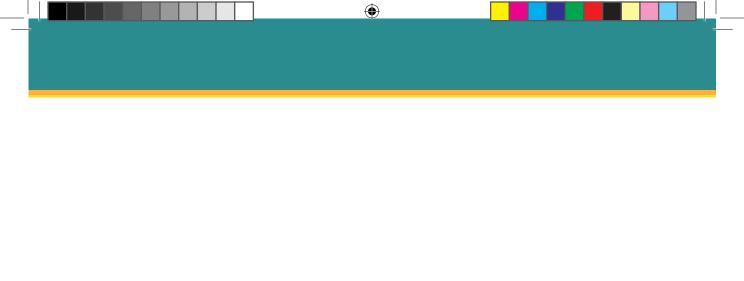


ANNUAL REPORT AND FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30TH JUNE 2015





Independent Policing Oversight Authority

ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2015

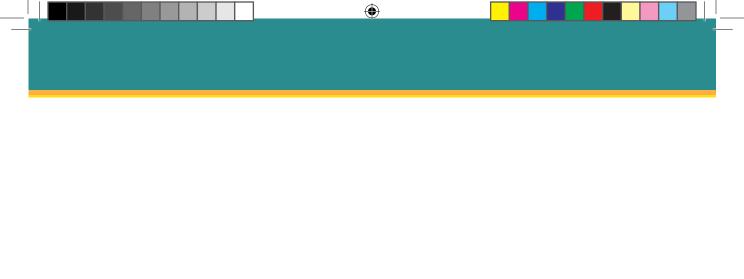
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Submitted to the Cabinet Secretary, Ministry of Interior and Coordination of the National Government in accordance with Section 38 of the IPOA Act.

IPOA Annual Report 2014-5.indd 3

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Independent Policing Oversight Authority

TABLE OF CONTENTS

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۲

2.3	Recommendations on complaints	19
2.4	Gender analysis	19
3.0 IN	IVESTIGATIONS	21
3.1	Completed investigations	. 21
3.2	Nature of cases investigated	22
3.3	Overall status of investigated cases	23
3.4	Status of files forwarded to ODPP	24
4.0 IN	SPECTION AND MONITORING	25
4.1	Inspection of police premises	25
4.1	.1 Condition of the inspected police premises	26
4.2	Monitoring of police operations	27
4.2	.1 Monitoring of police recruitment	27
5.0 RIS	K AND PERFORMANCE MANAGEMENT	29
5.1	Risk management	. 29
5.2	Performance management	29
6.0 OR	GANIZATIONAL DEVELOPMENT	. 29
6.1	Capacity building and training	. 29
6.2	Psycho-socio support	. 30
6.3	Training needs	. 30
7.0 IN	FORMATION, COMMUNICATION & TECHNOLOGY (ICT)	30
8.0 ST	AKEHOLDER ENGAGEMENT AND PARTNERSHIPS	30
8.1	Stakeholder engagement	. 30
8.2	Memorandum of understanding	31
8.3	Outstanding Police Service Awards (OPSA)	. 31
8.4	Conference on Civilian Oversight	32



IP

9.1	Financial management and budgeting	. 32
9.2	Resource mobilization	. 33
10.0 C	HALLENGES	33
11.	AuditorGeneral'sReport&AuditedFinancialStatements,June30,2015.	.36
11.1	Report of Auditor General	. 36
11.2	Audited Financial Statements for the Year Ended 30 June 2015	36
12.0 SI	PECIFIC RECOMMENDATIONS	59
Anne	x 1: Recommendations: Inspected police premises and facilities	. 59
Anne	x 2: Recommendations: Usalama Watch, Eastleigh, Nairobi	. 64
Anne	x 3: Recommendations: Mpeketoni Terror attacks in Lamu County	. 67
Anne	x 4: Inspection & Monitoring - Specific Recommendations	. 70
Anne	x 5: Findings & recommendations on police recruitment	. 75
Anne	x 6: OPSA Awardees	. 78
Cat	tegory: Extra Mile	. 80
Cat	tegory: The Best Police Facilities	. 80

۲

List of Figures

۲

Figure 1: Trend on number of complaints received	17
Figure 2: Clearance rate of complaints	18
Figure 3: Trend on registered complaints outside IPOA's mandate	18
Figure 4: Proportion of complaints referred to various entities	19
Figure 5: Complainants by gender	20
Figure 6: Completed investigations per period of six months	21
Figure 7: Proportion of incidents on investigated cases	23
Figure 8: Inspections conducted per County	26
Figure 9: State of detention facilities	27



List of Tables

Table	1:	lature of cases investigated 22
Table	2: 3	tatus of investigation cases
Table	3:	OPSA top winners





Independent Policing Oversight Authority

ABBREVIATIONS AND ACRONYMS

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ADR	Alternative Dispute Resolution
AIE	Authority to Incur Expenditure
AP	Administration Police
APCOF	African Policing Civilian Oversight Forum
APS	Administration Police Service
CAJ	Commission on Administrative of Justice
CI	Chief Inspector of Police
CIC	Complaints Intake Committee
CIMS	Complaints & Investigations Management System
СРА	County Policing Authority
CPC	Community Policing Committees
DIG	Deputy Inspector Genera
EACC	Ethics and Anti-Corruption Commission
ERM	Enterprise Risk Management
ERP	Enterprise Resource Planning
FBI	Federal Bureau of Investigation
FIDH	International Federation for Human Rights
GoK	Government of Kenya
GSU	General Service Unit
IAU	Internal Affairs Unit
ICT	Information, Communication & Technology
IG	Inspector General of Police
IJM	International Justice Mission
IMLU	Independent Medico-Legal Unit
IPCC	Independent Police Complaints Commission
IPID	Independent Police Investigative Directorate
IPOA	Independent Policing Oversight Authority
KDF	Kenya Defence Forces
KENAO	Kenya National Audit Office



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KNCHR	Kenya National Commission on Human Rights
MOU	Memorandum of Understanding
NGO	Non-Governmental Organisation
NPS	National Police Service
NPSC	National Police Service Commission
NYS	National Youth Service
OCPD	Officer Commanding Police Division
OCS	Officer Commanding Police Station
ODPP	Office of the Director of Public Prosecutions
OPSA	Outstanding Police Service Awards
PMF	Performance Management Framework
RCN	Rotary Club of Nairobi
SMS	Short Message Service
UNODC	United Nations Office on Drugs and Crime
URF	Usalama Reforms Forum
WPA	Witness Protection Agency



STATEMENT FROM THE CHAIRMAN

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On behalf of the Board, Management and staff, I am pleased to present the Authority's annual report and audited financial statements for the year ended 30 June 2015. This also marks the Authority's 3rd Anniversary since it commenced operations in July 2012. We look back with great pride and satisfaction on what the Authority has achieved so far during the last three years, and particularly during the reporting year.

The Board, Management and staff remain steadfastly committed towards the implementation of the Authority's mandate and functions. We look forward to a new horizon with optimism, full of hope and ambition that the ongoing



Independent Policing Oversight Authority

police reform agenda, and especially police oversight, will be fully realized in Kenya. It is for this reason, therefore, that the Authority has remained focussed towards promoting professionalism, transparency, discipline, and compliance with constitutional standards of human rights and fundamental freedoms within the National Police Service (NPS). Indeed, the Authority derives its mandate from Article 244 of the Constitution of Kenya.

In implementing its mandate, the Authority strongly recognizes the need to work closely with, and in partnership with the NPS, National Police Service Commission (NPSC), the Executive, and all related stakeholders. This calls consultative working relationships for the benefit of all the parties, and particularly guarding public interest in policing.

During the year, the Authority prepared and submitted two bi-annual statutory performance reports to the National Assembly. The reports were also forwarded to the Inspector General (IG), NPSC, and to all the 47 County Assemblies. The reports contained a range of recommendations, which are annexed to this annual report. The Authority reiterates the need for the implementation of these recommendations by the NPS and NPSC. Some of the recommendations are generally of administrative nature and do not have major financial implications to implement. These should be attended to with utmost urgency.

The Authority notes with satisfaction the increased annual investment by the Government in the security sector through enhanced budgetary provisions. Indeed some of these resources should be directed towards these recommendations. IPOA has called upon the NPS to seriously address the housing challenges facing the service. As articulated in our recommendations, the welfare of police officers needs urgent attention. It is for this reason that the Authority has commissioned a research study on housing crisis within the service. The findings of the study will be shared with NPS, NPSC, Ministry of Interior and Coordination of National Government, the National Treasury, and other relevant stakeholders.

Despite the poor image of the police by the public, the Authority acknowledges that



there are dedicated officers in the service doing a commendable job. It is in recognition of this fact, that during the period, the Authority in partnership with the Rotary Club of Nairobi and other partners conceived the Outstanding Police Service Awards (OPSA). The initiative will form part of the Authority's calendar of events towards rewarding committed and dedicated police officers in various categories each year.

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During the coming year, the Authority plans to develop a policy for decentralizing its services for ease of reach by the public. Additionally, the Authority plans to roll out a public awareness and outreach programme that will see the Authority visiting several counties educating the public and the police on its mandate. Further, the Authority recognizes the importance of building technical capacity of its staff. Towards this, the Authority will continue to seek for appropriate local and overseas training opportunities for its staff. The Authority will also seek for exchange programmes with similar police oversight agencies in other jurisdictions such as the Independent Police Complaints Commission (IPCC) in the UK, and the Independent Police Investigative Directorate (IPID) in the Republic of South Africa.

In spite of the efforts and achievements recorded so far, the Authority has continued to experience challenges towards full implementation of its mandate. Funding has remained a major impediment. The Authority hopes that additional resources will be made available by the national Treasury in the coming years. IPOA is pleased that its budget for 2015/16 was increased to Kshs. 420m. This level of funding will enable the Authority to upscale its activities during the ensuing year.

The Authority will also continue to explore other funding options to ease pressure on the Exchequer in carrying out some of its activities. Further, the Authority has also continued to face challenges in its investigations especially due to non-cooperation by the police, and availability of crucial evidence. In addition, the Authority has continued to experience staff capacity constraints, particularly in investigations. However, this challenge will be addressed by hiring additional staff during 2015/16 financial year to ease the current pressure on existing staff.

The Authority is committed towards its mandate, and looks forward to continue implementing its functions in a transparent, objective, just and in a fair manner. The Authority will continue cooperating with all other related agencies in carrying out its work especially the NPS, NPS, and other stakeholders.

The achievements realized during the year would not have been possible without the assistance from the Authority's development partners. We continue to be indebted to the US Embassy in Kenya for the continued technical support in form of training for our investigators and complaints team. Additionally, we are grateful to the Embassy for kindly agreeing to sponsor the Authority's ICT infrastructural project, which is expected to commence and commissioned during the 2015/16 financial year.

We would also like to register our gratitude to UNODC for the invaluable continued support to the Authority. The development of the Strategic Plan would not have been such a success if not for the great support from UNODC. We salute these development



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partners for walking this journey, and this far with us. We would like to recognize the efforts of the Parliamentary Departmental Committee on Administration and National Security for its support in recommending additional funding to the Authority to enable it to realize its mandate.

We are equally grateful to the National Treasury for availing additional funding to the Authority in the Supplementary Budget Estimates during the year, and also for the enhanced budgetary provision of Kshs. 420m for 2015/16 financial year. We are pleased that for a second year running, the Authority's audited financial statements have received an unqualified opinion from KENAO.

I would like to thank my fellow Board members for their continued commitment, upholding unity of purpose and ideals of the Authority during the year. I would also like to thank the CEO, management and staff for their hard work, dedication, commitment to duty, and demonstrating professionalism in their respective responsibilities. Finally, my special thanks to all our stakeholders for their support and cooperation during the year. Together, we look forward to yet another fruitful year as we consolidate gains made so far. God bless.

MACHARIA NJERU,



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REPORT FROM THE CHIEF EXECUTIVE OFFICER

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During the 2014/15 financial year, the Authority made good progress on all areas of its operations. Complaints received were attended to while investigations on serious cases were carried out. The Authority also took up cases touching on public interest. There was remarkable achievement on inspections of police facilities during the period with 199 police facilities inspected, and eight police operations monitored or inspected.

To enhance its performance management, a monitoring and evaluation system as well as a performance appraisal system were developed. To manage its risk profile, the Authority developed an Enterprise Risk Management



(ERM) framework. Other operational policy manuals in areas such as Human Resource (HR), finance, transport, security, ICT, communication, inspections and monitoring, and investigations were developed to strengthen the Authority's operations. The Authority considers training of its staff as a very critical component towards improving work performance. During the year, several training courses were offered particularly to the investigators. The Authority also provided staff with psycho-socio support through an in-house counselling unit. The Authority has continued to assess training needs of its staff in all operational areas. During the coming year, there are plans to offer senior staff with relevant management and strategic leadership training programmes to strengthen its managerial capacity.

On resource mobilization, the Authority managed to attract funding amounting to Kshs. 29.2m from UNODC. The grant will be applied mainly during the 2015/16 financial year to finance awareness and outreach programmes, staff training, and purchase of relevant equipment.

One of the challenges faced by the Authority during the year included inadequate staff capacity in areas such as investigations, complaints, monitoring and inspections. With an enhanced exchequer funding in 2015/16 financial year, the Authority plans to recruit additional staff to address the current staff constraints. This will enable the Authority to deal with the large emerging number of complaints and cases requiring investigations.

DR. JOEL MABONGA



EXECUTIVE SUMMARY

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To achieve its Vision and Mission, the Authority developed and launched a four-year Strategic Plan (2014/18) in September 2014. The Strategic Plan will continue to provide the Authority with direction towards implementation of its mandate during the fouryear planning period. The Plan is aimed at achieving the following strategic outcomes: compliance by police to human rights standards; restored public confidence and trust in police; improved detention and police premises; a functional Internal Affairs Unit (IAU) of the National Police Service; and a model institution in policing oversight in Africa. To guide its value-system, the Authority adopted five values: Transparency, Integrity, Independence & Impartiality, Respect for Diversity, and Compassion.

These are ideals that continue to shape the Authority in carrying out its business. This is demonstrated by the Authority's staff recruitment policy, and the manner in which complaints are received and attended to from all corners of the republic, ensuring independence and impartiality in handling complaints and investigating each case.

During the year, the Authority received 1,792 complaints from the public and the police, bringing the total complaints received since inception to 3,246. The level of complaints has been on an increasing trend. A large portion of these complaints have been outside the Authority's mandate. This is perhaps due lack of awareness by the public on IPOA's mandate. To address this, the Authority is rolling out a country-wide awareness and publicity campaign to educate the public and the police on its mandate and functions.

Further, IPOA calls upon the National Police Service to continue strengthening the Internal Affairs Unit in terms of capacity and other required resources to enable it to deal with complaints forwarded to it by the Authority as well as those it receives directly.

A total of 115 cases were investigated and completed during the period. As of 30 June 2015, the Authority had investigated and completed 141 cases. Of the 911 cases received for investigations as of the above date, 540 were awaiting commencement of investigations, 230 were under investigations with 141 completed cases. The high cases pending investigations was mainly due to the Authority's constrained staff and inadequate financial resources. As of 30 June 2015, 21 files had so far been forwarded to the Office of Director of Public Prosecutions (ODPP), 9 of which he agreed with the Authority's recommendations while feedback on the remaining 12 files was being awaited. Five matters were in court.

During the period, the Authority inspected a total of 199 police premises, bringing the total premises inspected since inception to 264 while 8 police operations were monitored bringing the total operations monitored to date to 12.

One of the major achievements during the year was the monitoring of the police recruitment in July 2014. Unfortunately, the Authority's monitoring findings revealed that the exercise was marred by corruption allegations and lack of accountability.

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Independent Policing Oversight Authority

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Accordingly, the Authority filed a petition at the High Court to nullify the recruitment and order a fresh recruitment. The High Court made its ruling on 31st October 2014 nullifying the exercise to be repeated. Even after an appeal by the Attorney General and NPSC on the judgement, the Court of Appeal upheld this order.

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The Authority also monitored the April 2015 recruitment, which was a remarkable improvement in terms of planning, execution and accountability. Following the monitoring of the two recruitment exercises, the Authority made recommendations for improvement in future. These recommendations are also annexed to this report. Other police operations monitored during the year included the Mpeketoni Terror Attacks in Lamu and Usalama Watch in Eastleigh, Nairobi. Recommendations arising from these operations are also included in this report. The Authority requests that both the NPS and NPSC critically attend to these recommendations by developing an implementation plan with practical timelines.

During the financial year, IPOA was initially allocated Kshs. 205.1m, which was later increased by Kshs. 65.5m and Kshs. 20m during 2014/15 Budget Supplementary I and II respectively, bringing the total allocation to the Authority to Kshs. 290.6m. Out of the revised budget allocation, only Kshs. 236.2m was disbursed by the Exchequer during the year. Total expenditure for the year amounted to Kshs. 265.1m of which Kshs. 176.1m was spent on compensation of employees, Kshs. 84.9m on use of goods and services, and Kshs. 4.1m on acquisition of assets.

Overall, the Authority absorbed 91% of the total allocated budget for the year. This was was an improvement as compared to 78% absorption rate during the previous year. The 2014/15 budget utilization would have been higher if not for the delayed approval of Supplement Estimates II. The Authority remains committed towards effective and efficient utilization of allocated funds, and within the approved annual budgetary provisions.

In March 2015, the Authority in partnership with APCOF held a successful conference on civilian police oversight in Nairobi. The conference was attended by representatives of police oversight agencies from Nigeria, South Africa and Kenya. Others included regional NGOs such as FIDH from Morocco.



1.0 INTRODUCTION

1.1 Background

The Authority was established on 18 November 2011 through IPOA Act No. 35 of 2011. The principal functions of the Authority, among others, are to:

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- 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; and
- e) Conduct inspections of Police premises, including detention facilities under the control of NPS.

1.2 Vision

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

1.3 Mission

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.

1.4 Motto

Guarding public interest in policing.

1.5 Values

To guide its strategic direction, the Authority adopted the following five Values, in addition to those in the Constitution:

a) Transparency: The Authority shall be open to all, frank and honest in all the



Independent Policing Oversight Authority

Authority's communications, transactions and operations;

b) Integrity: The Authority shall maintain honest practices when carrying out its mandate at all times;

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- c) Independence & Impartiality: The Authority shall remain free from outside influence and interference when it comes to the implementation of its mandate;
- d) Respect for Diversity: IPOA shall uphold that every citizen and community, particularly those that have been historically disadvantaged, will have equal opportunities and protection; and
- e) Compassion: The Authority shall deal with victims and survivors of police brutality and unfairness.

1.6 Strategic Planning

During the period, the Authority developed and commenced implementation of a four-year Strategic Plan covering financial years 2014/15 to 2017/18. The strategy document was launched in September 2014. During the four-year planning period, the Authority plans to accomplish the following five strategic objectives: 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); and e) A model institution in policing oversight in Africa.

The achievement of the first four outcomes is aimed at institutionalizing professionalism, accountability and discipline within the national police service in accordance with the Authority's mandate. The final outcome is aimed at building a leading civilian police oversight institution in Africa.

During the year, the Plan continued to guide the Authority's operations and providing a strategic direction towards realizing its functions and mandate.

1.7 Programme Strategy

In the Strategic Plan, the Authority will develop a Programme Strategy based on: Development and documentation of standards; Investing in continuous learning; Developing and enforcing recommendations; Focused and systematic partnership; and Participatory research

1.8 Strategic Choices

To achieve the above programme strategies, IPOA shall seek to equip the Board and staff with high standards through: Organizational development; Performance management; Information, Communication and Technology (ICT); Mainstreaming human rights, diversity and ethical practice; Resource mobilization; and Stakeholder engagement.



1.9 Corporate Governance

1.9.1 The Board

IPOA Board comprises nine members. The ninth member is an ex-officio member, who is the Chair of the KNCHR. The Board has seven standing Committees, which meet as required. The Committees have been established with clear terms of reference to facilitate efficient and effective decision-making of the Board in discharging its duties, powers and authority. The Committees are aligned in accordance with the Authority's mandate and functions. The Committees are:

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- 1. Finance and Administration: Reviews the authority's annual budgets and procurement plans, quarterly and annual financial reports. The Committee also provides oversight on administration issues within the organization.
- 2. Human Resource: Advises the Authority on organizational structure, human resource policy and capacity enhancement/building, recruitment of senior staff ensuring that these are competitively structured, reflect face of Kenya, adhere to gender parity, and linked to performance. The Committee also makes recommendations to the Board for broad guidelines that promote operational efficiency.
- 3. Investigations, Complaints and Legal: Charged with providing oversight on the Authority investigations and complaints mandates. The Committee also advises the Authority on legal matters.
- 4. Inspections, Research and Monitoring: Provides oversight on the Authority's inspections, research and monitoring function.
- 5. Communication and Outreach: Provides oversight on communication and outreach programmes.
- 6. Risk & Audit: Works closely with the risk and audit unit and plays a critical role in reviewing financial information, and ensuring that the system of internal controls is effectively administered.
- 7. ICT: Provides oversight on the implementation of the Authority's ICT strategy, and innovation initiatives.

1.9.2 Management structure

The Authority has four operational programmes, namely: Complaints & Legal; Investigations; Business Services, and Inspections, Research & Monitoring. Departments include Human Resource; Communication and Outreach; Risk & Audit; Security and Procurement.



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Independent Policing Oversight Authority

IPOA Board Members

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Macharia Njeri



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Chair, Communications & Outreach Committee

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Chair, Audit & Risk Committee



Chair, Human Resource Committee



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Chair, Inspections, Research & Monitoring Committee



Chair, Finance & Administration Committee



Chair, ICT Committee



Chair, Investigations & Legal Committee









1.9.3 Management team:

The following are senior management team that held office during the year:

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	Name	Designation
1	Dr. Joel Mabonga Chief Executive Officer/Board Secretary	
2	Maina Njoroge	Director, Business Services
3	James Olola Director, Complaints & Legal Services	
4	Stephen Musau Director, Inspections, Research & Monitoring	
5	Elema Halake Director, Investigations	
6	Njeri Waithaka Head, Investigations	
7	7 Gillian Mutua Head, ICT	
8	Irene Muasya	Head, Risk & Audit
9	Gladys Some-Mwangi	Head, Communication & Outreach
10	Rhoda Chemiati	Head, Security
11	Janice Misoi	Head, Complaints
12	Fredrick Chabari	Head, Procurement

1.9.4 Staff

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As at 30 June 2015, the Authority had a staff count of 70, representing 37 counties (that is, 79% county representation) with 59%:41% male/female gender parity. The number of employees is projected to increase to over 100 during the 2015/16 financial year to address the technical staff capacity challenges being experienced, particularly within investigations department.

1.10 Statutory reporting

1.10.1 Performance reports

Section 30 of IPOA Act requires the Authority to prepare and submit a Performance Report every six months. During the reporting year, the Authority submitted to the National Assembly two performance reports for six months ended December 2014 and June 2015. Copies of the reports were also forwarded to the Inspector General (IG), NPSC and to the 47 County Assemblies through their respective Governors.

1.10.2 Annual report

Section 38 of IPOA Act requires the Authority to prepare and submit an annual report every financial year. This is the Authority's 3rd annual report since inception. The report



covers achievements during 2014/2015 Financial Year (1st July 2014-30th June 2015). It also contains a set of recommendations made to the NPS, among other state organs. Further, the report includes the Authority's audited financial statements for the year ended 30 June 2015.



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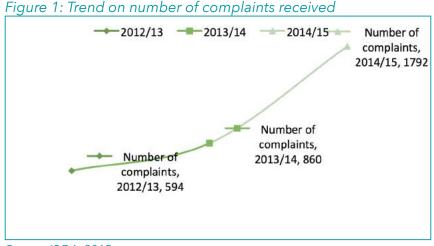


2.0 COMPLAINTS MANAGEMENT

During the year, the Authority continued to receive various complaints from both the public and members of the NPS. Complaints were also received from institutions such as ODPP, NPS, CAJ, KNCHR, legal fraternity and NGOs on behalf of individuals. Additionally, the Authority handled incidents of misconduct and criminal actions by the police on own motion (no complaint exist in such instances).

2.1 Number of complaints received

During the period, a total of 1,792 complaints were received. As at 30 June 2015, the Authority had cumulatively received 3,246 complaints from the public and police since it commenced operations in July 2012. The receipt of complaints has been on an increasing trend during the past three years, rising from 594 in 2012/13 to 860 in 2013/14, and doubling in 2014/15 to 1,792. This shown below in Figure 1:



Source: IPOA, 2015

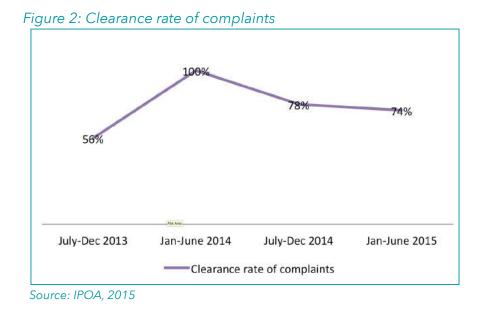
Out of the 1,792 complaints received during the year, 1,362 or 76% were processed by the Authority's Case Intake Committee (CIC). The Authority remains committed to ensuring that complaints received during each year are all processed. The main challenge has been the constraint of the internal capacity. However, this is being addressed by strengthening the complaints management unit.

The rate of clearance¹ complaints received by the Authority is shown here below in Figure 2.

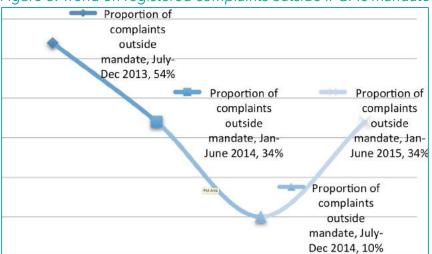
¹ Refers to the point at which recommendations and subsequent referral is made for complaints appraised by the CIC.



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Out of the 1,792 complaints received during the period, 218 or 34% were outside IPOA's mandate. The percentage had shown a decline during the first half of the year at 10% but rose to 34% during the second half as shown in Figure 3 here below. The reason for the high number of complaints outside the Authority's mandate is perhaps due to unawareness of its mandate and functions by public. The Authority has previously carried out public awareness campaigns, but mostly in Nairobi. During the coming year, the Authority plans for a country-wide awareness and outreach initiative to reach out to both the public and the police. The objective of this initiative will be to educate the public and the police on the functions and mandate of the Authority.



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Figure 3: Trend on registered complaints outside IPOA's mandate

Source: IPOA, 2015



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Independent Policing Oversight Authority

2.2 Complaints lodging modes

Of the 1,792 complaints received during the year, 37% were through walk-ins to the Authority's offices followed by online and letters at 30% each while through telephone was the least at about 1%.

2.3 Recommendations on complaints

Screening of complaints by the Case Intake Committee (CIC) led to recommendation of 475 (37%) complaints for investigation by IPOA, 410 (32%) referred to IAU, 158 (11%) to NPSC and 255 (20%) to other agencies as illustrated in Figure 4 below. The number referred to IAU has continued to increase and thus the need to operationalize the unit and build its capacity to be able to handle the increasing number of cases that fall under its docket.

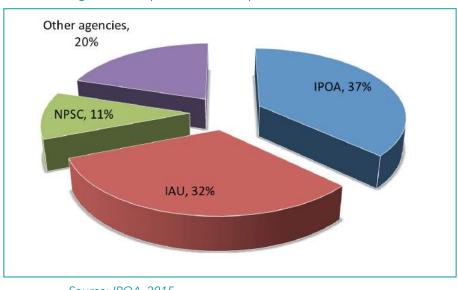


Figure 4: Proportion of complaints referred to various entities

2.4 Gender analysis

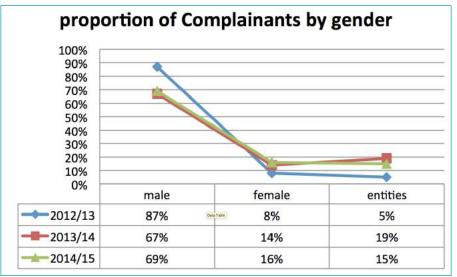
The gender analysis of the 1,792 complaints received during the year shows that men constituted the largest proportion of complainants. They accounted for 1,228 complaints or 69% while women complainants were 282 or 16%. Two hundred and eighty two (282) were complaints received from other institutions without classification of gender. This trend has been consistent over the past three years as illustrated in Figure 5 below.



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Source: IPOA, 2015





Source: IPOA, 2015

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3.0 INVESTIGATIONS

3.1 **Completed investigations**

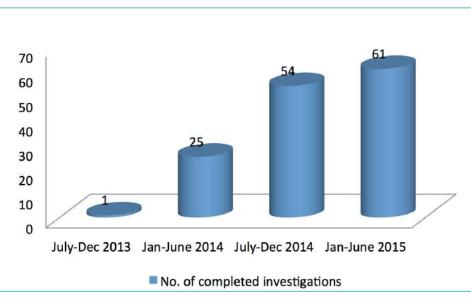
During the year, 115 cases were investigated and completed, totalling to 141 cases since the Authority commenced operations in July 2012. The 115 investigation cases completed during the period covered 28 counties namely: Nairobi, Nakuru, Kajiado, Kisumu, Makueni, Narok, Bungoma, Makueni, Busia, Lamu, Uasin Gishu, Kakamega, Kiambu, Garissa, Nyeri, Migori, Embu, Meru, Kisii, Nyandarua, Mombasa, Kwale, Laikipia, Kisumu, Kitui, Kirinyaga, Mandera and Baringo.

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The number of completed investigation cases was highest in Nairobi. This mainly attributed to IPOA's location in its favour. It is expected that once the Authority's services are decentralized, the situation change with increased numbers emanating from the other counties.

Upon completion of investigations, some cases were referred to ODPP for prosecution, others were closed without the need for further action owing to various reasons while others were referred to other state agencies such as NPSC, NPS and IAU for action.

Investigation cases completed during the last two years grew progressively as shown in Figure 6 below; 26 cases in 2013/4; and 115 in 2014/15. This trend is expected to continue during 2015/2016 financial year. The Authority is building staff capacity in the investigations unit to be able to handle the number of complaints received requiring investigations.







Independent Policing **Oversight Authority**

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Source: IPOA, 2015

3.2 Nature of cases investigated

Cases investigated during the year were varied in nature ranging from deaths, serious injuries, sexual offences, harassment among others. The nature of the 115 cases investigated was as in Table 1 and Figure 7 below depicting death cases out of police action or custody at 27%. This clearly explains the reason for the Authority to speed up actions on this category of cases while also working on deterrent strategies to curb this level.

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Table 1: Nature of cases investigated

Nature of case	Number of incidences	%
	(July 2014-June 2015)	
Deaths arising out of police action or inaction	35	26
Deaths in custody	2	1
Serious injuries	15	11
Sexual offences and sexual related offences	6	4
Harassment, intimidation and corruption/arbitrary arrest	37	27
Improper orderly/disciplinary proceedings	3	2
Undue delay and partial investigations/negligence/ collusion	30	22
Enforced disappearance	2	1
Theft/fraud/robbery	6	4
Total	136	100

Source: IPOA, 2015

PS: One investigation case may result to more than one incidence.





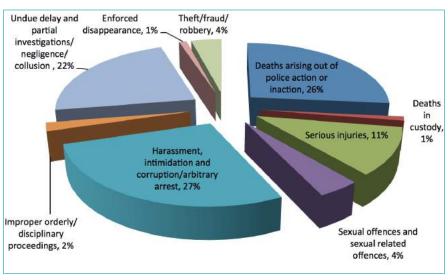


Figure 7: Proportion of incidents on investigated cases

Source: IPOA, 2015

3.3 Overall status of investigated cases

By the close of the reporting period, the status of cases recommended for investigations since IPOA's establishment was as in Table 2 below:

Table 2: Status of investigation cases

Investigation stage	No. of cases	Percent
Cases currently under investigations	230	25%
Completed investigations	141	16%
Cases awaiting commencement of investigations	540	59%
Total cases received for investigation	911	100%
Cases forwarded to ODPP	21	

Source: IPOA, 2015

One of the cases referred to ODPP resulted in criminal charge of murder brought against Constable Titus Ngamau Musila (based at Kasarani Police Station) for the murder of Kenneth Kimani Mwangi on 14 April 2013. Constable Musila was remanded in prison awaiting trial which commenced in May 2015.

The level of cases awaiting commencement of investigations in Table 2 above remains a major concern for the Authority as it bears a strong correlation with the customer



satisfaction and ultimately restored confidence in the NPS among the public. It is expected that the backlog will be reduced in 2015/2016.

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3.4 Status of files forwarded to ODPP

By 30th June 2015, 21 files had been forwarded to the ODPP with recommendations for prosecution. ODPP had concurred with nine of the recommendations and 5 matters were in court.



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4.0 INSPECTION AND MONITORING

Under Section 6(e) of IPOA Act, the Authority is mandated to conduct inspections of police premises, including detention facilities under the control of NPS as well as monitor police operations. The overall objective is to ensure compliance by the police with constitutional standards on fundamental freedoms and human rights. Specific objectives include: a) Improved standards of detention facilities, detainee welfare and police working conditions, and b) Improved police operations that adhere to standards of human rights.

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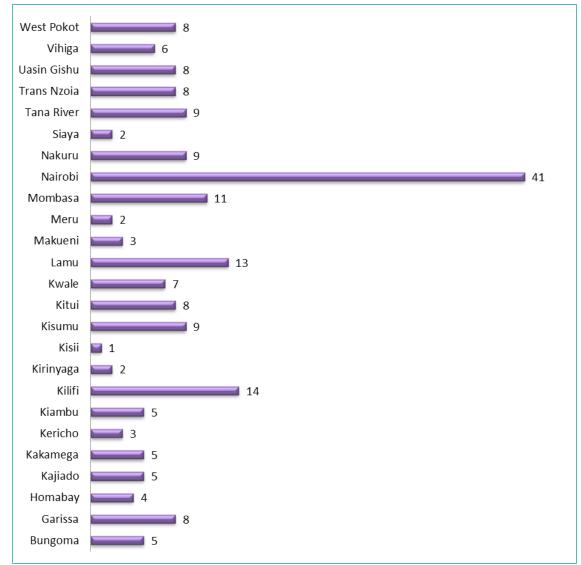
4.1 Inspection of police premises

The Authority continued to implement its mandate of inspections of police premises and monitoring police operations, aimed at contributing to improved police premises. A total of 199 inspections were conducted, 3 of which were in police training facilities. The inspections were conducted in 25 counties as shown in Figure 8 below. Cumulatively, 264 inspections had been conducted as at 30th June 2015.



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Figure 8: Inspections conducted per County



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4.1.1 Condition of the inspected police premises

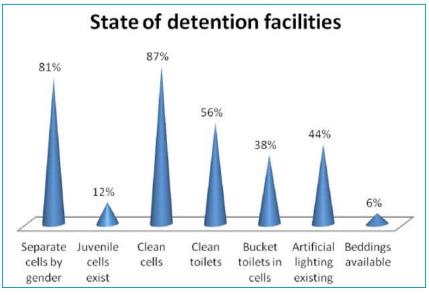
A summary of findings on the status of police detention facilities is presented in Figure 9 below.



Source: IPOA, 2015







Source: IPOA, 2015

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As shown in Figure 9 above, the level of cleanliness and provision of separate cells by gender was observed to be fairly good at 82% and 75% respectively. The worst condition was lack of toilets in 38% of the facilities inspected. The provision of juvenile cells was noted to be extremely low, an area of great concern, while provision of beddings to detainees seemed to be the least considered.

From the above analysis, it is critical that NPS implement the Authority's recommendations and develop an improvement action plan aimed at enhancing compliance with human rights standards for detainees.

4.2 Monitoring of police operations

The eight police operations monitored were: Lang'ata primary school, 1st and 2nd recruitment exercise for police constables, Joint NPS/KDF operation in Lamu, Garissa and Tana River Counties, Mosque operations in Mombasa, Saba Saba rally, My Dress My Choice in Nairobi, and 3rd reading of Security Laws (Amendment) Bill at the National Assembly on 18th December 2014.

Cumulatively, 12 police operations had been monitored as at 30th June 2015.

4.2.1 Monitoring of police recruitment

The NPSC is mandated to recruit suitable and qualified candidates as police constables. During the 14th July 2014 police recruitment, the Authority monitored the exercise in partnership with Usalama Reforms Forum (URF) in 110 centres across the country.



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Unfortunately, the recruitment was watered down by allegations of corruption, and generally gross lack of accountability.

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This led the Authority to file a petition to have the exercise nullified and repeated. Following this petition, the High Court pronounced its ruling on 31st October 2014, nullifying the exercise and ordered a repeat. Upon this ruling, the Attorney General and NPSC filed an appeal at the Court of Appeal. The ruling was made on 8th May 2015 affirming the High Court judgment of 31st October 2014. This was a major realization of the Authority's mandate in guarding public interest in policing.

The Authority also monitored the 2015 police recruitment, conducted on 20th April 2015 in 320 centres across all the 47 counties. The Authority managed to monitor the exercise in 68 centres in 31 counties. The Authority's monitoring findings and recommendation are presented in Annex 5. Overall, the exercise showed a remarkable improvement as compared to the one for 2014. The Authority was pleased that its efforts bore fruits, and remains confident that future recruitments will be carried out within the law and in an accountable manner.



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5.0 RISK AND PERFORMANCE MANAGEMENT

5.1 Risk management

The Authority developed an Enterprise Risk Management (ERM) framework, compiled and disseminated one report on status of risk management, one risk- based audit plan was conducted and two risk-based audits were conducted.

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A workshop on ERM framework was held in Naivasha in June 2015. An opportunity was provided for team representatives to familiarise themselves with the possible risks and mitigation strategies for their actions. Subsequent sessions with the rest of IPOA team will continue as planned in 2015/2016 for wider understanding and ownership.

5.2 Performance management

The Authority established and operationalised the Performance Monitoring and Evaluation System as well as the Performance Appraisal System. A workshop to finalize the Performance Management Framework (PMF) Manual was held in Naivasha in April 2015, followed by Board approval of the manual later that month.

Additionally, Annual Work Plan and Budget for year 2015/16 were prepared, a basis for which staff drew their Individual Work Plans.

6.0 ORGANIZATIONAL DEVELOPMENT

6.1 Capacity building and training

Since establishment, the Authority has continued to seek training opportunities for its staff, particularly in core technical areas. During the period, staff members were offered an in-house training on fire safety and building evacuation. The objective of the training was to sensitize staff on security and occupational safety measures.

During the year, the following technical trainings were provided to the investigators on: Interviewing and interrogation skills by Federal Bureau of Investigation (FBI) in September 2014; Human Rights by UNODC in October 2014; and Dealing with vulnerable and traumatised victims by IJM in November 2014 with the assistance of UNODC.

To enhance critical analysis of complaints, two officers in the Complaints Management department were trained on complaints handling at Queen Mary University, London, UK, in November 2014. The Authority will continue to pursue such staff training opportunities so as to build the required technical capacity.



IPOA Annual Report 2014-5.indd 29

6.2 Psycho-socio support

To address staff psycho-socio support, the Authority has established a counselling services unit. The services are usually offered to staff and complaints who may require this support. The unit offered three Continuous Psycho-socio Education and group debriefing to staff members on various issues including: Psychological trauma and its management for investigators, Briefing session on acute stress disorder and its management, Presentation on vicarious trauma, and Presentation on teams and teamwork.

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6.3 Training needs

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To develop staff capacity in complaints management, the following areas of training were identified: Alternative Dispute Resolution (ADR), Complaints handling and customer care, Statements recording skills, Basic counselling, Regular debriefing of staff, and Para-legal.

The Authority will continue to identify training needs across all staffing levels, and develop a training programme to address the gaps. The training will also focus on management strategic leadership at the senior level.

7.0 INFORMATION, COMMUNICATION & TECHNOLOGY

In line with the Strategic Plan objectives, the Authority continues to enhance its ICT capacity and long term sustainability.

Improvements on the Complaints and Investigations Managements System (CIMS) were ongoing by 30th June 2015. Backlog of complaints was cleared as a result. The design for the Enterprise Resource Planning system (ERP) through the planned support of the US Embassy in Nairobi was progressing well and its development was expected to effectively commence and completed during the 2015/2016 financial year. Once completed the system is expected to support all the core operational areas such as complaints, investigations, inspections, monitoring and HR among others.

8.0 STAKEHOLDER ENGAGEMENT & PARTNERSHIPS

8.1 Stakeholder engagement

The Authority, in line with its stakeholder engagement strategy, continued to collaborate with its partners. These partners included NPS, IAU, ODPP, WPA, KNHRC, EACC, and CAJ among other government agencies. The Authority also partnered with non-state actors such as IJM and IMLU.



8.2 Memorandum of understanding

The Authority signed a MoU with the KNCHR on areas of collaboration that includes management of complaints and investigations, public awareness and tapping of expertise amongst the two institutions. A similar MOU was also entered with WPA.

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MoUs with ODPP and EACC were drafted in 2014. Efforts were being made have them signed while drafting of one with NPS was at an advanced stage at the end of the financial year.

8.3 Outstanding Police Service Awards (OPSA)

In August 2014, the Authority, the Rotary Club of Nairobi (RCN), NPSC, NPS, Usalama Reforms Forum and KNCHR initiated OPSA to recognize deserving police officers for exemplary performance in their duties. The initiative identified the following five categories for the awards:

- a) Best Individual Police Officer,
- b) Best Detention Facility,
- c) Best Police Facility in Order and Cleanliness,
- d) Best Facility Implementing Community Policing, and
- e) Outstanding Police Service Awards Special Category Extra Mile.

The nominations were made by the members of the public. The nomination campaign was done through print and electronic media. The nomination for awards were for members of NPS and police facilities e.g. police stations, posts, outposts, bases and camps. A total of 1,299 nominations forms and 1,885 SMS nominations were received.

The ceremony was held on 12th March 2015.

The overall winners were as follows:

Table 3: OPSA top winners

Award	Winner	Station	County
Best Individual Police Officer	PC Sylvana Lengaina	Bungoma Police Station	Bungoma
Best Detention Facility	Voi Police Station	Voi	Taita Taveta
Best Police Facility in Order and Cleanliness	Voi Police Station	Voi	Taita Taveta
Best Facility Implementing Community Policing	Shauri Moyo Police Station	Shauri Moyo Police Station	Nairobi



Independent Policing Oversight Authority

Outstanding Police Service Awards Special Category - Extra Mile	CI Paul Mwenda Nkanatha	AP Commander, Othaya	Nyeri
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Source: IPOA, 2015

The full list of awardees is contained in Annex 6. Due to the success of the initiative, the Authority will make this awards an event in its annual calendar. IPOA believes that excellent performance in policing should be recognized as a way of boosting the morale of the police officers towards professionalizing the service. Despite the challenging work environment, the Authority recognizes that there are many police officers across the country who are ready to sacrifice and go the extra mile to execute their duties. The Authority recommended that such officers should be acknowledged, rewarded and promoted.

8.4 Conference on Civilian Oversight

On 13th March 2015, IPOA in partnership with APCOF, convened a conference at the Nairobi Safari Club, whose theme was 'Civilian oversight as mechanism of good governance in policing in Africa'. The conference brought together representatives from African organizations charged with civilian oversight on police or related engagement. This was an invaluable learning opportunity for the Authority and a forum for sharing civilian police oversight experiences with the participants from other jurisdictions.

The key speakers included; Mr. Sean Tait, Director, APCOF (South Africa); Mr. Eddyson Nyale, Ministry of Interior and Coordination of National Government; Mr. Macharia Njeru, Chairman, IPOA; Mr. Thomas Tshabalala, former Provincial Head, Independent Police Investigative Directorate (South Africa); Ms. Amina Bouayach, Secretary General, FIDH (Morocco); Dr. Mutuma Ruteere, UN Special Rapporteur; Justice (Mrs) Hon. Adekeye Olufunlola, Commissioner, Police Service Commission (Nigeria); Mr. Ojango Omumu, CEO, NPSC (Kenya); and Ms. Louise Edwards, APCOF (South Africa).

9.0 FINANCIAL MANAGEMENT & RESOURCE MOBILIZATION

9.1 Financial management and budgeting

During 2014/2015 financial year, the Authority was allocated Ksh 205.1 in the Printed Estimates. The budget was revised to Kshs. 290.6m during Supplementary I and II Estimates. The additional resources amounting to Kshs. 85.5m was largely to support personnel emoluments costs. By 30th June 2015, the Authority reported a total expenditure of Kshs. 265.1m with a budget absorption rate of 91%. The lower absorption rate was occasioned by late release of Supplementary Budget funds.

During the period, the Authority appeared before the National Assembly's

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annual budget. The Authority is pleased to report that its 2015/16 budget was raised to Kshs. 420m, an increase of 105%, as compared to the initial budget of Kshs. 205.1m for FY 2014/15. The increase will support the Authority's operations that have been underfunded during the past three financial years.

In compliance with the National Treasury's national standards of financial procurement management, the Authority installed IFMIS and by 30th June 2015 it was already interfaced with the Central Bank of Kenya's Internet Banking. This was a great improvement and has continued to facilitate processing of financial transactions online while at the same time enabling the Authority to obtain relevant financial reports from the system. By 30th June 2015, the Authority was working with the National Treasury to finalize installation and implementation of e-procurement.

Additionally, KENAO finalized the audit on the Authority's 2013/14 financial statements. The Authority is pleased to report that, in fulfilment of fiduciary duty, it received an unqualified audit opinion.

To guide the Authority' financial management, a financial policy and procedures manual was developed in line with Government fiscal policies, and Public Financial Management Act, 2012. Further, a transport policy manual was developed to guide allocation, effective and efficient utilization of public assets.

9.2 Resource mobilization

The Authority recognizes the competing demands for resources on the Exchequer. It is for this reason, therefore, that the Authority has continued to explore other funding options. During the period, the Authority secured funding amounting to Kshs. 29.2m (USD 324,720) from UNODC specifically targeted to support critical operations such as outreach initiatives, training, tool kits for investigations, inspections and monitoring. The funds also supported two staff workshops held in Naivasha in April and June 2015 to review the Performance Management Framework and Enterprise Risk Management Framework respectively. The grant will support similar activities during the first half of FY 2015/16.

10.0 CHALLENGES

During the year, the Authority experienced the following challenges:

- a) Budgetary underfunding, particularly on operational areas,
- b) High expectations from the public and police,
- c) Inadequate staff capacity, especially investigators to deal with a large emerging number of cases: this has led to a backlog of cases pending investigations,



Independent Policing Oversight Authority

d) Police undertaking investigations and recommending inquests before informing the Authority and thus legally barring IPOA's investigations,

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- e) Lack of operational MOUs with critical bodies such as mobile telephone operators and Government Chemist,
- f) Lack of an independent ballistic/forensic services provider thus continued reliance on Police Ballistics Laboratory,
- g) Inadequate public awareness on IPOA mandate thus receiving a large proportion of complaints outside its mandate,
- h) Non-cooperation by some police commanders during inspections of police premises,
- i) Lack of understanding and failure to appreciate the Authority's mandate and functions by members of NPS. This has resulted in misapprehension of the investigations and requests for information, contamination of evidence and provision of misleading information.

Despite the above challenges, the Authority continued to discharge its mandate. There is great need to address the above concerns matters on NPS that have become a hindrance to the Authority's work. On public awareness, the Authority secured funding from UNODC to carry out public awareness and outreach campaigns across the country during 2015/16 financial year. On funding, there has been good progress in that the Authority's budget for 2015/16 was enhanced to Kshs. 420m. This will henceforth address the staff capacity and operational challenges. The Authority will continue exploring modalities for entering into MOUs with relevant institutions that will facilitate its work such as cell phone service providers, and other Government agencies for collaboration.





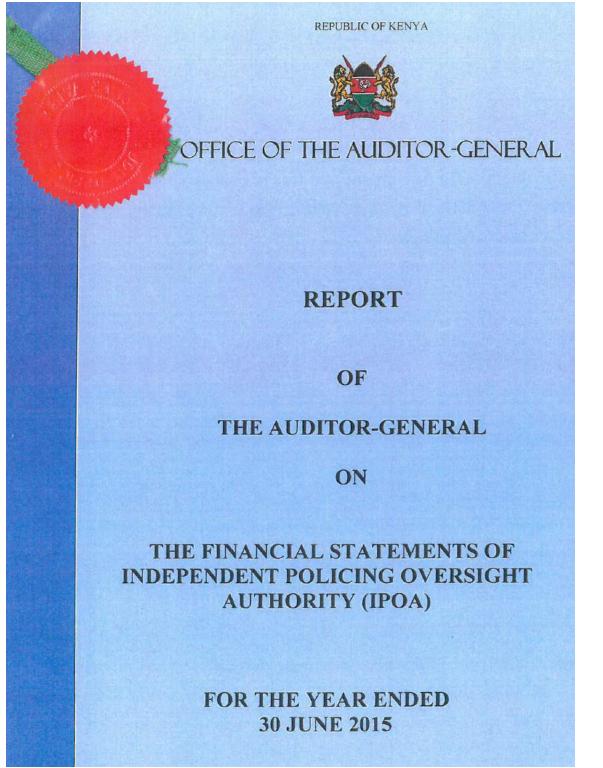


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11. Auditor General's Report & Audited Financial Statements, June 30, 2015

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11.1 Report of Auditor General





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REPUBLIC OF KENYA

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Telephone: +254-20-342330 Fax: +254-20-311482 E-Mail: oag@oagkenya.go.ke Website: www.kenao.go.ke



P.O. Box 30084-00100 NAIROBI

Independent Policing Oversight Authority

OFFICE OF THE AUDITOR-GENERAL

REPORT OF THE AUDITOR-GENERAL ON INDEPENDENT POLICING OVERSIGHT AUTHORITY (IPOA) FOR THE YEAR ENDED 30 JUNE 2015

REPORT ON THE FINANCIAL STATEMENTS

I have audited the accompanying financial statements of the Independent Policing Oversight Authority (IPOA) set out on pages 11 to 28 which comprises of statement of assets as at 30 June, 2015, and the statement receipts and payments, statement of cash flow, summary statement of appropriation (combined), summary statement of appropriation (Recurrent), summary statement of provisioning for the year then ended, and summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 8 of the Public Audit Act, 2003. I have obtained all the information and explanations which, to the best of my knowledge and belief were necessary for the purpose of the audit.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Cash Basis) and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

The management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 7 of the Public Audit Act, 2003.

Auditor-General's Responsibility

My responsibility is to express an opinion on these financial statements based on the audit and report in accordance with the provisions of Section 9 of the Public Audit Act, 2003 and submit the audit report in compliance with Article 229(7) of the Constitution of Kenya. The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). Those standards require compliance with ethical requirements and that the audit be planned and performed to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In

Independent Policing Oversight Authority (IPOA) - Financial statements for the year ended 30 June 2015



making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. An audit also includes evaluation the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the management, as well as evaluation the overall presentation of the financial statements.

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I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of Independent Policing Oversight Authority as at 30 June, 2015, and of its financial performance and its cash flows for the year then ended, in accordance with the international Public Sector Accounting Standards (Cash Basis), Public Finance Management Act, 2012 and comply with the Independent Policing Oversight Authority Act, 2011.

FCPA Edward R. O. Ouko, CBS AUDITOR-GENERAL

Nairobi

9 February 2016

Independent Policing Oversight Authority (IPOA) – Financial statements for the year ended 30 June 2015





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INDEPENDENT POLICING OVERSIGHT AUTHORITY (IPOA)

REPORTS AND FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED JUNE 30, 2015

Prepared in accordance with the Cash Basis of Accounting Method under the International Public Sector Accounting Standards (IPSAS)



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11.2 Audited Financial Statements for the Year Ended 30 June 2015

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INDEPENDENT POLICING OVERSIGHT AUTHORITY Reports and Financial Statements For the year ended June 30, 2015

III. STATEMENT OF ENTITY MANAGEMENT RESPONSIBILITIES

Section 81 (1) of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the accounting officer for a National Government Entity shall prepare financial statements in respect of that entity. Section 81 (3) requires the financial statements so prepared to be in a form that complies with relevant accounting standards as prescribed by the Public Sector Accounting Standards Board of Kenya from time to time.

The Accounting Officer in-charge of the Independent Policing Oversight Authority (IPOA) is responsible for the preparation and presentation of the Authority's financial statements, which give a true and fair view of the state of affairs of the Authority for and as at the end of the financial year ended on June 30, 2015. This responsibility includes: (i) maintaining adequate financial management arrangements and ensuring that these continue to be effective throughout the reporting period; (ii) maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of IPOA entity; (iii) designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements, and ensuring that they are free from material misstatements, whether due to error or fraud; (iv) safeguarding the assets of the Authority; (v) selecting and applying appropriate accounting policies; and (vi) making accounting estimates that are reasonable in the circumstances.

The Accounting Officer in-charge of IPOA accepts responsibility for the Authority's financial statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards (IPSAS). The Accounting Officer is of the opinion that the Authority's financial statements give a true and fair view of the state of IPOA's transactions during the financial year ended June 30, 2015, and of the Authority's financial position as at that date. The Accounting Officer in-charge of the Independent Policing Oversight Authority further confirms the completeness of the accounting records maintained for the Authority, which have been relied upon in the preparation of the Authority's financial statements as well as the adequacy of the systems of internal financial control.

The Accounting Officer in charge of IPOA confirms that the Authority has complied fully with applicable Government Regulations and the terms of external financing covenants (where applicable), and that the Authority's funds received during the year under audit were used for the eligible purposes for which they were intended and were properly accounted for. Further the Accounting Officer confirms that the Authority's financial statements have been prepared in a form that complies with relevant accounting standards prescribed by the Public Sector Accounting Standards Board of Kenya.

Approval of the financial statements

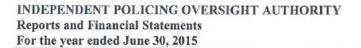
The Authority's financial statements were approved and signed by the Accounting Officer on 19th August 2015.

Accounting Officer/CEO



Director, **Business** Services





V. STATEMENT OF RECEIPTS AND PAYMENTS

	Note	2014/2015 Kshs'000	2013/2014 Kshs'000
RECEIPTS			
Exchequer releases	1	236,200	247,980
Domestic currency and domestic deposits	2		6,418
Other receipts	3	5	56
TOTAL RECEIPTS	-	236,205	254,454
PAYMENTS			
Compensation of employees	4	176,085	113,822
Use of goods and services	5	84,942	53,321
Acquisition of assets	6	4,076	52,021
TOTAL PAYMENTS		265,103	219,164
(DEFICIT)/SURPLUS		(28,898)	35,290

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The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The financial statements were approved on **19th August 2015** and signed by:

Accounting Officer/CEO

Director, Business Services



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Independent Policing

Oversight Authority

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VI. STATEMENT OF ASSETS

	Note	2014/2015	2013/2014
		Kshs'000	Kshs'000
FINANCIAL ASSETS			
Cash and Cash Equivalents			
Bank balances	7	132	34,937
Outstanding imprests	8	-	447
TOTAL FINANCIAL ASSETS		132	35,384
Financial Liabilities			
Payables – deposits	10	64	-
NET FINANCIAL ASSETS		68	35,384
REPRESENTED BY:			
Fund balance brought forward	9	28,966	94
(Deficit)/Surplus for the year		(28,898)	35,290
NET FINANCIAL POSITION		68	35,384

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The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The financial statements were approved on **19th August 2015** and signed by:

Accounting Officer/CEO

Director, **Business** Services



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VII. STATEMENT OF CASHFLOW

Receipts for operating income	Notes	2014/2015 Kshs'000	2013/2014 Kshs'000
Exchequer releases	1	236,200	247,980
Other revenues (A-I-A)	3	5	56
Payments for operating expenses			
Compensation of employees	4	(176,085)	(113,822)
Use of goods and services	5	(84,942)	(53,321)
Net cash flow from operating activities		(24,822)	80,893
CASHFLOW FROM INVESTING ACTIVITIES			
Acquisition of assets	6	(4,076)	(52,021)
Net cash flows from Investing Activities		(4,076)	(52,021)
CASHFLOW FROM BORROWING ACTIVITIES			
Domestic currency and domestic deposits (Accounts Payable)		(6,354)	6,418
Net cash flow from financing activities		(6,354)	6,418
NET INCREASE IN CASH AND CASH EQUIVALENT		(35,252)	35,290
Cash and cash equivalent at BEGINNING of the year		35,384	94
Cash and cash equivalent at END of the year		1.32	35,384

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The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The financial statements were approved on 19th August 2015 and signed by:

Accounting Officer/CEO

Director, Business Services



Independent Policing

Oversight Authority

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VIII. SUMMARY STATEMENT OF APPROPRIATION: COMBINED

Receipt/Expense Item	Original Budget Kshs'000 a	Adjustments Kshs'000 b	Final Budget Kshs'000 c=a+b	Comparable Basis Kshs'000 d	Budget Utilization Difference Kshs'000 e=c-d	% of Utilization Kshs'000 f=d/c %
RECEIPTS Exchequer releases Other receipts (A-I-A)	205,121	85,500	290,621	236,200 5	54,421 (5)	81% 0%
Sub-Total	205,121	85,500	290,621	236,205	54,416	81%
PAYMENTS Compensation of employees	121,000	65,500	186,500	176.085	10.415	64%
Use of goods and services Acmisition of assets	79,523	13,830	93,353	84,942	8,411	%16
C12660 10	840.4	0,1/0	10,768	4,076	6,692	38%
	171'007	000,00	290,621	265,103	25,518	%16

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- (a) The Authority recorded 91% budget utilization during the year. Of the revised budget amounting to Kshs. 290.6 million, only Kshs. 236.2 million or 81% was disbursed by the Exchequer during the period.
- (b) The Authority does not have Development Expenditure Vote.

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The financial statements were approved on 19th August 2015 and signed by:

Accounting Officer/CEO

Director, Business Services

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IX. SUMMARY STATEMENT OF APPROPRIATION: RECURRENT

Receipt/Expense Item	Original Budget Kshs'000	Adjustments Kshs'000	Final Budget Kshs'000	Comparable Basis Kshs'000	Budget Utilization Difference Kshs'000	% of Utilization
RECEIPTS	8	q	c=a+b	p	e=c-d	f=d/c %
Exchequer releases Other receipts (A.I.A)	205,121	85,500	290,621	236,200	54,421	81%
· · · · · · ·				5	(2)	0%0
Sub-10tal	205,121	85,500	290,621	236,205	54,416	81%
PAYMENTS						
Compensation of employees	121,000	65,500	186,500	176.085	10415	7070
Jse of goods and services	79,523	13,830	93,353	84.942	8.411	91%
Acquisition of assets	4,598	6,170	10,768	4,076	6.692	38%
FOTALS	205,121	85,500	290,621	265,103	25,518	91%

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(a) During 2014/15 financial year, the Authority generated Kshs. 5,000 in form of Appropriation in Aid (A-I-A). The amount was received from sale of tender documents.

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(b) Total budget adjustments amounted to Kshs. 85.5m of which Kshs. 65.5m for personnel emoluments was approved under Supplementary Estimates I, and Kshs. 20m for operations and maintenance under Supplementary Estimates II.

The financial statements were approved on 19th August 2015 and signed by:

Director, Business Services

Accounting Officer/CEO

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Independent Policing Oversight Authority

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X. SUMMARY STATEMENT OF PROVISIONING

Details of General Accounts on Vote

	210677106	 Details of Exchequer Account
60,524	54,484	Total
60,524	54,484	GAV Provisioning account balance
2013/2014 Kshs'000	2014/2015 Kshs'000	

Exchequer Provisioning account balance

Total

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Accounting Officer/CEO

Director, Business Services

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XI. SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

5. Accounts Receivable

For the purposes of these financial statements, imprests and advances to authorized public officers and/or institutions which were not surrendered or accounted for at the end of the financial year is treated as receivables. This is in recognition of the government practice where the imprest payments are recognized as expenditure when fully accounted for by the imprest or AIE holders. This is an enhancement to the cash accounting policy. Other accounts receivables are disclosed in the financial statements.

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6. Accounts Payable

For the purpose of these financial statements, deposits and retentions held on behalf of third parties has been recognized as accounts payable. This is in recognition of the government practice of retaining a portion of contracted services and works pending fulfilment of obligations by the contractor and to hold deposits on behalf of third parties. This is an enhancement to the cash accounting policy adopted by National Government Ministries and Agencies. Other liabilities including pending bills are disclosed in the financial statements.

7. Non-current assets

Non-current assets are expensed at the time of acquisition while disposal proceeds are recognized as receipts at the time of disposal. However, the acquisitions and disposals are reflected in the entity fixed assets register a summary of which is provided as a memorandum to these financial statements.

8. Pending bills

Pending bills consist of unpaid liabilities at the end of the financial year arising from contracted goods or services during the year or in past years. As pending bills do not involve the payment of cash in the reporting period, they are recorded as 'memorandum' or 'off-balance' items to provide a sense of the overall net cash position of the Authority at the end of the year. When the pending bills are finally settled, such payments are included in the statement of receipts and payments in the year in which the payments are made.

9. Budget

The budget is developed on the same accounting basis (cash basis), the same accounts classification basis, and for the same period as the financial statements. The Authority's budget was approved as required by Law and as detailed in the Government of Kenya Budget Printed Estimates. A high-level assessment of the Authority's actual performance against the comparable budget for the financial year under review has been included in an annex to these financial statements.



Independent Policing Oversight Authority

XI. SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

5. Accounts Receivable

For the purposes of these financial statements, imprests and advances to authorized public officers and/or institutions which were not surrendered or accounted for at the end of the financial year is treated as receivables. This is in recognition of the government practice where the imprest payments are recognized as expenditure when fully accounted for by the imprest or AIE holders. This is an enhancement to the cash accounting policy. Other accounts receivables are disclosed in the financial statements.

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6. Accounts Payable

For the purpose of these financial statements, deposits and retentions held on behalf of third parties has been recognized as accounts payable. This is in recognition of the government practice of retaining a portion of contracted services and works pending fulfilment of obligations by the contractor and to hold deposits on behalf of third parties. This is an enhancement to the cash accounting policy adopted by National Government Ministries and Agencies. Other liabilities including pending bills are disclosed in the financial statements.

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Pending bills consist of unpaid liabilities at the end of the financial year arising from contracted goods or services during the year or in past years. As pending bills do not involve the payment of cash in the reporting period, they are recorded as 'memorandum' or 'off-balance' items to provide a sense of the overall net cash position of the Authority at the end of the year. When the pending bills are finally settled, such payments are included in the statement of receipts and payments in the year in which the payments are made.

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INDEPENDENT POLICING OVERSIGHT AUTHORITY Reports and Financial Statements For the year ended June 30, 2015

10. Comparative figures

Where necessary comparative figures for the previous financial year have been amended or reconfigured to conform to the required changes in presentation.

11. Subsequent events

Events subsequent to submission of the financial year end financial statements to the National Treasury and other stakeholders with a significant impact on the financial statements may be adjusted with the concurrence of the National Treasury.



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XII. EXPLANATORY NOTES

1 EXCHEQUER RELEASES

Total Exchequer Releases for Quarter 1 Total Exchequer Releases for Quarter 2 Total Exchequer Releases for Quarter 3 Total Exchequer Releases for Quarter 4 **Total**

Kshs'000	Kshs'000
55,000	30,000
25,000	65,200
60,000	61,000
107,980	80,000
247,980	236,200

2013/2014

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2014/2015

2 DOMESTIC CURRENCY AND DOMESTIC DEPOSITS

	2014/2015	2013/2014
	Kshs'000	Kshs'000
10% Retention amount in relation to office partitioning project)	-	6,418
Total	-	6,418

TOTAL

3 OTHER REVENUES

	Kshs'000	Kshs'000
Receipts from administrative fees and Charges - Collected as A-I-A	5	56
Total	5	56

4 COMPENSATION OF EMPLOYEES

Basic salaries of permanent employees Basic wages of temporary employees Personal allowances paid as part of salary Compulsory national social security schemes Compulsory national health insurance schemes Other personnel payments Total

176,085	113,822
3,717	938
460	141
354	176
45,632	44,658
36,485	620
89,437	67,289
Kshs'000	Kshs'000
2014/2015	2013/2014

2014/2015



2013/2014

XII. EXPLANATORY NOTES (CONTINUED)

5 USE OF GOODS AND SERVICES

Second line denotes in the second	2014/2015 Kshs'000	2013/2014 Kshs'000
Specialized materials and supplies Communication, supplies and services	1,852 4,739	2,803
Domestic travel and subsistence	10,971	2,487
Foreign travel and subsistence	578	130
Printing, advertising and information supplies & services	3,144	5,716
Rentals of produced assets	26,584	15,233
Training expenses	998	582
Hospitality supplies and services	3,512	2,270
Insurance costs*	17,424	17,650
Office and general supplies and services	3,054	2,936
Other operating expenses	8,594	2,258
Routine maintenance – vehicles and other transport equipment Routine maintenance – other assets	2,907 585	1,139 117
Total	84,942	53,321

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* Note: Included in the Insurance costs of Kshs. 17,423,880/- is an amount of Kshs. 13,119,713/paid during the period but relating to 2015/16 financial year. The staff medical scheme insurance contract commenced from 1st April 2015 and expiring on 31st March 2016, and thus not in line with the current reporting period.

6 ACQUISITION OF ASSETS

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Non-Financial Assets	2014/2015 Kshs'000	2013/2014 Kshs'000
Refurbishment of buildings	1,161	48,205
Purchase of vehicles and other transport equipment		-
Purchase of office furniture and general equipment	1,738	3,032
Purchase of specialized plant, equipment and machinery	1,177	784
Total	4,076	52,021

7 BANK ACCOUNTS

Name of Bank, Account No. & currency	Amount in bank account currency	Exc rate	2014/2015	2013/2014
			Kshs'000	Kshs'000
Central Bank of Kenya, Account No. 1000181559 (Recurrent)	Kshs.	-	68	28,519
Central Bank of Kenya 165, Account No. 1000182717	Kshs.	-		-
Central Bank of Kenya, Account No. 1000182393 (Deposit)	Kshs.	-	64	6,418
National Bank of Kenya, Current Account No. 01001094661400	Kshs.	-	-	-
Fotal			132	34,937



Independent Policing

Oversight Authority

XII. EXPLANATORY NOTES (CONTINUED)

During the year, the Authority, through an approval of the National Treasury, opened a commercial bank account with the National Bank of Kenya (Account No. 01001094661400), Hill Branch, NHIF Building, Nairobi. The account remained dormant during the period with no cash balances.

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8 OUTSTANDING IMPRESTS	2014/2015 Kshs'000	2013/2014 Kshs'000
Imprest	-	447
Total	-	447

9 BALANCES BROUGHT FORWARD

	Kshs'000	Kshs'000
Opening Bank Balance Brought Forward	28,519	-
Imprest	447	94
Total	28,966	94
10 ACCOUNTS PAYABLE	2014/2015 Kshs'000	2013/14
Domestic Deposits	64	Kshs'000 6,418
Total	64	6,418

2014/2015

2013/2014

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11 OTHER IMPORTANT DISCLOSURES

11.1 PENDING ACCOUNTS PAYABLE (See Annex 1)

	2014/2015 Kshs'000	2013/2014 Kshs' 000
Office partitioning project	31	8,224
Construction of civil works		-
Supply of goods		-
Supply of services	A CONTRACTOR OF A	4,428
	31	12,652



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XII. EXPLANATORY NOTES (CONTINUED)

11.2 PROGRESS ON FOLLOW UP OF AUDITOR RECOMMENDATIONS

auditor. We have nominated focal persons to resolve the various issues as shown below with the associated time frame within which we expect the issues to The following is the summary of issues raised by the external auditor during 2013/14 financial year, and management comments that were provided to the be resolved.

Reference No. on Issue/Observations from Management comments the external Auditor	1 Internal Controls:	 (a) Board risk and audit committee constituted during 2012/13 financial year. Head of risk and audit recruited in November 2013 and assistant in April 2014. During 2013/14 financial year, the following operational documents developed: i) Audit hold the audit committee ii) Risk and audit committee terms of reference; iv) Tool for measuring the effectiveness of the risk and audit committee terms of reference; iv) Tool for measuring the effectiveness of the risk and audit committee terms of reference in V Entrprise risk management framework. Further, audit charter, risk management for audit committee terms of reference in V Entrprise risk management framework further, audit charter, risk management framework by the Board. Committee held four meetings during 2013/14. 	
Focal point person to resolve the issue (Name and designation)		ial ted cial cy; Dr. Joel Mabonga, CEO ng committee udit committee ee	
Status: (Resolved/Not Resolved)		Resolved	
Timeframe: (Put a date when you expect the issue to be resolved)		Immediate.	

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Independent Policing Oversight Authority

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INDEPENDENT POLICING OVERSIGHT AUTHORITY Reports and Financial Statements

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Reports and Financial Statements For the year ended June 30, 2015

Reference No. on	Issue/Observations from		Focal point person to	Status: (Resolved/Not	(Put a date when
the external audit Report	Auditor	Management comments	resolve the issue (vame and designation)	Resolved)	you expect the issue to be resolved)
	have a risk management process.	established during 2013/14 financial year. Committee's task to implement the Risk Management Policy. Through this Committee, risks in all operational areas were identified and measures put in place to mitigate them.	Risk and Audit		
		Internal audit unit adopted the Risk Audit approach in line with the National Treasury Circular No. MOF/IAG/GEN/018/(66) of 26 th May 2008.			
		Being a newly-established unit, the Board through the Risk and Audit Committee, to continue strengthening it so as to support all operational areas in managing risk.			
		Board approved 2014/15 annual audit plan			
(c)	IT department does not have functioning policy and no risk assessments done with any backup in place.	ICT strategy paper and draft ICT policy manual developed. A comprehensive risk assessment already carried out on ICT function. Management continuing to attend to this critical matter.	Gillian Mutua, Head of ICT and Board ICT Committee	Ongoing	June 2015
(p)	HR department does not	In October 2013, the Board	Rhoda Wairioko, Head of	Resolved: Board	June 2015

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Reference No. on Issue/Obse the external Auditor	Issue/Observations from Auditor	Management comments	Focal point person to resolve the issue (Name	Status: (Resolved/Not Resolved)	Not ()
audit Report			and designation)		
	have an approved operational manual.	commissioned the Department of Public Service Management (DPSM) to assist the Authority with development of: optimal staffing levels, organizational structure, development of HR policies and procedures manual, career procedures manual, career progression structure, JDs, and job specifications.	Human Capital/Dr. Joel Mabonga, CEO and Board.	approved the HR policies and procedures manual during	HR
		By June 2014, DPSM had presented final report on optimal staffing levels and proposed organizational structure.			
		During second phase, DPSM was to develop HR manual and other related pending policy matters. Board and management reviewed the draft HR policies and procedures manual on			
6	Non-registration of	The Ministry of Land, Housing and Urban Development was responsible for the preparation and registration of the Lease Agreement	Dr. Joel Mabonga, CEO	Resolved: Signed Lease Agreement	63
i	Lease Agreement.	Lease signed in July 2014 and submitted by the Ministry to Chief Land Registrar for registration on	;	availed to the auditors.	. I

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Independent Policing Oversight Authority

INDEPENDENT POLICING OVERSIGHT AUTHORITY Reports and Financial Statements

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Reference No. on the external audit Report	Issue/Observations from Auditor	Management comments	Focal point person to resolve the issue (Name and designation)	Status: (Resolved/Not Resolved)	Timeframe: (Put a date when you expect the issue to be
		12th August 2014.			resurvey
		Lease finally registered and submitted to the Authority by the Ministry on 13 th October 2014			



Accounting Officer/CEO

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Director, Business Services

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ANNEX 1 - ANALYSIS OF PENDING ACCOUNTS PAYABLE

Supplier of Goods or Services	Original	Date	Amount	Deposit	Outstanding	
	Amount	Contracted	Paid To- Date	Balance 2015	Balance 2015	Comments
	Kshs'000	Kshs'000	Kshs'000	Kshs'000	Kshs'000	
	a	p	v	d=a-c		
Construction of buildings (Refurbishment)						
Bowl Plumbers Ltd (Plumbing works)	769	16/05/2013	738	31	31	Office partitioning project - Plumbing
						WOLKS
	•	•	•	31	31	
Sub-Total	769		738	31	31	
Supply of services					10	
	•	'				
Sub-Total Sub-Total	•	'	1			
Grand Total	769	'	738	21		
Excess amount to be surrendered to Exchequer	1		00	Ic	10	
Total outstanding including 10% retention				•	33	
					64	

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Independent Policing Oversight Authority

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ANNEX 2 – SUMMARY OF FIXED ASSET REGISTER

Asset class	Historical Cost 2014/15 Kshs'000	Historical Cost 2013/14 Kshs'000
Office refurbishment (2nd and 3nd Floors, ACK Garden Annex, 1st Ngong Avenue, Nairobi)	66,849	65,688
Motor vehicles	49,577	49,577
Office equipment, furniture and fittings	6,088	5,763
ICT Equipment, software and other ICT assets	3,342	752
Total	125.856	121.780



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12.0 SPECIFIC RECOMMENDATIONS

Annex 1: Recommendations: Inspected police premises and facilities²

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	Issue/Concern	Recommendations	Institution Responsible
1	Dirty detention cells and toilets	• Clean the detention facilities (cells and toilets).	OCS
2	Inadequate lighting of cells	• Provide adequate lighting in cells.	OCS & IG
3	Lack of beddings in the cells	 Beddings to be provided to all police stations 	IG
4	Separation of cells	• Provide commanders with resources to ensure that lock-up facilities have separate cells for men, women and juvenile.	IG
5	Rights of arrested persons	• Detainees should be held in humane conditions at all times.	OCS & IG
		• Station Commanders must ensure that detainees are produced before court within the legislated 24 hours.	
		• The Inspector General to facilitate Station Commanders with adequate resources such as vehicles and fuel so that detainees can be produced in court within the requirements of the law.	
6	Poor officers' working conditions	 Secure land for police premises. Develop police infrastructure to promote efficiency and effectiveness. 	IG

² The police premises affected include: Riruta, Huruma, Kilimani, Bamburi, Matunda, Tarakwa, Langas, Soy, Cherengani, ,Kapenguria, Kacheliba, Central in Nairobi, Garsen, Londiani, Kisumu, Kondele, Ahero, Bungoma, Eldoret Police Stations and Baharini, Mamboleo, Matisi, Kolongolo, Chepchoina, Magada Police Posts. Riruta, Bangale, Kariobangi, Mpeketoni, Matunda, Soy, Cherengani, Kacheliba, Garsen, Gamba, Londiani, Ahero, Riat, Mbita, Kendu Bay, Vihiga, Mbale and Kakamega Police premises used bucket toilets. In Nguni, Kilimani, Malindi, Bamburi, Kapenguria, Central in Nairobi, Parliament, Kisumu, Kondele, Eldoret, Bungoma and Mumias Police Stations, the toilets were dirty.



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	Issue/Concern	Recommendations	Institution Responsible
7	Poor officers' housing	• The IG, NPSC in consultation with the Salaries and Remuneration Commission should consider improving the NPS officers' house allowances to current market rate. This will enable the officers to look for decent housing within communities that they live.	IG & NPSC
		• The NPS should also consider leasing houses for the officers.	
8	Inadequate services to Special Interest Groups	 All station commanders should ensure that customer and gender desks are assigned accordingly. 	OCS & IG
		• Police premises should be modified and designed to meet the needs of the differently abled persons.	
9	Inadequate security for police premises	 Security measures to ensure that police premises are guarded 24 hours a day. 	OCS/Camp Commanders
10	Inadequate staffing (police officers)	 Explore possibilities of hiring additional police officers to beef up existing capacity. 	NPSC & IG
11	Inadequate vehicles and fuel allocation	 Ensure adequate and fair distribution of resources to fund police stations, camps, posts and bases for effective policing operations. 	IG
12	Inadequate special equipment	• Facilitate respective stations such as Lamu with special equipment such as boats and quad bikes.	IG
13	Non-involvement of station Commanders in budget making process	• Incorporate station commanders in the budget preparations process so that they present their priority areas for funding.	IG
		 Consider appointing OCSs as holders of Authority to Incur Expenditures (AIE) 	





Independent Policing Oversight Authority

	Issue/Concern	Recommendations	Institution Responsible
14	Disjointed work environment in the NPS	 Make deliberate efforts to integrate APS and KPS for better policing. Also an overall commander should be appointed to coordinate the policing operations at the county level. 	IG (This has already been implemented flowing IPOA's recommendation)
15	Inadequate stationeries	 Streamline supply of crucial stationery and accountable (facilitative) documents to all stations, camps and posts. 	IG
16	Lack of proper records management	 Ensure that records are correctly entered in the occurrence book. Ensure that the outlined particulars of detainees are correctly captured in the registers. 	OCS
		 Stringent measures should be put up to bring about accountability in handling of firearms. 	IG
17	Poor handling of exhibits	 Need to construct enough stores to ensure that exhibits are safely kept Station commanders to ensure that exhibits are well labeled as evidence obtained are crucial to making or breaking a case. 	OCS
18	Inadequate uniforms	 Police officers to be provided with adequate and complete set of uniforms by streamlining of issuance procedures and accountability in supply. Allegations of officers buying uniforms from the Quartermaster should be urgently investigated and disciplinary action taken. 	DIG, KPS
19	Redeployment of staff	• Need for regulations on the duration an officer is supposed to serve in an operational area.	NPSC, DIG: APS & KPS

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	Issue/Concern	Recommendations	Institution Responsible
20	Delayed allowances (transfer, deployment or officers attending courts)	• Streamline and automate payment systems so that applicable allowances are paid without unnecessary follow up by the officers (Payees).	DIG: APS & KPS
21	Lack/inadequate computers and furniture	 Provide Police premises with at least a working computer, internet access and printer to process station's documentation work and communicate with headquarters. 	DIG: KPS & APS
22	Inadequate police communication gadgets	 All stations/camps/posts/bases to be provided with communication gadgets to promote effective policing. 	IG
		 Consider provision of satellite communication equipment. 	
23	Lack of transparency in promotions and training in the Service	• The NPSC in consultation with the NPS should ensure that promotions and trainings are based on merit and clear set regulations.	NPSC & IG
		• The NPS Officers should undergo regular refresher training courses on human rights	
24	Lack/non- functioning of Community Policing Initiatives	• All OCSs should strive to have community policing initiatives in their respective jurisdictions and maintain minutes of the same.	OCS/Camps
		• The DIGs should put in place mechanism to ensure the monitoring of the community policing implementation and operation.	DI: KPS/APS
25	Inexperienced officers in operational areas	• There should be a balance in the staff composition in all operational areas for effective policing.	DIG: APS & KPS
26	Lack of protective gear	• Officers in the stations should be provided with appropriate protective gear.	DIG: APS & KPS





Independent Policing Oversight Authority

	Issue/Concern	Recommendations	Institution Responsible
27	Counselling and Psychological support	 A Continuous counselling program should be put in place that ensures regular counselling, particularly on trauma handling through briefing and debriefing, for the officers. 	DIG: KPS & APS
28	Inappropriate transfers	 Transfers should be effected according to set guidelines and procedures and that they are not applied as a punishment. 	DIG: APS & KPS
29	Delayed compensation after demise of officers	• The Next of Kin of demised officers should be compensated without any further delays	DIG: APS & KPS
30	Recruitment process	• Proper mechanisms should be put in place to ensure that the recruitment process starts early and is finished before dusk.	IG and NPSC
		• There should be clear guidelines on how the recruitment process should be carried out.	
		• The recruiting officers need to prepare beforehand and get more organized to quicken the recruitment process.	
		• All measures must be put in place to ensure the process is free, fair and transparent.	
31	Complaints handling mechanism	• A structured and functional joint complaints handling mechanism should be set up for detainees and during security operations.	IG
32	Delay in establishing County Policing Authorities (CPAs) and Community Policing Committees (CPCs)	• Establish and operationalise the CPAs to fast-track the operationalization of Community Policing Committees.	IG, County Governments, Ministry of Interior

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Annex 2: Recommendations: Usalama Watch, Eastleigh, Nairobi

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	Concerns/Issues	Recommendations (Dated 14 th July 2014)
1	Under Section 10(1) of NPS Act, the IG is required to provide a command structure and system of Service for the efficient administration of the Service nationally	• The structure should be organized, taking into account the command and control in that there should be a specific officer in charge of an area of operation whether KPS or APS. This will ensure that there is no doubt as regards the command at all levels.
		• The IG should immediately institute measures to put in place a seamless structure of the Service at all levels to avoid a repeat of the situation witnessed during this operation.
		 The IG should furnish IPOA with a report on measures instituted within 90 days.
2	Harmonization of NPS command structure. Under Articles 243 and 245 of the Constitution, NPS is established as a single entity. While the KPS and APS are recognized in the Constitution, it was never intended that the two should operate as parallel services.	• There is need to urgently take steps to have them organized nationally to work together at all levels. Harmonization should include and be manifested in joint trainings, deployment including patrols, procurement, legal services, communication, sporting events and all other matters aimed at promoting one NPS. The IG must immediately take steps to avoid duplication
3	Capacity of Directorate of Criminal Investigation to collect criminal intelligence	• The DCI to immediately take steps to enhance the capacity of the Directorate to collect criminal intelligence and to carry effective investigations. Additionally, DCI to take similar steps to ensure that there is intelligence-led policing. DCI to provide IPOA with evidence of the mechanisms put in place to this end within 90 days.
4	Section 24(f) of NPS Act requires the KPS to share in the responsibility of collecting criminal intelligence.	• DIG of KPS required to institute measures to enhance intelligence gathering and ensure intelligence-led policing in tandem with recommendation (3) above. Evidence of the mechanisms put in place should be furnished to IPOA within 90 days.



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Independent Policing Oversight Authority

	Concerns/Issues	Recommendations (Dated 14 th July 2014)
5	Respecting Human Rights	• Human rights training should form part of all police training curriculum in Kenya. All serving police officers should undergo a refresher training course on human rights. IPOA will take steps and collaborate with NPSC to mainstream human rights training curriculum of NPS.
6	Detention facilities	• The police should ensure that detention facilities are maintained clean at all times. This requirement of the Constitution is replicated under Rule 5 of the Fifth Schedule of the NPS Act.
7	Confinement of children	• Children should be confined separately from adults, when detained, as provided for in Article 53 (1) (f) of the Constitution and Rule 5(d) of the Fifth Schedule to the NPS Act. Additionally, such an operation should have children officers and children's issues report desks to address issues of children in detention.
8	Conducting searches on women	• Enough female police officers should be deployed as part of any police group conducting stop/search and arrest operations. The officers are required to comply with Section 27 of the Criminal Procedure Code, which provides that: whenever it is necessary to cause a woman to be searched, the search shall be made by another woman with strict regard to decency.
9	Detained persons to be accorded their rights	• Detained persons should be accorded theirs rights as stipulated in Articles 49, 50, and 51 of the Constitution as is required of them under Rule 2 of the Fifth Schedule to the NPS Act. The rights include the right to communicate with and receive visits from members of one's family, the right to inform family members of the arrest and detention and place of detention, the right to have access to doctors and general medical assistance when required, and the right to lodge complaints against ill-treatment and to seek compensation against the police.

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	Concerns/Issues	Recommendations (Dated 14 th July 2014)
10	Police operations	• All future policing operations should aim at fostering broader relations with the community. There is need for members of the Service to understand that community engagement is the cornerstone of effective counter-terrorism policy.
11	Stigmatization of certain groups of people	• The IG is required to take active steps to correct the impression created by the operation that certain communities are criminal and/or may harbor criminals.
12	Carrying out post-mortem of the operation	• The police should carry out a post-mortem of the operation with a component of the public element and report its findings to IPOA within 90 days. NPS required to put in place measures to capture lessons learnt after every such operation and to conduct an after-action-review after every operation.
13	Detainees' records	• OCSs to ensure that detainees' records are captured in the OB and Cell Register in the manner prescribed under Rule 8 of the Fifth Schedule to the NPS Act.
14	Allegations of bribery and corruption	 IAU of the NPS to institute investigations into allegations of bribery and corruption levelled against members of the Service during the Operation, and to report its findings to IPOA.





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Annex 3: Recommendations: Mpeketoni Terror attacks in Lamu County

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	Concerns/Issues	Recommendations (Report released on 6 th October 2014)
1	Harmonization of the NPS command structure	• Urgent need to harmonize the command structure of the NPS in order to integrate the three services.
		• At operational/tactical level, there should be one officer in command of all the Service personnel in the region.
		• IG to appoint a single NPS County Commander in all the 47 Counties to oversee all police officers and units in KPS, APS, DCI and GSU.
		 IG to furnish IPOA with a report on the measures taken within 90 days.
2	Operation centre	• Need to establish an operation centre or command post to coordinate such operations.
3	Investigation into the failure to respond	• IG needs to review the concept of the deployment of the Rapid Deployment Units (RDU) and other specialized units.
		• Need to by NPS to conduct in-depth investigations into why the RDU and the GSU who were in a better position to respond failed to do so.
		• IG required to provide to IPOA a report into the investigations within 90 days.
4	Use of Heli-borne operations	• NPS to consider the use of Heli-borne operations during such incidents in future to pursue attackers.



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	Concerns/Issues	Recommendations (Report released on 6 th October 2014)
5	Continuous training of NPS officers	• There is need for a work-based continuous development training curriculum that incorporates all facets of policing including law, conflict handling, decision making, public relation skills, combat, range classification and field craft among other aspects.
		• Additionally, NPS must undertake to ensure that all officers receive regular refresher firearms training in line with Chapter 31 of the Force Standing Orders paragraph 31.
		• IG to furnish IPOA with a copy of the planned training course schedule within 90 days.
6	County Policing Authorities and Community Policing Committees	• There is need to Gazette the County Policing Authority and operationalize the community policing committee so as to fulfill the objectives contemplated in Article 244 of the Constitution.
7	Staffing versus core functions	• NPSC and NPS need to address staffing levels and roles assigned to the officers at station level.
		• The practice of assigning officers to guard financial institutions at the expense of wider policing demands ought to be reviewed.
		 NPS to enforce Section 46 (2) by imposing compulsory rest periods for officers in between shifts unless of course in cases of an emergency.
8	Commercialization of operations	• The commercialization of police operations should be addressed and the issue of operational pulse to enable the officers be paid allowances should be discouraged.
9	Audit of police operations	• KENAO should conduct specific audit of police operations expenditures to ensure taxpayers money is spent in a transparent manner and for the purpose intended.





	Concerns/Issues	Recommendations (Report released on 6 th October 2014)
10	Transport	• The National Government must make a deliberate effort to facilitate the mobility of police officers particularly in remote areas to enable better service delivery.
		• The NPS budgeting process should be bottom up approach.
11	Communication	 The National Government must urgently provide suitable and sufficient communication equipment to facilitate the NPS to appropriately coordinate response emergencies and day to day operations.
12	Disaster response plan	• There is need for police in all Counties to have a police disaster response plan in place. The plan should be subject to regular mock drills.
13	Detainees evacuation plan	 The duty of care owed to suspects in custody by police officers should be reinforced amongst officers including the legal consequences of such neglect.
14	Redeployment of NIS and National Government representation	• Consideration should be made to redeploying the National Government and NIS representation in Lamu.
15	Recognition of police officers	• The IG recognized and promoted some of the officers who were on duty at Mpeketoni Police Station on 15 June 2014.
		• However, such promotions ought not to be based on single acts of bravely alone.
		 A suitable promotion process should involve a careful competence-based assessment which should consider operational aptitude, involve examination of legal and technical knowledge and an interview by a panel.
16	Interdiction of police officers	• NPS must abide by the rule of law and procedures in taking disciplinary action against police officers.

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	Concerns/Issues	Recommendations (Report released on 6 th October 2014)
17	Investigation and collection of evidence	• The DCI must ensure that scenes of crime officers and investigators are sensitized and suitably trained on scene examination and evidence identification and collection and particularly on the importance of physical evidence, prioritization of evidence and speed of evidence collection.
18	Intelligence	• NPS should ensure that disseminated intelligence is appropriately managed and any operational, strategic and policy decisions or actions arising are urgently actioned.
19	Underlying County concerns	 There is need for political will on the ground to diffuse searing ethnic, religious, land and political tension. The National Government should take necessary measures to address the contentious and long-standing land issue, which has remained an emotive subject in Lamu County.

Annex 4: Inspection & Monitoring - Specific Recommendations

No.	Issue	Recommendations	Responsible
1	Dirty cells and toilets	• Clean and maintain detention facilities (cells and toilets).	OCSs
2	Inadequate lighting of cells	• Adequate lighting in the cells should be provided.	OCSs & IG
3	Lack of beddings in the cells	• Beddings should be provided to the detention facilities.	IG
4	Lack of separation of cells	• Provide commanders with resources to ensure that lock-up facilities have separate cells for men, women and juvenile cells.	IG

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No.	lssue	Recommendations	Responsible
5	Rights of an arrested person	 Detainees should be held in humane conditions at all times. Station Commanders must ensure that detainees are produced before court within the legislated 24 hours. The IG should facilitate Station Commanders with adequate resources such as vehicles and fuel so that detainees can be produced in court 	OCSs & IG
6	Poor officers' working conditions	 within the requirements of the law. Secure land for police premises. Develop police infrastructure to promote efficiency and effectiveness. 	IG
7	Poor Officers' housing	 The IG, NPSC in consultation with the Salaries and Remuneration Commission should consider improving the NPS officers' house allowances to the current market rate. The NPS should also consider building 	IG and NPSC
8	Inadequate services to Special Interest Groups	 or leasing houses for the officers. All station commanders should ensure that they have manned customer and gender desks. Police premises should be modified and designed to meet the needs of the differently abled persons. 	OCSs & IG
9	Inadequate security for police premises	 The NPS Commanders should put in place security measures within their premises to ensure that their premises are guarded 24 hours a day. 	OCSs/ Camp Commanders
10	Inadequate staffing (police officers)	• The IG should explore possibilities of hiring additional police officers to beef up the existing capacity.	NPSC and IG

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No.	Issue	Recommendations	Responsible
11	Inadequate vehicles and fuel allocation	• IGP to ensure adequate and fair distribution of resources to fund police stations, camps, posts and bases for effective policing operations.	IG
12	Inadequate special equipment	• Facilitate respective stations e.g. Lamu with special equipment such as boats and quad bikes.	IG
13	Non-involvement of station Commanders in budget making process	• Engage station commanders in the budget preparations process so that they present their priority areas for funding.	IG
		 Consideration to be made on OCSs being holders of Authority to Incur Expenditures (AIEs). 	
14	Disharmony in the NPS	• The IG should make deliberate efforts to integrate APS and KPS for better policing. Also, an overall commander should be appointed to coordinate the policing operations at the county level.	IG
15	Inadequate stationery	• Streamline the supply of crucial stationery and documents to all stations, camps and posts.	IG
16	Lack of proper records management	 Ensure that records are correctly entered in the Occurrence Book. Ensure that the outlined particulars of detainees are correctly captured in the registers; refresher courses required. Stringent measures should be put in place to bring about accountability in handling of firearms. 	OCSs OCSs/IG IG
17	Poor handling of exhibits	• There is need to construct enough stores to ensure that exhibits are safely kept; station commanders should ensure that exhibits are well labelled as evidence obtained are crucial to making or breaking a case.	OCSs and IG





No.	Issue	Recommendations	Responsible
18	Inadequate uniforms for police officers	 The DIG KPS should make sure that police officers are provided with adequate and complete set of uniforms through streamlining of issuance procedures and accountability in supply. The allegations of officers buying uniforms from the Quartermaster should be urgently investigated and disciplinary action taken. 	DIG KPS
19	Redeployment of staff	• There is need for regulations on the duration an officer is supposed to serve in an operational area.	NPSC, DIG APS & KPS
20	Delayed allowances (transfer, deployment or officers attending courts)	• Streamline and automate payment systems so that such allowances are paid without unnecessary follow up from the officers (Payees).	DIG APS &KPS
21	Lack/inadequate computers and furniture	• Provide police premises with at least a working computer, internet and printer to process stations documentation work and communicate with the headquarters.	DIG KPS / APS
22	Inadequate Police Communication gadgets	• All stations/camps/posts/bases should be provided with modern communication gadgets to promote effective policing.	IG
23	Lack of transparency in promotions and training in the Service	 The NPSC, in consultation with the NPS, should ensure that promotions and trainings are based on merit and with clear set regulations. The NPS officers should undergo regular refresher training courses on human rights 	NPSC & IG

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No.	Issue	Recommendations	Responsible
24	Lack/non-functioning of Community Policing Initiatives	 All Officers in Charge of Stations should strive to have community policing committees functional and maintain minutes of the same. The DIGs should put in place mechanism to ensure the monitoring of the community policing implementation and operation. 	OCSs/Camps DIG KPS/APS
25	Inexperienced officers in operational areas	• There should be a balance in the staff composition to the operational areas for effective policing.	DIG APS & KPS
26	Lack of protective gear	• Officers in the stations should be provided with appropriate protective gear.	DIG APS & KPS
27	Counselling and Psychological support	• Continuous counselling program should be in place that ensures regular counselling for the officers.	DIG KPS & APS
28	Unjustified transfers	• Transfers should be effected according to set guidelines and procedures and that they are not applied as a punishment.	DIG APS & KPS
29	Delayed compensation after demise of officers	• The next of kin of demised officers should be compensated without compelling them to make countless follow-up at the Headquarters.	DIG APS & KPS
30	Complaints handling mechanism	• A structured and functional complaints handling mechanism should be set up for detainees during security operations.	IG
31	Delay in establishing County Policing Authorities	• Establish and operationalize the CPAs to fast track the operationalization of Community Policing Committees.	IG





Annex 5: Findings & recommendations on police recruitment

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	Issue/Findings	Recommendations
1	Leadership of recruitment panels	The centres monitored were led by officers in the rank of senior superintendent and superintendent in line with the NPSC gazette Recruitment and Appointment Regulations. This should be enforced in the future.
2	Closing of recruitment centres	In some centres, the exercise went past the stipulated time. NPSC should in future that the centres close at the advertised time, and in line with Recruitment and Appointment Regulations.
3	Deployment of team leaders at recruitment centres	While deployment of recruitment team leaders was done in such a way that officers were posted to areas outside their jurisdictions, a few centres had the team leaders from within the centres. This should be avoided in future so as to render the exercise objective devoid of bias towards familiar recruits easily known to the panels.
4	Training of recruitment officers	NPSC should consider training recruitment officers to recruit as NPS and not separately for KPS and APS. This will provide an opportunity to unify the two services to work together as a national service.
5	Recruitment and Appointment Regulations not disseminated to recruitment officers	NPSC should disseminate the Regulations to all officers within the NPS, and also to the public ahead of future recruitments. The Commission should also adhere to the envisaged two-tier process as provided by Regulations 12(4-13), which was ignored during the exercise. Efforts should be made to ensure that the due process is followed to the letter.
6	Complaints desks, procedures and mechanisms	NPSC should ensure in future that every recruitment centre has an operational complaints desk to handle complaints from recruits, members of the public to build confidence in the exercise.
7	Medical examination	NPSC should ensure that there is an adequate number of medical officers to deal with medical examination, including mobile clinics, to avoid delays witnessed during the exercise. Additionally, adhering to the two-tier process could cure this challenge where medical tests will be carried later.



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	Issue/Findings	Recommendations
8	Guidelines and standardization on eligibility	NPSC should give clear guidelines and standardization on eligibility on whether one must be from the locality of the recruitment centre or is free to participate from any part of the country regardless of place of birth. It was observed that many candidates turned away on grounds of their birth place in their identity cards which did not match the area around the centres of recruitment.
9	Educational certificates	NPSC should remain firm, as a policy, that photocopies of academic certificates and results slips would lead to automatic disqualification. The Commission should also make it clear on eligibility of certificates attained outside Kenya.
10	Physical fitness	NPSC should put in place standard criteria, measures and guidelines to avoid bias by the recruitment officers on matters on height, vision tests, flat feet etc. The standards should be clear and used across all recruitment centres. Further, the Commission should consider aptitude tests rather than just physical fitness.
11	Provision of basic facilities	NPSC should consider selecting centres with basic facilities such as bathrooms, water points, and shades for the recruits and members of the public.
12	Designated area for observers	NPSC should consider setting up a designated area for observers to avoid direct interference of the process. Additionally, the senior recruitment officers should conduct press briefings in the tent, update and answer any queries from the observers.
13	Ethnic balancing in cosmopolitan centres	NPSC should ensure that mapping of cosmopolitan centres is accurately done to ensure ethnic balancing. It was observed that there was lack of clear guidelines on what informed ethnic consideration and distribution of the recruits in cosmopolitan centres.
14	Counselling and briefing unsuccessful candidates	NPSC should consider having counsellors at the recruitment centres to counsel unsuccessful recruits. Also, the Commission should ensure that such recruits are briefly accordingly on the possibility of not being selected and modes of raising complaints, if any.





		Issue/Findings	Recommendations
15		Number of recruits, gender and ethnic composition	NPSC should ensure that in future recruitment officers announce publicly the number to be recruited at each centre and the targeted gender and ethnic composition. Further, the Commission should be publishing such details, and ensure conformity at the end of the exercise.
	16	Recruitment centre at NYS Headquarters	NPSC should investigate what happened and usually happens at the NYS Headquarters recruitment centre. There were several concerns on these centre.

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Annex 6: OPSA Awardees Category: Best Individual Officer

S/No	County	Officer's Name	Officer's Service No.	Officer's Rank	Current Station
1	Bungoma	Sylvana Lengaina	93468	Constable	Bungoma police station
2	Kirinyaga	John Waruru Mwangi	204566	Senior Sergent	Kagumo AP Post
3	Kilifi	Abdi Ali Dawe	87956	Corporal	Mtwapa Police Station
4	Isiolo	Godffrey Kirujah Mburugu	79150	Constable	Isiolo Police Station
5	Nairobi	Samwel Ngare Ondimu	225295	Corporal	KICC Uhuru Camp
6	Nairobi	Regina Wamugo	232452	AP Constable	Starehe AP Camp
7	Nakuru	Chrispine Nyaga Ivara	65540	Inspector (Acting)	Kasarani Police Post
8	Nairobi	Alphonse Mulinge Nzova	216181	Chief Inspector	Lunga Lunga AP Camp
9	Nairobi	Kevin Njora Mwangi	238365	AP Constable	Kamukunji AP Camp
10	Nairobi	Eliaphas Njiru Edward	65309	Corporal	GVCU Ruaraka
11	Kilifi	Paul Kiprono Langat	230251	Senior Superintendent	Malindi Police Station
12	Nakuru	Lilian Chepchirir	232511	Inspector	Deputy OCS Bondeni
13	Nairobi	Francis Gitonga	79679	Constable	Huruma Police Station
14	Nakuru	Charles Kivinda Mutua	36782	Sergent	Rhonda Police Post
15	Kisii	John Khakina Wamocho	215407	Chief Inspector	Kisii Police station
16	Isiolo	Mercy Wanjugu Muriuki	230082	Corporal	Isiolo Sub County AP Camp

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S/No	County	Officer's Name	Officer's Service No.	Officer's Rank	Current Station
17	Nairobi	Evans Mayora	69506	Constable	Vigilance House
18	Nairobi	Timothy Githinji Mutahi	230614	Constable	RDU Head Quarters
19	Nairobi	Aaron Kiptumo	233434	Inspector	Kariobangi Police Station
20	Isiolo	Fredrick Owino Achola	213560	Chief Inspector	Isiolo AP Camp
21	Nairobi	Ezekiel Muchina	226969	AP Constable	Kiambiu AP Camp
22	Kiambu	Peter Njuguna Munga	227009	Corporal	AP Camp Gatundu
23	Nairobi	Dera Keiro	P/NO. 200814329	AP Constable	Kamukunji AP Camp
24	Nakuru	Daniel Mbole Ndiku	76851	Corporal	Hyrax Patrol Base
25	Nakuru	Frankline Gitonga Njau	84192	Constable	Mwariki Police Post
26	Kilifi	George Matika Wambulua	73761	Sergeant	Malindi Police Station
27	Nairobi	Ziporrah Kagure Nderitu	233635	Chief Inspector	PTC Nairobi Area
28	Trans Nzoia	Joseph Ndungu	66355	Constable	Matunda Police Station
29	Taita Taveta	Andrew Mwendwa Kituku	217240	Chief Inspector	Voi Police Station (OCPD)
30	Kericho	Thomas Parkolwa	234371	Inspector	Kandara Police Station (Deputy OCS)
31	Taita Taveta	Joseph Okuna	219335	Inspector	Voi AP HQ
32	Makueni	John Agevi	229801	Constable	Nzaui Sub- County, AP Headquarters
33	Taita Taveta	Patrick Mwangi Gichuhi	51209	Corporal	Voi Police Station

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Category: Extra Mile

	Officer's Name	Officers Rank	Station	County
1	Paul Mwenda Nkanatha	Chief Inspector	AP Commander Othaya	Nyeri
2	Silvestre Otieno Kachero	Chief Inspector	OCS Makindu Police Station	Makueni
3	Titus Wanjala Juma	Inspector	Deputy OCS Karuri Police Station	Makueni
4	Francis Elamach Kooli	Superintendent	Sub County Commander, Kakamega	Kakamega
5	Lincoln Mutiso	Corporal	Nkoilale AP Post	Narok
6	Willy Mwaura Gaitho	Sergent	Nkoilale AP Post	Narok
7	Erickson Rop	Corporal	Nkoilale AP Post	Narok
8	Stephen Karunde	Constable	Nkoilale AP Post	Narok
9	Nicholas Ondiga	Constable	Nkoilale AP Post	Narok
10	Wahome Samuel Hungi	Constable	Lokiriama Administration Police Camp	Turkana
11	Karuga Rueben Njoroge	Constable	Lokiriama Administration Police Camp	Turkana
12	James Amandi Mosoba	Constable	Lokiriama Administration Police Camp	Turkana
13	Sammy Ondimu Ngare	Corporal	KICC Uhuru Camp	Nairobi
14	Michael Ziki	Inspector	Naivasha AP Camp	Nakuru

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Category: The Best Police Facilities

Best Detention Facility				
S/No	Region	County	Facility	
1	Coast	Taita Taveta	Voi Police Station	
2	Rift Valley	Nakuru	Rhonda Police Post	
3	Rift Valley	Nakuru	Menengai Police Station	
Best Facility in Order and Cleanliness				



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1	Coast	Taita Taveta	Voi Police Station		
2	Coast	Kilifi	Malindi Police Station		
3	Rift Valley	Nakuru	Menengai Police Station		
Best in Community Policing					
1	Nairobi	Nairobi	Shauri Moyo Police Station		
2	Coast	Kilifi	Malindi Police Station		
3	Rift Valley	Nakuru	Menengai Police Station		

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