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Independent Policing
Oversight Authority



PERFORMANCE REPORT JANUARY - JUNE 2019



REPUBLIC OF KENYA

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Independent Policing
Oversight Authority



PERFORMANCE REPORT

JANUARY - JUNE 2019

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ABBREVIATIONS AND ACRONYMS

ASTU	Anti Stock Theft Unit
AIE	Authority to Incur Expenditure
APS	Administration Police Service
ATPU	Anti-Terror Police Unit
BPU	Border Patrol Unit
CIC	Case Intake Committee
GSU	General Service Unit
GVCU	Government Vehicle Check Unit
IAU	Internal Affairs Unit
KPS	Kenya Police Service
KIHBT	Kenya Institute of Highways & Building Technology
PWD	Persons with Disabilities
RDU	Rapid Deployment Unit

CHAIRPERSON'S STATEMENT

On behalf of the Board, the Management and Staff, I am pleased to present the Independent Policing Oversight Authority's Performance Report for the period January – June 2019. The Authority continues to ensure a professional and disciplined Service through complaints management, investigations, inspections of police facilities and monitoring police operations and making recommendations to the Service and other actors for improvement.



The Authority's presence in the regions has increased its visibility and accessibility of services to the people. This has led to an increase in public confidence and trust with the Authority from an index of **34.3%** in 2013 to **43.3%** in 2019 as per the End Line Survey 2019; and looks forward to a higher index going forth.

To date, the Authority has received and processed **13,618** complaints and **1,518** consequent investigations have been completed. The Authority has also conducted **1,754** inspections in police facilities and premises and has monitored **249** policing operations affecting members of the public and given recommendations to the Service and other state agencies for action.

The Authority embarked on developing a new Strategic Plan (2019-2024) aimed at informing the strategic direction for the Authority for the next five years. The process was guided by the Kenya School of Government and with participation of stakeholders.

IPOA continued to cooperate and complement each other with various agencies to effectively achieve its mandate including ODPP, Judiciary, KNCHR, EACC, CAJ, NPSC, WPA, International Committee of the Red Cross and International Commission of Jurists among others. The Authority also continues to recognize and appreciate the important role development partners played in police oversight among them the US Embassy and International Justice Mission.

Lastly I would like to extend my heart felt appreciation to my fellow Commissioners, CEO and the secretariat for their hard work and dedication in their respective roles during the reporting period.

A handwritten signature in blue ink, appearing to read 'Anne Makori', with a long horizontal flourish extending to the right.

Mrs. Anne Makori

Chairperson

DIRECTOR/ CHIEF EXECUTIVE OFFICER'S STATEMENT

The Independent Policing Oversight Authority's performance between January and June 2019 is an improvement of the previous reporting period which can be attributed to its increased visibility, accessibility and complementarity with key stakeholders.

During the reporting period, the Authority received and processed **1,717** complaints and completed **390** investigations; Thirty six (**36**) case files were forwarded to the ODPP for action while by 30th June 2019, **67** case files were before courts. Three hundred and ninety nine (**399**) inspections were conducted in various police facilities and premises and **45** Police operations were monitored and recommendations made to the NPS and other state actors for improvement.



To effectively achieve its mandate, staff capacity was enhanced through training in various courses organized by professional bodies and the Kenya School of Government. Other staff members were trained on their mandate areas with support from development partners. A total of **91** staff members and Commissioners were trained during the period.

As part of awareness creation on its mandate, the Authority participated and made exhibitions in the annual Agricultural Society of Kenya trade fairs in Eldoret, Kakamega and Meru and was awarded two trophies for the best non-agricultural statutory board stands during the Eldoret and Kakamega shows. Outreach activities were also conducted in **11** counties, **11,500** IEC materials disseminated and facilitated brand exposures through **76** print, electronic and online advertisements.

The Authority recorded a 91% budget absorption which was an improvement compared to 85% in the FY 2017/18. Resources were utilized prudently guided by the Public Financial Management Act 2012 and other financial management procedures.

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

A handwritten signature in black ink, appearing to read 'Maina Njoroge', written over a faint circular stamp.

Maina Njoroge

Director/ Chief Executive Officer

EXECUTIVE SUMMARY

During the reporting period January - June 2019, the Authority received and processed **1,717** complaints. Out of these, **1,418** (82.59%), were from the members of the public as compared to only **56** (3.26%) from the police officers. The rest (14.2 %) were from state and non- state actors and own motion complaints.

In the same period, **390** investigations were completed and **36** case files forwarded to the ODPP. As at 30th June 2019, **67** investigation case files were before courts and one conviction involving the former OCS Ruaraka was made in the period under review.

The Authority also conducted 399 inspections in police premises and facilities and monitored **45** Policing Operations and gave recommendations to the NPS and other relevant actors for action as per its constitutive Act.

A total of **91** staff members and Commissioners were trained during the period by undertaking various courses organized by professional bodies, experiential learning forums and courses offered by the Kenya School of Government and KIHBT.

As part of awareness creation on its mandate to the public, The Authority also conducted outreach activities in **11** counties, disseminated **11,500** IEC materials and facilitated brand exposures through **76** print, electronic and online advertisements. In addition, IPOA participated and made exhibitions in the annual ASK trade fairs in Eldoret, Kakamega and Meru and was awarded two trophies for the best non-agricultural statutory board stand in Eldoret and Kakamega.

The Authority commenced development of the second five-year strategic plan (2019-2024). The process was guided by the Kenya School of Government with participation of stakeholders. An end line survey on policing gaps and standards was also completed with support from International Justice Mission and Strategic Africa to inform the current status in policing.

The Authority recorded a 91% budget absorption which was an improvement compared to 85% in the FY 2017/18. The Authority continued to ensure high standards of internal controls through implementation of the Risk Management Framework.

Despite the achievements made in the review period the Authority faced challenges including non-cooperation from some members of the NPS, complainants, witnesses and health care facilities. Some victims withdrew complaints due to fear of being victimized while others cited cultural backgrounds and opted to resolve complaints as per their community practices.

As per its Constitutive act, the Authority made recommendations to the NPS and other agencies for action geared towards improvement of the service and effective service delivery to the public.

The Authority continued to cooperate and complement each other with various agencies to effectively achieve its mandate including ODPP, Judiciary, NPS, KNCHR, EACC, CAJ, NPSC, WPA, International Committee of the Red Cross, International Commission of Jurists, the US Embassy and International Justice Mission among others.

1. INTRODUCTION

1.1 Background

The Independent Policing Oversight Authority is established pursuant to the Independent Policing Oversight Authority Act (No. 35 of 2011). Its main function is to provide for civilian oversight over the work of the Police.

The Objectives of the Authority as set out in Section 5 of its constitutive Act are to:

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

In accordance with section 30 of the IPOA Act No.35 of 2011, the Authority shall submit to the Cabinet Secretary, at least once in every six months, a report of the performance of the functions of the Authority, making such recommendations as it may consider necessary, and the Cabinet Secretary shall, within 14 days after receiving such report, cause it to be published and laid before the National Assembly.

1.2 Principal Functions

The Authority's principal functions are to:

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

- h) Present any information it deems appropriate to an inquest conducted by a court of law;
- i) Take all reasonable steps to facilitate access to the Authority's services to the public;
- j) Subject to the Constitution and the laws related to freedom of information, publish findings of its investigations, monitoring, reviews and audits as it seems fit, including by means of the electronic or printed media;
- k) Make recommendations to the Police Service or any State organ;
- l) Report on all its functions under its Act or any written law; and,
- m) Perform such other functions as may be necessary for promoting the objectives for which the Authority is established.

1.3 Vision

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

1.4 Mission Statement

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

1.5 Motto

Guarding Public Interest in Policing.

1.6 Core Values

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

2. AUTHORITY’S PERFORMANCE

The Authority executed various activities in fulfillment of its mandate including; receiving and processing complaints on police misconduct, conducting investigations, inspecting police facilities and monitoring police operations.

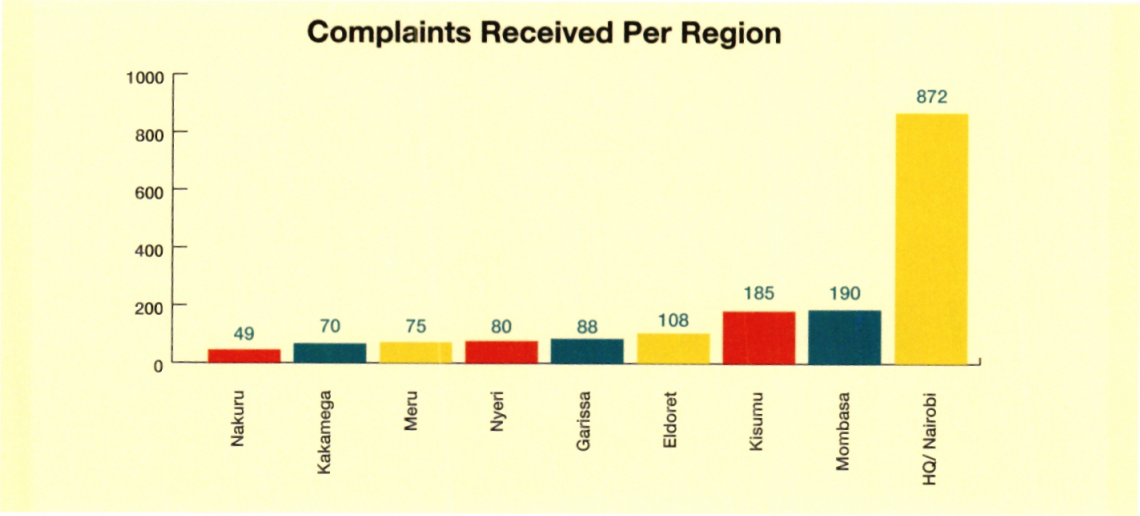
2.1 Complaints Management

The IPOA Act No.35 of 2011 requires the Authority to ensure independent oversight of the handling of complaints against the NPS. The Authority executed this function through receipt, processing and investigation of complaints lodged by the public and police officers. This is accomplished through cross-examining of all cases; fairly to assess the criminal liability of the officers involved which contributes to the prevention of impunity within Police Service.

2.1.1 Complaints Received

The Authority received and processed a total of **1,717** complaints during the period. The complaints were received through walk-ins, letters, telephone calls, social media, emails, website and outreach forums. Further, the complaints were received from individuals, police officers, state actors and non-state actors among others. Amongst the 8 regional offices, Mombasa and Kisumu regions recorded the highest number of complaints with 190 and 185 respectively as shown in the Figure below. The Authority is enhancing outreach activities targeting the public and the NPS members in regions with low numbers of complaints to create awareness on its mandate.

Figure 1: Complaints Received Per Region.

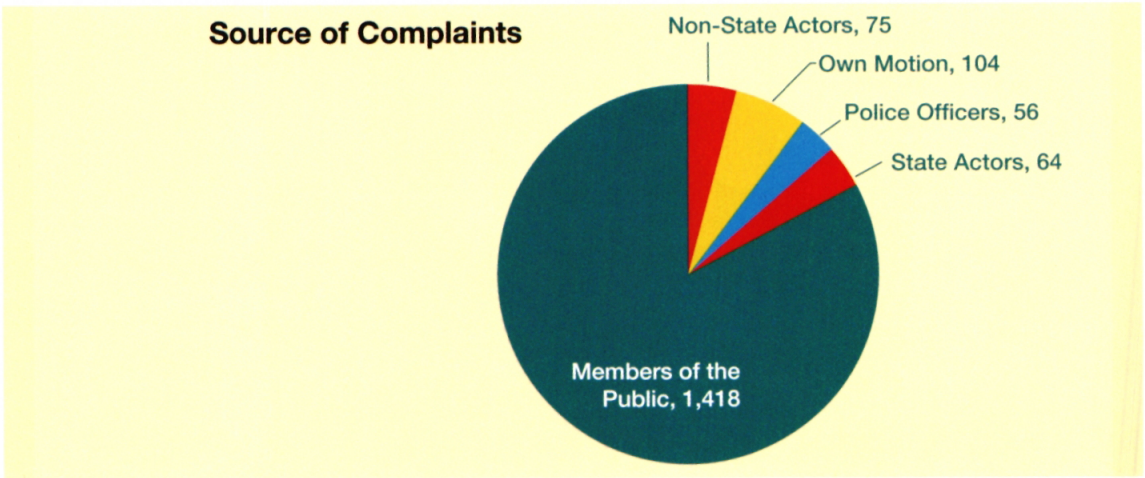


Source: IPOA 2019

2.1.2 Source of Complaints

Complaints were received by the Authority from members of public, police officers, state and non-state actors. In addition the Authority gathered incidents of police misconducts through own motion comprising complaints considered of high interest to the public and the same was processed accordingly. Sources of complaints received during the period were as follows:

Figure 2: Sources of Complaints



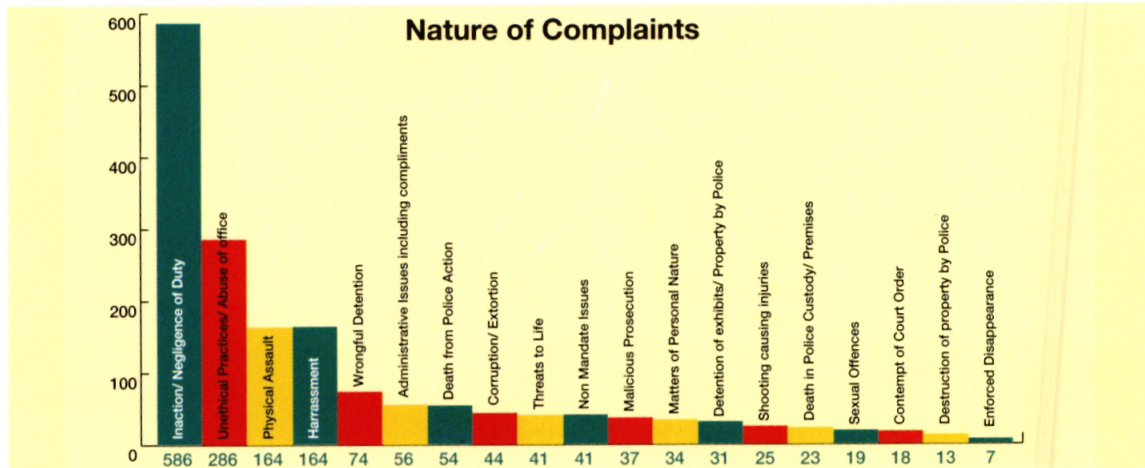
Source: IPOA 2019

The highest number of complaints i.e. 1,418 (82.59%), were from the members of the public as compared to only 56 (3.26%) from police officers. The police officers remained the lowest source of complaints compared to other state and non- state actors. The 56 complaints received from the Police officers were largely centered on unfair or illegal dismissals from the Service, illegitimate or arbitrary transfers, illegal termination, failure to be promoted, unfair allocation of housing, unfair orderly room proceedings, forced resignation and unfair treatment by senior officers. The Authority will continue to create awareness on its mandate among the members of the NPS to encourage them to report cases of police misconduct among themselves.

2.1.3 Nature of Complaints Received

A total of **586** (34.13%) of the complaints received resulted from inaction and negligence of duty by police officers, followed by **286** (16.66%) on unethical practices and abuse of office, with a paltry **7** (0.41%) on enforced disappearance among others as displayed in the figure below.

Figure 3: Nature of Complaints Received

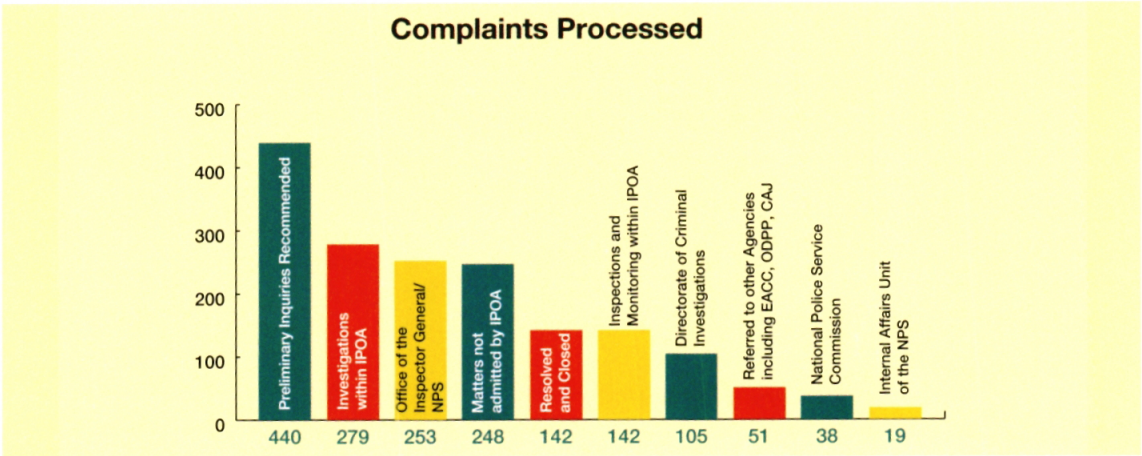


Source: IPOA 2019

2.1.4 Complaints Processing

The complaints received were all processed through recommendations from the Case intake Committee. Majority of the complaints 440 (25.63%) were recommended for preliminary inquiries; 279 (16.25%) and 142 (8.3) were recommended for investigations, inspections and monitoring respectively while the others were either resolved, not admitted or referred to other agencies for action depending on the nature of complaint as per the figure below.

Figure 4: Recommendations made by the Case Intake Committee



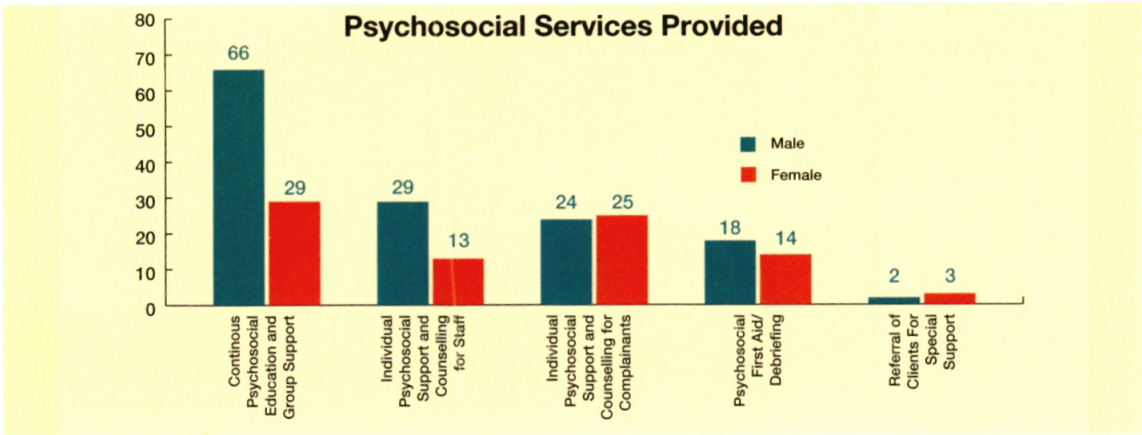
Source: IPOA 2019

2.2 Counselling and Psychosocial Support

The Authority received a total of **223** clients in the reporting period. Out of the **223** clients, **54** (24%) were either complainants or witnesses while, **169** (76%) clients were IPOA staff members. The services provided include psychological first aid to first responders and persons attending to critical incidents such as crime scenes and postmortem procedures, groups and individual psychological therapy, psychological education and motivational sessions.

A total of **223** (139 male, 84 female) clients were attended to as per the figure below.

Figure 5: Psychosocial Services Provided



Source: IPOA 2019

2.3. Investigations on Police Misconduct

Section 6(a) of the IPOA Act provides the functions of the Authority to include investigating complaints relating to disciplinary or criminal offenses committed by any member of the NPS whether on own motion or on receipt of a complaint, and make recommendations to the relevant authorities. In addition, Section 25 (1) mandates the Authority to investigate any death or serious injury occurring in Police custody, which are the result of Police action or were caused by members of the Service while on duty.

2.3.1 Investigations Conducted in the Review Period

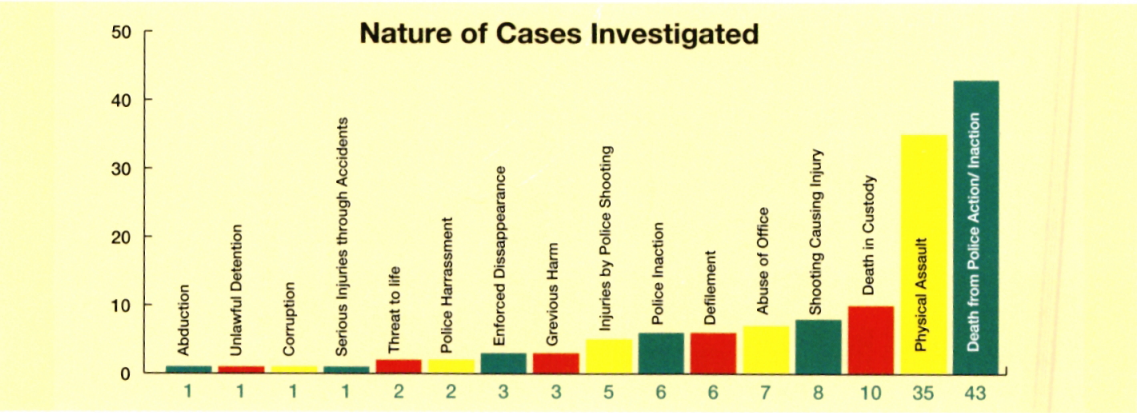
The Authority conducted a total of **390** investigations in the period under review. Out of these, **134** case files were fully investigated and recommendations made. Three case files were referred to NPSC, **1** to IAU and **1** to EACC while fifty two (**52**) cases were under further investigations as at 30th June 2019. In addition **204** cases were recommended for closure owing to various reasons; **22** owing to lack of evidence, **14** through withdrawal by complainants and witnesses, **11** cases were before courts but the Authority is monitoring proceedings while **131** were closed due to non-cooperation by witnesses and victims; seven cases (**7**) were non mandate while **19** had been investigated satisfactorily by the NPS (As detailed in Appendix 4).

In the same period, **36** investigation case files were forwarded to the ODPP comprising **14** and **6** on deaths and assault causing grievous harm respectively, **10** on shooting causing bodily harm and **1** each on rape, harassment, stealing, malicious damage of property, extortion and threat to life. As at 30th June 2019, **67** case files were before courts, **2,003** case files were under investigations while **1,622** were pending investigations. The Authority therefore prays to the National Assembly and the National Treasury to increase funding allocation to enhance investigations through additional personnel, specialized equipment and operational and maintenance costs.

2.3.2 Nature of Cases Investigated

The nature of the **134** fully investigated cases during reporting period is as per the figure below. Forty three (**43**) cases related to deaths through police action and inaction, **35** on physical assaults and one case on abduction.

Figure 6: Nature of cases Investigated



Source: IPOA 2019

2.3.3 Cases before Court

The table below shows the 67 case files which were before Courts as at 30th June 2019.

Table 1: Cases before court as at 30th June 2019

No	Court Case No.	Subject	Jurisdiction
Defence Hearing			
1.	CMCC 326/2018	Offence/charge: Assault Republic Versus APC Joseph Kipkorir Langat, APC David Bii Too, APC Philip Kipyegon Kilel, APC Josephine Chebet Chumo and APC Betsy Rotich	Sotik Law Courts
2.	INQ 7/2016	Offense/charges: Inquest Killings caused by the NPS after the verdict of the Supreme Court on Presidential elections in March 2013 in Kisumu County.	Kisumu Law Courts
Ruling Stage			
3	No. 1/2016	Offense/charges: Inquest Republic Versus Benson Mulinge, Michael Rotich, Osoi Sakimba	Hola Law Courts
Further Hearing			
4	HCCR No. 80/2015	Offense/charges: Murder contrary to section 203 as read with section 204 of the Penal Code. Republic Versus Narok County ranger Julius Tapolis Dikiir	Milimani Law Courts
5	C.M.CR.C 1398 of 2015	Offense/charges: Attempted murder contrary to section 220(a) of the Penal Code. Grievous Harm contrary to section 234 and unlawful wounding of persons contrary to the Penal Code. Unlawful wounding of person contrary to section 237(a) of the Penal Code Republic Versus Narok County rangers: Moses Kuyoi-ni and Samuel Kishoyian	Milimani Law Courts
6	HCCR 101 /2015	Offense/charges: Murder contrary to section 203 as read with section 204 of the Penal Code. Republic Versus Patrick Thurinira	Milimani Law courts
7	INQ 10/2016	Offense/charges: Inquest Death caused by poisoning while in Police Custody.	Chief magistrates court Milimani
8	HCCR 26/2016	Offense/charges: Murder Republic Versus Gilbert Maina & 3 Others	Kitui High Court

9	INQ 1/2017	Offense/charges: Inquest Killings were caused by police shooting in Busia.	Busia Chief Magistrates Court
10	CR No. 1843/2015	Offense/charges: Neglect of Official duty contrary to section 128 as read with section 36 of the Penal Code. Republic Versus Zuhura Yasin Khan.	Milimani Law Courts
11	HCCR 5 of 2015 Nakuru	Offense/charges: Murder contrary to section 203 as read with Section 204 of the Penal Code Republic Versus Silas Murimi, Reuben Maina and Wycliffe Wangila Sikuku.	Nakuru High Court
12	CF 2114 of 2016	Offense/charges: Manslaughter Republic Versus APC Samuel Chege and APC Jackson Letinina	Nyahururu Law Courts
13	HCCR 36 of 2016	Offense/charges : Murder contrary to section 203 as read with Section 204 of the Penal Code Republic Versus PC Evans Maliach Wiyema	Naivasha High Court
14	CMCRC 4152/2016	Offense/charges: Unlawful wounding Republic Versus Brian Chieng Onyango.	Kibera Law court.
15	HCCR No. 14/2015	Offense/charges: Murder contrary to section 203 as read with section 204 of the Penal Code. Republic Versus PC Chibungu Sanga	Nyeri
16	Inquest No. 15/2016	Offense/charges: Inquest	Milimani Law Courts
17	HCCR 16/201	Offense/charges: Murder contrary to section 233 as read with section 234 of the Penal Code. Republic Versus Dennis Odhiambo (Bungoma Police Station)	Bungoma High Court
18	Inquest No. 3/2017	Offense/charges: Inquest	Isiolo Law Courts
19	Inquest No. 1/2016	Offense/charges: Inquest	Milimani Law Courts
20	CR 961/ 119/2018	Offense/charges: Rape Republic Versus Police constable James Kinyua	Busia Court 4
21	HCCR No. 2/2017	Offense/charges: Murder contrary to section 203 as read with section 204 of the Penal Code. Republic Versus Patrick Wafula Manyasi	Nyahururu
22	Inquest No. 14/2017	Offense/charges: Inquest Death Occasioned by police officers during demonstrations in Mathare Area, Nairobi	Milimani Courts

23	Inquest No. 12 /2017	Offense/charges: Inquest	Milimani Law Courts
24	Inquest No. 15/2017	Offense/charges: Inquest Allegations of cruel and inhumane treatment by officers stationed at Nyali police station resulting into the death of Leonard Mramba.	Mombasa Law Courts
25	HCCR 57/2016	Offense/charges: Murder Republic Versus Fredrick Leliman, Leonard Mwangi	Milimani High Court
26	SO. 19/2018	Offense/charges: Rape contrary to section 3(1) as read with section 393) of the Sexual Offences Act No.3 of 2006. Republic Versus PC Anthony Ongere Moseti	Milimani Law Courts
27	SO 2/2018	Offense/charges: defilement contrary to section 3(1) as read with section 393 of the Sexual Offences Act No.3 of 2006. Republic Versus PC Paul Rotich	Kiambu Law Courts
28	Inquest No. 6 of 2017	Offense/charges: Inquest	Milimani law Courts
29	CR.C No. 3 of 2016	Offense/charges: Murder contrary to section 203 as read with Section 204 of the Penal Code Republic Versus C.I Isaac Sirengo Siatani	Eldoret Law Courts
30	HCCR 20/2016	Offense/charges: Murder contrary to section 203 as read with section 204 of the Penal Code. Republic Versus PC Hillary Nyatodo Oyugi	Murang'a Law Courts
31	HCCR 24/2017	Offense/charges: Murder contrary to section 203 as read with section 204 of the Penal Code Republic versus Amos Okoth	Milimani Law Courts
32	HCCR 9/2018	Offense/charges: Murder contrary to section 203 as read with section 204 of the Penal Code. Republic versus Cpl. Adan Boru	Garissa High Court
33	CR.C 563 of 2018	Offense/charges: Grievous Harm contrary to section 234 of the Penal Code Republic versus Cpl. Adan Boru	Garissa High Court
34	CR 6/2019	Offense/charges: Grievous Harm contrary to section 234 of the Penal Code Republic versus Martin Maina	Machakos Law courts
35	H.C.C.R 59/2018	Offense/charges: Murder c/s 203 as read with 204 Republic versus APC Leakey Maina	Meru High Court

36	H.C.C.R 39/2019	Offense/charges: Murder c/s 203 as read with 204 Republic versus CPI Salesa Galgalo and Sub-Chief Kennedy Karuwa	Meru High Court
FRESH HEARING			
37	CR.C 721 of 2016	Offense/charges: Grievous Harm contrary to section 234 of the Penal Code Republic versus C.I. George Anyonje Ndirire	Murang'a Law Courts
38	REP vs PC Patrick Sigilai	Offense/charges: Causing death by dangerous driving contrary to section 46 of the Traffic Act and a further charge of reckless driving contrary to section 47 of the Traffic Act. Republic versus PC Patrick Sigilai	Wajir Law Courts
39	CMCC 426/2018	Offense/charges: Causing Grievous harm Republic versus APC George Kinuthia Njuguna	Kangundo Law Courts
40	INQ1 of 2018	Offence/charge: Inquest	Kiambu Law Courts
41	CMCC/ 278/2018	Offence/charge: grievous harm Republic versus PC Kipkorir Tanui	Limuru Law Courts
42	Inquest No. 1/2018	Offense/charges: Inquest	Oyugis Bay Law Courts
43	Inquest No. 4/2018	Offense/charges: Inquest	Kisii Law Courts
44	CF No. 1928/2018	Offense/charges: Manslaughter c/s 202 as read with 205 of the Penal Code, matter to proceed to court Republic versus George Gucha Onyango	Mombasa Law Courts
45	HCCR No. 34/2018	Offense/charges: Murder c/c 203 as read with 204 of the penal code Republic versus Naftali Chege, Charles Munyiri, Ismael Baraka and John Pamba	Mombasa High Court
46	CF 93/2019	Offense/charges: Grievous harm C/s 234 of the Penal code. Republic versus John Mutheka	Murang'a High Court
47	HCCR 9 of 2018	Offense/charges: Murder C/s 204 of the Penal code. Republic versus Adan Boru Galicha	Garissa High Court
48	CF 563 of 2018	Offense/charges: Causing grievous harm section 234 of the penal code Republic versus Adan Boru Galicha	Garissa Law Courts
49	Inquest No. 18/2016	Offense/charges: Inquest	Makadara Law Courts

50	CR 1825 /2019	Offence/charge: Grievous harm Republic versus PC Rufus Muriithi	Makadara
51	In the process of Court registration	Offense/charges : Causing Grievous Harm Republic versus Kelvin Omondi	Garissa
52	CMCC 39/2019 Petition 16/2019	Offense/charges: Murder c/s 203 as read with 204 Republic versus Salesa Galgalo	Meru
53	HCCR No. 2/2017	Offense/charges: Murder contrary to section 203 as read with section 204 of the Penal Code. Republic versus Patrick Wafula Manyasi	Nyahururu
PLEA TAKING			
54	HCCR No. 73/2016	Offense/charges: Murder contrary to section 203 as read with section 204 of the Penal Code. Republic versus PC Michael Masai and PC Mark Nyongo	Petition at Eldoret High Court.
INVESTIGATED BY POLICE AND MONITORED BY IPOA			
55	Inquest 6/2015	Offense/charges: Police Inquest Deceased, a watchman at Kamukunji Secondary school was shot dead by police officers on duty.	Nairobi Makadara Law Courts
56	Cr. 11 of 2017	Offense/charges: Defilement C/S 8(1)as read with 8(3) of the sexual offences Act Republic versus Laban Maina Njogu	Murang'a Murang'a Law Courts
57	HCCR No. 31 of 2016	Murder c/c 203 as read with 204 of the penal code Republic versus Silas Waswa Wasalwa and George Odhiambo Omune	Kakamega Kakamega High Court
58	CR/332/149/2018	Offense/charges: Robbery with violence Republic versus Issa Baya Charo	Mombasa Mombasa Law Court
59	HCCR 26/2016	Offense/charges: Murder Republic versus Gilbert Maina & 3 Others	Kitui Kitui High Court
60	SO 2/2018	Offense/charges: Defilement contrary to section 3(1) as read with section 393) of the Sexual Offences Act No.3 of 2006. Republic versus PC Paul Rotich	Gatundu Law Courts Kiambu
61	Rep Vs S/SGT	Offense/charges: Murder contrary to section 203 as read with section 204 of the Penal Code. Republic versus S/SGT James Range	Kisii Kisii High Court

62	Rep Vs Laban	Offense/charges: Defilement contrary to section of the Penal Code. Republic versus Laban Njogu Maina	Murang'a Murang'a Law Courts
63	Inquest	Offense/charges: Inquest	Eldoret Eldoret Law Courts
64	Inquest 18/2014	Offense/charges: Police Inquest Accused was assaulted by Administration police officers from Kamkuywa.	Bungoma Kimilili Law Courts
65	HCCR 52/2018	Offense/charges: Murder Republic versus PC David Ochieng'	Kakamega Kakamega High Court
67	Inquest 1/2019	Offense/charges: Inquest	Vihiga Vihiga Law Courts

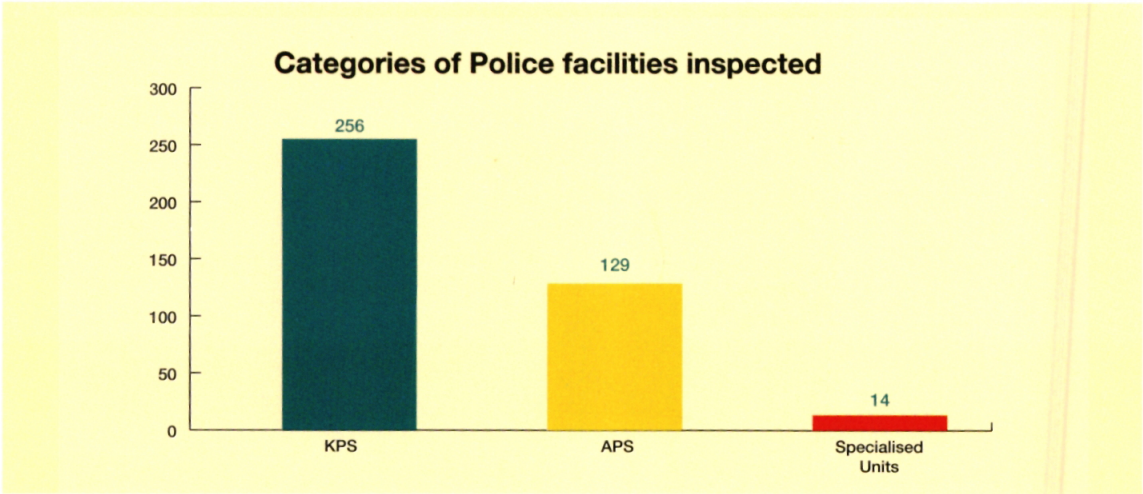
2.4 Inspection of Police Premises

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

2.4.1 Police Premises Inspected

During the reporting period, the Authority conducted a total of **399** inspections in various NPS facilities (KPS, APS and Specialized Units) in **39** Counties. The inspections were distributed as follows; KPS **256** (65 New Inspections, 186 Follow-up and 5 Thematic), APS **129** (82 New Inspections and 47 Follow ups) and **14** Specialized Units as outlined in the figure below:

Figure 7: Categories of Police facilities inspected



Source: IPOA 2019

Out of the **399** inspections conducted, **173** were Police Stations, **47** Police Posts, **36** Patrol Bases, **16** APS Camps, **26** Divisional HQ, **86** AP Posts, **1** ward HQ and **14** Specialized Units.

(a) New Inspections

During the reporting period, **161** new Inspections were conducted in various Police Premises (65 KPS, 82 APS and 14 Specialized Units). The parameters assessed during inspections included but not limited to; cell conditions, treatment of detainees and utilities, safety and security, facilities and infrastructure, record management, resource allocation and management, provision of uniform and protective gears and food (more detailed information on the findings in a separate report¹). Recommendations from the findings were made to NPS and other relevant institutions for action.

Photo: A Grilled Report office in Sultan Hamud Police Station for security purposes



Source: IPOA 2019

(b) Follow-up Inspections

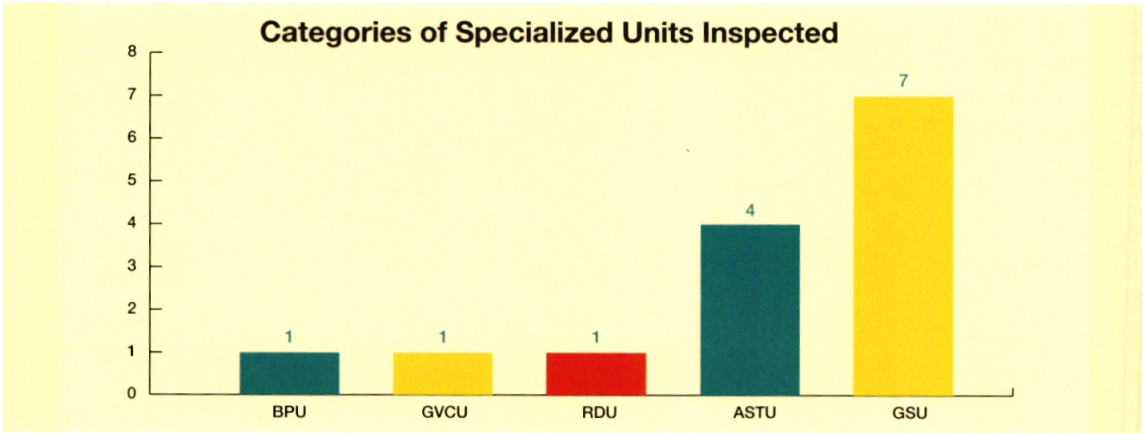
In the same period, **233** Follow-up inspections (186 KPS and 47APS) were conducted in Police Premises. The objective of the follow-up Inspection was to assess improvement or decline in comparison to the status during the initial inspection as well as finding out whether the recommendations made during the initial inspections had been implemented. Detailed findings on the follow-up inspections are contained in Appendix 3.

(c) Inspections in Specialized Units

During the reporting period, **14** Specialized Units of NPS were inspected. The categories of the specialized units inspected are as shown in the figure below.

¹ IPOA Inspections, Research and Monitoring January- June 2019 report

Figure 8: Number and Categories of specialized units inspected



Source: IPOA 2019

Nine **9 (64.3%)** of the Specialized Police Units inspected were connected to electricity. Only **2 (14.3%)**² of the Units had a standby generator for use during power outages while Nyakinyua ASTU Camp used kerosene lamps as a source of lighting. **12 (85.7%)** of the premises inspected had access to water.

In terms of security, only **3 (21.4%)** of the Premises Inspected had secure perimeter fence. The rest didn't have any perimeter fences which posed vulnerability of possible attacks to the camps by criminals including terror groups and cattle rustlers.

64% (9)³ Specialized Units inspected had tents which were in fair conditions though insufficient. **71% (10)** of the inspected units had sufficiently spaced Uni-huts. **64% (9)** had temporary structures (mud walled houses) which were in deplorable conditions while **5(36%)** of the inspected units had permanent structures although in dilapidated state.

Twenty one, **14% (2)** of the specialized units inspected had limited office space doubling up as report offices while **86% (12)** lacked office space altogether. Additionally, **64% (9)** of the units inspected had spaces utilized as radio rooms.

Eighty six percent **(12)** units had motor vehicles for effective policing and mobility of officers. Police uniforms were available in **13** out of the **14** Units but only sufficiently supplied in **9 (64%)** of the inspected facilities. **13(93%)** of the units had sufficient supply of bullet proof vests, anti-riot gear, batons, helmets and shields. The officers indicated that the provided shields were poor quality as they easily break and had weak handles. None of the inspected Units had gloves.

(d) Thematic Inspections

Thematic inspections are conducted to assess specific aspects or concerns raised by complainants. During the reporting period, 5 thematic Inspections were conducted in KPS facilities in Kilifi, Mombasa, Tana River, and Marsabit Counties. The Inspections focused on the detention facilities, records and registers management. This was specifically informed by public complaints on cases of arbitrary arrests by police officers and especially during the weekends and holding them for more than 24 hours in the cells.

² Chepchoina GSU and Kimothon GSU Camp.
³ Chepchoina GSU, Miti Mbili GSU, Kimothon GSU Camp, Lorogon ASTU Camp, Nyakinyua ASTU Camp, Angata Barrikoi ASTU Camp, Machangwa ASTU Camp, Kilgoris RDU and Border Police Unit, Rombo Base

2.4.2 Conclusion from Inspections Conducted

Forty one (41) out of the 44 parameters assessed during follow up inspections registered improvement while three namely holding detainees for more than 24 hours, insufficient office space and uniforms were yet to improve. Some of the stations had received equipment donations from Community Based Organizations (CBOs) and Non-Governmental Organizations (NGOs) including USAID, UK-AID, World Vision and Plan International among others. Some police stations had their offices renovated through National Government Constituency Development Fund (NG-CDF) such as Kilifi, Matinyani, Toleka, Kinoo and Chumvi among others. The Authority also noted that some officers in specialized police units were living in dilapidated units and in others, kerosene lamps are used for lighting. The Authority therefore recommends that the NPS looks into the welfare of these officers and continued cooperation by the Service with partners and the community to improve the police facilities and boost community policing.

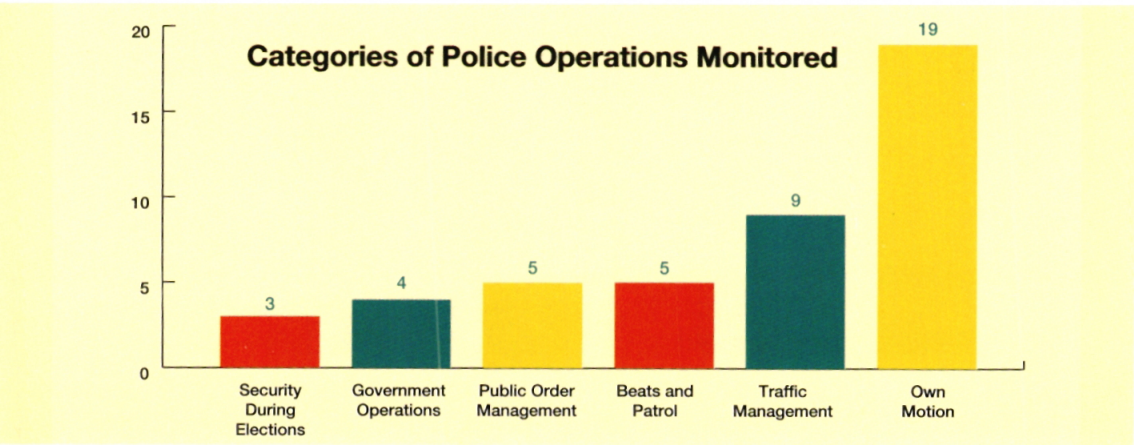
2.5 Monitoring of Policing Operations

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

2.5.1 Police Operations Monitored

During the reporting period, the Authority monitored forty five (45) policing operations, which included 3 on provision of security during elections, 9 on traffic management and control, 4 government initiated operations, 19 complaints referrals, 5 on Public order management and 5 on Beats and Patrols as per the figure below.

Figure 9: Categories of Police Operations Monitored



Source: IPOA 2019

2.5.2 Findings from Monitoring of Police Operations

(a) Public Order Management

Out of the 5 operations monitored, police operations were mostly conducted professionally except for Itumbe Police Station in Kisii County where police officers used excessive force to

calm members of the public. It was also observed that in **90%** of the operations, police officers did not affix their name tags and service numbers on their uniforms as required by the law.

(b) Provision of Security during Elections

During the period under review, the Authority monitored **3** parliamentary by-elections in Wajir West, Ugenya and Embakasi South Constituencies. It was observed that the police acted professionally and in a non-partisan manner by respecting the rights of constituents and no incident of police inaction or misconduct was witnessed.

(c) Monitoring Traffic Management

The Authority monitored police conduct in **9** traffic operations⁴ owing to complaints received from the members of the public. Harassment, bribery and extortion of motorists, Tuktuk and boda boda operators was noted and the Authority recommends that the Service and other actors in traffic management takes the necessary actions to curb these vices.

(d) Monitoring of Government Operations

During the performance period, **4** government operations were monitored, in West Pokot, Turkana, Lamu and Kitui Counties. In these operations, cases of arbitrary arrests were documented with allegations of bribery, extortion and harassment in all the four operations.

(e) Beats and Patrol

Monitoring of beats and patrol operations was conducted in various stations. For example, in Usege Police Station, police officers were interviewed and various police records examined to establish patterns and trends of arbitrary arrests, popular areas of arrests, common reasons for arrest, popular days of arrest and arresting officers, crime monthly returns, cell registers to establish if arrested persons were taken to court with key findings being arbitrary arrest and unlawful detentions, police harassment and lack of viable community policing initiatives.

(f) Own motion

These are the complaints taken in by the Authority from mainstream media and social media platforms. Out of the **19** operations monitored based on own motion complaints, cases of arbitrary arrests, extortion/corruption by police officers, unlawful detention, and harassment by police, confiscation of cattle by Police, abuse of office and police inaction were noted.

3. INSTITUTIONAL STRENGTHENING

3.1 IPOA Strategic Plan 2019- 2024

The Authority commenced preparation of the Strategic Plan for the year 2019-2024 after expiry of the inaugural plan. This was done with consultancy support services from the Kenya School of Government and with participation from the stakeholders. Once launched, the plan will guide the operations of the Authority for the next five years.

3.2 End-line Survey on Policing Standards and Gaps

The Authority through financial support from the International Justice Mission (IJM) and Strategic Africa as the consultancy firm, finalized an End-line Survey to assess policing gaps and

⁴ Key findings and recommendations can be accessed on traffic management monitoring report in Kenya-June 2019

standards in Kenya with a comparison from the baseline survey conducted in the year 2013. The findings and recommendations of the survey will be used to put in place measures that will improve service delivery in the Authority and the NPS.

3.3. Learning and Growth

The Authority facilitated **91** Board and staff members to undertake various courses and experiential learning fora to strengthen internal capacity. These were organized by professional bodies such as LSK, ICPAK, PRSK, CSK and IHRM. Trainings were in records management, Strategic Leadership Development Programme, Senior Management Course, and Administrative Assistant Courses at KSG and Drivers Refresher Course at KIHBT.

4. FINANCIAL MANAGEMENT

The Authority absorbed **91%** of its allocated budget, an improvement of the 85% in the FY 2017/18. The variance in absorption was due to the fact that supplementary budget was approved in June 2019 and it was therefore not possible to replace staff who had exited by the end of the FY. Delay in the approval of the second supplementary budget also delayed procurement of goods and services.

5. RISK MANAGEMENT

During the reporting period, the Authority ensured the risk management process was in line with the requirements of the Public Sector Guidelines in Kenya. Continuous monitoring and review of the Enterprise Risk Management Framework has informed the Authority's key risks areas; with an aim of providing a 'no surprises environment' with regard to prompt identification of risks and threats. This has assisted the Board and Management to ensure appropriate mitigating controls are in place.

6. BRANDING AND AWARENESS CREATION

The Authority conducted media campaigns and outreaches targeting police officers and members of the public and disseminated IEC materials as a means of branding and creating awareness on its mandate.

Through the Government Advertising Agency, the Authority entered into an agreement with several media houses to advertise and popularize its activities through the "My Gov" insert that is distributed in leading Dailies like the Nation, and the Standard newspapers. The different mainstream and social media platforms were also used to harvest complaints and topical issues that warranted IPOA action. In addition the Authority released media monitoring reports, press statements and media responses to articulate its position and achievements.

Outreach activities targeting members of the public and police officers were conducted in Nairobi, Kisumu, Uasin Gishu, Bungoma, Kisii, Nakuru, Machakos, Garissa, Kakamega, Nyeri and Meru Counties. The Authority also disseminated **11,500** IEC materials and facilitated brand exposures through **76** print, electronic and online advertisements and notifications.

7. PARTNERSHIP AND STAKEHOLDER ENGAGEMENT

During the reporting period, the Authority continued to cooperate with other agencies and complement like-minded partners for effective service delivery.

The Authority in the reporting period conducted joint outreach with the International Committee of the Red Cross in Meru County, participated in a conference on Police Accountability in Africa organized by the International Commission of Jurists (ICJ) and 45 officers trained on Investigation of Sexual Violence cases with support from International Justice Mission (IJM). In the same period, the Authority hosted representatives from the National Human Rights Commission of Mozambique in the month of June 2019 to discuss matters on maintenance of human rights standards.

The Authority also participated in the annual Agricultural Society of Kenya (ASK) trade fairs in Eldoret, Kakamega and Meru and was awarded two trophies for the best non-agricultural Statutory Board stand during the Eldoret and Kakamega shows.

Led by the Board, the Authority participated in the Sixth Annual Devolution conference held in Kirinyaga County from 4th to 8th March 2019. The theme of the Conference was "Deliver, transform, measure" with a clarion call of remaining accountable. The Authority had an opportunity to show case its mandate and achievements to the participants.

The Board also visited various regional offices and interacted with staff to familiarize themselves. During the visits, they had an opportunity to meet with Governors, County Commanders and Regional and County Commissioners and discussed areas of collaboration to improve IPOA visibility and service delivery.

Together with other stakeholders including FIDA, Ford Foundation, Transform Empowerment Action Initiative, Western Kenya Human Rights Network, Kenya Red cross, Gender Dialogues, and Home of talents; Kondele Justice centre in Kisumu County was launched. This was an initiative of the local Human Rights Defenders as a one stop model justice Centre and a home to local, national and international partners fighting injustices in the region.

8. CHALLENGES

- i. Despite improved cooperation with NPS, efficiency was impeded by non-cooperation from some members of the service during investigations, inspections and monitoring activities.
- ii. Failure by the police to notify the Authority on death or serious injury as required by law.
- iii. Failure by some health care facilities to provide medical reports required for investigations.
- iv. Critical witnesses/victims failing to provide information to the Authority for fear of victimization by the police and some ending up withdrawing cases.
- v. Insecurity in the North Eastern region restricted movement of officers and their interaction with the community therefore adversely affecting investigations, inspections and monitoring activities.
- vi. Insufficient funding which derail technical activities, awareness creation and other operations.

9. RECOMMENDATIONS AND CONCLUSION

9.1 Recommendations

According to section 6(k) of IPOA Act, the Authority is mandated to make recommendations to the Service or any state organ. In this regard the Authority recommends as follows:

9.1.1 Inadequate Resource Allocation in Police Facilities and Premises

The Inspector General of Police should ensure adequate and fair distribution of finances and resources to fund police stations, posts and bases, as stipulated in the National Police Service Act 2011, section 116 (2). The AIE vote allocation to Station was a positive move as this has been able to resolve some challenges in most Stations. However, the funds allocated to Station commanders are still insufficient and further there is a pattern of fluctuation in terms of allocation i.e. the allocation changes per quarter.

9.1.2 Police Officers' Allowances (Hardship, Transfer and Operations)

The Authority recommends to the NPS to consider payment of the hardship, transfer and operations allowances promptly. Hardship allowances should be paid through payroll to avoid complaints from officers and for accountability purposes. Chapter 39(31) (2) of the SSO provides that hardship allowance shall be paid to a Police Officer stationed in a designated hardship area as specified by the Government from time to time.

9.1.3 Records Management⁵

IPOA recommends to the IG to ensure that records in the respective police stations are kept and maintained in accordance to section 50(1)⁶ of the NPS ACT 2011 and strict adherence to Appendix 59(a) of Service Standing Orders. Additionally, there is need to streamline the issuance of police registers and stationeries in all Police Premises. Police Records should be neatly and legibly documented and further, records of a police post and outpost should be returned to the parent police station and Sub-County headquarter. The Authority still recommends the OCSs to ensure that no improvised office records loose papers are used in keeping records.

9.1.4 Condition of Detention Facilities

According to, Rule 5 of the Fifth Schedule (arrest and detention rules) of the National Police Service Act, 2011, it is the responsibility of the officer in charge of the station, to ensure that a lock up facility is in hygienic conditions and conducive for human habitation with adequate light, toilet, washing facilities, outdoor area and well ventilated. The officers in charge of the stations and posts should therefore ensure that they adhere to the provisions.

9.1.5 Strengthening Community Policing

According to Article 244(e) of the Constitution of Kenya 2010, the National Police Service should strive to foster and promote relationships with the broader society. Section 98 of the NPS Act mandates a police officer in charge of an area in consultation with stakeholders to establish a community policing committee. Station commanders need to develop creative ways of involving the communities in policing.

⁵ Key findings on recommendations can be accessed on the plight of police registers and records management, march 2019

⁶ Section 50 (1) of the NPS Act stipulates that a police officer in charge of a police station or post, unit or formation shall keep a record in such form as the IG may in consultation with the DIG direct and shall record all complaints and charges preferred, the names of all persons arrested and the offences with which they are charged

9.1.6 Staff Strength, Promotions and Transfers

Article 246(3)(a) of the Constitution of Kenya 2010; gives the National Police Service Commission the mandate to recruit and appoint persons to hold or act in offices in the service, confirm appointments and determine promotions and transfers within the National Police Service. The National Police Service Commission should ensure that shortage of staff in some stations and units is addressed. In addition, fairness in promotions and transfers should be embraced.

9.1.7 Juvenile Cells and Child Protection Units

Fifth Schedule Rule 5(d) provides for juveniles and children to be kept separately from adults. IPOA therefore recommends to the Inspector General of Police and the Cabinet Secretary for Interior and Coordination of National Government to ensure that Police Stations are facilitated in establishing juvenile cells and Child protection units to cater for Juvenile detainees and minors.

9.1.8 Welfare and Recreational Facilities

The Authority in the course of inspections, established that some specialized units lacked clean water and recreational facilities and therefore recommends to the NPSC to ensure that welfare and recreational facilities are revamped as per the Service Standing Order. Chapter 66 of the Service Standing Orders (SSO) stipulates that the general comfort of officers in their quarters shall include; adequate water supplies, recreation during off-duty hours, provision of canteens, organized sports and games, cinema shows, books, magazines, periodicals and newspapers.

9.1.9 Policing Equipment

The Authority recommends that maps, both GPS and paper be procured and provided in all the stations to enable officers to fully understand their area of jurisdiction. Armored Personnel Carriers (APC) play a critical role in ensuring that officers perform on their mandate effectively and should be provided especially in areas prone to cattle rustling.

9.1.10 Non Cooperation

The Authority noted an improvement in cooperation with NPS but a few officers failed to cooperate and the Authority therefore continues to appeal for a cordial working relationship through the support of the Inspector General of Police.

9.1.11 Increase in Budgetary Allocation

The demand for services has continued to increase evidenced by the increasing number of complaints being received. As a result, enhanced staff capacity and specialized equipment are essential for effective achievement of its mandate. The Authority therefore continues to appeal to the National Treasury to increase budgetary allocation to the Authority to meet the public demand for services and awareness creation on its mandate.

9.1.12 Timely availing of medical reports

The Authority recommends to the Cabinet Secretary, Ministry of health to ensure that all the required medical reports are given in time to enhance timely conclusion of the investigations.

9.2 Conclusion

In the period under review the Authority improved its performance in complaints processing, investigations, inspections and monitoring of police operations. This was realized through cooperation and complementarity with like-minded organizations, increased visibility and accessibility.

The Authority completed an end-line survey and looks forward to implementing the recommendations therein for effective service delivery. The survey together with new strategic plan will guide the Authority on the areas to concentrate on and looks forward to achieve more in the next reporting period.

10. APPENDICES

Appendix 1: Status of Previous Recommendations

RECOMMENDATION	STATUS
Records management in police premises	The Authority appreciates the ongoing digitization of the police records (OB) and recommends the NPS Commanders to conduct sensitization forums on Record Keeping with impromptu visits to stations to monitor the implementation process.
Separation of detainees by gender (male/female) and age (adults/ minors)	The Authority recommends to the IG and the Ministry of Interior and Coordination of National Government to set aside a budget for facilitating establishment of modern Police Stations with juvenile, male and female cells in all police stations as per the Fifth Schedule to the NPS Act. This is to alleviate defilement of minors and rape cases within the cells.
Model police premises	The Authority continues to recommend to the NPS to set aside resources to implement the model police facilities project countrywide. The NPS should also equip Police Training Colleges and Specialized Units for improved service delivery.
Payment of hardship and transfer allowances	The Authority received concerns from police officers on delay and sometimes non-payment of hardship and transfer allowances. The NPS should therefore consider timely payment of these allowances and the same be paid through officers' bank accounts for accountability
Police officers' work environment	The Authority recommends that the recreational facilities be provided and police welfare taken care of to enhance service delivery.
Community Policing initiatives	In line with this, the NPS should ensure that Community policing initiative is operational in all counties and at the Station levels.
Staff housing and basic amenities	The Authority welcomes the paradigm shift in housing policy for officers, among other reforms. Further the Authority continues to recommend that the Service fast tracks full implementation of the policy.

Source: IPOA 2019

Appendix 2: Operational Statistics since Inception to June 2019

MANDATE	12/13	13/14	14/15	15/16	16/17	17/18	18/19	TOTAL
COMPLAINTS MANAGEMENT								
Complaints received	594	860	1792	2529	2267	2339	3237	13,618
Forwarded to IAU	125	40	25	105	355	119	57	826
Recommended for Investigations	0	304	1608	1927	819	482	489	5,629
Recommended for Inspections and Monitoring	0	39	37	42	90	171	289	668
Forwarded to NPS	43	59	27	63	232	415	415	1,254
Forwarded to NPSC	49	39	13	39	105	90	73	408
Referred to KNCHR	8	3	3	8	9	10	0	41
Forwarded to DCI	16	20	16	49	116	12	151	380
Complaints referred to other agencies (EACC, CAJ, NLC, NTSA, RBA) among others	73	80	26	70	287	113	92	741
Preliminary inquiry conducted through - visits to respective stations, interviewing clients and fact finding to determine the nature, solve mild complaints, and refer the rest for action depending on the subject matter.								1,341
Complaints closed (Due to withdrawal by complainants, Resolved, Not Actionable, insufficient information)	280	276	37	226	254	381	876	2,330
INVESTIGATIONS								
Investigations Completed	0	27	115	157	294	197	728	1,518
Closed after Preliminary investigations							451	738
Closed after legal review due to lack of evidence							4	188
Cases under further investigations							52	52
Ongoing Legal review							115	115
Cases Forwarded to ODPP	0	2	13	37	26	27	55	160
Cases forwarded to EACC							1	12

MANDATE	12/13	13/14	14/15	15/16	16/17	17/18	18/19	TOTAL
Cases forwarded to NPSC							3	9
Cases Pending Investigations								1,622
Cases under investigations							2,003	2,003
Cases before Courts as at 30 th June 2019							67	67
Convictions made as at 30 th June 2019	0		0	2	0	1	3	6
POLICE OPERATIONS MONITORED								
Public Order Management	0	2	6	8	10	33	29	88
Government initiated	0	2	0	1	4	3	13	23
Traffic Management	0	0	0	1	13	5	27	46
Police Recruitment	0	0	2	1	1	0	0	4
Cases Intake Committee (CIC) referrals / Own motion	0	0	0	1	8	4	19	32
Beats & Patrol	0	0	0	0	12	0	8	20
Elections	1	0	0	0	16	13	6	36
Subtotal								249
INSPECTIONS IN POLICE PREMISES								
New Inspections	25	40	181	153	94	103	336	932
Follow-up inspections		0	15	59	114	137	340	665
Thematic				25		3	17	45
Specialized Units							89	89
Police Training schools					1		22	23
Subtotal								1,754

Source: IPOA 2019

Appendix 3: Findings from Follow-Up Inspections Conducted

Parameter	Status Initial Inspections	Follow-up Inspections	Comments on Improvement/ deterioration
UTILITIES			
Water	79%	91.9%	There was a 12.9% improvement in water availability in the inspected facilities, thus showing good progress in the implementation of the Authority's recommendations.
Lighting	88.7%	96.2%	There was a 7.5% increase in provision of lighting in Police Premises as compared to initial inspection. This was attributed to police commanders access to AIE and through Community-Police joint development activities and support from CDF.

Parameter	Status Initial Inspections	Follow-up Inspections	Comments on Improvement/ deterioration
Wheel chair accessibility	30.7%	38.2%	On wheelchair accessibility to Police Premise, there was an improvement of 7.5% from the Previous inspection. This was a result of compliance to recommendations made to OCS on the entrance of police premises for ease of access for PWD.
Availability of kitted first aid box	16.1%	21.5%	There was an improvement of 5.4% on the facilities inspected on availability and kitted First Aid kits as a result recommendations made during initial inspections.

SAFETY AND SECURITY

Sentry at main gate	22%	51.1%	There was an improvement of 29.1% during follow up inspections and this was attributed to recommendations made during initial inspections and changing security spectrum in the country such as terrorism and cattle rustling.
Secure report office	36.2%	47.9%	There was an improvement of 11.7% attributed to the changing security risks in the country as a result of terrorism and some OCPD officers using their AIE allocations to construct grills at report offices of Stations under their command.
Perimeter fence	35%	39.3%	There was an improvement of 4.3% during the follow-up inspections. Some of the Police premises were able to partner with CDF to fund fencing of the premises. The improvement is also due to recommendations during initial inspections.
Clear Signage	69.4%	82.3%	There was an improvement of 12.9% on the aspect of clear signage as a result of recommendations during initial inspections, the signage helped members of the public with easy location of the facilities.
Fire equipment	38.2%	45.7%	Improved by 7.5% as a result of implementing recommendations made to the station commanders during initial inspections. Fire equipment was noted to be important safety measure especially in managing the aftermath of terrorism incidents.

FRONT DESK

Manned customer care desk	35%	48.9%	There was an improvement of 13.9% on the aspect of manned customer care desk/office as a result of implementation of recommendations made during initial inspections, it was noted such improvement is as a result of having a service that is people centered and the need for reforms within the service.
Manned gender desk	27.4%	49.5%	There was an improvement of 22.1% on the aspect of a manned gender desk as a result of implementation of recommendations by the Authority and the need for the Service to be sensitive to gender issues at various levels.

Parameter	Status Initial Inspections	Follow-up Inspections	Comments on Improvement/ deterioration
DETENTION FACILITIES			
Stations that held Detainees for over 24hrs	10.6%	11.8%	Increase of 1.2% in the number of facilities holding detainees for more than 24 hours. This was attributed to some stations lacking reliable means of transport to use in taking suspects to court.
Existence of child protection unit	8.1%	9.7%	1.6% increase in presence of CPU in KPS premises that were inspected. This was as a result of initiatives by well-wishers such as NGOs and Community Based Organizations to support the Service in such initiatives and the need for the Service to be sensitive to children issues.
CONDITIONS OF CELLS			
Hygienic conditions of cells	62.9%	77.4%	This increased by 14.5% as a result of availability of AIE to the Station Commanders thus facilitated the cleaning of the cells on regular basis and implementation of IPOA recommendations.
Toilets within cells	34.4%	36%	Increased by 1.6% as a result of IPOA recommendations from previous inspections and the need to have a hygienic detention facility as part of reform process in the Service.
Cleanliness of toilets and wash area	40.3%	52.2%	Increased by 11.9%, this was as a result of IPOA recommendations from previous inspections and the need to have a hygienic detention facility as part of reform process in the Service.
Adequate artificial light	47.3%	64%	Increased by 16.7% as a result of setting up bulbs outside the cells that have in turn improved lighting within the cells, availability of AIEs at station levels also facilitated this.
Adequate ventilation	65.1%	69.9%	Improved by 4.8% as a result of implementation of IPOA recommendations. Initial findings showed that ventilations were narrowed to minimize attempts by suspect to escape from detention facilities as shared by station leadership. But in the follow-ups the ventilations have been modified considerably well and don't compromise safety of the detainees.
Provision of bedding	9.7%	17.2%	There was an improvement of 7.5%; the improvement was as a result of Availability of AIES at station level and implementation of IPOA recommendations.
DETAINEE WELFARE AND TREATMENT			
Provision of 3 meals a day	69.9%	72.6%	2.7% improvement as a result of implementation of IPOA recommendations, availability of AIES at station level leading to payment of suppliers at the right time and ensuring constant supply of food supplies.
Provision of drinking water	70.4%	85%	14.6% improvement as a result of availability of AIE to the Station Commanders thus reducing turnaround time for availability of drinking water for detainees.

Parameter	Status Initial Inspections	Follow-up Inspections	Comments on Improvement/ deterioration
Provision of special services for women i.e. sanitary towels	3.6%	8.1%	Improvement of 4.5%. Special treatment for lactating mothers (they are detained separately) is provided. Some Station Commanders liaised with community organizations and NGO's to supply sanitary towels to detained women.
Provision of medical care	55.4%	70.4%	15% improvement, this was as a result of partnering with the Sub County health facilities around the police premises where detainees were offered medical care.
Display of Detainee rights	8.1%	11.8%	Improved by 3.7% as a result of implementation of IPOA recommendations made during initial inspections and also from training by KNCHR which also issued brochures and displays on the rights of detainees.
RECORDS MANAGEMENT			
Occurrence Book correctly entered	78%	93.6%	As a result of IPOA recommendations made during initial inspections on proper records management, there was a 15.6% improvement in entries in the Occurrence Book.
Cell Register correctly entered	67.7%	85%	There was an improvement in correctly entered Cell register by 17.3% and this is as a result of implementation of IPOA recommendations made during initial inspections.
Detainees' Property Register correctly entered	21.5%	39.8%	There was an improvement of 18.3% in correctly entered Cell register. This was as a result of implementation of IPOA recommendations made during initial inspections on the need to for proper records management.
Arms and Ammunition Movement Register	80.1%	93%	There was an improvement of 12.9% in correct entry in arms and ammunition registers as a result of implementation of IPOA recommendations made during initial inspections.
Exhibits Register	32.3%	45.2%	Improvement of 12.9% due to the sensitization on the importance of proper records management.
Availability of Complaints against Police Register	27.4%	43.6%	As a result of implementation of IPOA recommendations made during initial inspections on proper records management, correctly entered complaints against police register improved by 16.2%.
Weekly Duty Roster	80.1%	90.9%	as a result of implementation of IPOA recommendations made during initial inspections there was improvement of 10.8%.
OFFICE SPACE, HOUSING AND RESOURCE ALLOCATION			
Availability of office space	86%	89.2%	There was 3.2% increase in availability of office as a result of merging the APS and KPS facilities and as a result of NG-CDF and community initiatives.
Sufficiency of available office space	19.9%	18.8%	There was a decline of 1.1% attributed to increased number of officers deployed to these stations from APS and creating space for DCI interrogation and interview rooms.

Parameter	Status Initial Inspections	Follow-up Inspections	Comments on Improvement/ deterioration
State of offices	25.3%	28%	There was a 2.7% increase as a result of upgrade/ renovations courtesy of NG-CDF and community initiatives.
Availability of computers	62.9%	68.3%	As a result of implementation of IPOA recommendations, access to the internet and donations from CBOs and NGOs, the number of computers in use increased by 5.4%.
Vehicle allocation	75.3%	76.3%	There was Improvement of 1% as a result of leasing of vehicles, a government initiative to ensure policing services are easily available to a large number of members of the public.
Working communication gadgets	47.9%	65.1%	An improvement of 17.2% was noted that was attributed to implementation of IPOA recommendations made during initial inspections that facilities should strive to acquire digital communication gadgets to increase their response to reported crimes.
Sufficient issue of uniforms	50%	41.9%	There was a decline of 8.1% on uniform allocation to officers in the field and this is attributed to delays in procurement of new uniforms of all officers and lack of supply of the old uniforms by the service quarter master.
Sufficient protective gear	35.5%	48.9%	There was 13.4% improvement on supply of protective gear for use in the field.
Separate crime office	59.7%	66.1%	There was an improvement of 6.4% as result of uptake of IPOA recommendations, police reforms and change of leadership at DCI headquarters and professional investigation of crime by having separate crime offices.
Availability of Interrogation/ interview rooms	9.1%	11.8%	There was an improvement of 2.7% as result of uptake of recommendations made by the Authority and the need to have crime professionally investigated; the OCS converted some of the offices within the station level for interviewing and interrogations.
Adequacy of Exhibits Store	19.4%	23.7%	There was an increase of 4.3% in adequacy of the Exhibits Store as a result of IPOA recommendations and the need to manage movement of exhibits professionally as part of the chain of custody process.
Sufficiency of houses for Police officers	10.8%	22.6%	There was 11.8% improvement in sufficiency of housing for police officers as a result of implementation of the housing policy that awarded house allowances to officers leading to vacation of the police lines and houses.

COMMUNITY POLICING

Existence of Community Policing Committees	37.1%	43%	There was an increase of 5.9% on existence of Community Policing Committees as a result of IPOA recommendations during initial inspections and the need for the Service to have a people centered institution that jointly shares security challenges within the communities.
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Appendix 4: Closed Investigation Cases

No.	Investigation number	Nature	Recommendation/ reason for closure
1.	IPOA/INV/0001918/2018	Threat to life	Non cooperation from the complainant
2.	IPOA/INV/001704/2018	Assault	Non cooperation from the complainant
3.	IPOA/INV/000267/2019	Assault	Non cooperation from the complainant
4.	IPOA/INV/000270/2019	Harassment	Non cooperation from the complainant
5.	IPOA/INV/000268/2019	Threat to life	Non cooperation from the complainant
6.	IPOA/INV/000269/2019	Arbitrary Arrest	Non cooperation from the complainant
7.	IPOA/INV/000266/2019	Assault	Non cooperation from the complainant
8.	IPOA/INV/000216/2019	Damage to property	Non cooperation from the complainant
9.	IPOA/INV/000309/2019	Shooting	Non cooperation from the complainant
10.	IPOA/INV/000165/2019	Assault	Non cooperation from the complainant
11.	IPOA/INV/000145/2019	Assault and Threat to life	Non cooperation from the complainant
12.	IPOA/INV/0001317/2018	Harassment and Robbery	Non cooperation from the complainant
13.	IPOA/INV/0001998/2018	Threat to life	Lack of evidence
14.	IPOA/INV/0002189/2019	Assault	Lack of evidence
15.	IPOA/INV/0002033/2018	Assault	Lack of evidence
16.	IPOA/INV/000022/2019	Unjustified prosecution	Matter before court
17.	IPOA/INV/000279/2019	Traffic collision	Traffic matter
18.	IPOA/INV/000133/2019	Request for compensation	Complainant not reachable
19.	IPOA/INV/000215/2019	Failure to act	Non cooperation from the complainant
20.	IPOA/INV/000425/2019	Police inaction	Non cooperation from the complainant
21.	IPOA/INV/000423/2019	Unlawful detention	Non cooperation from the complainant
22.	IPOA/INV/001598/2018	Unlawful detention	Non cooperation from the complainant
23.	IPOA/INV/001863/2018	Assault/unlawful detention	Lack of evidence
24.	IPOA/INV/000396/2019	Police Inaction	Non cooperation from the complainant
25.	IPOA/INV/000431/2019	Police Inaction	Non cooperation from the complainant
26.	IPOA/INV/000430/2019	Police Inaction	Non cooperation from the complainant
27.	IPOA/INV/000397/2019	Police Inaction	Non cooperation from the complainant
28.	IPOA/INV/001535/2018	Enforced disappearance	Non cooperation from the complainant
29.	IPOA/INV/000433/2019	Fatal Shooting	Non cooperation from complainant
30.	IPOA/INV/000432/2019	Unlawful property detention	Matter withdrawn by the complainant
31.	IPOA/INV/000128/2019	Assault & unlawful detention	Matter resolved by police to the satisfaction of the complainant
32.	IPOA/INV/001984/2018	Assault	Non Cooperation from the complainant
33.	IPOA/INV/000126/2019	Police harassment	Non cooperation from the complainant

No.	Investigation number	Nature	Recommendation/ reason for closure
34.	IPOA/INV/001716-2018	Death	Pending in Court
35.	IPOA/INV/001913-2018	Police misconduct	Case withdrawn by complainant
36.	IPOA/INV/001518-2018	Police misconduct	Case withdrawn by complainant
37.	IPOA/INV/002010-2018	Death	Pending in Court
38.	IPOA/INV/001022-2018	Unlawful shooting and injury	Case withdrawn by complainant
39.	IPOA/INV/00305/2019	Misconduct	Closure due to lack of evidence
40.	IPOA/INV/1705/2018	Defilement and Assault	Closure due to lack of evidence
41.	IPOA/INV/001904-2018	Grievous Harm	Complainant withdrew the case
42.	IPOA/INV001029-2018	Assault	Lack of evidence
43.	IPOA/INV001167-2018	Assault	Lack of evidence
44.	IPOA/INV000222-2019	Death	Police investigations was sufficient
45.	IPOA/INV001907-2018	Assault	Lack of evidence
46.	IPOA/INV/1873-2018	Assault	File closed by DI to avoid double jeopardy.
47.	IPOA/INV/1791-2018	Assault	The file closed by DI
48.	IPOA/INV/1832-2018	Shooting causing injury	File be marked closed
49.	IPOA/INV/1377-2018	Disappearance	File closed, no police involvement
50.	IPOA/INV/951-2018	Shooting causing injury	File closed as it is a double entry to IPOA/INV/1832-2018
51.	IPOA/CMU/121/2017/MSA	Police harassment	File marked closed, complainant withdrew matter.
52.	IPOA/INV/1079-2018	Police harassment	File closed as it is a double entry to IPOA/CMU/121/2017/MSA
53.	IPOA/INV/1702-2018	Threat to life	Complainant withdrew matter.
54.	IPOA/INV/1360-2018	Defilement	Case before court
55.	IPOA/INV/000026-2018	Police inaction (on a death case)	No police culpability established
56.	IPOA/INV/001946-2018	Assault causing harm	No police culpability established
57.	IPOA/INV/002004/2018	Assault	Lack of evidence
58.	IPOA/INV/000827/2018	Enforced disappearance	Closure as the victim was finally found
59.	IPOA/INV/001741/2018	Assault	Closure due to lack of evidence
60.	IPOA/INV/000255-2019	Assault	Withdrawn
61.	IPOA/INV001029-2018	Defilement	Family denied allegations
62.	IPOA/INV/001657/18	Assault	Complainant withdrew the complaint
63.	IPOA/INV/001503/18	Assault	Lack of evidence
64.	IPOA/INV/000928/17	Assault	Complainant withdrew the complaint
65.	IPOA/INV/001649/18	Assault	Insufficient evidence

No.	Investigation number	Nature	Recommendation/ reason for closure
66.	IPOA/INV/001064/18	Assault	Insufficient evidence
67.	IPOA/INV/000823/18	Defilement	Insufficient evidence
68.	IPOA/INV/001491/18	Arbitrary arrest/unlawful detention	Lack of evidence
69.	IPOA/INV/002077-2018	Police inaction	Complaint withdrawn by the victim
70.	IPOA/INV/001797/19	Assault	Lack of evidence
71.	IPOA/INV/001952/18	Police Shooting	Shooting justified/No charge
72.	IPOA/INV/001789/18	Threats	Lack of evidence
73.	IPOA/INV/002147/17	Assault	Complainant withdrew the complaint.
74.	IPOA/INV/001210/18	Assault	Lack of evidence
75.	IPOA/INV/000655/17	Sexual Assault	Lack of evidence
76.	IPOA/INV/001657/18	Death	Lack of evidence
77.	IPOA/INV/001926/18	Death	No police involvement
78.	IPOA/INV/000158/19	Unlawful detention	Non - cooperation from complainant
79.	IPOA/INV/000196/19	Inaction	Complainant withdrew the case
80.	IPOA/INV/001031/18	Police shooting	Matter already before court
81.	IPOA/INV/000671/18	Police Misconduct	Case resolved by victim and suspects
82.	IPOA/INV/000401/19	Rape	Complainant withdrew the complaint.
83.	IPOA/INV/000150/19	Defilement	Matter already before court
84.	IPOA/INV/000168/19	Threat to life	complainant withdrew the complaint
85.	IPOA/INV/000045/19	Police shooting causing injuries	Suspect committed suicide
86.	IPOA/INV/000659/17	Police Inaction	Non-mandate
87.	IPOA/INV/001428/18	Threat to life	Non-cooperation from the complainant
88.	IPOA/INV/001860/17	Assault	Non-mandate
89.	IPOA/INV/000015/19	Death	No police involvement
90.	IPOA/INV/001694/18	Abduction	No police involvement
91.	IPOA/INV/001712/18	Inaction	Action already taken by Police
92.	IPOA/INV/002171/18	Assault	Closed due to non-cooperation
93.	IPOA/INV/002171/18	Assault	Matter already before court
94.	IPOA/INV/002202/18	Serious injury	Non-cooperation from the complainant
95.	IPOA/INV/002094/18	Serious injury	Non cooperation
96.	IPOA/INV/002095/18	Assault	Non-cooperation from the complainant
97.	IPOA/INV/002096/18	Assault	Non-cooperation from the complainant
98.	IPOA/INV/002113/18	Assault	Non-cooperation from the complainant
99.	IPOA/INV/002054/18	Threats and inaction	Non-cooperation from the complainant

No.	Investigation number	Nature	Recommendation/ reason for closure
100.	IPOA/INV/002128/18	Inaction	Non-cooperation from the complainant
101.	IPOA/INV/002145/18	Serious injury	Non-cooperation from the complainant
102.	IPOA/INV/002151/18	Harassment	Non-cooperation from the complainant
103.	IPOA/INV/000215/18	Robbery with violence	lack of sufficient evidence
104.	IPOA/INV/002121/18	Assault	Non-cooperation from the complainant
105.	IPOA/INV/000087/19	Assault	Non cooperation
106.	IPOA/INV/000088/19	Assault	Non cooperation
107.	IPOA/INV/000092/19	Inaction	Resolved
108.	IPOA/INV/000091/19	Inaction	Non cooperation
109.	IPOA/INV/000090/19	Unlawful arrest/ detention	Non-cooperation from the complainant
110.	IPOA/INV/000089/19	Arbitrary arrest	Non-cooperation from the complainant
111.	IPOA/INV/002153/18	Assault	Non cooperation
112.	IPOA/INV/002154/18	Harassment	Non cooperation
113.	IPOA/INV/002155/18	Assault	Non cooperation
114.	IPOA/INV/2156/2018	Harassment	Non cooperation
115.	IPOA/INV/002157/2018	Assault	Non cooperation
116.	IPOA/INV/000077/19	Assault	Non-cooperation from the complainant
117.	IPOA/INV/000075/19	Police inaction	Non cooperation
118.	IPOA/INV/000094/19	Assault	Non-cooperation from the complainant
119.	IPOA/INV/000095/19	Assault	Matter before court
120.	IPOA/INV/000096/19	Assault	Non-cooperation from the complainant
121.	IPOA/INV/000097/19	Inaction	Matter before court
122.	IPOA/INV/000078/19	Assault	Non cooperation
123.	IPOA/INV/000076/19	Harassment	Non cooperation
124.	IPOA/INV/000079/19	Harassment	Non-cooperation
125.	IPOA/INV/002204/18	Police Inaction	Non-cooperation from the complainant
126.	IPOA/INV/002172/18	Assault	Non-cooperation from the complainant
127.	IPOA/INV/002173/18	Police Inaction	Non-cooperation from the complainant
128.	IPOA/INV/002174/18	Unlawful Arrest	Non cooperation
129.	IPOA/INV/002175/18	Inaction	Non-cooperation from the complainant
130.	IPOA/INV/002176/18	Assault	Non-cooperation from the complainant
131.	IPOA/INV/002177/18	Assault	Non cooperation
132.	IPOA/INV/002178/18	Inaction	Lack of cooperation
133.	IPOA/INV/000098/19	Assault	Lack of cooperation.
134.	IPOA/INV/000081/19	Inaction	Matter before court
135.	IPOA/INV/000082/19	Assault	Non cooperation

No.	Investigation number	Nature	Recommendation/ reason for closure
136.	IPOA/INV/000083/19	Harassment	Lack of cooperation
137.	IPOA/INV/000084/19	Assault	Lack of cooperation
138.	IPOA/INV/000085/19	Unlawful Arrest	Lack of cooperation
139.	IPOA/INV/000117/19	Assault	Lack of cooperation
140.	IPOA/INV/000080-2019	Threats	Non cooperation
141.	IPOA/INV/000116/19	Unlawful Arrest	Lack of cooperation
142.	IPOA/INV/000106/19	Assault	Non cooperation
143.	IPOA/INV/000166/19	Assault	Lack of cooperation
144.	IPOA/INV/000167/19	Assault	Lack of cooperation
145.	IPOA/INV/000169/19	Abuse of office	Lack of cooperation
146.	IPOA/INV/000142/19	Assault	Lack of cooperation
147.	IPOA/INV/000144/19	Assault	Non-cooperation from the complainant
148.	IPOA/INV/000146/19	Harassment	Non-cooperation from the complainant
149.	IPOA/INV/000147/19	Unlawful arrest	Non-cooperation from the complainant
150.	IPOA/INV/000177/19	Assault	Non cooperation
151.	IPOA/INV/000179/19	Unlawful arrest/ detention	Non-cooperation from the complainant
152.	IPOA/INV/000180/19	Assault	Non-cooperation
153.	IPOA/INV/001175/18	Serious injury	Non Cooperation
154.	IPOA/INV/000118/18	Assault	Lack of cooperation
155.	IPOA/INV/000120/19	Extortion and land fraud	Lack of cooperation.
156.	IPOA/INV/000121/19	Assault	Non cooperation
157.	IPOA/INV/000122/19	Assault	Non Cooperation
158.	IPOA/INV/000170/19	Police Misconduct	Non cooperation
159.	IPOA/INV/000171/19	Harassment	Non cooperation
160.	IPOA/INV/000172/19	Police Inaction	Lack of cooperation
161.	IPOA/INV/000173/19	Assault	Lack of cooperation
162.	IPOA/INV/001944/18	Assault	Lack of cooperation
163.	IPOA/INV/001307/18	Assault	Lack of cooperation
164.	IPOA/INV/000203/19	Assault	Non cooperation
165.	IPOA/INV/000204/19	Threats	Lack of cooperation
166.	IPOA/INV/000205/19	Assault	Lack of cooperation
167.	IPOA/INV/000206/19	Harassment	Lack of cooperation
168.	IPOA/INV/000209/19	Assault	Lack of cooperation
169.	IPOA/INV/000202/19	Police Misconduct	Lack of cooperation
170.	IPOA/INV/000200/19	Harassment	Lack of cooperation
171.	IPOA/INV/000197/19	Harassment	Lack of cooperation

No.	Investigation number	Nature	Recommendation/ reason for closure
172.	IPOA/INV/000198/19	Assault	Non cooperation
173.	IPOA/INV/000201/19	Assault	Lack of cooperation
174.	IPOA/INV/000199/19	Inaction	Lack of cooperation
175.	IPOA/INV/000207/19	Dissatisfaction with Police Service	Lack of cooperation
176.	IPOA/INV/000119/19	Assault	Lack of cooperation
177.	IPOA/INV/000211/19	Assault	Lack of cooperation
178.	IPOA/INV/000208/19	Police inaction	Non cooperation
179.	IPOA/INV/000205/19	Assault	Non cooperation
180.	IPOA/INV/002206/2018	Assault	Non cooperation
181.	IPOA/INV/002207/18	Threat to life	Non cooperation
182.	IPOA/INV/000213/19	Assault	matter before court
183.	IPOA/INV/000115/19	Assault	Non-cooperation from the complainant
184.	IPOA/INV/000114/19	Assault	Non-cooperation from the complainant
185.	IPOA/INV/000113/19	Assault	Non cooperation
186.	IPOA/INV/000112/19	Inaction	Matter resolved
187.	IPOA/INV/000227/19	Assault	Non cooperation
188.	IPOA/INV/000228/19	Assault	Non cooperation
189.	IPOA/INV/000229/19	Assault	Lack of cooperation
190.	IPOA/INV/000262/19	Harassment	Lack of cooperation
191.	IPOA/INV/000261/19	Police inaction	Non cooperation
192.	IPOA/INV/000260/19	Harassment	Non cooperation
193.	IPOA/INV/000230/18	Police Misconduct	Non cooperation
194.	IPOA/INV/000226/19	Serious injury	Non cooperation
195.	IPOA/INV/000225/19	Assault	Lack of cooperation
196.	IPOA/INV/000136/19	Harassment	Lack of cooperation
197.	IPOA/INV/000140/19	Serious injury	Before court
198.	IPOA/INV/000141/19	Assault	Lack of cooperation
199.	IPOA/INV/000135/19	Assault	Non cooperation
200.	IPOA/INV/000139/19	Harassment	Lack of cooperation
201.	IPOA/INV/000137/19	Police inaction	Lack of cooperation
202.	IPOA/INV/000134/19	Assault	Lack of cooperation
203.	IPOA/INV/000138/19	Assault	Lack of cooperation
204.	IPOA/INV/001657/18	Assault	Complaint withdrawn by complainant



**Guarding
Public
Interest in
Policing**

