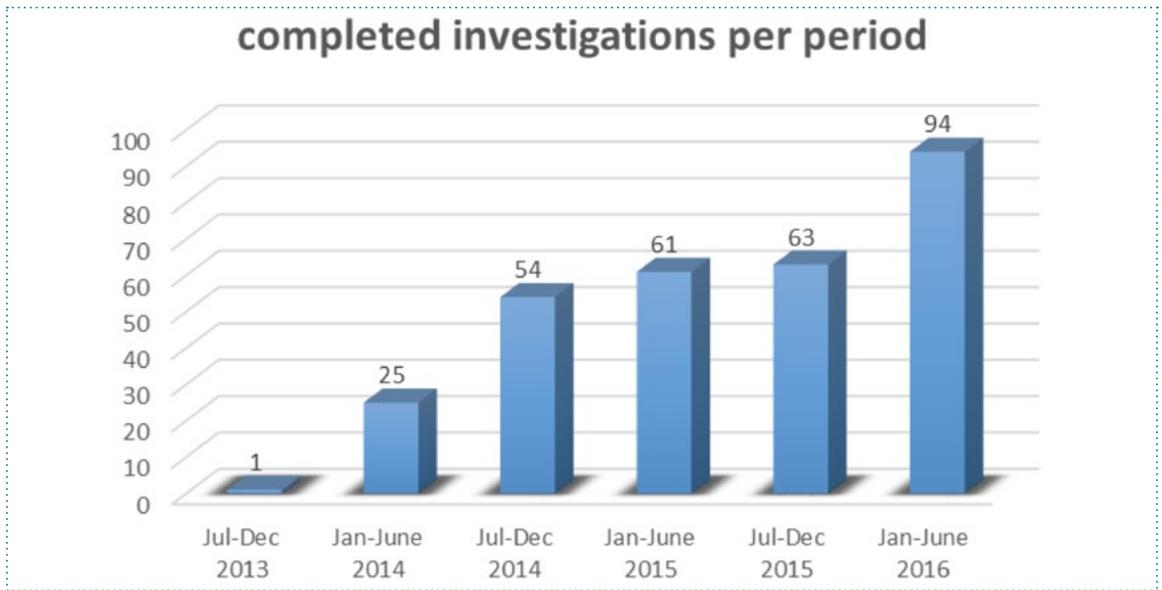
### Status of Cases

The breakdown below in table 8 shows the status of investigations since the establishment of IPOA upto 30<sup>th</sup> June 2016.

Table 8: Status of cases

Status	No. of cases
Cases with investigations ongoing	140
Completed investigations	303
Cases awaiting commencement of investigations	821
Cases forwarded to ODPP	58

Figure 8: Growth in completion of investigations



### 2.2.2 Review of Files on Cases Investigated by IAU

As required by IPOA Act section 6 (d), the Authority reviews files from the Internal Affairs Unit (IAU) on cases referred to them on police misconduct.

During the report period, 4 files from IAU on complaints referred there by the Authority, were reviewed and complainants updated accordingly.

Cumulatively since IPOA’s establishment, 41 files from IAU have been received and 23 reviewed. Eighteen were under review at IPOA by the close of report period.

### 2.3 PROSECUTIONS AND COURT CASES

Cumulatively, the Authority had forwarded 58 files to ODPP on completed investigations with recommendations, out of which 41 had been returned while 17 were being awaited.

Out of 23 cases already in court, conviction was made on 2 police officers in the case of Kwekwe Mwandaza who was killed in Kilifi County.

### 2.4 INSPECTIONS OF POLICE PREMISES, DETENTION FACILITIES AND MONITORING OF POLICE OPERATIONS

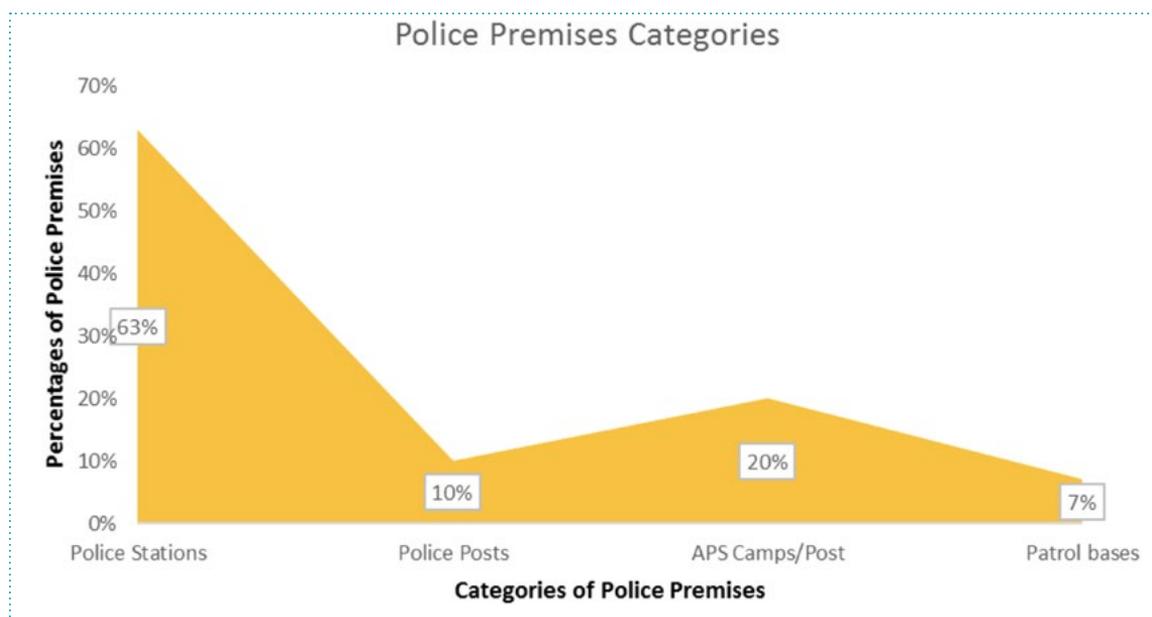
#### Inspections

Within the report period, 61 inspections of police premises (30 new and 31 follow-ups) were conducted. The recommendations that were made following these inspections are as detailed in appendix I.

As shown in figure 1 below, 39 of the inspections were in police stations translating to 63% followed by 12 in Administration Police Post/Camps translating to 20%, 10% in Police Posts and 7% in Police Patrol Bases. The inspections were conducted in 21 counties; 1 Isiolo, 3 Laikipia, 1 Tharaka Nithi, 1 Embu, 1 Kirinyaga, 1 Meru, 1 Murang’a, 6 Migori, 5 Garissa, 3 Turkana, 1 Elgeyo

Marakwet, 1 Marsabit, 1 Samburu, 1 Mandera, 2 Mombasa, 3 Kwale, 8 Kilifi, 4 Kericho, 3 Nandi, 1 Kisii, 2 Narok and 11 in Nairobi. Most inspections were in Nairobi (18%), Kilifi (13%) and Migori (10%).

Figure 9: Categories of police premises inspected



## 2.4.1 Status of Detention Facilities

Out of the 61 police premises inspected, 46 had detention facilities. Out of these detention facilities, 19% had only one cell largely for male detainees and female detainees were temporarily held in the report office. 81% of the detention facilities had 2 or more cells. Six<sup>4</sup> of the police stations inspected lacked cells.

76% of the detention facilities inspected had clean cells while 16% of the inspected detention facilities provided detainees with blankets as seen in photo 1 below at Nanyuki Police Station. Others with beddings were Daadab, Dagahaley, Kaloleni, JKIA, Narok and Kileleshwa Police Stations.

20% of the detention facilities were found to have bucket toilets in the cells as seen in photo 4 at Malaba Police Station. 30% of the detention facilities lacked artificial lighting in the cells and detainees were subjected to dark cells and 28 % lacked adequate ventilation.

Thirty-seven (86%) of the detention facilities provided detainees with three meals a day while 10 facilities relied on goodwill from well-wishers and relatives for the detained for the meals. The inadequate meals were attributed to lack of allocations and especially for the police posts and patrol bases which rely on their mother stations, which are also starved of allocations.

In all the 46 detention facilities inspected, the 24-hour rule was adhered to, which is a remarkable progress from the initial inspections.

<sup>4</sup> Turbi Police Station, in Marsabit County, Uriri Police Station, in Migori County, Lorigum Police Station in Turkana County and Wilson Airport Police Station in Nairobi County



*IPOA photo 1: A clean and well-ventilated cell with blankets for detainees at Nanyuki Police Station in Laikipia County*



*IPOA photo 2: Dirty cell at Mandera Police Station in Mandera County*

Forty four percent of the detention facilities had dirty toilets and wash area as illustrated in photo 2 at Mandera Police Station, and strong stench emanated from them. In Rumuruti Police Station and Kijipwa Police Stations in Samburu and Kilifi counties respectively, detainee's toilets, which were outside the cells, had collapsed as seen in photo 3 below at Rumuruti Police Station.



IPOA Photo 3: A collapsed detainee's toilet at Rumuruti Police Station in Laikipia County

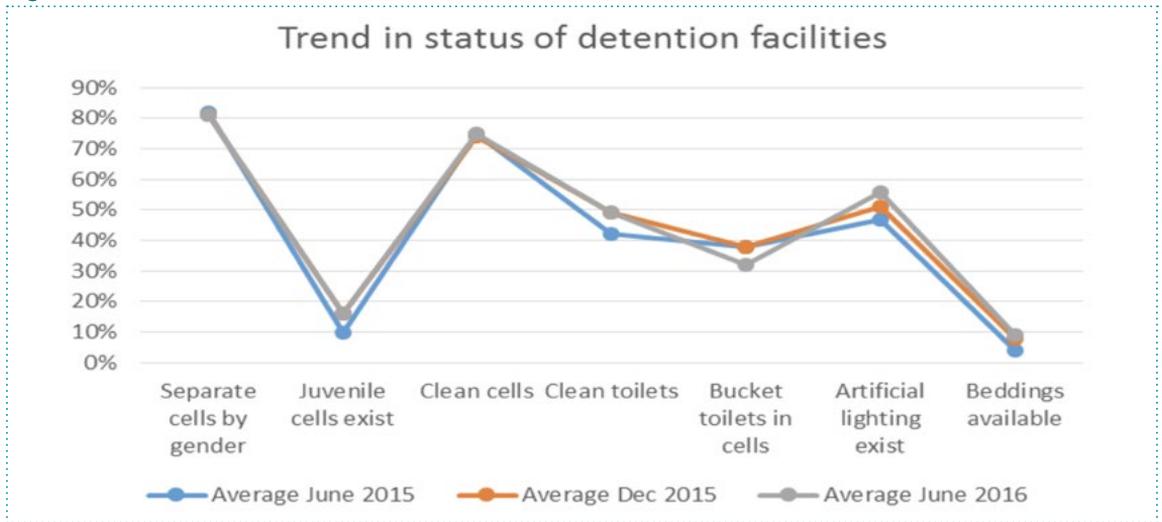


IPOA Photo 4: A bucket toilet inside a cell where detainees also sleep at Malaba Police Station in Busia County

The overall status of detention facilities seems to be consistent as shown in figure 11 below. It is of concern that 19% of detention facilities have only one cell thus temporarily holding one gender (mostly female) at the reporting office.

	Separate cells by gender	Juvenile cells exist	Clean cells	Clean toilets	Bucket toilets in cells	Artificial lighting exist	Beddings available
Overall by June 2015	82%	10%	75%	42%	38%	47%	4%
Overall by Dec 2015	81%	16%	74%	49%	38%	51%	8%
Overall by June 2016	81%	16%	75%	49%	32%	56%	9%

Figure 10: Trend on status of detention facilities



### 2.4.2 Responsiveness to Special Interest Groups

Adherence to constitutional provisions on special interest groups is an area of focus by the Authority. The special interest groups are mainly children, women, and persons with disabilities. In this regard, the Authority observed that out of 61 inspected police facilities, 23% had gender desks. Of greater concern was that only 2 (4%) had child protection units. This is a clear indication that this is an area of attention to ensure rights of children are protected in the police premises. In 22(36%) of the premises, there was access provisions to persons with physical disabilities such as ramps as seen in photo 5 below.



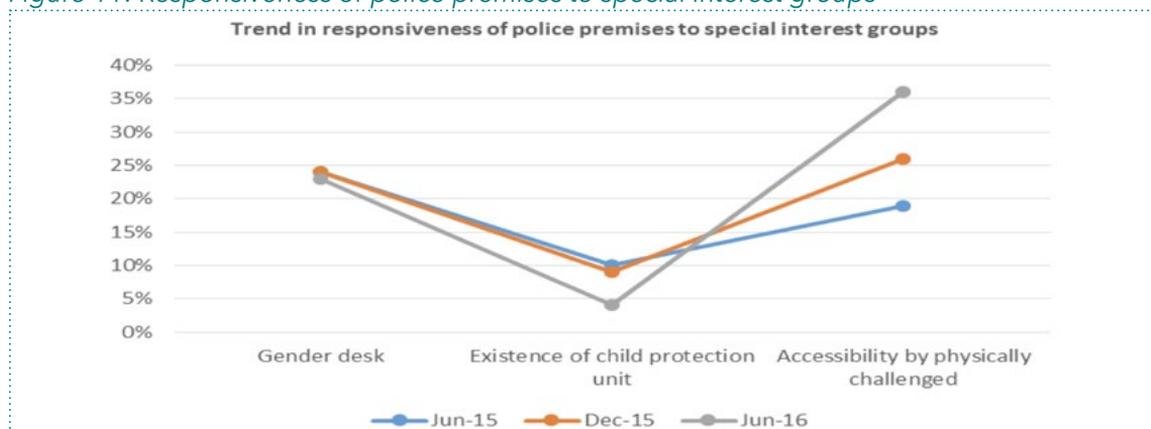
IPOA Photo 5: A ramp for physically challenged persons at Sagana Police Station in Murang'a County.

As shown in figure 11 below, it is clear that the needs of children in terms of providing child protection unit are least met followed by existence of gender desk. Although accessibility of

the facilities by the physically challenged is relatively met, it is overall far below expectation. This calls for intensified interventions by NPS in this areas to enable accessibility of police premises by persons with physical disabilities.

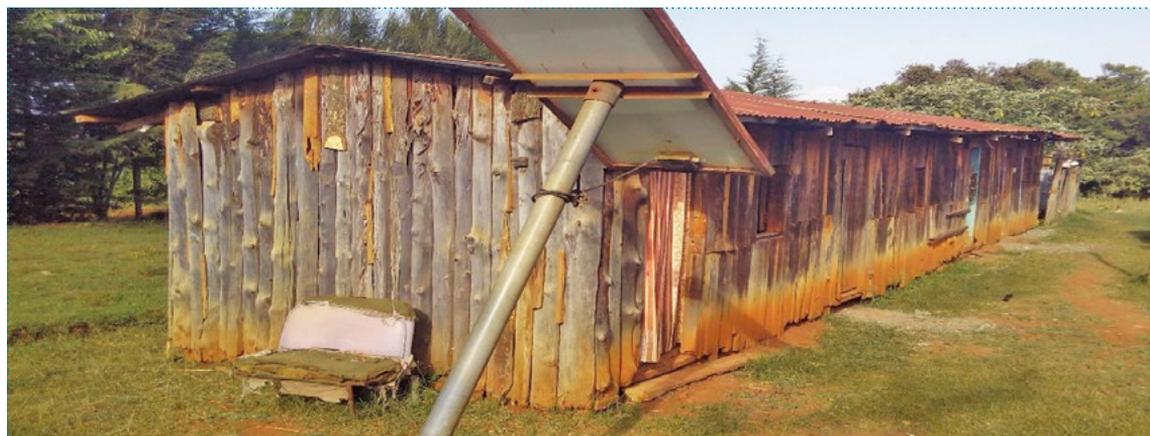
	Gender desk	Existence of child protection unit	Accessibility by physically challenged
Overall status by June 2015	24%	10%	19%
Overall status by Dec 2015	24%	9%	26%
Overall status by June 2016	23%	4%	36%

Figure 11: Responsiveness of police premises to special interest groups



### 2.4.3 Officer's Housing

One hundred percent (100%) of the police houses inspected were in dire need of renovation if not construction of new houses altogether. The police officers' living quarters were deplorable and congested. Houses in Nyali Police Station had been condemned. In Turbi Police Station in Marsabit County, the station had deplorable housing structures (uni-huts/uni-pots), which were inhabitable under harsh climatic conditions especially during hot and rainy seasons. Marmamet Police Patrol Base and Sagana Police Station had timber blocks and mud houses that were almost collapsing.



IPOA Photo 6: Staff houses at Marmamet Police Patrol Base in Laikipia County

It is important to emphasize that the Authority in January 2016 launched a report on police housing crisis in Kenya. In the report, the Authority recommended for a shift in government approach to the police housing challenges. An exit from the police supplied housing approach to allowance based scheme was strongly recommended. This was to address the glaring shortfall in police housing with exception of specialised paramilitary police units such as the General Service Unit, the Anti-Stock Theft Unit, the Rapid Deployment Unit and Rural Border Patrol Unit that need to be deployed with ease due to the nature of their work and services. The rationale behind this recommendation was better police/community relations; improved police welfare and remuneration; more efficient use of scarce government resources and the apparent inability of the government at property management in the police housing sub-sector. The Authority still stands by this recommendation to address officer's housing challenges.



*IPOA Photo 8: A Pilot Modern house for senior police officers at Sagana Police Station which was launched by the PS Interior & Coordination of National Government.*

#### **2.4.4 Other Working Conditions**

Other observations made in the inspected police premises were low staffing, inadequate vehicles and fuel; and lack of essential stationery and registers. On records management, 95% of the police premises inspected had correctly entered Occurrence Books. 91% of the detention facilities had well updated Cell Registers while 73% of the police premises inspected had updated Arms Movement Books. This raises concerns as entries to police records is a critical area of policing that should not be having doubts. There is a need for adherence to correct and timely record keeping in the service to ensure professionalism and discipline as required by the NPS Act and the Constitution.

#### **2.4.5 Monitored Police Operations**

Five (5) police operations were monitored during the report period. Cumulatively since IPOA's establishment, 24 police operations have been monitored and recommendations made to NPS. Police operations monitored during January-June 2016 included Kericho Bi-elections, Small Scale Traders versus Nairobi County Enforcement Officers, Yaya-Langata Road Kibra Effect Demonstration, National Police Service Recruitment, Anti-IEBC Demonstrations in Kisumu, Nairobi, Migori and Homa Bay.

During the Anti-IEBC Demonstrations, several cases of arbitrary arrests and rounding up of youths were reported in Mombasa, Nairobi, Siaya and Kisumu counties. Executions by police were reported in Kisumu, Siaya and Homa Bay Counties and those arrested during the Anti-IEBC Demonstrations were detained for more than 24 hours and their right to fair trial was violated especially as was reported in Kisumu and Siaya Counties. In all these monitored police operations, public order management skills are extremely lacking in the service and Public Order Management Units should be established to enhance effective coordination, control and command during public protests and demonstrations.



*IPOA Photo 9: Police clobbering a subdued protestor during the Anti-IEBC demonstrations at Anniversary Towers on 16/5/2015*

#### **2.4.6 Research policy paper on police housing**

Based on the findings resulting from the inspections conducted in police premises, the Authority conducted a research for an in-depth understanding of the current housing issues in the NPS. Among factors that have contributed to the current condition on housing police officers was lack of National Police Service Housing Policy. Dissemination of the report findings was done in January 2016. Among other areas, the research showed that the demand for police housing in Kenya by far outstrips supply. NPS faces chronic housing shortage with the Kenya Police Service currently experiencing a shortfall of 28,922 housing units against a staff complement of 39,238 as at August, 2015. Kenya Police Service also faces a shortfall of 7,111 administration blocks for its various formations across the country. About 80% out of approximately 35,000 APS officers were not housed in what would be deemed decent housing. IPOA Inspections reports have

highlighted many cases of police officers residing and sharing uni-huts, tents, halls, mud-walled and iron sheet roofed, old and dilapidated buildings across the country. The detailed report and its comprehensive recommendations can be accessed on the Authority's website ([www.ipoa.go.ke](http://www.ipoa.go.ke)).



*IPOA Photo 7: A deplorable officer's house at Sagana Police Station*

## **2.5 REWARDING OUTSTANDING POLICE OFFICERS AND POLICE PREMISES**

The Authority has made it an annual practice to reward police officers and facilities nominated by members of the public for outstanding services through the Outstanding Police Services Award (OPSA). On 14<sup>th</sup> April 2016 the Authority jointly with Rotary Club of Nairobi, NPS, KNCHR, Usalama Forum and NPSC successfully held the second Outstanding Police Service Award (OPSA) event at Intercontinental Hotel. The event was graced by the Cabinet Secretary, Ministry of Interior and Coordination of National Government, NPS leadership and other dignitaries and diplomats.

The objective of OPSA is to recognize and motivate police officers aimed at enhancing professionalism in the police service. The award entails rigorous processes covering nominations by members of the public and subsequent thorough evaluation and verification by the joint technical team comprising all the stakeholders. Forty six (46) police officers out of which 25 were male and 21 female were feted with varied awards ranging from trophies, medals and certificates (see appendix II). Recognition was also made of 3 detention facilities and 5 police premises with outstanding level of cleanliness, orderliness and effective community policing.



*IPOA photo 10: From the left, the IPOA Board Chairman, Mr. Macharia Njeru, The Cabinet Secretary Internal Security and Coordination of National Government, Mr. Joseph Nkaissey awards Mr. Andrew Mwendwa Kituku, the trophy for best Individual Male police officer at the Outstanding Police Service Awards (OPSA) on 14/4/2016*



*IPOA photo 11: From the left IPOA Board Chairman, Mr. Macharia Njeru, The Cabinet Secretary Internal Security and Coordination of National Government, Mr. Joseph Nkaissey awards Ms. Roselyne Muthoni Njuki, the trophy for best Individual female police officer.*

## 2.6 COMMUNICATION AND OUTREACH

The Authority's commitment to facilitate the public access its services remains strong. This has necessitated stepped up efforts to publicize and create awareness among the public on IPOA's mandate and the modes of channeling complaints against the police. During the report period, the Authority reached about 2,854 through participation in 19 outreach and public fora in Nairobi, Meru, Siaya, Narok, Baringo and East Pokot. Five of these were organized by the Authority while the other 14 were through invitation by the organizers.



*IPOA photo 12: Members of the public at an outreach exercise at Kaloleni Social hall*



*IPOA photo 13: Michael Kimatu making a presentation on IPOA during a forum convened by Police Reforms Working Group Kenya at Sarova Stanley Hotel*

## 2.7 RISK MANAGEMENT

Managing risk and enhancing governance was maintained within the Authority during the report period. The existing Enterprise Risk Management Framework (ERMF) formed the basis of stepping up risk mitigation initiatives. Sensitization sessions on the ERMF were conducted through the nominated champions from respective departments within IPOA, and implementation of the Framework was revamped.

Internal Audits were also conducted and resulted to 5 audit reports namely: Finance Audit Report, Governance Audit Report, Human Capital Follow-Up Audit Report, ICT Follow-Up Audit Report and Procurement Follow-up Audit Report. These reports were tabled to the Risk and Audit Board Committee.

## 2.8 PERFORMANCE MANAGEMENT

The Authority remained on course on its performance management strategy guided by an elaborate Performance Management Framework. During the report period, the Authority conducted performance review sessions at the management, board committee levels, based on the analyzed performance information gathered from each of IPOA's departments. The culmination of the review was with Management and Board during a performance review workshop held at Intercontinental Hotel.

Annual work planning process was commenced during the report period and resulted to a draft 2016/2017 Annual Work Plan and Budget. Once approval is granted by the Board, the work plan will form the basis of development of Individual Work Plans and implementation by each IPOA staff during the 2016/2017 Financial Year.

### Mid-term review of the Strategic Plan 2014-2018

Having implemented the strategic plan for two years, the Authority embarked on its review and a consultant was brought on Board through the support from the 'Basket Fund' under UNODC. The review will be completed during the 1<sup>st</sup> quarter of 2016/2017.



*IPOA photo 14: Board members and management team during the performance review workshop at Hotel Intercontinental in March 2016*

## 2.9 INSTITUTIONAL STRENGTHENING

### 2.9.1 Human Resource Management

Human capital is a key resource within any institution and the Authority recognizes this too well. It is in view of this that attention has been on several aspects of motivating the staff and strengthening their capacity to contribute to delivery of the Authority's mandate.

During January-June 2016, the Authority undertook intensive recruitment and the staffing level grew by 36 to 112.

Some of key trainings provided to staff included:

- i. Foundational training to Sixty-two (62) employees drawn from the Investigations, Complaints Management and Legal Services and Inspections and Monitoring Directorates;
- ii. Forensics training to Forty-five (45) Investigators;



*IPOA photo 15: Foundational Training 7<sup>th</sup> -11<sup>th</sup> March 2016. Seated: John Chepkilim, Jacques Omondi, Emmanuel Lagat, Wambui Mwaura, Dr. Joel Mabonga, James Olola, Faith Nchagwa, Timothy Nzomo. Middle Row: Julius Sholle, Merlyne Wanaswa, Judith Kinyua, Monicah Obegi, Eliakunda Mcharo, Finsay Kirui, Lillian Mwangi, Raphael Nyina, Sammy Chiko, Emma Libwob. Back row: Benedict Odhiambo, Moses Mwakelemu, Elijah Kiarie, Sophie Nyagige, Esther Kenyanya, Peter Mwita, Noah Otieno, Paul Otiende, Evans Okeyo, Shaviya Mameti, Richard Kamau, Nicodemus Kipkemboi*



*IPOA photo 16: Investigators during forensic I training at Lukenya with the CEO (1st row 5th from right)*

### **2.9.2 Decentralization of IPOA services**

In line with section, 3(3) and 6 (i) of IPOA Act, the Authority upheld the resolve to decentralize its services by gradually establishing regional offices. During the report period, strategizing on the decentralization process intensified and this resulted in allocation of Ksh. 80 million by Parliament to support the undertaking. Three regional offices will be established in 2016/2017 in Mombasa, Kisumu and Garissa.

### 2.9.3 Information Technology and Communication (ICT)

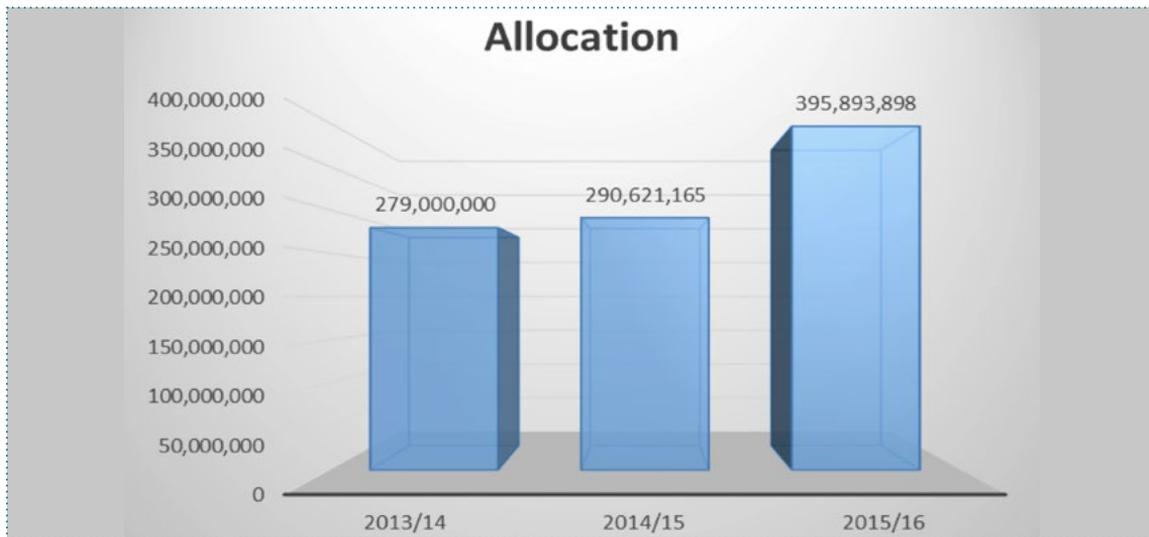
Entrenching the use of a modern ICT platform remains key. Towards this, a major project picked up during the report period aimed at automating the Authority's functions through the support of the American Government. Successful bidding process was conducted and a service provider namely; Dominion Energy Limited got on board and commenced implementation of the Enterprise Content Management System (ECM) for the Authority.

During the report period, the IP PABX telephony system was upgraded to meet the dynamic market need and additional 12 desktops, 25 IP phones, 8 Laptops computer were acquired to meet the increasing staff capacity.

### 2.9.4 Financial Management

During the 2015/2016, the Authority received an initial GoK budgetary allocation of Ksh. 419m but later revised downwards to ksh395,893,898. It is worth mentioning that overall, the allocations have gradually grown from the base year at 4% and 36%. Growth in allocations is as shown in figure 13 below.

Figure 12: Trend on GoK budget allocations



## 2.10 KNOWLEDGE SHARING AND EXPERIENTIAL LEARNING

The Authority benefited from two experiential learning visits on oversighting of police services to United Kingdom and South Africa in February and June 2016. In UK, the IPOA team visited the Independent Police Complaints Commission (IPCC) while in South Africa the visit was to Independent Police Investigative Directorate (IPID). A summary on key areas for action based on IPCC best practices are highlighted in table 9 below.

Table 9: Practices learnt from experiential visits

Issue	UK Practice	Action for IPOA
Interface between investigations and legal services	A functional interface exists between investigators and the legal services department. Lawyers work with investigators from day one.	Develop a close working interface between investigations and legal services department. The two departments should work closely and through a consultative manner to ensure files to ODPP are complete

Issue	UK Practice	Action for IPOA
Risk assessment	Risk assessment done before commencement of each investigation case.	Risk assessment to be done before undertaking any investigation case. Same for complaints.
Casework Management	IPCC employs graduates, supervisors and managers to manage the complaints. They review, ensure quality control and prepare reports	Need to restructure the CMU. CIC should only comprise CMOs - no membership from the investigators. CMU should have a staff structure that ensures quality flow of work, assessment and review of all the complaints received. Staff should have the necessary skills, qualifications and experience.
Managing complaints and investigations	Robust attitude: balance - police, community, politicians, families, and confidence in the judicial system	Replicate IPCC practice.
Managing regions	IPCC Commissioners are allocated regions to deal with	Appoint a director to manage regional offices, once implemented.
Staff integrity	There exists vetting procedures and conflict of interest policy	Develop a robust staff vetting procedures and code of conduct policy.
Quality assurance	IPCC has a quality control team - handling complaints and investigations	Establish quality control teams and mechanisms to ensure quality control within complaints and investigations.
Investigator training	6 week's package	Authority to develop a training curriculum for investigators and other technical staff.
Confidence survey	Carries out confidence surveys to assess impact, outcome framework, objectives etc	Replicate IPCC model. At least a public confidence survey every 2-3 years.

### 3.0 COLLABORATION WITH STAKEHOLDERS AND PARTNERS

During the report period, the Authority engaged in various events with stakeholders and collaborators.

**UNODC:** The Authority continued to draw support from the 'Basket Fund' allocation of ksh29,224,800 under UNODC. The collaboration with UNODC was strengthened through regular monthly meetings for briefs on implementation updates and status of the allocated fund.

**US Embassy:** The US Government through the Embassy supported the Authority in conducting the OPSA event and in implementation of the Enterprise Content Management (ECM) system. Series of meetings with the Embassy were held on the ECM system project.

**Launch of the Police Reforms Program document 2014-2018:** During the report period, the Authority participated in the launch of the Program Document presided over by the Cabinet Secretary Ministry of Interior and Coordination of National Government at Sarova Stanley Hotel.



*IPOA photo 17: From left: Macharia Njeru, Chair, IPOA; H.E. Johan Borgstam, Ambassador of Sweden to Kenya; Hon. Joseph Nkaisery, Cabinet Secretary, MoICNG; Joseph Boinnet, Inspector General of Police; Dr. Eng. Karanja Kibicho, Principal Secretary, MoICNG; Johnston Kavuludi, Chair NPSC*



*IPOA photo 18: Representatives from the British High Commission meeting with the IPOA Board Chairman in January 2016*

## 4.0 CHALLENGES AND RECOMMENDATIONS

Key challenges experienced by the Authority during the report period included delayed procurements, Lack of cooperation from some OCSs during inspections of police premises and inaccessibility to IPOA services due to its centralized locality. Challenges and recommendations are in table 10 below.

*Table 10: Challenges and recommendations*

Challenge	Recommendation
Technical challenges	
Lack of cooperation from some OCSs during inspection of police premises	<ol style="list-style-type: none"> <li>1. Apply the law and hold the individual officers accountable on non-cooperation.</li> <li>2. Engage the NPS leadership in dialogue for them to sensitize the police officers on need for cooperation and support to facilitate Authority's work</li> </ol>
Delay in processing of complaints referred to IAU	Capacity of IAU be enhanced by IG
Police proceeding to undertake investigations and recommending inquests before informing the Authority and thus legally barring IPOA's investigations	Follow up with ODPP in addressing the issue
Lack of MoUs with critical stakeholders such as mobile telephone service providers, Government chemist and ODPP to assist with investigations and prosecution	IPOA to follow up with respective stakeholders
Inadequate knowledge on IPOA's mandate by the public and NPS	Conduct increased publicity forums on IPOA's mandate
Operational Challenges	
Delayed procurement due to closure of procurement modules at the treasury	Develop all required specifications and raise requisitions during the 1 <sup>st</sup> quarter of subsequent financial years
Staff turnover	<ol style="list-style-type: none"> <li>1. IPOA to explore all possible areas of improvements within its means for staff retention</li> <li>2. Follow up with SRC and PSC on change of employment terms and remuneration</li> <li>3. Fast track the permanent &amp; pensionable terms of employment</li> </ol>

## Appendix I: Recommendations on police premises after inspections

ISSUE	RECOMMENDATION	ACTION PERSON
<p>1. Conditions of cells and Toilets. Whilst 76% of the detention facilities had clean cells, 24% of the cells were dirty. 44% of the toilets where dirty with some of the toilets being blocked and strong pungent smell reeking throughout the facility.</p>	<p>The National Police Service Act (NPS Act) rightly recognizes that the detention of detainees should be carried out in accordance to the law. According to Rule 5 of the Fifth Schedule of the National Police Service Act 2011, it is the responsibility of the Officer In Charge of the station, to ensure that a lock up facility is in hygienic conditions conducive for human habitation, have adequate light, toilet and washing facilities and outdoor area<sup>4</sup>. The officers in charge of the stations and posts should ensure that they adhere to the provision of the NPS Act. In addition, the detention facilities should have toilet within the cells to avoid detainees being given bucket toilets. This is a degrading treatment that should not be practiced by law enforcers.</p>	<p>The Officer-in-Charge of the premises</p>
<p>2. Separation of detainees by gender. 19 % of the detention facilities had one holding cell only.</p>	<p>Fifth Schedule Rule 5(c &amp;d) provides for men and women to be kept separately. The Inspector General of Police and the Cabinet Secretary Interior and National Government Coordination should ensure that designated detention facilities are facilitated in establishing women cells.</p>	<p>IG and CS</p>
<p>3. Separation of detainees by age. 79% of the detention facilities did not have juvenile Cells.</p>	<p>Fifth Schedule Rule 5(c &amp;d) provides for juveniles and children to be kept separately from adults. The Inspector General of Police and the Cabinet Secretary Interior and National Government Coordination should ensure that designated detention facilities are facilitated in establishing juvenile cells.</p>	<p>IG and CS</p>
<p>4. Records management. Inconsistencies and improper record keeping.</p>	<p>The keeping of proper records determines and influences the accountability of members of the National Police Service while at the same time ensure the rights of the detained persons are safeguarded. The necessity of keeping proper records is well recognized in the National Police Service Act, and the officers commanding police station must ensure that proper records are kept as required by law. Section 50 (1) of the NPS Act stipulates that a police officer in charge of a police station or post, unit or formation shall keep a record in such form as the IG may in consultation with the DIG direct and shall record all complaints and charges preferred, the names of all persons arrested and the offences with which they are charged. Further the 5th Schedule of the NPS Act, section 8, stipulates that a register shall be kept in police station or other place of detention in which particulars of detained persons are entered<sup>5</sup>. The officers in charge should ensure that registers are correctly entered and consistently updated.</p>	<p>In charge of police premises</p>

<sup>4</sup> See rule 5 of the Fifth Schedule to the NPS Act

<sup>6</sup> See rule 8 of the Fifth Schedule to the NPS Act

ISSUE	RECOMMENDATION	ACTION PERSON
<p>5. Community policing initiatives It was observed that 46% of the Police facilities inspected lacked active community policing.</p>	<p>According to Article 244(e) of the Constitution of Kenya 2010, the National Police Service should strive to foster and promote relationships with the broader society. Section 98 of the NPS Act mandates a police officer in charge of an area in consultation with stakeholders to establish community policing committee. If implemented properly community policing leads to intelligence based policing and ensures safer neighborhoods.</p>	<p>In charges of police premises.</p>
<p>6. Lack of complaint against police registers</p>	<p>The in charge of a station should always have a facility to receive, record and report complaints against police misconduct. Section 40(7) of the NPS Act mandates the in charge of the station to have this at all time. On the same note Section 50(3) of the NPS act requires all complaints made against any police officer shall be recorded and reported to the Independent Policing Oversight Authority.</p>	<p>Officer commanding station</p>
<p>7. Lack of Specialized training police officers especially those crime office, DCI, intelligence gathering ,Drivers etc.</p>	<p>For effective, timely and purposeful service delivery to members of public, Section 80(3) of the NPS Act mandates the IG to collaborate with other training institutions to provide for training to its officers. Intelligence gathering skills and techniques enhance the capacity of NPS to collect and share intelligence under section 24(f) of the NPS Act, 2011.</p>	<p>IG/NPSC</p>
<p>8. Resource Allocation</p> <ol style="list-style-type: none"> <li>1. All police premises inspected lacked sufficient stationeries, and police registers.</li> <li>2. The vehicles and fuel allocation was not sufficient to cover their respective jurisdiction. Some stations had no vehicles.</li> <li>3. Some Stations lacked computers, printers and copiers, gloves, stretchers, body bags, crime scene equipment's and officers.</li> <li>4. Some Stations had no adequate supply of uniforms and communication gadgets</li> </ol>	<ol style="list-style-type: none"> <li>1. According to Section 116(2) of the National Police Service Act 2011; it is the responsibility of the Inspector General to ensure that every police station, post, outpost, unit, base, and county authority is allocated sufficient funds to finance its activities<sup>6</sup>. The Inspector General should ensure that, stationery, registers, vehicle and fuel allocation are sufficient to address the needs of the stations. The issue of lack of stationeries should seriously be addressed.</li> <li>2. Further the Inspector General should ensure that each police station/camp/ posts has at least a computer which is internet enabled and a printer for efficient and effective performance of police duties.</li> <li>3. Stations should also be issued with adequate uniforms and communication gadgets</li> <li>4. To ensure accountability at the station level the Inspector General of police should ensure that the Authority to Incur Expenses (AIEs) is delegated from the OCPD's to the station Commanders' (OCS).</li> </ol>	<p>The Inspector General of police</p>

ISSUE	RECOMMENDATION	ACTION PERSON
<p>9. Staff Capacity and Gender balance All NPS premises inspected were understaffed. In addition some Police stations lacked female officers.</p>	<p>Article 246 (3) (a) of the Constitution of Kenya gives the National Police Service Commission the mandate to recruit and appoint persons to hold or act in offices in the service, confirm appointments and determine promotions and transfers within the National Police Service<sup>7</sup>. The National Police Service Commission in liaison with the IG should ensure that shortage of staff and gender balance are addressed to ensure the third gender rule as enshrined in the constitution is complied with. This will help in ensuring that searches are done by officers of the same gender as the detainee. Proper redeployment of officers is also necessary to ensure that the police officers are utilized in their key functions. This will help in ensuring that shortage of officers in the stations are addressed.</p>	<p>The Chairman National Police Service Commission</p>
<p>10. Officers' housing and Office Space. Most of the Officers housing were in deplorable conditions and in dire need of maintenance or construction of new structures.</p>	<p>To ensure efficiency in Police work, police stations should have enough office space to accommodate all its sections as this will improve service delivery.</p> <p>Article 43 (b) of the Constitution stipulates that every person has the right to adequate housing<sup>8</sup> and to reasonable standards of sanitation. To address the crisis in housing the cabinet Secretary and the IG should facilitate for adequate housing for officers serving under the National Police Service. The possibilities of giving officers decent house allowance and leasing more houses should be considered. The NPS should also consider leasing houses for the officers.</p>	<p>The Inspector General of Police, the Cabinet Secretary/ National Police Service Commission</p>
<p>11. Non-payment of operational allowances.</p>	<p>The NPS should address the issue of non-payment of operational allowances for staff either on Operational work, attending court or on transfers. The Systematic failures at the head office that the officers complained of must be streamlined.</p>	<p>IG-NPS/NPSC</p>
<p>12. Transfers/Overstay in operation area There is lack of clear regulations on transfers of officers from one area of deployment to another. Some officers had overstayed in operational areas while others had been transferred from one operational area to another.</p>	<p>Under section 28 (f) of the National Police Service Commission, the commission is mandated to make regulations for recruitment and transfers. It is contravening of this act when transfers are marred by favouritism and lack clear cut procedures. This problem was noted more in the KPS.</p>	<p>The Chairman National Police Service Commission.  IG</p>
<p>13. Promotions And Training Officers in the Police Stations alleged that training and promotions were not transparent and were marred with corruption</p>	<p>According to Section 28 (a) and (e) of the National Police Service Commission Act, it is the responsibility of the National Police Service Commission to make regulations on appointments, confirmations of appointments, promotions, termination of appointments and training of members of the service<sup>9</sup>. The National Police Service Commission should set clear regulations for promotions of officers</p>	<p>The National Police Service and The Chairman National Police Service Commission</p>

<sup>6</sup> See Section 116 (2) of the NPS Act

ISSUE	RECOMMENDATION	ACTION PERSON
14. Lack of anti-riot gear During the demonstrations it was observed that police officers were not effectively equipped for crowds control and management.	The IG should ensure that the NPS officers are well equipped to effectively deal with crowd control. This is in addition to ensuring that the officers are trained to the highest possible level of competence as provided for in article 244 of the Constitution of Kenya. This will eliminate situations where police officers are accused of violating the rights of demonstrators and injuries to police officers.	IG
15. Arbitrary arrest and demand for bribes. Cases of arbitrary arrests and police demand for bribes as well extortions were noted in a number of police stations <sup>10</sup> .	There is urgent need for the NPS to intervene in this matter and save Kenyans from the hands of corrupt officers. Crackdowns should be intelligence led and officers must conduct themselves in a professional manner.	IPOA, EACC, NPS, NPSC.
16. Cash Bail Book Many stations inspected failed to produce cash bail receipt books when called upon.	There is need for a clear mechanism and framework of auditing the Cash Bail to address the current status quo where cash bails are used as an avenue for self-enrichment by officers. The office of the auditor general should conduct a special audit of all police premises issued with this accountable documents and action taken against officers who are found culpable of financial misappropriation. Strategies such as wireless transactions can be introduced in order to curb misappropriation, since the police establishment had turned it into cash cow there-by denying the government the much needed revenue.	IG/AUDITOR GENERAL
17. Funding of the stations Lack of involvement of the OCS in the budget making process. The OCS also did not have the Authority to Incur Expenditure (AIE)	The stations commanders should be involved in the budgetary planning for their respective stations and be made AIE holders.	IG

## Appendix II: April 2016 OPSA Awardees: Best Male and Female Officers

### BEST INDIVIDUAL POLICE OFFICER MALE

Position	Rank	Name	Service Number	Station	County	Award
1	CI	Andrew Mwendwa Kituku	217240	Igembe South CID Hqs	Meru	Winner - Gold Medal/ Trophy/ Certificate
2	CPL	David Kipkorir Bii	78896	Kairo Police Patrol Base	Muranga	1st Run Up - Silver Medal/ Trophy/Certificate
3	IP	Kerich Simon Kiptanui	234964	Ifo Police Station	Garissa	2Nd Run Up - Bronze Medal/ Trophy/Certificate
4	IP	George Wanabisi Makhoha	234850	Dadaab Police Station	Garissa	Bronze Medal/ Certificate

<sup>10</sup> See Article 43 (c) of the Constitution of Kenya  
<sup>9</sup> See Section 28 (a) and (e) of the National Police Service Commission

**BEST INDIVIDUAL POLICE OFFICER MALE**

Position	Rank	Name	Service Number	Station	County	Award
1	CI	Andrew Mwendwa Kituku	217240	Igembe South CID Hqs	Meru	Winner - Gold Medal/Trophy/ Certificate
5	SGT	Wycliffe Amatsili Kwendo	85808	Hola Police Station	Garissa	Bronze Medal/ Certificate
6	CPL	Mohammed Noor Happi	74924	Mandera Police Station	Mandera	Bronze Medal/Certificate
7	CIP	Moses Mungoma Oduori	231096	Kyumbi Police Station	Machakos	Bronze Medal/Certificate
8	SGT	Mathew Agade Mwanda	222581	Sub County AP Headquarters Nakuru	Nakuru	Bronze Medal/Certificate
9	CIP	Peter Mwalali Kiema	219685	Athi River Police Station	Machakos	Bronze Medal/Certificate
10	IP	Thomas L Parkolwa	234371	Kandara Police Station	Muranga	Bronze Medal/Certificate
11	CPL	Geofrey Ngaira Amugamwa	62604	Lwala Kotiende	Siaya	Bronze Medal/Certificate
12	PC	Wilson Maina Muriuki,	71394	Chwele Patrol Base	Bungoma	Bronze Medal/Certificate
13	PC	Garison Mukeke Mwalufu	220746	Mandera North	Mandera	Bronze Medal/Certificate
14	SGT	Patrick Omoit On'goro	43335	Chagaik Patrol Base	Kericho	Bronze Medal/Certificate
15	IP	Halkano Idris	69495	Dagahaley	Garissa	Bronze Medal/Certificate
16	CI	David Nthuli Mwangi	230006	Othaya Police Station	Nyeri	Bronze Medal/Certificate
17	ASP	Johnstone Ngosia Lyambila	231345	D/Ocpd Kiambu County	Kiambu	Bronze Medal/Certificate
18	CIP	Maurice Muga Okul	230658	Kangundo Police Station	Machakos	Bronze Medal/Certificate
19	CI	Francis Oyiemo	233476	Masalani	Garissa	Bronze Medal/Certificate
20	CI	Andrew Wanjama	231909	Bura East	Garissa	Bronze Medal/Certificate
21	SSP	Lawrence Oketch Owino	213158	Mukurweini AP	Nyeri	Bronze Medal/Certificate
22	SSP	Patrick Nyangaresi	231327	Mogotio Police Division	Baringo	Bronze Medal/Certificate

10 Huruma, Kayole, Embakassi, Pangani, Kabete, Ngong, Juja police stations

**BEST INDIVIDUAL POLICE OFFICER FEMALE**

Position	Rank	Name	Service Number	Station	County	Award
1	PC	Roselyne Muthoni Njuki	95458	Mochongoi Police Station	Baringo	Winner - Gold Medal/Trophy/Certificate
2	CI	Gladys Nabwire Wanjala	232848	Matuu Police Station	Machakos	1st Run Up - Silver Medal/Trophy/Certificate
3	CI	Peninah Kirunda Kamicha	227067	Jogoo House CIU	Nairobi	2nd Run Up - Bronze Medal/Trophy/Certificate
4	APC	Lucy K. Njogu	231962	Kericho East Sub-County	Kericho	Bronze Medal/Certificate
5	APC	Petronila Apondi Otieno	240169	Urii APS Sub-County	Migori	Bronze Medal/Certificate
6	IP	Beatrice Maithya	234640	Machakos Police Station	Machakos	Bronze Medal/Certificate
7	CPL	Jackline Wandera,	82896	Nambale Patrol Base	Busia	Bronze Medal/Certificate
8	CI	Christine Esendi Mwondi	234481	Sondu Police Station	Kericho	Bronze Medal/Certificate
9	APC	Beryl Achieng Oluoch	243392	Magunga Police Station	Homabay	Bronze Medal/Certificate
10	SGT	Sarah Olisa Situma	60131	Kangundo Police Station	Machakos	Bronze Medal/Certificate
11	SSP	Jacinta Wesonga Odhiambo	219080	Machakos County Commander	Machakos	Bronze Medal/Certificate
12	IP	Sarah Njoki Mugo	242579	Sub County AP Hqs Gilgil	Nakuru	Bronze Medal/Certificate
13	CPL	Susan Achieng Omolo	88701	Uruku Police Patrol Base	Meru	Bronze Medal/Certificate
14	SGT	Joyce Cheptoo Kirui	226603	Kericho APS County Hqs	Kericho	Bronze Medal/Certificate
15	CPL	Millicent Anyango Ongere	89562	Yala Police Station	Siaya	Bronze Medal/Certificate
16	CPL	Elizabeth Akinyi	83771	Mbale Police Station	Vihiga	Bronze Medal/Certificate
17	PC	Scovia Wambui	101290	Lorogum Police Station	Turkana	Bronze Medal/Certificate
18	CI	Lydia Chizi Mambo	233954	Machakos OCPD	Machakos	Bronze Medal/Certificate

**BEST INDIVIDUAL POLICE OFFICER FEMALE**

Position	Rank	Name	Service Number	Station	County	Award
19	APC	Maureen Nyaboke Abuya	238660	Nyatike APS Sub-County	Migori	Bronze Medal/Certificate
20	IP	Halima Sugow	226257	Dagahaley AP Camp	Garissa	Bronze Medal/Certificate

**BEST DETENTION FACILITIES**

No	Rank	Name Of In Charge	Service Number	Station	County	Award
1	CI	Peter Ekuthi	B/Detention	Hola Police Station	Tana River	WINNER Trophies/Certificate
48	CPL	Francis Muthui	B/Detention	Hola Police Station	Tana River	
3	CI	James Githinji	B/Detention	Mogotio Police Station	Baringo	1st run up Trophies/Certificate
4	SGT	John Mululu	B/Detention	Mogotio Police Station	Baringo	
5	CI	Caxton Ndunda	B/Detention	Bura Police Station	Tana River	2nd run up Trophies/Certificate
6	PC	Emily Atwani Jakaiti	B/Detention	Bura Police Station	Tana River	

**POLICE PREMISES WITH ORDER & CLEANLINES**

1	IP	Philip Wambua	Order & Cleanlines	Othaya Police Station	Nyeri	WINNER Trophies/Certificate
2	SGT	Philip Wachira	Order & Cleanlines	Othaya Police Station	Nyeri	
3	CI	Zuhura Yasmin	Order & Cleanlines	Menengai Police Station	Nakuru	1st run up Trophies/Certificate
4	CPL	Pamela Rono	Order & Cleanlines	Menengai Police Station	Nakuru	
5	CI	James Kasugu Ongera	Order & Cleanlines	Kendu Bay Police Station	Homabay	2nd run up Trophies/Certificate
6	CI	Stella Kwamboka	Order & Cleanlines	Kendu Bay Police Station	Homabay	

**POLICE STATIONS WITH FUNCTIONING COMMUNITY POLICING**

1	CI	Joseph Chebii	Comm/Policing	Luanda Police Station	Vihiga	WINNER Trophies/Certificate
2	PC	Zipporah Muthoka	Comm/Policing	Luanda Police Station	Vihiga	
3	IP	Nobert Makoha	Comm/Policing	Athi River Police Station	Machakos	1st run up Trophies/Certificate
4	SGT	Jackson Kiritu	Comm/Policing	Athi River Police Station	Machakos	

5	SGT	Martin Mathenge	Comm/Policing	Kendu Bay Police Station	Homabay	2nd run up	Trophies/Certificate
6	PC	Edward Bor	Comm/Policing	Kendu Bay Police Station	Homabay		











**Guarding  
Public  
Interest in  
Policing**