



PERFORMANCE REPORT JULY - DECEMBER 2018



IPOA photo: IPOA Board and Senior Management pose for a photo during the Annual Conference for Constitutional Commissions and Independent Offices in Meru on 10th October, 2018.

Cover photo: IPOA Board Chairperson Mrs. Anne Makori, Commissioner Praxedes Tororey and Eldoret Regional Coordinator Esther Kenya jubilate after the Authority won the best Non-Agricultural-Based Statutory Board stand during the Eldoret National ASK Show.

Back cover: IPOA Board Chairperson signing an MOU to commission an endline survey with representatives from the International Justice Mission.





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ABBREVIATIONS AND ACRONYMS

AIE	Authority to Incur Expenditure
ASTU	Anti Stock Theft Unit
APS	Administration Police Service
APSSPU	Administration Police Specialized Stock-theft Prevention Unit
CIC	Case Intake Committee
DCI	Directorate of Criminal Investigations
DIG	Deputy Inspector General
DTO	Divisional Traffic Officer
ECM	Enterprise Content Management
GSU	General Service Unit
IAU	Internal Affairs Unit
IRM	Inspections Research and Monitoring
KNCHR	Kenya National Commission on Human Rights
KPS	Kenya Police Service
NPSC	National Police Service Commission
OB	Occurrence Book
OCPD	Officer Commanding Police Division
OCS	Officer Commanding Station
ODPP	Office of the Director of Public Prosecution
TPU	Tourist Police Unit

CHAIRPERSON'S STATEMENT

On behalf of the Board, the Management and Staff, I am pleased to present the Independent Policing Oversight Authority's Performance Report for the period July -December 2018.



With IPOA's presence in 8 Regions, Kenyans, both the civilian and the police, have continued to appreciate and acknowledge the Authority's role in providing oversight over the work of the police. As we consolidate our gains, we are certain that the confidence level will continue to rise amongst the public and within the police.

Since inception, the Authority has received and processed **11,901** complaints and **1,128** consequent investigations have been completed. The Authority has also conducted **1,355** inspections in police facilities and has monitored **204** policing operations affecting members of the public, across the 47 counties.

The Authority continues to recognize the important role of our stakeholders including NPS, NPSC, Parliamentary Committee for Security and Administration, the Ministry of Interior and Coordination of National Government, ODPP, Judiciary, the National Treasury, Civil Society Organizations and Development partners.

This being the period in which I was appointed as the Chairperson of the Authority, together with the seven Commissioners; we commit to guard public interest in policing.

In conclusion, on behalf of the Board, I would like to appreciate the management and staff for their hard work and dedication that has enabled the Authority to record another six months of great achievements. I would like to assure the public and other stakeholders that together, the Authority's mandate and goals will be realised.

The Authority looks forward to a fruitful second half of the financial year 2018/2019.

A handwritten signature in blue ink, appearing to read 'Anne Makori', written over a light blue grid background.

Mrs. Anne Makori
Chairperson

CHIEF EXECUTIVE OFFICER'S STATEMENT

The Independent Policing Oversight Authority's performance between July and December 2018 is an improvement of the previous reporting period attributed to increased visibility.

During the reporting period, the Authority received and processed **1,520** complaints, and out of these **338** investigations were completed. Four hundred and five (**405**) inspections were conducted in various police facilities and **57** Police operations were monitored.



To ensure real time feedback to the Authority's clients, a bulk short message service (SMS) was procured from one of the communication service providers. The Authority also continued to enhance the use of the Enterprise Content Management (ECM).

To enhance service delivery the Authority continues to place great emphasis on developing and nurturing staff skills. The Authority is also committed towards attracting and retaining highly qualified and experienced staff.

On behalf of IPOA staff, I would like to welcome and assure the new Board of our commitment and teamwork in realising the goal of the Authority. I would also wish to thank and commend staff for yet another successful period.

A handwritten signature in black ink, appearing to read 'Maina Njoroge'. The signature is stylized and written in a cursive-like font.

Maina Njoroge

Director/ Chief Executive Officer

EXECUTIVE SUMMARY

The Authority received and processed **1,520** complaints between July and December 2018; bringing to a total of **11,901** complaints received and processed since inception. Subsequently, **338** investigations were completed and **19** case files forwarded to the ODPP. Since inception IPOA has completed **1,128** investigations. As at December 2018, **40** investigation files were before courts and **5** police officers had been convicted.

In the same period the Authority conducted **405** inspections in police premises and facilities and monitored **57** Policing Operations. Cumulatively IPOA has conducted **1,355** inspections in police premises and facilities and monitored **204** police operations and has made recommendations to the NPS and other relevant agencies as per its constitutive Act.

The second IPOA Board officially took office during this reporting period. This was upon appointment by H.E Uhuru Kenyatta in exercise of the powers conferred by Article 250(2) of the Constitution and as per section 11(8) of IPOA Act, 2011. The Chairperson Mrs. Ann Makori took oath of office alongside the seven other Commissioners on 21st September 2018. The Board Members were sworn into office by the Deputy Chief Registrar of the Judiciary Mr. Paul Ndemo during the occasion witnessed by Chief Justice David Maraga.

The Authority participated in the National Security Conference held on 13th September 2018 at the Kenya School of Government, where the New Framework for Police Reforms was launched by H.E the President of the Republic Of Kenya. The key highlight in the Framework was restructuring of the NPS chain of command. The Conference was held in line with the Authority's mandate under Section 6(f) of the IPOA Act on cooperation with other institutions on issues of Police oversight, including other State organs in relation to services offered by them.

Consultative forums were held with various partners including NPS, EACC, CAJ, ODPP, County Governments, and Regional and County commissioners. These forums were geared towards boosting partnership and collaboration in serving the public. In Kisumu region, the Authority actively participated in an accountability forum organized by Transparency International Kenya (TI-K) on 23rd July 2018 where democracy, governance and human rights were discussed. In the same period, the Authority signed an MOU with International Justice Mission (IJM) for funding of an end-line survey and other areas of collaboration.

1. INTRODUCTION

1.1 Background

The Independent Policing Oversight Authority was established on 18th November 2011 through an Act of Parliament No. 35 of 2011. The objectives of the Authority are to;

- a) Hold police accountable to the public in the performance of their functions
- b) Give effect to the provision of Article 244 of the Constitution that the police shall strive for professionalism and discipline and shall promote and practice transparency and accountability
- c) Ensure independent oversight of the handling of complaints by the service.

1.2 Principal Functions

The principal functions of the Authority are to:

- 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 the Service;
- f) Co-operate with other institutions on issues of Police oversight, including other State organs in relation to services offered by them;
- g) Review the patterns of Police misconduct and the functioning of the internal disciplinary process;
- h) Present any information it deems appropriate to an inquest conducted by a court of law;
- i) Take all reasonable steps to facilitate access to the Authority's services to the public;
- j) Subject to the Constitution and the laws related to freedom of information, publish findings of its investigations, monitoring, reviews and audits as it seems fit, including by

- means of the electronic or printed media;
- k) Make recommendations to the Police Service or any State organ;
 - l) Report on all its functions under its Act or any written law; and
 - m) Perform such other functions as may be necessary for promoting the objectives for which the Authority is established.

1.3 Vision

A robust civilian accountability mechanism that promotes public trust and confidence in the National Police Service.

1.4 Mission Statement

To conduct impartial and independent investigations, inspections, audits and monitoring of the National Police Service to prevent impunity and enhance professionalism in the interest of the public.

1.5 Motto

Guarding Public Interest in Policing.

1.6 Core Values

- a) Transparency and Accountability
- b) Integrity
- c) Independence and Impartiality
- d) Respect for Diversity
- e) Compassion.

2. AUTHORITY'S PERFORMANCE

During the reporting period, the Authority implemented various activities in fulfillment of its mandate which include but not limited to receiving and processing complaints on police misconduct, conducting investigations, inspecting police facilities and monitoring of police operations. Performance within the period is detailed in the subsequent sections.

2.1 Complaints Management

The IPOA Act No.35 of 2011 requires the Authority to ensure independent oversight of the handling of complaints against the NPS. The Authority executes this function through the receipt, processing and investigation of complaints lodged by the public and police officers.

2.1.1 Complaints Received

The Authority received and processed a total of **1,520** complaints during the period. Cumulatively, the number of complaints received and processed since inception is **11,901**. Out of the **1,520** complaints, **639** complaints were received at the **8** regional offices while **881** complaints were received at the headquarters as illustrated below.

Table 1: Complaints Received Per Region

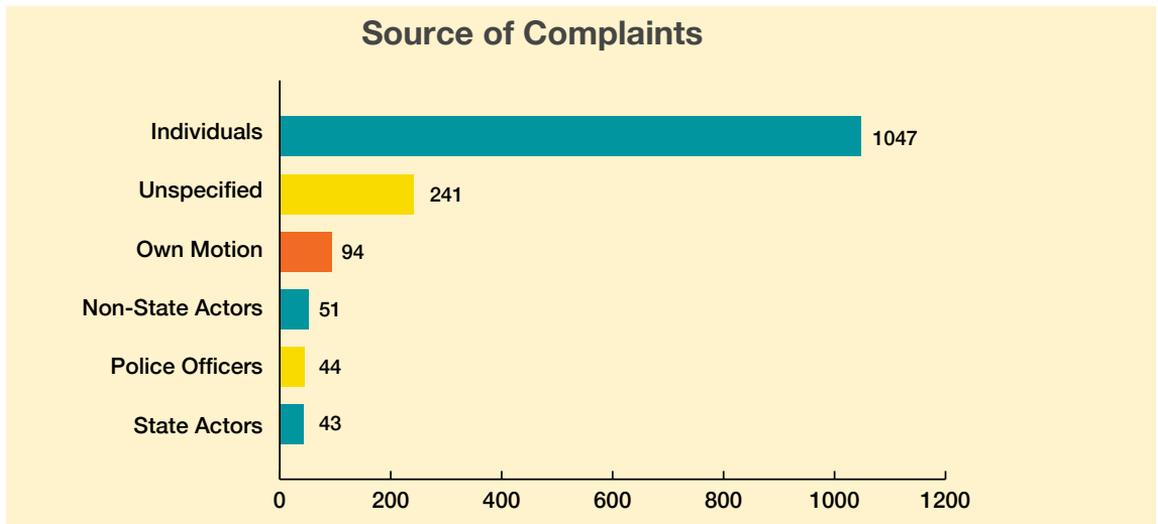
	First Quarter			Second Quarter			Total
	July	Aug	Sept	Oct	Nov	Dec	
Headquarters	151	153	139	179	157	102	881
Mombasa	37	35	42	26	34	20	194
Kisumu	16	20	14	22	10	12	94
Kakamega	9	11	7	3	14	8	52
Nakuru	13	7	17	12	20	6	75
Nyeri	14	11	10	17	9	8	69
Meru	9	0	7	12	11	4	43
Eldoret	17	13	16	19	14	8	87
Garissa	3	4	4	7	5	2	25
Total	269	254	256	297	274	170	1,520

Source: 2018

2.1.2 Source of Complaints

Complaints were received by the Authority from members of public, police officers and state and non-state organizations. In addition the Authority gathered incidents of police misconduct through own motions which were considered of high interest to the public and processed accordingly. Sources of complaints received during the period are as follows:

Figure 1: Sources of Complaints



Source: 2018

As shown in Figure 1 above, **1,047** (68.9%), were from the members of the public as compared to **44** (2.9%) from the police. This shows low levels of reporting of complaints by the police to IPOA.

2.1.3 Nature of Complaints Received

The nature of complaints received varied as shown in the figure below. Since inception the number of complaints on police inaction keeps increasing. During the period under review there were **477** complaints on police inaction, **330** on negligence of duty and **156** on harassment. The NPSC and NPS together with like-minded stakeholders should intervene to curb this bad behavior.

Table 2: Nature of Complaints Received

Nature of Complaints	1st Quarter	2nd Quarter	Total
Inaction	250	227	477
Negligence of Duty	167	163	330
Corruption/ Extortion	23	23	46
Harassment	68	88	156
Physical Assault	60	74	134
Death from Police Action (shooting and physical assault, traffic accidents)	33	32	65
Death in Police Premises/Custody	16	8	24
Threats to Life	24	20	44
Shooting Causing Injuries	31	39	70
Enforced Disappearance	6	2	8
Sexual Offences	4	6	10

Wrongful Detention	21	26	47
Malicious Prosecution	6	1	7
Administrative Issues Including Compliments, Transfers, Promotions and Dismissals.	36	25	61
Matters of a personal nature (Civil, debts, family disputes)	34	7	41
Total			1,520

Source: 2018

2.1.4 Complaints Processing

All the complaints received were processed through recommendations for action by the technical directorates within the Authority while others were referred to other agencies depending on the nature of complaint as per the table below.

Table 3: Complaints Processing

Action	Total
Investigations within the Authority	210
Inspections and Monitoring within the Authority	147
Internal Affairs Unit (IAU) of the National Police Service	38
Directorate of Criminal Investigations	46
Office of Inspector General (IG) /National Police Service	162
National Police Service Commission	35
Preliminary Inquiries Conducted by the Authority	355
Referred to other Agencies including EACC, ODPP, CAJ	41
Matters not admitted by the Authority	160
Withdrawn Complaints	3
Resolved and Closed at Complaints Management Level	323
Total	1,520

Source: IPOA 2018

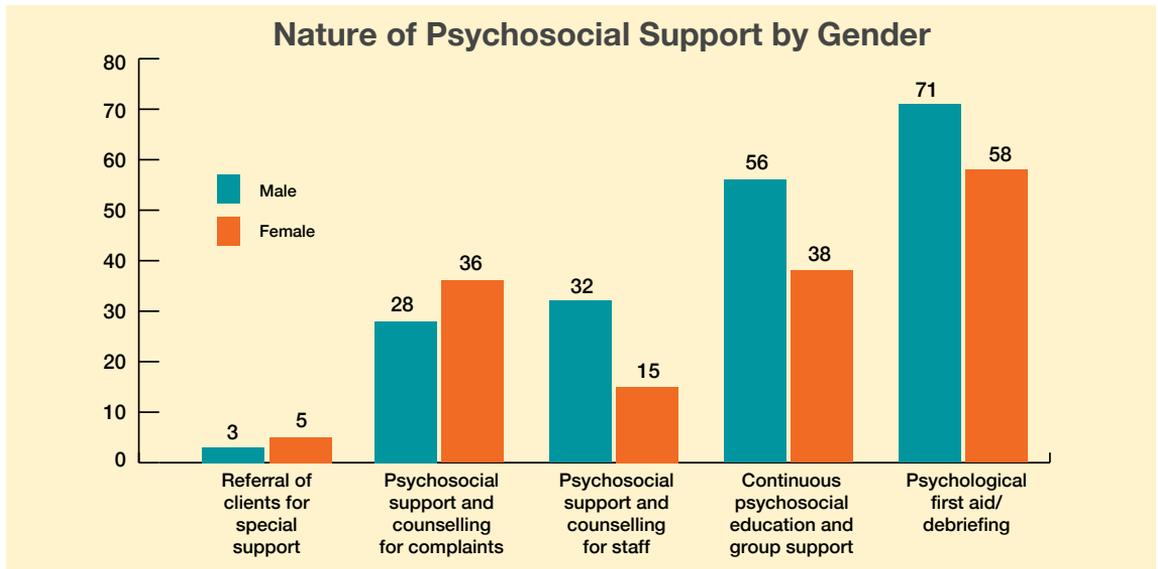
2.1.5 Action Taken by NPS on Complaints Referred

During the reporting period, the Authority referred 38 Complaints to the Internal Affairs Unit (IAU) of the NPS and feedback containing the outcome of investigation on 8 case files.

2.2 Counselling and Psychosocial Support

During the reporting period, the Authority offered psychosocial services to members of the public and IPOA staff members. This was done through groups and individual psychological therapy, psychological first aid to first responders and persons attending to critical incidents such as crime scenes and post mortems, psychological education and staff motivational activities. A total of **342** (190 male, 152 female) clients were supported as per the figure below.

Figure 2: Psychosocial Services Provided



Source: IPOA 2018

2.3. Investigations

The Authority is charged with the responsibility of investigating 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 for prosecution, compensation, internal disciplinary action or any other appropriate relief.

2.3.1 Investigations conducted between July and December 2018

The Authority completed **338** investigations cases and forwarded **19** files to the ODPP comprising majorly of criminal offences such as murder, physical or sexual assault and use of excessive force. Subsequently, **245** cases were closed owing to lack of evidence, withdrawal by complainants and witnesses, among others.

In the same period, two former police officers from Kabete Police Station were found guilty of murder of an Administration Police Constable and two of his relatives and sentenced to life imprisonment.

2.3.2 Investigations Conducted Since Inception

Since inception, the Authority has completed **1,128** investigation cases. As at 31st December 2018, **40** case files were before courts and 5 officers had been convicted for varied offences.

2.4 Inspection of Police Premises

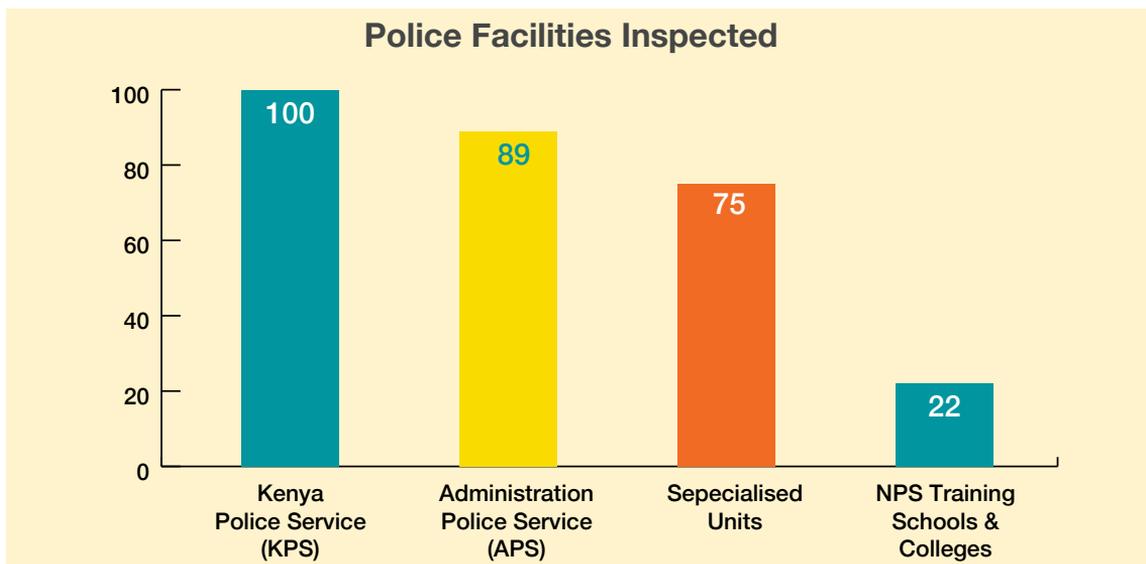
Section 6(e) of IPOA Act, mandates the Authority to conduct inspections of police premises, including detention facilities under the control of the service. Based on the findings, the Authority makes recommendations to the service and other relevant institution for redress or any other action.

2.4.1 Police Premises Inspected between July and December 2018

In the reporting period July-December 2018, the Authority conducted **405** inspections in NPS facilities distributed as follows; KPS **198** (100 New Inspections, 86 Follow-up and 12 Thematic¹), APS **110** (89 New Inspections and 21 Follow ups), **75** in Specialized Units and **22** in NPS Training Schools/ Colleges. Cumulatively the Authority has conducted **1,355** inspections since inception. The Inspections were conducted in 40 countiesⁱ.

The figure below shows the categories of police facilities inspected during the reporting period.

Figure 3: Categories of Police Facilities Inspected



Source: IPOA 2018

(a) New and Follow Up Inspections

During the reporting period, **286** new inspections were conducted in various Police Premises (100 KPS, 89 APS, 75 Specialized Units and 22 NPS Training Schools/Colleges). The findings on condition of cells, records management, treatment of detainees and utilities, safety and security, infrastructure and resource allocation facilities were documented (see separate report²). Recommendations from the findings were made to NPS and other relevant institutions for action.

¹ Thematic Inspections: Conducted to assess a specific aspect or them that are informed by complaints received

² IPOA Inspections, Research and Monitoring July- December 2018 report



Source: IPOA 2018

(b) Inspections Conducted in Specialized Units

During the reporting period, 75 Specialized Units of NPS were inspected as shown in the figure below.

Figure 4: Number and Categories of specialized units inspected



Source: IPOA 2018

Out of the 75 specialized units inspected, 15(20%) were not connected to electricity hence using kerosene lamps, candles, mobile phone flash lights, dry cells torches and others for lighting. In terms of security, only 22(29.33%) of the Premises Inspected had secure perimeter fence , the remaining 53(70.7%) didn't have perimeter fences which poses vulnerability of possible attacks to the camps by criminals including terror groups and cattle rustlers. In terms of sentries and manning of the facilities only 60% (45) of the inspected facilities had sentries that were manned at the time of inspections.

Fifty four 54(72%) of the specialized units inspected were provided with motor vehicles while 48(64%) of the units inspected had enough supply of bullet proof vests, anti-riot gear, batons, helmets and shields. 41.3% (31) of the Specialized Units inspected had tents, but notably not

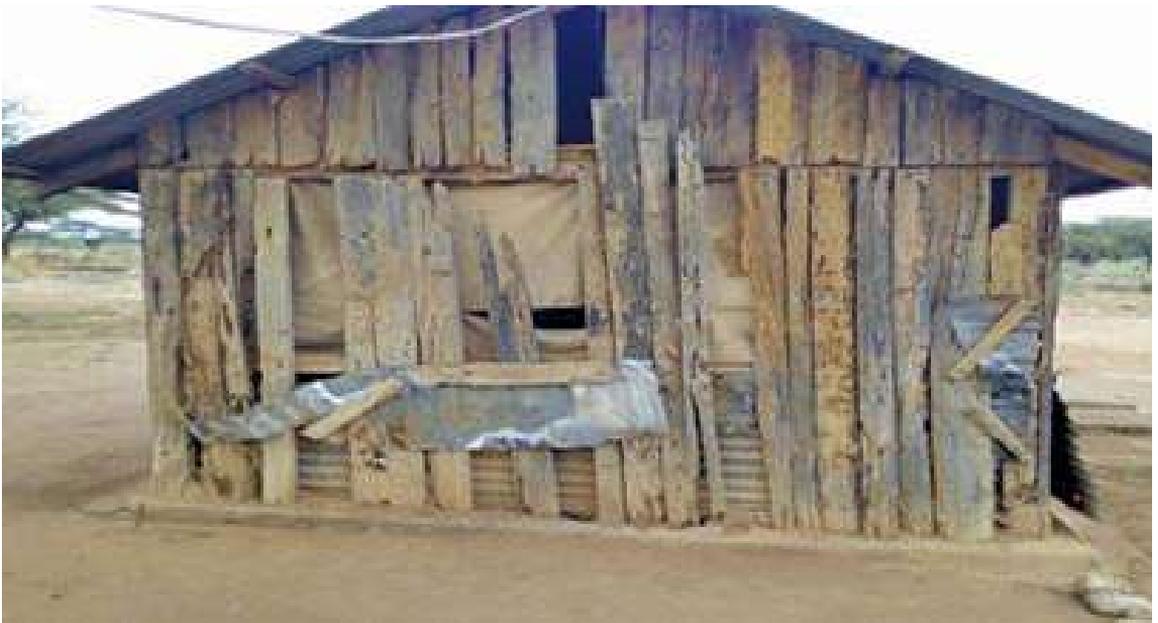
all were habitable especially during harsh weather periods. 5.3%(4) of the units had temporary structures (mud-walled houses) which were in deplorable conditions.

Photo: A tent used for ASTU accomodation



Source: IPOA 2018

Photo: A structure used as office for the officer in charge of GSU, V Company No.52 Platoon, Kipsing



Source: IPOA 2018

(c) Inspections in NPS Training Schools and Colleges

During the reporting period, 22 NPS training Schools and Colleges³ were inspected.

All the 22(100%) inspected training schools/colleges had water and electricity supplies. 15(68.2%) institutions had fire assembly points, 10(45.5%) had serviceable fire equipments, 17(77.3%) had clear directional signages, 16(72.7%) had secure perimeter fence and 14(63.6%)

³ Details on Specific findings can be referred to the National Police Service Training Schools and Colleges Inspection Report for July-December 2018.

had sentry at the main gate. Nine 9(41%) had demonstration rooms, 4(18.2%) had physical fitness equipments, 5(22.7%) had long range fields, 6(27.3%) had short range fields, and 3(23.6%) had Police Practical Procedures, of inspected facilities 9(40.9%) had Staff quarters and 13(59.1%) were in good state and were of good condition.

(d) Follow-Up Inspections

During the reporting period 107 follow-up inspections were conducted; 86 in KPS and in 21 APSpremises. The objective of the follow-up Inspections was to assess the status of police premises against the status during the initial inspections. Forty four (44) parameters were assessed and findings documented as per Annex III. In the assesment, there was improvement in 89% (39)of the parameters, decline in 9% (4) of the parameters and 2% (1) maintained status quo.

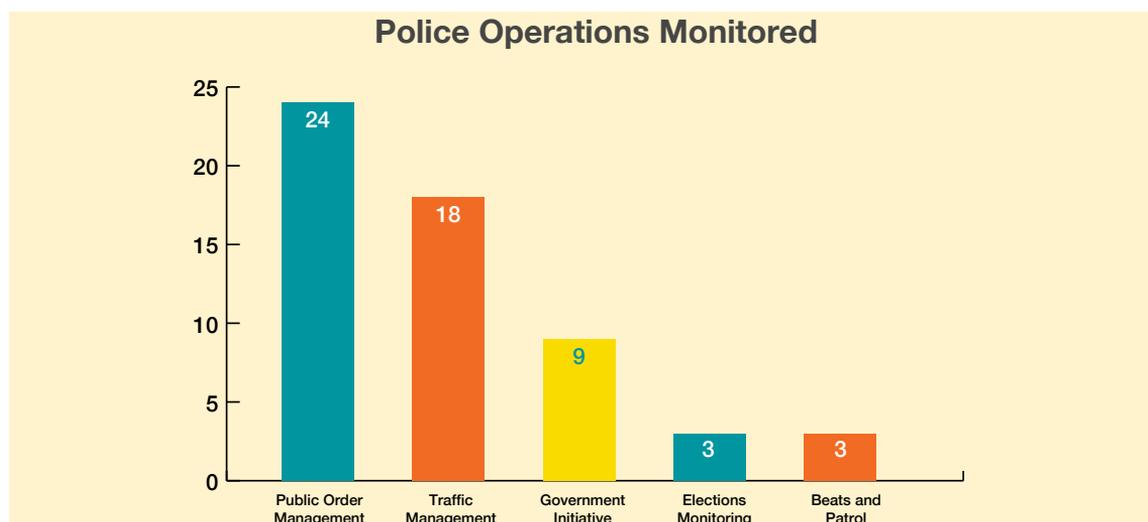
2.5 Monitoring of Policing Operations

Section 6(c) of IPOA Act, mandates the Authority to monitor and investigate policing operations affecting members of the public. The monitoring aims at ensuring that police operations are carried out professionally and within the confines of the law, with respect for human rights.

2.5.1 Police Operation Monitored

During the reporting period, the Authority monitored 57 policing operations affecting members of the public which included; 3 on provision of security during elections, 18 traffic operations, 9 Government initiated operations, 3 Beats and Patrols and 24 public order management operations. The figure shows the number and categories of police operations monitored.

Figure 5: Police Operations Monitored during the reporting period



Source: 2018

2.5.2 Findings from Monitoring of Police Operations

(a) Public Order Management

Out of the 19 public order management operations monitored, It was observed that 17 operations were professionally conducted. However two operations were characterized by use

of excessive force and violence⁴. Further, the Authority observed that not all the officers in the operation had name tags and service numbers pinned on as required by the law⁵.

(b) Provision of Security during Elections

The Authority monitored the conduct of police in 3 by-elections held in Migori (Senatorial and North Kadem Ward) and Baringo (Baringo South Parliamentary) Counties. In all the 3 monitoring activities, the Authority established that the police acted professionally and in a non-partisan manner.

(c) Monitoring Traffic Management

The Authority also monitored police conduct in 17 traffic management operations which were guided by CICs, own motion and during the nationwide crackdown on public service vehicles. The Authority noted instances of bribery extortion of motorists by traffic police officers despite of the fact that the drivers interviewed claimed not to be informed of the offence committed. Harassment of motorist and boda boda operators was also witnessed. The Authority also noted that there is role conflict between the DTO's and OCS in management of traffic operations.

(d) Monitoring of Government Operations

The Authority in the period under review monitored police conduct in 7 government operations in Narok, Garissa, Isiolo, Laikipia and Nyeri Counties. In these operations, the government imposed curfews where arbitrary arrests were witnessed and allegations of bribes made. There were also instances of police holding detainees for over 24 hours in Nyeri Central Police Station and Olpusimoru Police Post in Narok. The Authority also noted that deployment of National Police Reservists greatly contributed to the success of containing illegal grazing and cattle rustling in Laikipia's "Dumisha Amani" Operation.

⁴ Operation Fagia Wakora in Nyeri County and Mau Clashes Operations.

⁵ Rule 10 of the 5th Schedule- NPS Act 2011

3. INSTITUTIONAL STRENGTHENING

3.1 IPOA Regulations

During the reporting period, the Authority commenced the re-drafting of IPOA regulations. Review was done within the Authority with support from state law office and Kenya Law Reform Commission. Forums were also held between IPOA Board and Parliamentary committee on security and administration to discuss the same. The regulations are still under further scrutiny and once gazetted, the regulations will enhance effective implementation of the IPOA Act.

3.2 Strategic Plan 2019-2024

The Authority commenced development of the 2019-2024 strategic plan to steer the Authority in the next operational period after the first one lapsed. The Authority settled on the Kenya School of Government as the consultant to guide in the process of the strategic plan development.

3.3 End-line Survey

During the reporting period the Authority initiated an End-line Survey to assess policing gaps and standards in Kenya with support from the International Justice Mission (IJM). Once finalized, findings from the survey will be used to shape IPOA's strategic directions in the coming years.

3.4 Learning and Growth

During the reporting period, the Authority developed a proposal for partnership with International Peace Support Training School for capacity building of staff in line with the mandate. The Authority also registered with the National Industrial Training Authority (NITA) in compliance with Industrial Training Act and Training Levy order, 2007.

To strengthen internal capacities, 102 members of staff and Commissioners were facilitated to participate in forums organized by professional bodies (LSK, ICPAK, PRSK, Institute of Directors) while others undertook courses such as; Investigations, Corporate Governance, and Human Rights among others.

The Board was also inducted from 5th to 9th November 2018 on various policing aspects including human rights and policing standards, Policing and Protest, Policing and Discrimination, regional and international treaties among others.

The Board together with the staff held an end of year party in Nairobi on 21st December 2018. The forum enhanced the interaction between the Board and all the members of staff including those from the regional offices. The theme of the party was united in diversity to guard public interest in policing.

3.5 Ease of Doing Business

The Authority procured 13,000 bulk SMS from Safaricom Company Limited for giving feedback to clients on the status of their registered complaints and progress of investigation. The Authority continued to implement recommendations by the ICT Authority aimed at eliminating and managing system vulnerabilities and threats. There was enhanced use of the Enterprise Content Management (ECM) through continuous user training.

4. FINANCIAL MANAGEMENT

The Authority's budget for the FY 2018/19 was increased from Kes 695.8M in 2017/18 FY to Kes 817, 002,200. The report of the Auditor General for the FY 2016/17 expressed an unqualified (clean) audit opinion. As a result, the Authority was feted as first runners up in FiRe Awards under the Constitutional Commissions and Independent Offices categories, an event held in Carnivore grounds in Nairobi County.

The Authority has also continued to ensure that high standards of internal controls are in place and well-functioning through implementation of the Risk Management Framework.

5. BRANDING AND AWARENESS

The Authority enhanced visibility and awareness of its mandate and key functions among public and key stakeholders through a set of planned activities including media briefings, advisories and appearances, customer care ,among others. Outreaches were held in 19 Counties; targeting the public and NPS officers. These were done during forums such as Legal Awareness Week, Human Rights defenders forum, Court Users Committees meetings, "Digital and Physical Security Training" forum organised by Stretchers Youth Organisation, among others. Dialogue sessions were also held with 4 Traffic Bases in Mombasa where policing issues were discussed.

The Authority also facilitated brand exposures through 126 print and electronic advertisements, issued 10 press statements and engaged several TV and Radio stations to articulate the Authority's position and achievements. A total of 7,200 IEC materials were disseminated.

Photo: An IPOA sensitisation forum at the Kenya Police Staff College, Loresho



Source: IPOA 2018

6. STAKEHOLDER ENGAGEMENT

The Authority sustained cordial partnership and collaboration with various stakeholders including government, Civil Society Organization and Development partners. The Authority participated in the National Security Conference held on 13th September 2018 at the Kenya School of Government, where the New Framework for Police Reforms was launched by H.E the President of the Republic Of Kenya. The key highlight in the Framework was restructuring of the NPS chain of command.

Consultative forums with partners including NPS, EACC, CAJ, ODPP, County Governments, Regional and County commissioners were held. These forums were geared towards boosting partnership and collaboration in serving the public. In Kisumu region, the Authority actively participated in an accountability forum organized by Transparency International Kenya (TI-K) on 23rd July 2018 where democracy, governance and human rights were discussed. In the same period, the Authority signed an MOU with International Justice Mission (IJM) for funding of an end-line survey and other areas of collaboration.

7. RECOMMENDATIONS AND CONCLUSION

7.1 Recommendations

7.1.1 Staff housing and basic amenities

The Authority welcomes the paradigm shift in housing policy for officers, among other reforms. Further the Authority recommends that the Service fast tracks full implementation of the policy as it also strives to provide basic amenities to the officers.

7.1.2 Records management in police premises

The Authority appreciates the ongoing digitalization of the police records (OB) and recommends the NPS Commanders to conduct sensitization forums on Record Keeping with impromptu visits to stations to monitor their correct entries.

7.1.3 Separation of detainees by gender (male/female) and age (adults/minors)

The Authority recommends to the Inspector General of Police and the Ministry of Interior and Coordination of National Government to set aside a budget for facilitating establishment of modern Police Stations with juvenile, male and female cells in all police stations as per the Fifth Schedule to the NPS Act. This is to alleviate defilement of minors and rape cases within the cells.

7.1.4 Community Policing initiatives

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. In line with this, the NPS should ensure that Community policing initiative is operational in all counties and at the Station levels.

7.1.5 Police officers' work environment

Chapter 66 of the Service Standing Orders (SSO) stipulates that; (1) The general comfort of officers in their quarters shall include; (a) adequate water supplies; (b) recreation during off-duty hours; (c) provision of canteens; (d) having organized sports and games; (e) cinema shows; (f) distribution of books, magazines, periodicals, newspapers. Some of the specialized Units inspected lacked clean water, recreational facilities and canteens. The Authority recommends that the recreational facilities be provided and police welfare taken care of to enhance service delivery.

7.1.6 Model police premises

The Authority recommends to the NPS to set aside resources to implement the model

police facilities project countrywide. The NPS should also equip Police Training Colleges and Specialized Units for improved service delivery.

7.1.7 Payment of hardship and transfer allowances

From the inspections conducted, the Authority received concerns from police officers on delay and sometimes non-payment of hardship and transfer allowances. The NPS should therefore consider timely payment of these allowances and the same be paid through officers' bank accounts for accountability.

7.1.8 Increase in budgetary allocation

The Authority has had increased visibility through the establishment of regional offices in Meru, Nyeri, Garissa, Kakamega, Nakuru, Mombasa, Kisumu and Eldoret. The demand for services has also increased and the Authority therefore appeals to the National Assembly to increase budgetary allocation to the Authority to make the regional offices fully functional.

7.2 Conclusion

The performance period July - December 2018 saw the Authority achieve various strides in realization of its mandate. There was improved performance in terms complaints processed, police operations monitored as well inspections and investigations conducted.

In the same period, the Authority welcomed the new Board Chair together with seven Commissioners after exit of the inaugural Board which served for six years as per the IPOA Act.

The Authority recruited 81 more staff members and grew its staff numbers to 213. The increase in staff capacity has boosted performance in various operations in the Authority. From the activities conducted during the reporting period, there are several findings that need redress from various institutions and as such, the Authority has made several recommendations to the relevant Authorities for action.

8. ANNEXURES

Annex 1; Status of Previous Recommendations

Towards accomplishing its function of making recommendations to the Service and any State organ as per Section 6(k) of its Act, the Authority made various recommendations during the previous reporting periods. The level of implementation of these recommendations is as shown in Table below. The Authority will keep reviewing these recommendations with the respective state agencies towards their intake and improvement.

Table 4: Status of Previous Recommendations made by the Authority

RECOMMENDATION	STATUS
Deployment and Working conditions for officers	From the follow-up inspections conducted the Authority still recommends that NPS should improve working conditions for the officers and proper deployment of officers.
Inadequate Staff strength	From the follow up inspections conducted, some facilities still had shortage of officers. The Authority therefore recommends to the NPSC to ensure that shortage of staff is addressed.
Use of excessive force	During monitoring, it was observed that 6% of the operations were characterized by use of excessive force and violence citing operation Fagia Wakora in Nyeri county and Mau clashes operations. The Authority therefore recommends that disciplinary action be taken on officers who use excessive force during public order management.

Source: IPOA 2018

Annex 2: Operational Statistics since Inception

Table 5: Authority's operational statistics since inception

IPOA OPERATIONAL STATISTICS SINCE INCEPTION TO DECEMBER 2018								
MANDATE	12/13	13/14	14/15	15/16	16/17	17/18	18/19	TOTAL
COMPLAINTS MANAGEMENT								
Complaints received	594	860	1,792	2,529	2267	2,339	1,520	11,901
Complaints cases forwarded to IAU	125	40	25	105	355	119	38	807
Complaints forwarded to investigations	0	304	1608	1927	819	482	210	5,350
Complaint forwarded to IRM	0	39	37	42	90	171	147	526
Complaints referred to NPS	43	59	27	63	232	415	162	1,001
Complaints forwarded to NPSC	49	39	13	39	105	90	35	370
Complaints Referred to KNCHR	8	3	3	8	9	10	0	41
Complaints Forwarded to DCI	16	20	16	49	116	12	46	275
Complaints referred to other agencies (EACC, CAJ, NLC, NTSA, RBA) among others	73	80	26	70	287	113	41	690
Preliminary inquiry conducted (Ongoing visits to respective stations, interviewing clients and fact finding) to determine the nature, solve mild complaints, and refer the rest for action depending on the subject matter.						546	355	901
Complaints closed (due to withdrawal of complainants, Not Actionable, insufficient information, resolved)	280	276	37	226	254	381	486	1,940
Total	594		1792	2529	2267	2339	3040	11,901
INVESTIGATIONS								
Total No of Cases received for investigation	0	304	1,608	1,927	819	482	210	5,350
Investigations Completed	0	27	115	157	294	197	338	1,128
Closed after Preliminary investigations							247	738

Closed after legal review							4	188
Cases under further investigations (cover points)								0
Ongoing Legal review								61
Forwarded to ODPP	0	2	13	37	26	27	19	124
Forwarded to EACC								11
Forwarded to NPSC								6
Subtotal								1,128
Cases under Initial Investigations Assessment								2,719
Cases currently under investigations	0	76	230	140	649	321		1,503
Subtotal								4,222
Total No of Cases received for investigation								5,350
Cases before Courts								40
Convictions made	0		0	2	0	1		5
POLICE OPERATIONS MONITORED								
Public Order Management	0	2	6	8	10	33	24	83
Government initiated	0	2	0	1	4	3	9	19
Traffic Management	0	0	0	1	13	5	18	37
Police Recruitment	0	0	2	1	1	0	0	4
Cases Intake Committee (CIC) referrals / Own motion	0	0	0	1	8	4	0	13
Beats & Patrol	0	0	0	0	12	0	3	15
Elections	1	0	0	0	16	13	3	33
Subtotal								204
INSPECTIONS IN POLICE PREMISES								
New Inspections	25	40	181	153	94	103	189	785
Follow-up inspections		0	15	59	114	137	107	432
Thematic				25		3	12	40
Specialized Units							75	75
Police Training schools					1		22	23
Subtotal								1,355

Source: IPOA 2018

Annex 3: Findings from Follow Inspections Conducted

Table 6: Findings from follow up inspections conducted

Parameter	Initial Status	Follow-Up	Comments on Improvement/Deterioration
Utilities			
Water	73.3%	97.7%	There was an improvement by 24.4% in the availability of water in the inspected facilities, thus showing good progress in the implement of the Authority's recommendations.
Lighting	91.9%	97.7%	There was a 5.8% increase in provision of lighting in Police Premises from as compared to initial inspection this was attributed to most police commanders accessing AIE and through community-police joint development activates and support from CDF.
Wheelchair access	27.9%	39.5%	There was an improvement of 11.6% facilities that provided access to the physically disabled persons. This was a result of introducing ramps and others leveling the path at the entrance of police premises which facilitated ease access.
First Aid Box	15.1%	25.6%	There was an improvement of 10.5% on the availability of well equipped of First Aid kits. This may be attributed to the recommendations made during initial inspections for stations to equip their first aid boxes to effectively address emergencies.
Safety and Security			
Sentry at Main gate	13.9%	32.5%	There was an improvement of 18.6% in the facilities inspected during follow up inspections and this can be attributed to recommendations made during initial inspections and the changing security spectrum in the country as a result of terrorism.
Secure report office	38.4%	50.0%	There was an improvement of 11.6% due to erection of Security grills by some facilities, which may be attributed attributed to the changing security risks in the country as a result of terrorism.
Perimeter fence	37.2%	36.0%	There was a decline by 1.2% during the follow-up inspections. Some of the Police premises had temporary live fence which are affected by weather changes.
Clear Signage	70.9%	79.1%	There was an improvement by 8.2% as a result of previous recommendations made.
Fire equipment	25.6%	40.7%	An improvement of 15.1% was noted as a result of implementing the recommendations made during initial inspections by station commanders. Fire equipment were noted to be an important security equipment especially in managing the aftermath of terrorism incidents.

Parameter	Initial Status	Follow-Up	Comments on Improvement/Deterioration
Front Desk			
Manned Customer Care desk	25.6%	48.8%	There was an improvement of 23.2% on the manned customer care desks and office as a result of implementing recommendations made during the initial inspections, it was noted such improvement is as a result also of having a a service that is people centered and the need for reforms within the service.
Manned Gender Desk	25.6%	40.7%	There was an improvement of 15.1% on the manned gender desk as a result of implementing recommendations made.
Detention Facilities			
Detainees held over 24hrs	7%	14%	Increase by 7% of facilities holding detainees for more than 24 hours. This was attributed to failure by complainants to record statements on time, personal interest by investigations officers and remandees detained awaiting to attend court.
Existence of child protection unit	3.5%	8.1%	4.6% increase in presence of CPU in KPS premises that were inspected. This was as a result of initiatives by well-wishers such as NGO's and Community Based Organizations to support the service in such initiatives and the need for the service to be sensitive to Children Rights.
Conditions of Cells			
Hygienic conditions of cells	56.9%	73.3%	An increases of 16.4% was noted as a result of availability of AIE thus can facilitate the cleaning of the cells on regular basis and implementation. AIE limits to the OCS is one of the recommendations made by IPOA.
Toilets within cells	36.0%	37.2%	There was an increase by 1.2% as a result of IPOA recommendations from previous inspections on the need to have a hygienic detention facility as part of reform process in the service.
Cleanliness of toilets and wash area	24.4%	23.3%	Decline by 1.2% as a result of blocked drainage systems in the toilets within the cells.
Adequate light	37.2%	67.4%	A notable increase of 30.2% was noted .This was due to setting up of bulbs outside the cells which have improved lighting within the cells; Availability of AIEs at station levels also facilitated the lighting.
Adequate ventilation	52.3%	74.4%	This improved by 22.1% as a result of implementation of IPOA recommendations. Initial findings indicated that ventilations were narrowed to minimize attempts by suspect to escape from detention facilities as shared by station leadership. But in the follow-ups the ventilations have been modified considerably well and do not compromise safety of the detainees.

Parameter	Initial Status	Follow-Up	Comments on Improvement/Deterioration
Provision of bedding	16.3%	20.9%	There was an improvement of 4.6% especially in Police Stations that hold remandees, the improvement was as a result of availability of AIES at station level and implementation of IPOA recommendations. The need to have a people centered service as part of the reform process in the service also contributed to such improvement.
Detainee Welfare			
Provision of 3 meals a day	59.3%	80.2%	A 20.9% improvement was noted as a result of implementation of IPOA recommendations, Availability of AIES at station level leading to payment of suppliers at the right time and ensuring constant supply of food supplies.
Provision of drinking water	66.3%	81.4%	A 15.1% improvement was noted as a result of implementation of IPOA recommendations and the payment of contractors bringing in water on time in facilities that did not have water.
Provision of special services for women i.e. sanitary towels	5.8%	10.5%	An improvement by 4.7% was noted . A Special treatment is given to the Lactating mothers where they are detained in seclusion from the other detainees, the improvement is as a result of implementation of IPOA recommendations during initial inspections.
Provision of medical care	51.2%	76.7%	25.5% improvement, this was as a result of implementation of IPOA recommendations during initial inspections and also partnering with the Sub- County Health facilities around the Police premises where detainees are offered medical care.
Detainee Treatment			
Detainee rights displayed	2.3%	9.3%	Improvement by 7.0% the improvement is as a result of implementation of IPOA recommendations made during initial inspections and also Police Premises benefiting training by KNCHR that also supplied free brochures and displays on the rights of detainees.
Records			
Occurrence Book correctly entered	80.2%	88.4%	An improvement of 8.2% was noted in the Occurrence Book entries and this is as a result of implementation of IPOA recommendations made during initial inspections on proper records management. The need to have accurate and transparent records as part of the reform process also contributed to the OB being correctly entered.
Cell Register correctly entered	72.1%	82.6%	There was an improvement in correctly entered Cell registers by 10.5% and this is as a result of implementation of IPOA recommendations made during initial inspections on proper records management. The need to have accurate and transparent records as part of the reform process also contributed to the cell register being correctly entered.

Parameter	Initial Status	Follow-Up	Comments on Improvement/Deterioration
Detainees' Property Register correctly entered	19.8%	27.9%	There was improvement in correctly entered detainees register by 7.1% as a result of implementation of IPOA recommendations made during initial inspections on proper records management.
Arms and Ammunition Movement Register	69.8%	69.8%	There was a Status quo on the aspect of correctly entered Arms and Ammunition Movement Register. This was a positive change though static and the need on proper records management.
Exhibits Register	24.4%	39.5%	Improvement by 5.1% due to the sensitization on the importance of listing all the Exhibits in a Police Premises and on proper records management.
Complaints against Police Register	31.4%	39.5%	There was an improvement of 8.1% on the aspect of correctly entered Complaints against Police Register in KPS premises inspected, and this is as a result of implementation of IPOA recommendations made during initial inspections on proper records management.
Weekly Duty Roster	76.7%	94.2%	17.5% improvement was noted as a result of implementation of IPOA recommendations made during initial inspections
Office Space, Housing and Resource Allocation			
Availability of office Space	94.2%	91.8%	There was 2.4% decline since most Police Premises received additional officers to boost the strength of the facility but offices were not increased. Officers sharing offices was also noted.
Sufficiency of available Office Space	13.9%	22.1%	There was an increase of 8.2% since some offices have benefitted from expansion and upgrade from NG-CDF and community Initiatives this is also a recommendation IPOA made that police premises to work closely with various stakeholders like private sector or government institutions like CDF to create a conducive working environment for their officers.
State of offices	23.3%	34.9%	There was an improvement of 11.6% as a result of upgrade and renovations courtesy of NG-CDF and community Initiatives.
Computers	59.3%	69.8%	There was a notable increase by 10.5% as a result of implementation of IPOA recommendations made during initial inspections. This was noted in Police Stations that had accessibility to internet.
Vehicle allocation	76.7%	84.8%	There was Improvement by 8.1% as a result of leasing of vehicles, a government initiative to ensure policing services are easily available to a large number of members of the public.

Parameter	Initial Status	Follow-Up	Comments on Improvement/Deterioration
Working communication gadgets	39.5%	57.0%	Improvement by 17.5% was noted attributed to implementation of IPOA recommendations made during initial inspections that facilities should strive to acquire digital communication gadgets to increase their response to reported crimes.
Sufficient issue of uniforms	52.3%	64.0%	There was 11.7% improvement on uniform allocation to officers in the field and this is attributed to implementation of IPOA recommendations made during initial inspections that officers should be given sufficient uniforms to enable them effectively discharge their duties.
Sufficient protective gear	44.2%	58.1%	There was a 13.9% improvement on supply of protective gear sufficient for use in the field and this is attributed to implementation of IPOA recommendations made during initial inspections that officers should be given sufficient protective gear.
Separate crime office	56.9%	65.1%	There was Improvement of 8.2% as result of uptake of recommendations made by the authority, this is also attributed to the police reforms and change of leadership at DCI headquarters and the need to have crime professionally handled.
Interrogation/ interview rooms	8.1%	18.6%	There was an improvement by 10.5% as result of uptake of recommendations made by the authority and the need to have crime professionally handled.
Adequate Exhibits Store	16.3%	24.4%	There was 8.1% increase in the adequacy of the Exhibits Store as a result of IPOA recommendations and the need to manage movement of exhibits professionally as part of the chain of custody process.
Sufficient houses for Police officers	17.4%	20.9%	There was 3.5% improvement in sufficiency of housing for police officers as a result of NPS leasing houses for officers outside the station and other officers sharing housing units.
Community Policing			
Existence of Community Policing Committees	37.2%	39.5%	There was Increase by 2.3% on existence of Community Policing Committees as a result of IPOA recommendations during the previous inspections and the need for the service to have a people centered institution that jointly shares security challenges within the community.

Source: IPOA 2018

(Endnotes)

i Tana River 19, Makueni 24, Kiambu 19, Kajiado 38, Narok 57, Kwale 12, Kitui 11, Kilifi 6, Baringo 13, Nyeri 12, Bungoma 17, Turkana 13, Machakos 31, Taita-Taveta 7, Garissa 8, Nyandarua 8, Kisumu 4, Nairobi 18, Meru 3, Homa Bay 1, Tharaka Nithi 1, Kisii 5, Embu 2, Laikipia 10, Trans Nzoia 1, Bomet 3, Kericho 5, Marsabit 2, Busia 4, Migori 4, Nakuru 12, Mombasa 8, Samburu 6, Isiolo 5, Siaya 7, Elgeyo Marakwet 3, Uasin Gishu 2, Vihiga 1, Kakamega 1, and West Pokot 2.















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