



PERFORMANCE REPORT JANUARY - JUNE 2018



IPOA photo: IPOA representatives meeting a delegation from Tanzania's Legal and Human Rights Centre, a human rights organisation based in Dar es Salaam.

Cover photo: IPOA Board Vice Chair Ms. Jedidah Ntoyai at the opening of the Authority's Kakamega's Regional Office.

Back cover: IPOA Board Chairman Mr. Macharia Njeru receiving representatives of the Independent Police Complaints Board (ICPB) from Sierra Leone who were on a benchmarking visit to IPOA.







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ABBREVIATIONS AND ACRONYMS

AP	Administration Police	
APS	Administration Police Service	
CAJ	Commission on Administrative Justice	
CEO	Chief Executive Officer	
CIC	Case-Intake-Committee	
DCI	Directorate of Criminal Investigations	
EACC	Ethics and Anti-Corruption Commission	
ECM	Enterprise Content Management	
ESAAG	Eastern Southern Association Accountant General	
IAU	Internal Affairs Unit	
IEC	Information, Education and Communication	
ICPAK	Institute of Certified Public Accountants of Kenya	
IG	Inspector General	
IPOA	Independent Policing Oversight Authority	
IPSAS	International Public Sector Accounting Standards	
KHIBT	Kenya Institute of Highways and Building Technology	
KNCHR	Kenya National Commission on Human Rights	
KPS	Kenya Police Service	
KSG	Kenya School of Government	
NLC	National Lands Commission	
NPS	National Police Service	
NPSC	National Police Service Commission	
OCPD	Officer Commanding Police Division	
OCS	Officer Commanding Station	
ODPP	Office of the Director of Public Prosecution	
OPSA	Outstanding Police Service Awards	
RBA	Retirement Benefits Authority	
SLDF	Saboat Land Defence Force	
UNODC	United Nations Office on Drugs and Crime	

STATEMENT BY CHAIRPERSON OF THE AUTHORITY

On behalf of the Board, the management and the staff, I am pleased to present the 12th Statutory Performance Report since inception of IPOA, for the Period January - June 2018.

Over the years, the Authority has consistently delivered on its statutory obligation and this report outlines the Authority's performance in key mandate areas, achievements, challenges and recommendations made to the National Police Service (NPS) among other agencies. The Authority reflects into the past with great pride and satisfaction over the gains made. The increased level of complaints received is indeed a testimony of the growing confidence in the Authority's work by the public and the police. The Authority looks into the future with faith and hope on the transformational journey towards realization of its mandate.

Through its 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, since inception, the Authority has received and processed 10,381 complaints and seven hundred and ninety (790) consequent investigations have been completed. The Authority has also conducted 950 inspections in police facilities and has monitored 147 policing operations affecting members of the public, across the 47 counties.

The Authority has sustained collaboration and partnership with various stakeholders including the National Police Service, the National Police Service Commission, the Ministry of Interior and Coordination of National Government civil society organizations' among others, and wishes to express gratitude to all its development partners whose enormous support was key in achieving its mandate during this period. Special acknowledgment goes to the National Treasury, National Assembly's Committee on Administration and National Security and the Budget and Appropriation Committee for ensuring that the budget for 2017/2018 was revised upwards to meet the Authority's needs.

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

Chairperson

The Independent Policing Oversight Authority.

MESSAGE FROM THE CEO

This is yet another successful half year for the Authority. During the period (January - June 2018), the Authority continued to provide civilian oversight over the work of the police in Kenya through receipt of complaints against police officers from the members of the public and the Service, conduct investigations, inspections of police premises, and monitoring of the police operations affecting members of the public as stipulated in the IPOA Act.



In the period under review, the Authority received and processed **1,133** complaints, conducted **155** inspections in police facilities and monitored

38 policing operations affecting members of the public. Ninety-nine **(99)** investigations were completed out of which fifteen **(15)** complaints were forwarded to the ODPP for further action, 41 complaints were closed without need for further action while **2** complaints were referred to the Directorate of Criminal Investigations. The remaining **41** are under further review within the Authority.

The Authority officially launched its Enterprise Content Management (ECM) platform internally known as 'IPOA Cloud Connect' which was established in the year 2017 with funding from the US Embassy. This is an online platform aiming at automating all the operations of the Authority.

In the spirit of taking the IPOA services closer to the people, **5** additional regional offices were launched namely Nakuru, Eldoret (with a satellite office in Lodwar), Kakamega, Nyeri and Meru. As a result, **81** more members of staff were recruited and deployed to work in the regional offices and other departments within the Head Office.

The Authority continues to collaborate with various partners and stakeholders as illustrated in the IPOA Strategic Plan 2014-2018, and extends gratitude to all, for their continued support and partnership. Thanks to the management and staff for their tireless efforts towards another successful period, together, the Authority will achieve more in the coming years.

Maina Njoroge

Chief Executive Officer

The Independent Policing Oversight Authority.

EXECUTIVE SUMMARY

Complaints Management

Between January and June 2018, the Authority received **1,133** complaints. Out of these, (58%) **662** were made by male while a paltry **204** (18%) were made by female. The remaining (24%) **267** were from entities. The complaints included Police inaction, Police misconduct, Abuse of office, Assault, harassment by police among others.

Investigations and Prosecutions

During the report period, the Authority conducted **99** investigations out of which fifteen **(15)** were forwarded to the ODPP for further action; forty-one **(41)** were closed without need for further action. Two **(2)** were referred to Directorate of Criminal Investigations while the remaining **41** are under further review. In the period, one police officer namely Titus Musila was convicted for murder of Kenneth Kimani Mwangi and sentenced for twelve years.

Inspection, Research and Monitoring

During the reporting period, a total of **155** inspections were conducted in **26** Counties; **126** and **29** in KPS and APS facilities respectively. Out of the 155 inspections, **73** were new, **81** were follow-up inspections and **1** was thematic inspection having been received as a complaint against a police station. During the period under review, the Authority monitored **38** policing operations affecting members of the public.

Partnership and Collaboration

The Authority has sustained collaboration and partnership with various stakeholders including the National Police Service, the National Police Service Commission, the Ministry of Interior and Coordination of National Government, the National Treasury, the National Assembly's Committee on Administration and National Security and the Budget and Appropriation Committee ODPP, Witness Protection Agency, KNCHR and civil society organizations among others. The US Embassy, the British High Commission, the Swedish Embassy and UNODC have remained close allies on police reforms processes.

One of the strategic outcomes of the Authority is "to be a model institution on policing oversight in Africa." In connection to this, the Anti-counterfeit Agency paid a visit to the Authority to learn on the Enterprise Content Management (ECM). The Independent Policing Complaints Board from Sierra Leone also visited the Authority for a benchmarking mission where the Board and Management were able to share experiences and expertise. This is an indicator of the growing recognition and prestige of the Authority in Africa.

Transparency and accountability

The Authority's budget for the FY2017/18 was increased from Kes **484.9M** in 2016/17 FY to Kes **695.8M**. The report of the Auditor General for the FY 2016/17 expressed an unqualified (clean) audit opinion on the financial statement. As a result, the Authority received a commendation letter from the Public-Sector Accounting Standards Board for its financial performance and its cash-flows for that year in accordance with IPSAS.

The Authority has also continued to ensure that high standards of internal controls are in place and well-functioning. The Risk Management Framework was implemented with an oversight from the Board to safeguard the Authority's assets and stakeholders' interests.

1.0 INTRODUCTION

The Independent Policing Oversight Authority was established pursuant to the Independent Policing Oversight Authority Act (Act No. 35 of 2011). Its main function is to provide 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. In line with these legal provisions, the Authority hereby submits its January-June 2018 Performance Report.

1.1 Performance Status

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

Performance Summary

Activities	Numbers
Complaints Received and Processed	1133
Concluded investigations during the reporting period	99
Cases forwarded to ODPP	15
Cases in courts	53
New Inspections Conducted in police premises	73
Follow up Inspections Conducted in police premises	81
Police Operations monitored	38

Figure 1: Performance Summary during the reporting period.

2.0 RECOMMENDATIONS MADE BY THE AUTHORITY DURING THE PERIOD UNDER REVIEW

Issue		Recommendation	Responsibility
1.	Lack of proper record keeping in 47% of police facilities inspected ¹	Station Commanders should ensure that records are correctly entered and well filled as stipulated in Section 50 (1) of the NPS Act 2011, that a police officer in charge of a police station or other post, unit or formation shall keep a record in such a form as the IG in consultation with DIG direct. The Station Commanders must ensure that the outlined particulars of detainees are correctly captured in the registers. Station Commanders should ensure that all Exhibits Registered are always well entered and the IG should ensure construction of enough stores for exhibits. Station Commanders to ensure that exhibits are well labelled as evidence obtained are crucial to making or breaking a case in a court of law. Exhibits Registers should always be correctly entered. Prisoners Property Register should be changed to read detainees Property Register this in essence ensures that detainees are presumed innocent and these registers should be well kept and entered.	The Officer- in-Charge of Station/Police facilities ²
Lack of community policing initiatives in 62% of police facilities inspected		Officer commanding Stations/Camps should explore ways of involving the community in policing matters for effective and efficient policing. Section 98 of the NPS Act, 2011 mandates a police officer in charge of an area in consultation with stakeholders to establish community policing committee. All stations should therefore strive to have community policing initiatives and maintain minutes of the same.	The Officer- in-Charge of Station/camps ³ DIG KPS/APS
3.	Dirty and unhygienic conditions of detention facilities in 59% of police facilities inspected ⁴	Officer-in-Charge of Police Stations should always ensure that the detention facilities especially cells and toilets are thoroughly clean as per Rule 5 of the Fifth Schedule in the NPS Act, 2011, which states that a lock-up facility shall have hygienic conditions conducive for human habitation, adequate light, toilet and washing facilities and outdoor area.	The Officer- in-Charge of Station ⁵

¹ Occurrence Book (-28%), Cell Registers (-43.5%), Detainees' Property Registers(-76%), Arms and Ammunition Register (-45%), Complaints against police register (-55%), Duty Roosters (-12.5%) and Exhibit Registers (-78%) across all the inspected Police Premises

² Meru Police Station, Giaki Police Station, Antubeiga AP Post, Garbatula Police Station, Oldonyiro Police Station, Oljororok Police Station, Kasuku Police Station, Olkalau Police Station, Ngano Police Station, Gatimu Police Post, Haraka Police Post, Sere Olipi Police Station, Suguta Marmar Police Station, Maralal Police Station, Karimoni Police Post, Kimana AP Division, Bisil AP Camp.

³ Timau Police Station, Giaki Police Station, Kirua Police Station, Merti Police Station, Wamunyu Patrol Base, Kyumbi Police Station, Kajiado Central AP Sub-County, Kasuku Police Post, Mirangine Police Station, Wamba Police Station.

⁴ Clean Cells (-32%), Adequate Lighting (-59%), Adequate ventilation (-44%), Provision of bedding (-88%), Toilet within cells (-68%), Bucket toilets (-55%), Wash area for detainees (-72%)

⁵ Mutuati Police Station, Kirua Police Station, Merti Police Station

Issue		Recommendation	Responsibility		
4. 88% of the facility inspected did not provide beddings to detainees		provide beddings from opportunistic infections caused by adverse weather			
5.	Rights of an arrested person	Station Commanders should ensure that detainees are produced before court on time and the IG needs to facilitate Station Commanders with adequate resources as per Section 116 (2) of the NPS Act so that detainee can be produced in court within the requirements of the law. DIG KPS should ensure rights of a person as enshrined in the Constitution of Kenya under Article 29(f), which stipulate that every person has the right to freedom and security, including the right not to be treated or punished in a cruel, inhuman or degrading manner, are adhered to. Also, Article 33 of the Standard Minimum Rules for the Treatment of Prisoners provides that instruments of restraint, such as handcuffs, chains, irons and straitjackets, shall never be applied as a punishment.	DIG, KPS		
6.	Inadequate staff housing in 61% KPS facilities and APS 45% facilities inspected.	Article 43(b) of the Constitution of Kenya 2010, stipulates that every person has the right to adequate housing and to reasonable standards of sanitation. Officers housing are in deplorable conditions and in dire need of maintenance or construction of new structures. The IG, in consultation with SRC, the ministry of treasury and interior should ensure officers are provided with descent housing either through house allowances, mortgage or construction of new houses ⁷ . The top NPS leadership should consider developing infrastructural project proposals to the Constituency Development Fund as stipulated in part iv of Cap 30 of 2013 of the CDF Act.	The Inspector General of police, the Cabinet Secretary/ National Police Service Commission		
7.	50% of all police facilities inspected had Inadequate Resource Allocation ⁸	It's the responsibility of the DIG APS &KPS and the Inspector General to ensure that the National Police Service is well facilitated as stipulated in NPS Act, 2011, Section 116(2), which requires the IG to ensure adequate and fair distribution of finances and resources to fund police stations, camps, posts and bases for effective policing operations. The Inspector General should therefore establish proper accounting system and fair distribution of the available resources for good policing in all areas.	The Inspector General of Police		

⁶ Chapter 56, section 12(2), of the NPS service standing orders.

⁷ Also refer to IPOA Research on Housing and its Recommendations.

⁸ Vehicle allocation (-30%), Computers (-58%), communication gadgets (-61%), Police uniforms (-38.5%) and Protective gear (-63%).

Issu	ie	Recommendation	Responsibility
8.	Security of police premises and facilities	Station Commanders to put up perimeter fences and other security measures within their premises to ensure that their premises are well guarded 24 hours especially guarding of the main gate, security at the Report Desk, perimeter fencing of the police premises and clear signage to a police facility offering policing services.	Station commanders/ /IG
9.	Separation of Cells	The IG should provide Station Commanders with resources to ensure that a lock-up facility meets the required standards as per Section 116 (1) and (2) of the NPS Act. Further, Fifth Schedule of the NPS Act 2011, Section 5 (c) and (d), stipulates that a lock-up facility shall have men and women kept separately as well as juveniles and children separately from adults ⁹ .	Inspector General
10.	Deployment and Working conditions for officers	The IG should make all necessary arrangements to ensure that the working conditions for the officers are tenable; facilities have the necessary equipment and are facilitated with special equipment for delivery of their services. The conditions should include the need to have overtime allowances for officer and policy document developed to guide this. Section 46(2) of the NPS Act, 2011 stipulates that "the working hours of police officers shall be reasonable and where excessive overtime is required, police officers shall be compensated with commensurate periods of rest and they shall be allowed a minimum time of rest during and in between shifts" attention should be on proper deployment of officers and quality policing than numbers. DIG APS &KPS and NPSC should reconsider redeploying officers who have stayed in an operational area for more than three years to address challenges of fatigue and low morale amongst them.	Inspector General
11.	Inadequate Staff strength	Article 246 (3) (a) of the Constitution of Kenya 2010; gives the NPSC 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 NPS. The NPSC should ensure that shortage of staff and gender balance are addressed to ensure the third gender rule as enshrined in the constitution is complied with. This will help in ensuring that shortage of officers in the stations is addressed.	Inspector General, NPSC
12.	Non- cooperation	The Authority is still experiencing non-cooperation from police officers. For Instance, the senior NPS command in Nairobi County continues to impede the progress of IPOA investigations. Court orders should be issued on officers who don't cooperate by either ignoring court summons or failure to provide information.	Judiciary

Issue	Recommendation	Responsibility
13. Use of excessive force	During monitoring, it was observed that, in March 2018, the Government imposed a dusk-to-dawn curfew and there were serious alleged cases of police brutality and harassment. The Authority also monitored police conduct during the return of Miguna Miguna where journalists were allegedly assaulted by police and his supporters injured including the lawyers. The IG should take disciplinary measures on officers who use excessive force when managing public.	Inspector General
14.Community policing Vs Nyumba Kumi Initiative	ommunity policing The Authority in the course of conducting inspections noticed some officers could not comprehend the difference	
15. Police Accountability	. Police According to Section 116 (2) of the NPS Act 2011; it is	
16. Legislative amendment	The National Assembly should Amend section 11 and 12 of IPOA Act on the procedure for appointment of the chairperson and members of IPOA Board. This is to avoid having a vacuum in future.	The National Assembly

Figure 2: Recommendations made by the Authority during the period under review.

3.0 COMPLAINTS MANAGEMENT

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

3.1.1 Complaints Received

The Authority received a total of **1,133** complaints during the period January-June 2018 as illustrated here under. Out of this, seventy-seven (**77**) were received from the five new regional offices that were launched towards the end of May 2017. This shows that IPOA services are on high demand in the regions.

Monthly breakdown

monthly breakdown			
Month	No. Complaints		
January	208		
February	154		
March	216		
April	161		
May	179		

June	215	
Total	1,133	

Figure 3: Monthly breakdown

3.1.2 Source of complaints

Complaints were received from various sources including members of the public, police officers, State and non-State actors as well as complaints emanating from Authority's own motion. The frequency is as illustrated below:

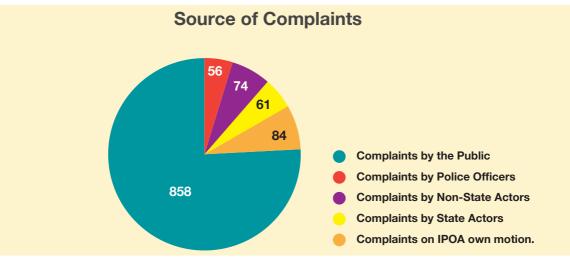


Figure 4: Sources of complaints

3.1.3 Gender Analysis

Complaints were received from both male and females as well as other entities where gender category was not identified.

Below is an analysis of the complaints by gender:

Gender	Jan	Feb	March	April	May	June	Total
Male	122	92	106	92	113	137	662
Female	40	20	47	37	28	32	204
Entities	46	42	63	32	38	46	267

Figure 5: Breakdown of complaints lodged by gender.

3.1.4 Nature of Complaints Received

The nature of complaints received varied as shown in the figure 2 below. Since inception the number of complaints on police inaction keeps increasing. As at 30th June 2018 there were 759 complaints on police inaction, 354 on police misconduct and 285 on physical assault. This calls for deliberate interventions by all stakeholders in policing and human rights to purge these mischiefs.

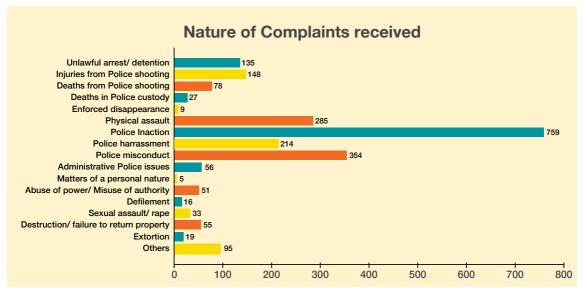


Figure 6: Nature of complaints received

3.1 Complaints Processing Through CIC

The case intake committee processed all the 1,133 complaints and made recommendations as follows:

Complaints status	Number
Recommended for Investigations	253
Recommended for Inspections and Monitoring	85
Complaints under preliminary Inquiries ¹⁰	309
Complaint Resolved	134
Referred to Other Agencies (EACC, CAJ, NLC, RBA) ¹¹	67
Referred to NPSC	34
Referred to NPS	196
Referred to IAU	55
Total	1,133

Figure 7: Complaints processing through CIC

4.0 PSYCHOSOCIAL SUPPORT

The Authority offers psycho-social support and counselling services to clients who are victims of police brutality, witnesses and mainly staff involved in handling complaints and investigations. This is done through individual counselling, psycho education forums, debriefing and psychological First Aid sessions. During the reporting period, a total of 276 clients were provided with psycho-social support comprising of 187 (68%) male and 89 (32%) female beneficiaries.

¹⁰ Visits to respective police stations, interviewing clients for fact finding to: a) Determine nature of the complaints; (b) solve the mild complaints and refer the rest for action depending on the subject matter.

¹¹ EACC; CAJ; NLC; RBA.

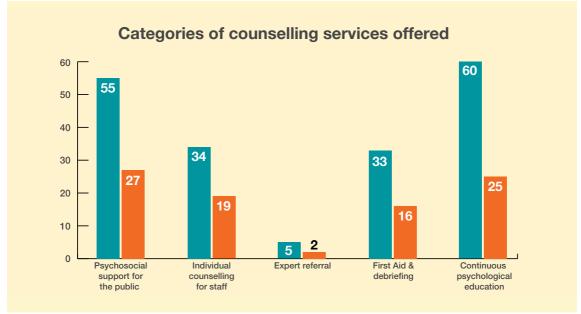


Figure 8: Categories of counselling services offered

5.0 INVESTIGATIONS AND REVIEW OF CASE FILES

The Authority is charged with the responsibility of investigating any complaints related to disciplinary or criminal offences committed by any member of the National Police Service whether on its own motion or on receipt of a complaint and make recommendations for prosecution, compensation, internal disciplinary action or any other appropriate relief.

5.1 Status of Investigations Conducted by the Authority

During the reporting period, a total of **99** (Ninety-nine) investigations cases were completed from **30** Counties. Forty-one **(41)** cases were closed without need for further action owing to lack of evidence, withdrawal by complainants and witnesses among others. Fifteen **(15)** cases were forwarded to the ODPP for further action; Two **(2)** cases were referred to Directorate of Criminal Investigations, while the remaining **41** are under further review by the legal team within the Authority. In the same period, one police officer namely Titus Musila was convicted for murder of Kenneth Kimani Mwangi and sentenced to twelve years.

5.2 Emerging Trends in Investigated Cases

During the period under review, **36** files were reviewed by the legal team within the Authority after investigations. **16** and **9** cases were on deaths of members of public in police custody or police action and assault respectively. Ten out of these cases are among the **15** referred to the ODPP for further action. Owing to this, the Authority recommends for speedy action on these cases to give justice to the victims and to help curb the vices among police officers. It was also noted that there were **7** cases of injuries due to police shooting out of the **36** investigation case files reviewed.

The Authority therefore recommends that police officers should cease using live bullets while managing public order. The breakdown on the investigations case files reviewed is as shown on the next page.

Nature of case	Number of Cases
Death in police custody or due to police action	16
Assault	9
Injuries due to Police shootings	7
Police inaction	1
Sexual offences	1
Failure to comply with court orders	1
Corruption, extortion, abuse of power	1
Totals	36

Figure 9: Nature of Cases Investigated

5.3 Cases before Courts

As at 30th June 2018, a cumulative number of **53** cases were in court. This includes Forty-eight (48) cases whose investigation was initiated by the Authority and five other public interest cases which the Authority was monitoring because they involved police misconduct.

6.0 INSPECTION OF POLICE PREMISES AND DETENTION FACILITIES

During the reporting period, a total of **155** inspections were conducted in **26** counties. Out of these, **81** were follow-ups, **1** thematic inspection¹² while **73** were new inspections.

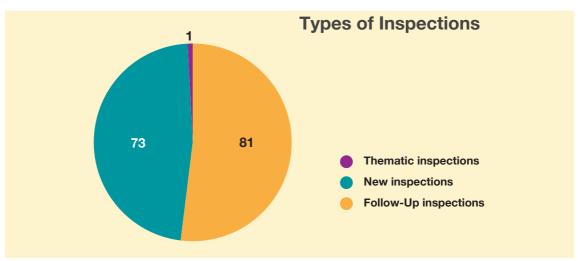


Figure 10: Pie chart showing the number of inspections (follow up, new and thematic) conducted during the reporting period.

6.1 Categories of Facilities Inspected

Out of the **155** inspections conducted, **89** were in Police Stations, **20** in Police Posts, **17** in Patrol Bases and **29** in APS Camps.

¹² Riruta Police Station- Emanating from a complaint received at the Authority.



Figure 11: A chart on categories of Facilities Inspected

6.2 Inspections per county

During the reporting period, inspections were conducted in 26 counties as follows; Bungoma 5, Garissa 4, Isiolo 3, Kajiado 16, Kericho 2, Kiambu 19, Kilifi 5, Kirinyaga 2, Kitui 8, Kwale 1, Machakos 4, Makueni 7, Meru 7, Migori 7, Mombasa 2, Murang'a 4, Nairobi 10, Nakuru 1, Nandi 4, Nyamira 5, Nyandarua 7, Nyeri 7, Samburu 6, Taita Taveta 10, Tana River 5 and Turkana 4 as shown in Figure 12 below.

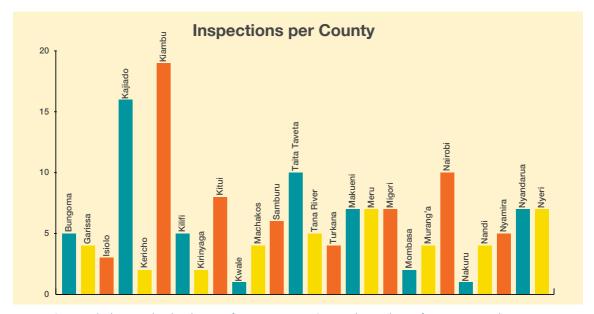


Figure 12: a graph showing the distribution of inspections per County during the performance period.

6.3 Findings and Analysis6.3.1 New Inspections

During the reporting period, **73** new inspections were conducted; **49** and 24 in KPS and APS facilities respectively. **13** were in Police Posts, **6** in Police Patrol Bases, **30** in Police Stations and **24** in AP camps as shown in Figure 13 below.

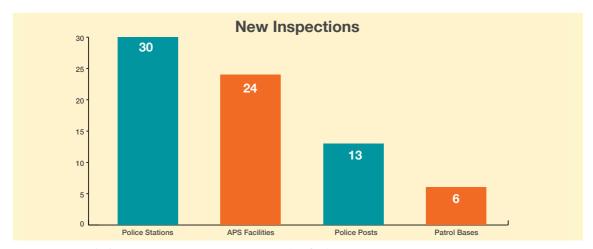


Figure 13: A graph showing new inspections in various police facilities.

6.3.2 Cell conditions

Out of the **49** KPS premises newly inspected **40** (82%) had detention facilities. All the 40 detention facilities had male cells while **33** (83%) had female cells. **6** (15%) Police facilities had juvenile cells, while **3** (8%) facilities had female juvenile cells while only **6** (15%) police facilities had cells for male juvenile's detainees.

In terms of cleanliness of cells, **32** (80%) of the facilities inspected had clean cells, 40% **(16)** had adequate artificial lighting, **24** (60%) had adequate ventilation inside the cells, **7** (18%) facilities had an outdoor area, **11** (28%) facilities with cells had a wash area for detainees, **8** (20%) of the detention facilities were providing bedding for detainees, **23** (58%) of the detention facilities had irregular connections within the cells while none of the facilities had a Child Protection Unit (CPU). In **14** (35%) of facilities, there were toilets inside the cells, while **20** (45%) facilities had bucket toilets.

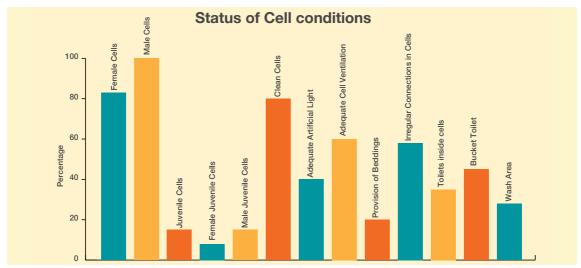


Figure 14: A graph showing condition of cells during the reporting period.

6.3.3 Treatment of Detainees and Utilities

13 Githunguri Police Station, Marala Police Station, Central Police Station, Kasuku Police Post, Mutomo Police Post, Langata Police Station

14 Githunguri Police Station, Marala Police Station and Central Police Station, Mombasa



Out of the detention facilities inspected, **36** (90%) provided detainees with clean drinking water, **26** (65%) of the facilities provided detainees with **3** meals per day. The detainees appreciated that the meals provided were sufficient in **21** (53%) of the facilities. In **28** (70%) of the facilities, detainees complained of Police mistreatment, ¹⁵ detainees alleged mistreatment by fellow detainees in **27** (68%) Police facilities inspected. ¹⁶ Detainees who were sick and unattended by medics was documented in **22** (55%) facilities inspected, ¹⁷ emergency care was available in **32** (80%) of the facilities inspected while only in **2** (5%) facilities inspected there was special treatment services for female detainees with special needs ¹⁸. It was also noted that only in **2** (5%) detention facilities ¹⁹ had the rights of detainees displayed in conspicuous places near the cells.

6.3.4 Safety and Security

On safety and security in the 73 Police premises where new inspections were conducted, 38% (28) the facilities had a secure perimeter fence, 27 %(20) had grills in the report office. 25% (18) of all the facilities inspected had sentry at the main gate, 56% (41) of the facilities had clear signage and 23 %(17) had fire equipment facilities. 10% (7) facilities had a well-equipped first aid kit. Of concern is that no APS facility had a secure customer care desk and none had fire equipment thus posing a threat in case of dire eventualities.

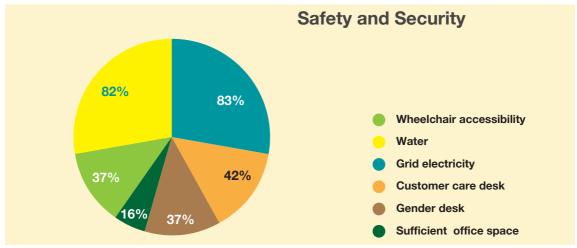


Figure 15; a pie chart showing Safety and security in Police premises during the performance period.

6.3.5 Police facilities infrastructure

On infrastructure and customer care, 27 (37%) of the facilities inspected had good wheelchair

¹⁵ Central Police Station Mombasa, Giaki Police Station, Laare Police Station, Kirua Police Station, Timau Police Station, Kirimiri Police Post, Makuyu Police Station, Kahuro Police Station, Archers Post Police Station, Gatimu Police Post, Haraka Police Station, Mirangine Police Station, Adu Police Station, Lokichogio Police Station, Kakuma Police Station, Ndugamano Police Post, Kavumbu Police Post, Rweno Police Post, Mowlem Police Post, Nyacaba Patrol Base, Karamaini Police Post, Langata Police Station, Namanga Police Station, Villa Franca Police Post, Githunguri Police Station, Matinyani Police Station, Muthithi Police Station, Makongeni Police Station

¹⁶ Police Station: Central-Mombasa, Giaki, Laare, Kiirua, Timau, Muthithi, Makuyu, Kahuro, Haraka, Mirangine, Namanga, Adu, Lokichogio, Kakuma, Makongeni, Githunguri, Matinyani, Langata; Police Post: Achers, Gatimu, Ndugamano, Kavumbu, Villa Franca, Rweno, Mowlem, Karamaini, Kirimiri, Nyacaba Patrol Base

¹⁷ Central police Station Mombasa, Giaki Police Station, Laare Police Station, Kiirua Police Station, Timau Police Station, Kirimiri Police Post, Makuyu Police Station, kahuro Police Station, Achers Post Police Station, Gatimu Police Post, Haraka Police Station, Mirangine Police Station, Adu Police Station, Lokichogio Police Station, Kakuma Police Station, Ndugamano Police Post, Kavumbu Police Post, Rweno Police Post, Mowlem Police Post, Nyacaba Patrol Base, Karamaini Police Post, Langata Police Station

¹⁸ Wang'uru Police Station and Kimende Patrol Base

¹⁹ Kakuma Police Station and Kijabe Police Station

accessibility, **60** (82%) of the facilities had water and 83% **(61)** had access to electricity. In all the facilities inspected during new inspection, **31** (42%) facilities had a customer care desk, **26** (37%) had gender desks/office, **12** (16%) facilities had sufficient office space, while **12** (16%) facilities had sufficient housing for officers.

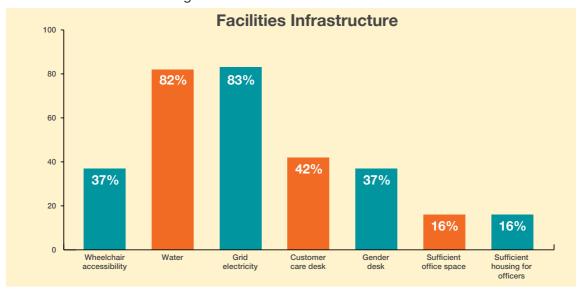


Figure 16; A graph showing infrastructure and front desk in police premises inspected during the performance period.

6.3.6 Records Management

On records management, 71% (52) of the police facilities inspected had their Occurrence Book correctly entered, 37% (31) of the facilities inspected had their Cell Registers correctly entered, 18% (7) of the facilities had their Detainees' Property Registers correctly entered, 55% (40) of the total new inspections had their Arms and Ammunition Register correctly entered, 27% (13) of KPS facilities inspected had correctly entered Exhibit Registers, 86% of all Police Premises Inspected had up to date Duty Rosters. All APS facilities inspected had no Exhibit Registers or Complaint against Police Registers. In all stations inspected officers complained of inadequate Occurrence Books, Cell Registers, Arms and Ammunition Registers and Prisoner Property Registers.

6.3.7 Resource Allocation

In the premises inspected, 62% (45) had been allocated vehicles for use in policing duties. Considering the current trend in digitization of organizational processes in the NPS, it was established that 38% (28) of facilities had computers for use in police work. In terms of police communication, it was established that 33% (24) of the police premises had reliable communication gadgets, lack of communication gadgets forced police officers to use personal mobile phones for communication.²⁰

On issuance of uniforms, only 58 % (42) of the police premises inspected officers alluded to have had sufficient uniforms. It was also established that uniforms supplied to officers was not in full with officers lacking shirts and blouses. Further, it was established that 29% (21) of the

²⁰ Kirimiri Police Post, Maralal Police Station, Kirimon Police Post, Mirangine Police Station, Karamaini Police Post, Roret Police Station, Ndugamano Police Post

police premises had protective gear for police officers who shows a huge gap in provision. In 4% (2) of the KPS premises inspected,²¹ the officers in charge were involved in budget making process, a practice that needs to be emulated across all Police Stations nationally.

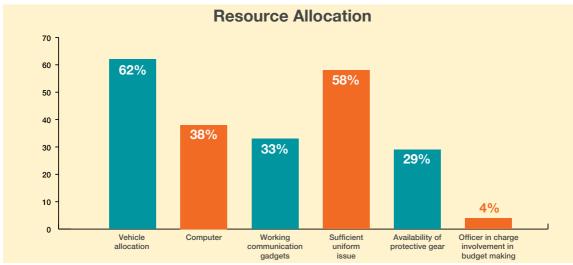


Figure 17; A graph showing resource allocation in police premises inspected during the reporting period.

6.4 Follow-Up Inspections

During the reporting period, **81** Follow-up inspections were conducted; **76** were in KPS facilities while **5** were in APS facilities. The objective of the follow-up inspection was to check on any improvement made since the initial inspection, decline or status quo of the detention facilities, detainees' welfare and police working conditions as well as find out if the recommendations that were given, after the initial inspections at the station level, had been implemented, and if not what the challenges were.

The table below shows the initial status of the police facilities, status at follow-up inspection and comments on percentages of improvement or decline in the status.

Parameter		Status follow up Inspections	Comments on Improvement/ deterioration			
Utilities						
Water	67%	85%	In the initial inspections 67% of the facilities had water and on follow up of the same facilities, there was an increase of 18% of the facilities with water, a good progress as per the Authority's recommendations ²² .			
Lighting	77% 93%		There was a 16% increase in provision of lighting in police premises from the initial inspection. This was alluded to the introduction of Rural Electrification Program that was initiated by the government ²³ .			

²¹ Makongeni Police Station, Uttam Police Patrol Base

²² Mtito Andei Police Station, kyumbi police station, Ntimaru Police Station, Chumvini Patrol Base, kobujoi police station Chemase Patrol Base, Kimana police patrol Base, Loitoktok Police Station, Bamba Police Station, Marereni Police Station, Itoleka Police Station, Raya Police Patrol Base, Bangale AP Camp.

²³ Meru Police Station, Wundanyi Police Station, Mtito Andei Police Station, Wamunyu police patrol Base, Chumvini Patrol Base, Imbirikani Police Patrol Base, Marereni Police Station, Kitui Police Station, Lari Police Station, Industrial Area Police Station, Ongata Rongai Police Station, Kimana Division AP Camp and Bangale AP Camp.

Parameter	Status Initial Inspections	Status follow up Inspections	Comments on Improvement/ deterioration
Wheel chair access	33%	38%	On wheelchair accessibility to police premise, there was a marginal increase of 5% from the previous inspection ²⁴ .
First Aid Box	15%	27%	There was an improvement of 12% on the aspect of well kitted First Aid equipment in the facilities inspected ²⁵ . All APS facilities inspected did not have First Aid kit.
Safety and security		_	
Entry at Main gate	16%	21%	There was a paltry improvement of 5% on sentry at main gates in facilities inspected in KPS ²⁶ . However, APS facilities inspected had no sentry at the main gate both in the previous and follow-up inspections.
Secure report office	40%	28%	There was a decline of 12% as facilities had no grills in the report office. The reason cited by the station leadership was that the reporting desks were under refurbishment and therefore the grills were not available in the subsequent visits ²⁷ .
Perimeter fence	32%	35%	An increased by 3% as a result of government recommendation that vital installations should be beefed up with security was noted ²⁸ .
Clear Signage	62%	74%	There was an improvement by 12% on the aspect of clear signage as per earlier recommendations made from the previous inspections ²⁹ .
Fire equipment	34%	43%	Improvement by 9% as a result of previous inspections recommendations made ³⁰ .
Front desk	,	<u>.</u>	
Manned Customer Care desk	7%	37%	There was an improvement by 30% on the aspect of a manned customer care desk/office as a result of previous inspections recommendations ³¹ .

²⁴ Imbirikani Police Patrol Base, Illasit police station, Kabonge Police Post, Kiamariga Police Station, Mukurwe-ini Police Station, Kitui Police Station, Iftin Patrol Base, Kaptama police station, Chesikaki police station, Lari Police Station, Capitol Hill Police Station, Kimana AP Division

²⁵ Migori Police Station, Lessos Police Station, Nandi Hills Police Station, kobujoi police station, Kiamariga Police Station, Voi Police Station, Makueni Police Station, Karen police station, Kitui Police Station, Itoleka Police Station, Oldonyo Sabuk Police Station, Industrial Area Police Station, Capitol Hill Police Station, Ongata Rongai Police Station

²⁶ Nyali Police Station, Meru Police Station, Merti Police Station, Kimana police patrol Base, Loitoktok Police Station, Illasit Police Station, Watamu Police Station, Mukurwe-ini Police Station, Kitui Police Station, Raya Police patrol base, Ongata Rongai Police Station

²⁷ Mutuati Police Station, Meru Police Station, Ntimaru Police Station, Chemase Patrol Base, Illasit Police Station, Bamba Police Station, Kiamachimbi Police Station, Mwatate Police Station, Karen Police Station, Kitui Police Station, Madogo Police Station, Lari Police Station, Juja Police Station, Ongata Rongai Police Station

²⁸ Nyali Police Station, Meru Police Station, Mitto Andei Police Station, Matutu Patrol Base, Olkalao Police Station, Lessos Police Station, Kiamariga Police Station, Voi Police Station, Kitui Police Station, Itoleka Police Station, Raya Police patrol base, Ongata Rongai Police Station, Kimana AP Division, Rombo AP Division.

²⁹ Mutuati Police Station, Meru Police Station, Mitto Andei Police Station, kyumbi police station, Kehancha Police Station, Kiamariga Police Station, Kitui Police Station, Lari Police Station, Karuri police station, Kenyatta hospital police post, Ngong Police Station, Kimana AP Division.

³⁰ Meru Police Station, Mtito Andei Police Station, kyumbi police station, Mokomoni Police Post, Oldonyiro Police Station, Lessos Police Station, Kiamariga Police Station, Kitui Police Station, Chesikaki police station, Oldonyo Sabuk Police Station, Lari Police Station, Ongata Rongai Police Station.

³¹ Mtito Andei Police Station, Merti Police Station, kyumbi police station, Matutu Patrol Base, Kehancha Police Station, Mokomoni Police Post, Olkalau Police Station, Imbirikani Police Patrol Base, Mukurwe-ini Police Station, Voi Police Station, Kitui Police Station, Lari Police Station, Juja Police Station, Ngong Police Station, Kowino Quick Response Team (QRT), Kimana AP Division

Parameter	Status Initial Inspections	Status follow up Inspections	Comments on Improvement/ deterioration				
Manned Gender Desk	6%	28%	There was an improvement by 22% on the manned gender desk as a result of previous inspection recommendations made to station commanders ³² .				
Detention facilities							
Detainees held over 24hrs	1%	21%	Increase by 20% of facilities holding detainees for more than 24 hours. Officers commanding stations alluded that most of these detainees were under DCI investigation. Sole responsibility on lies with the OCS whom action needs to be taken ³³ .				
Existence of child protection unit	0%	10%	10% increase in presence of CPU in KPS premise that were inspected ³⁴ .				
Conditions of cells							
Hygienic conditions of cells	40%	57%	Increase of 17% as a result of IPOA recommendations ³⁵ .				
Toilets within cells	27%	29%	Increase by 2% as a result of IPOA recommendations from previous inspections.				
Cleanliness of toilets and wash area	27%	31%	Increase by 4% as a result of recommendations from the previous inspections ³⁶ .				
Adequate light	38%	43%	Increased by 5% as a result of the Rural Electrification Program initiated by the government and IPOA recommendations ³⁷ .				
Adequate ventilation	57%	52%	Declined by 5% compared to the previous inspections. Earlier ventilations were narrowed to minimize attempts by suspect to escape from detention facilities as shared by station leadership ³⁸ .				
Provision of bedding	9%	5%	There was a decline by 4% as compared to the previous inspections. Officers in charge cited lack of sufficient funds ³⁹ .				

³² Nyali Police Station, Mtito Andei Police Station, Merti Police Station, Matutu Patrol Base, Imbirikani Police Patrol Base, Mukurwe-ini Police Station, Voi Police Station, Mwatate Police Station, Makindu Police Station, Kitui Police Station, Lari Police Station, Kimana AP Division, Rombo AP Division

³³ Garissa Police Station, Kapsokwony Police Station, Chepkube Police station, Cheptais police station, Chesikaki police station and Riruta Police Station.

³⁴ Riruta Police Station, Kitui Police Station, Garissa Police Station, Oldonyo Sabuk Police Station, Lari Police Station, Industrial Area Police Station, Ngong Police Station, Ongata Rongai Police Station

³⁵ Maungu Police Post, Taru Police Station, Ntimaru Police Station, Kehancha Police Station, Isebania police station, Oljororok Police Station, Oldonyiro Police Station, Nandi Hills Police Station, Kimana police patrol Base, Loitoktok Police Station, Mwatate Police Station, Kitui Police Station, Itoleka Police Station, Iftin Patrol Base, Chepkube Police station, Juja Police Station, Capitol Hill Police Station, Riruta Police station

³⁶ Kehancha Police Station, Oldonyiro Police Station, Bamba Police Station, Watamu Police Station, Mukurwe-ini Police Station, Taveta Police Station, Mwatate Police Station, Kitui Police Station, Itoleka Police Station, Iftin Patrol Base, Chepkube Police station, Isebania police station

³⁷ Mutuati Police Station, Wundanyi Police Station, Wamunyu police patrol Base, Oldonyiro Police Station, Chumvini Patrol Base, Imbirikani Police Patrol Base, Taveta Police Station, Kitui Police Station, Lari Police Station, Industrial Area Police Station

³⁸ Maungu Police Post, Katangi Police Patrol Base, Wamunyu Police Patrol Base, Kyumbi Police Station, Matutu Patrol Base, Mokomoni Police Post, Oldonyiro Police Station, Chumvini Patrol Base, Imbirikani Police Patrol Base, Kiamariga Police Station, Kiamachimbi Police Station, Maktau Police Post, Garissa Police Station, Iftin Patrol Base, Raya Police Patrol Base, Kaptama Police Station and Bangale Police Station.

³⁹ Olkalao Police Station, Nandi Hills Police Station, Kitui Police Station and Industrial Area Police Station.

Parameter	Status Initial Inspections	Status follow up Inspections	Comments on Improvement/ deterioration				
Detainee welfare							
Provision of 3 meals a day	34%	45%	11% improvement as a result of recommendations made ⁴⁰ .				
Provision of drinking water	47%	83%	36% improvement as a result of recommendations made, which shows a major change in the provision of clean drinking water ⁴¹ .				
Provision of special services for women i.e. sanitary towels	12%	4%	Decline by 8%. OCS alluded to insufficient funds allocation ⁴² .				
Provision of medical care	42%	58%	16% increase as a result of previous recommendations that were made ⁴³ .				
Detainee treatmen	t	_					
Detainee rights displayed			Declined by 7%. This can be explained by lack of clear law on displaying of the Detainee Rights in the Police facilities. The law just talks about informing detainees about their rights and not display, an issue the Authority would pursue even through Regulations ⁴⁴ .				
Records		***************************************					
Occurrence Book correctly entered	65%	73%	8% increase of correctly entered Occurrence Book as a result of previous recommendations by IPOA.				
Cell Register correctly entered	55%	71%	16% increase of correctly entered Cell register as a result of IPOA recommendations on proper records management.				
Detainees' Property Register correctly entered	21%	30%	There was an improvement of 9% on the aspect of correctly entered Detainee Property Register in KPS premises inspected. However, APS facilities inspected had none; both in the follow up and previous inspections thus the status quo remained.				
Arms and Ammunition Movement Register correctly entered	50%	55%	There was a 5% increment on the aspect of correctly entered Arms and Ammunition Movement Register as a result of IPOA recommendations.				

40 Maungu Police Post, Wundanyi Police Station, Garba Tula Police Station, kyumbi police Station, Ntimaru Police Station, Lessos Police Station, Kimana police patrol Base, Illasit Police Station, Mwatate Police Station, KIbwezi Police Station, Kiboko Patrol Base, Madogo Police Station, Cheptais police station, Industrial Area Police Station.

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⁴¹ Taru Police Station, Wundanyi Police Station, Mgange Police Post, kyumbi police station, Mokomoni Police Post, Olkalao Police Station, Lessos Police Station, kobujoi police station, Chemase Patrol Base, Kimana police patrol Base, Imbirikani Police Patrol Base, loitoktok police station, illasit police station, Kabonge Police Post, Witima Police Station, Taveta Police station, Voi Police Station, Mwatate Police Station, Klbwezi Police Station, Kiboko Patrol Base, Madogo Police Station, Cheptais police station, Bangale police station, Industrial Area Police Station, Juja Police Station, Kenyatta hospital police post, Capitol Hill Police Station, Ngong Police Station.

⁴² Karen Police Station, Kitui Police Station, Itoleka Police Station, Garissa Police Station, Madogo Police Station, Iftin Patrol Base, Raya Police patrol base, Kapsokwony Police Station, Kaptama police station, Chepkube Police station, Cheptais police station, Chesikaki police station, Bangale police station, Oldonyo Sabuk Police Station, Lari Police Station, Industrial Area Police Station, Juja Police Station, Capitol Hill Police Station, Riruta Police Station, Ngong Police Station and Ongata Rongai Police Station.

⁴³ Mokomoni Police Post, kobujoi police station, Chemase Patrol Base, loitoktok police station, illasit police station, Witima Police Station, Taveta Police station, Madogo Police Station, iftin patrol base, Raya Police patrol base, Kaptama police station, Industrial Area Police Station, Juja Police Station, Capitol Hill Police Station, Ngong Police Station

⁴⁴ Karatina Police Station, Makueni Police Station, Kitui Police Station, Chesikaki police Station, Lari Police Station, Ongata Rongai Police Station.

Parameter	Status Initial Inspections	Status follow up Inspections	Comments on Improvement/ deterioration			
Exhibits Register correctly entered	37%	29%	Decline by 8% could be attributed to insufficient supply of Exhibit Registers to Stations ⁴⁵ .			
Complaints against Police Register	23%	45%	There was an improvement of 22% on the aspect of correctly Complaints against Police Register in KPS premises inspected. However, APS facilities inspected had none; both in the follow up and previous inspected thus the status quo remained ⁴⁶ .			
Weekly Duty Roster	51%	89%	38% improvement as a result of recommendations made ⁴⁷ .			
Office space, housi	ng and resourc	e allocation				
Sufficient office space	15%	15%	There was neither decline nor improvement in all facilities where follow ups were done.			
Limited Office Space	30%	51%	There was an increase by 21% on the aspect of limited office space as a result of stations receiving new officers from colleges ⁴⁸ .			
State of offices	22%	28%	A 6% increase noted on state of offices ⁴⁹ .			
Computers	43%	46%	Increased by 3% due to digitization of records in police facilities ⁵⁰ .			
Vehicle allocation	52%	78%	Improvement by 26% as a result of leasing of vehicles by the government ⁵¹ .			
Working communication gadgets	46%	45%	1% decline, Police officers relied on personal mobile phones in communication ⁵² .			

45 Nyamira Police Station, Kehancha Police Station, Mokomoni Police Post, Oljororok Police Station, Olkalao Police Station, Lessos Police Station, Nandi Hills Police Station, Kobujoi police station, Kimana police patrol Base and Aps- Kowino Quick Response Team (QRT).

⁴⁶ Nyali Police Station, Meru Police Station, Wundanyi Police Station, Isebania police station, Lessos Police Station, Nandi Hills Police Station, Illasit Police Station, Marereni Police Station, Mukurwe-ini Police Station, Mwatate Police Station, Itoleka Police Station, Kaptama police station, Lari Police Station, Juja Police Station, Capitol Hill Police Station.

⁴⁷ Meru Police Station, Mtito Andei Police Station, Katangi police patrol base, imbirikani police patrol BASE, Kabonge Police Post, IFTIN patrol base, Raya Police patrol base, Industrial Area Police Station, kimana AP division, Madogo Divisional AP Headquarters'.

⁴⁸ Meru Police Station, Mtito Andei Police Station, Katangi police patrol base, Migori Police Station, Ntimaru Police Station, Isebania police station, IMBIRIKANI POLICE PATROL BASE, Makindu Police Station, Makueni Police Station, Kitui Police Station, Itoleka Police Station, IFTIN PATROL BASE, Raya Police patrol base, Lari Police Station, Karuri police station, Juja Police Station, Capitol Hill Police Station, Ongata Rongai Police Station, Madogo Divisional AP Headquarters', Bangale AP Camp

⁴⁹ Meru Police Station, Wundanyi Police Station, Mtito Andei Police Station, Kitui Police Station, Ongata Rongai Police Station

⁵⁰ Mtito Andei Police Station, Oldonyiro Police Station, Gamba Police Station, Marereni Police Station, Bangale police station, Kenyatta hospital police post.

⁵¹ Madogo Divisional AP Headquarters', Nyali Police Station, Mgange Police Post, Katangi police patrol base, Migori Police Station, Nyamira Police Station, Kehancha Police Station, Isebania police station, Oljororok Police Station, Lessos Police Station, Nandi Hills Police Station, Chemase Patrol Base, Gamba Police Station, Bamba Police Station, Malindi Police Station, Marereni Police Station, Witima Police Station, Voi Police Station, Madogo Police Station, Kapsokwony Police Station, Chepkube Police Station, Cheptais police station, Oldonyo Sabuk Police Station, Karuri police station, Juja Police Station.

⁵² Nyamira Police Station, Kehancha Police Station, Mokomoni Police Post, Oljororok Police Station, Olkalao Police Station, Lessos Police Station, Nandi Hills Police Station, Kobujoi Police Station, Kimana Police Patrol Base, Loitoktok Police Station, Kiamariga Police Station, Witima Police Station, Kiamachimbi Police Station, Mukurwe-Ini Police Station, Kibwezi Police Station, Karen Police Station, Kitui Police Station, Itoleka Police Station, Garissa Police Station, Iftin Patrol Base, Raya Police Patrol Base, Kapsokwony Police Station, Kaptama Police Station, Chepkube Police Station, Cheptais Police Station, Chesikaki Police Station, Bangale Police Station, Oldonyo Sabuk Police Station, Lari Police Station, Industrial Area Police Station, Karuri Police Station, Juja Police Station, Kenyatta Hospital Police Post, Capitol Hill Police Station, Madogo Divisional AP Headquarters and Ongata Rongai Police Station.

Parameter	Status Initial Inspections	Status follow up Inspections	Comments on Improvement/ deterioration				
Sufficient issue of uniforms	33%	65%	32% increase on the aspect of Uniform allocation. However, officers decried insufficient issue of shoes ⁵³ .				
Sufficient protective gear	33%	45%	12% improvement as result of support from other security stakeholders, not the Service directly as officers stated ⁵⁴ .				
Separate crime office	57%	71%	Improvement by 14% ⁵⁵ .				
Interrogation/ interview rooms	6%	9%	There was an improvement by 3% ⁵⁶ .				
Adequate Exhibits Store	11%	18%	There was 7% increase in adequacy of the Exhibit Store ⁵⁷ .				
Sufficient houses for Police officers	18%	10%	7% decline on the aspect of officer houses in the reporting period. This was attributed to the increased number of officers posted to police facilities from colleges ⁵⁸ .				
Community policing	g						
Existence of community policing committees/ Nyumba Kumi initiative	37%	43%	Increase by 6% on community policing initiative as a result of IPOA recommendations ⁵⁹ .				

Figure 18; Showing initial status of the police facilities and status at follow-up inspection and comments on percentages of improvement or decline thereof.

6.5 Actions taken by the NPS in Response to the Authority's Recommendations

From the follow up inspections, it was noted that Officers Commanding Stations acted on the Authority's recommendations on water, lighting, wheel chair access, provision of First Aid Boxes, Perimeter fence for the Stations, Signage, Fire equipment, Hygienic conditions of cells, Toilets within cells, Cleanliness of toilets and wash area, adequate light, entries to Occurrence Books, Cell Registers, Detainees' Property Register and Arms and Ammunition Movement Registers.

However, there were noted areas where the recommendations were not effected such as poor

53 Garba Tula Police Station, Mgange Police Post, Mtito Andei Police Station, Wamunyu police patrol Base, Kyumbi Police Station, Kehancha Police Station, Isebania police station, Chumvini Patrol Base, Chemase Patrol Base, Kimana police patrol Base, Marereni Police Station, Watamu Police Station, Karatina Police Station, Kiamariga Police Station, Kiamachimbi Police Station, Mwatate Police Station, Klbwezi Police Station, Madogo Police Station, Kaptama police station, Chepkube Police station, Kimana AP division, Bangale AP Camp.

54 Taru Police Station, Mtito Andei Railway Police Station, Oldonyiro Police Station, Lessos Police Station, Nandi Hills Police Station, Kobujoi Patrol Base, Kabonge police post, Kiamachimbi Police Station, Makindu Police Station, Ndaragwa Police Station, Ngong Police Station, Juja Police Station, Kenyatta hospital police post, Kowino Quick Response Team (QRT)

55 Mtito Andei Police Station, Keroka Police Station, Oldonyiro Police Station, Kobujoi police station, Chemase Patrol Base, Gamba Police Station, Bamba Police Station, Kabonge Police Post, Makindu Police Station, Madogo Police Station, Kaptama Police Station

- 56 Keroka Police Station, Nyamira Police Station, Chemase Patrol Base, Kabonge Police Post.
- 57 Keroka Police Station, Ntimaru Police Station, loitoktok police Station, Kitui Police Station, Lari Police Station
- 58 Nyamira Police Station, Mokomoni Police Post, Chemase Patrol Base, Gamba Police Station, Marua Police Patrol Post and APS Kowino Quick Response Team (QRT)

59 Taru Police Station, Meru Police Station, Garba Tula Police Station, kyumbi police station, Nyamira Police Station, Oljororok Police Station, Oldonyiro Police Station, Olkalao Police Station, Kimana police patrol Base, loitoktok police station, Karatina Police Station, Kiamariga Police Station, Witima Police Station, Mukurwe-ini Police Station, Mwatate Police Station, Madogo Police Station, Cheptais police station, Chesikaki police station, Lari Police Station, Karuri police station, Kenyatta hospital police post, Capitol Hill Police Station

provision of security at the Report Office, ignoring the 24hrs rule on detention of persons, inadequate ventilation, lack of provision of beddings to detained persons, lack of provision of special services for detained women such as sanitary towels, lack of display of detainee rights, incorrectly entered Exhibits Registers and lack of provision of working communication gadgets for officers. With the Station Commanders having AIEs, these are areas the Authority will keep laying emphasis on with action being referred to Commanders who show none compliance to the Fifth Schedule of the NPS Act.

Photos showing an improved Chemase Patrol Base at initial and upon Follow-up inspections



Figure 19; Chemase Patrol Base during the initial inspection in June 2016.



Figure 20; Chemase Patrol Base at follow-up inspection in February 2018.

6.6 Thematic inspections

During the period, one thematic inspection was conducted at Riruta Police Station. The Thematic Inspection was necessitated by two Complaints that were referred to the Directorate vide IPOA/CMU/0001965-2017 and IPOA/CMU/000698-2017. The allegation by the complainants in the two complaints was on arbitrary arrest and bribery/ extortion for release of detainees by officers from Riruta Police Station.⁶⁰ The findings by the two cases corroborated the complainants' allegations as the team established that Police officers in the Station arbitrary arrest people over the weekend, extort them and not all are arraigned in court. For instance, after perusal of the Occurrence Book, Petty Crime Registers and Cell Registers between May 2017 and April 2018, it was established that out of 63 persons arrested for being drunk and disorderly, only 18 (28%) were arraigned. The team recommended that the officer in-charge of Riruta Police Station should stop the arbitrary arrests and ensure that cells were always clean and in a hygienic condition pursuant to the law⁶¹ failure to which the Authority would recommend disciplinary action against him.

6.6.0 Officers Concerns and Issues

During inspections and monitoring in the period under review, the following concerns and issues were raised by officers;

6.6.1 Housing

Housing was raised as a major challenge cutting across all the police facilities that were inspected. Majority of the officers shared houses. Some officers rented houses out of their stations and claimed not to be provided with housing allowance.

6.6.2 Inadequate stationery

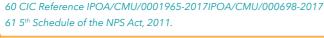
In all the Police facilities that were inspected, officers decried inadequate stationery and paralegal documents. The officers claimed to use their own funds to acquire photocopying papers and file covers.

6.6.3 Inadequate equipment

In all the Police facilities that were inspected, officers of various cadres complained of inadequate essential police equipment such as anti-riot gear, office equipment like computers, printers and office furniture. This impacted negatively on their work especially during policing operations and while attending to the needs of the members of the public.

6.6.4 Transport and Fuel

Despite government effort on leasing of motor vehicles to Police Departments, most Stations were still experiencing serious challenges on transport. Nyacaba Patrol Base, Kasuku Police Post and new Valley AP Post overly had improved in big margin. On fuel allocation, officers in-charge complained that allocation of 450 liters per month was inadequate thus affected response to scenes of crime and facilitations to attend court.



6.6.5 Community Policing

Community policing is an approach in policing that recognizes voluntary participation of the local community in the maintenance of peace acknowledges that the police need to be responsive to the community needs. Police officers have a responsibility to bring together community stakeholders to operationalize Community Policing at their levels of operation.

During the reporting period, only 33% of the Police premises inspected had community policing initiatives. Most commanders of the police premises inspected claimed to be involved in community policing programs but had no evidence to back up their claim.

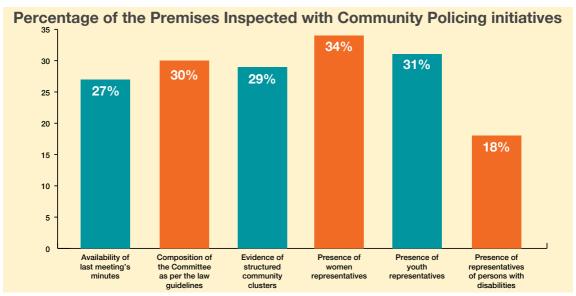


Figure 21; A graph showing the (%) distribution on Community Policing Structures during the performance period.

7.0 MONITORING AND INVESTIGATING 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 law.

7.1 Public Order Management

On Public Order Management, **31** monitoring activities were conducted during the reporting period. It was observed that **94%** of the police operations were professionally conducted while in **6%** the NPS operations were characterized by use of excessive force. Authority officers monitored how the police handled the Return of Miguna Miguna where journalists were allegedly assaulted by police, ⁶² and his supporters injured, including lawyers. Further the Authority observed that in **90%** of public order management exercises, Police officers in uniform did not affix their name tags and service numbers on their uniforms as required by the law. ⁶³

7.2 Government initiated operation

The Authority monitored *Operation Rudisha Amani Milimani*, a Government initiated operation that started after 21 civilians were executed by a gang affiliated to the SLDF. The Command

⁶² Arrest and detention of Miguna Miguna at the Jomo Kenyatta International Airport monitoring.
63 Rule 10 of the 5th Schedule- NPS Act 2011

Center of the multi-agency operation involving Kenya Defense Forces (KDF), General Service Unit (GSU), Anti-Stock Theft Unit (ASTU), Directorate of Criminal Investigations (DCI), National Intelligence Service (NIS), Provincial Administration and Administration Police was in Cheptais Sub-County. During the monitoring, which was necessitated by the March 6th 2018 dusk-to-dawn curfew, with serious allegations of police brutality, harassment and impunity, it was observed that no police misconduct was reported concerning the multi-agency team. The Authority maintains its doors open to receive any complaints around the operation.

7.3 Monitoring Police Conduct during Elections

During the performance period, the Authority monitored the police operations before, during and after a by-election that was held in Kinondo Ward in Msambweni Constituency; Kwale County. The role of the police was to provide security before, during and after the by-election. The police acted professionally and in a non-partisan manner.

7.4 Traffic Monitoring

Monitoring of traffic management was conducted at city Cabanas in Nairobi County, and in Makupa and Changamwe within Mombasa County. The police officers were well equipped with the necessary tools and uniform to carry out their duties. During the monitoring exercise, notable cases of bribery and extortion were documented. In Mombasa County for instance, traffic officers harassed motorists, mostly matatu drivers by taking away their driving licenses. Once the license was taken, the driver had no choice but to follow the officer up to when the traffic officer decided to hand back the license, with serious allegations of corruption against Makupa Police Station officers. Most arrests of motorists, particularly the Matatu drivers, were made between **0700hours** and **0930hours** every morning. Traffic management with allegations of bribery, extortion and corruption across the country keeps tainting the image of the Service negatively.

8.0 TRANSPARENCY AND ACCOUNTABILITY

The Authority's budget for the FY2017/18 was increased from Kes 484.9M in 2016/17 FY to Kes 695.8M. The Auditor General's report for the FY 2016/17 expressed an unqualified (clean) audit opinion on the financial statement. As a result, the Authority received a commendation letter from the National Treasury for its financial performance and its cash-flows for that year in accordance with IPSAS.

The Authority has also continued to ensure high standards of internal controls are in place and well-functioning. The Risk Management Framework was fully implemented with oversight from the Board to safeguard the Authority's assets and stakeholders' interests.

9.0 INSTITUTIONAL STRENGTHENING

In accordance with Article 6 of the Constitution and Section 3(3) of the IPOA Act, which require the Authority to decentralise its services to the Counties, the Authority launched 5 additional regional offices in Nakuru, Eldoret (with a satellite office in Lodwar), Kakamega, Nyeri and Meru in May 2018. This increased the regional offices to eight including the previously launched Mombasa, Kisumu and Garissa offices. In the spirit of institutional strengthening and enhancing performance both at the regions and the head office, the Authority recruited **81** new staff. This was done in accordance with the Authority's Human Resource Policies and Procedures Manual. All the regional offices were equipped with furniture, motor vehicles and computers for effective service delivery.



Figure 22; IPOA management team and stakeholders being taken through the complaints intake process during the launch of the Nakuru Regional Office.

On 30th April 2018, the Authority officially launched its Enterprise Content Management (ECM) platform internally known as 'IPOA Cloud Connect'. The event was held at Sarova Panafric and was graced by the US ambassador to Kenya Mr. Robert Godec. The platform was established in 2017 with funding from the US Embassy and aims at automating all the operations of the Authority. To strengthen capacity members of staff were facilitated to undertake various courses as outlined in the table below:

Course	Trainer/ Institution	No. trained
Professional Driver certification	Automobile Association of Kenya	1
Suitability Test for new drivers	KHIBT	3
Payroll Software training	Digital Frameworks	5
Dispute & Conflict Resolution training (Board Member)	Kenya school of Government	1
ESAAG Training in Uganda	ESAAG	1
DCI Academy - Investigations training	DCI	1
Management Retreat Conference	KSG/ IPOA	29
ICPAK - Annual economic symposium	ICPAK	1
ICPAK- Annual seminar	ICPAK	2
ICPAK -Public finance conference	ICPAK	1
Public relations and customer care	Kenya school of Government	1
Report writing course	Kenya school of Government	2
Senior Management Course	Kenya school of Government	2
Strategic leadership course	Kenya School of Government	2
Law society of Kenya-CPD for legal team	Law Society of Kenya	1
Techno Brain-Cisco Certified Network Association	Techno Brain	1
Total		54

Figure; 23 A table on Courses Undertaken by Staff.



Figure 24; Public participation during the launch of the Meru regional office

10.0 AWARENESS CREATION

Creation and enhancement of awareness on IPOA, promotion of effective stakeholder engagement and generation of a brand personality were met through various outreach activities targeting our stakeholders, printing and dissemination of IEC materials, holding occasional media briefings and advisories, media mentions and appearances and customer care among others.

The Authority engaged several media houses in talk shows, breakfast shows and covering IPOA events including; Voice of America, Radio Salam, Kenya Broadcasting Corporation, Media Max, Capital FM, Royal Media Services, Radio Maisha, West FM, West TV, Inooro TV and FM, Radio Africa, Standard Media Group, Nation Media Group, K24, Coro FM, Njata TV/Radio and Radio Jambo among others.

Outreach forums were conducted in Mombasa, Turkana, Isiolo, Nairobi, Uasin Gishu, Nakuru, Kakamega, Meru, Nyeri, Garissa, Busia and Bungoma Counties. In particular, the Authority sensitised members of the public and police during the regional office launches. The Authority also held an awareness forum at the Strathmore Business School, at local churches and mosques, sensitised Kibera youths and Human Rights defenders in Mombasa. The Authority was also invited by the Legal Action World-wide (LAW) to train the Somalia Civilian Oversight Board in Mogadishu in March 2018. The training mainly focused on Human Rights Standards for police and how to monitor and oversee police conduct within and outside police stations. IPOA also conducted sensitization forums targeting police officers and community leaders in Wajir and Mandera on Human rights.

In addition, the Authority was a key planner and participated in the inaugural National Policing Conference that was held at the Kenya School of Government on 17th April 2018 under the leadership of Cabinet Secretary, Ministry of Interior and Coordination of National Government, Dr. Fred Matiang'i.



Figure 25; A Roadshow performance for Community awareness during the Launch of the Nakuru regional Office.

11.0 PARTNERSHIP AND COLLABORATION

The Authority sustained collaboration and partnership with various stakeholders including the National Police Service, the National Police Service Commission, the Ministry of Interior, civil society organizations the US Embassy, the British High Commission, the Swedish Embassy, UNODC, Witness Protection Agency and KNCHR among others.

One of the strategic outcomes for IPOA is "to be a model institution on policing oversight in Africa". In connection to this, the Authority hosted Anti-counterfeit Agency and shared its experience on use of Enterprise Content Management in handling complaints. The Independent Policing Complaints Board from Sierra Leone also visited the Authority for a benchmarking mission where the Board and the Management were able to share experiences and expertise. Legal Action Worldwide (LAW) invited IPOA to train the Somalia Civilian Oversight Board in Mogadishu, Somalia and the training took place from 18 to 22 March 2018. The training focused on human rights standards for police and how to monitor and oversee police conduct within and outside police stations. This is an indicator of the growing recognition and prestige of the Authority in Africa.

IPOA being a member of the Complaints referral network attended 4 complaints referral partners' meetings. The meetings aim at discussing strategies to enhance effective service delivery to the public. The Authority has also continued to hold monthly meetings with the IAU and NPSC to address bottlenecks that hamper effective delivery of the mandate.



Figure 26; IPOA management team receives operational kits from the US Embassy at IPOA head office.

ANNEX A: CASE STUDIES Response to Complaints

At donyo-Sabuk: Inspections & Monitoring team responded to the facility following a complaint on alleged unlawful confinement of 21 Members of Muka Mukuu Farmers' Co-operative Society. The team established that indeed the 21 people were arrested and following the intervention of the Authority, the Board of the Cooperative Society withdrew the case and the 21 were released from the police cells.

At Kabete Police station: there was a complaint that over 20 Ethiopians suspected to have been in the country illegally had been arrested and detained in the said station for 7 days. A team of inspectors responded immediately and it was established indeed the foreigners had been held over 7 days. However, the OCS confirmed that they had been arraigned in Court. The Officer was however advised on the need to respect the 24hr Rule including involving other government agencies like Immigration Department in such matters.

At Industrial Area Police Station: a complainant had reported to have been detained in the said station beyond the stipulated time of 24hrs. A team of Inspections and Monitoring officers visited the station to ascertain the allegations. It was established indeed that the said complainant was held in the said station for over 24 hours. The OCS confirmed that the complainant had been held over the 24hours at the behest of an investigating officer without the knowledge of the Station Commander. Following the Authority's intervention questioning the failure to respect the 24 hours rule, the complainant was released and later the complainant withdrew the case at the Station level. The Station Commander promised to institute internal disciplinary action against the Investigation Officer for his laxity and neglect of duty.

At Lang'ata Police Station: a team of I&M officers responded to complaint involving allegations of unlawful confinement of a foreigner and a student at Strathmore University, who was arrested

and unlawfully detained at the Station for 4 days on suspicion of lacking valid documents and being in the country illegally. The foreigner was subsequently released by OCPD Lang'ata following the intervention of the Authority, questioning the failure of the Station Commander to take the suspect to court within 24hours.

At Kakuma Police Station: several complaints were raised by UNHCR Kakuma Office on allegations of extortion, harassment, unlawful detention and discrimination by OCS, OCPD and Police Officers at Kakuma Police Station. These allegations were verified to be genuine by the team. A full inspection of the Kakuma Police Station was done with clear recommendations and feedback given to the OCPD and OCS Kakuma Police Station.

Independent investigations: into the fatal shooting of Meru University Students' Secretary General, Evans Njoroge alias Kidero within Nchiru area along Meru - Maua Road on 27th february 2018 was conducted. Evans Njoroge alias Kidero a Student of Meru University was allegedly extrajudicially executed on 27th February 2018 by an Administration Police Officer from Tigania West Sub-County in Meru County. The Authority undertook an independent investigations into the death. The Police officer was said to have chased the student using a police vehicle for about one and half kilometre from the main Meru-Maua Road and thereafter, shot the student dead, at a farm. The investigation file was forwarded to the ODPP who gave directions that the Administration Police Officer be charged with murder of University student. The suspected police officer was arraigned and charged with murder before the High Court in Meru. The matter is ongoing in Court.

Action on murder: On 17th April, 2013, the Authority, pursuant to Section 25(2) of the IPOA Act and Rule 5 of the Sixth Schedule to the NPS Act, received an official notification from Githurai Police Station of the death of Kenneth Kimani Mwangi, a 26-year-old man who was allegedly gunned down by a member of the NPS on 14th April, 2013. The Authority commenced investigations with a view to establishing the circumstances leading to the death of Kenneth Kimani Mwangi. The investigations were done and file forwarded to the Director of Public Prosecutions who concurred with the Authority findings and recommendations and the alleged officer, Titus Musila, was charged with the offence of murder of Kenneth Kimani Mwangi contrary to section 203 as read with Section 204 of the Penal Code. The DPP concurred with the Authority's recommendation and High Court Criminal Case No. 78 of 2014 against the implicated police officer was instituted leading to 12 years imprisonment.

Defilement: Investigation into an alleged defilement of a 15-year-old girl while in Police Cells at Gatundu Police Station by a Police Officer were done and the suspect was arraigned in court and charged with defilement. The matter is ongoing before Gatundu Law Courts.

ANNEX B: STATUS OF PREVIOUS RECOMMENDATIONS

Towards accomplishing its function of making recommendations to the Service and any State organ as per Section 6(k) of its Act, the Authority made various recommendations during the previous reporting periods. The level of implementation of these recommendations is as shown in Table 1 below. The Authority will keep reviewing these recommendations with the respective state agencies towards their intake and improvement.

Red	commendation made	Status
1.	To ensure accountability at the station level, the Inspector General of police should ensure that the Authority to Incur Expenditure (AIEs) is delegated from the OCPDs to the Officer Commanding Station (OCS).	The recommendation was implemented and the Authority wrote to the Inspector General vide letter Ref: IPOA/ADM.F/I&M/17 and a response was received on 14 th June 2018 stating that the Service had commenced issuing AIEs to the OCSs from the Third Quarter of the FY 2017/18 and this would be done on quarterly basis.
2.	Article 43 (b) of the Constitution stipulates that every person has the right to adequate housing and to reasonable standards of sanitation. The Authority did a research on Police Housing Crisis in Kenya, and recommended that to address the crisis in housing in the Service, the Cabinet Secretary and the IG should facilitate for adequate housing for officers serving under the National Police Service. The possibilities of giving officers decent house allowance, having a mortgage scheme and leasing more houses should be considered.	As a result of this recommendation the Service has taken strides towards provision of house allowance for police officers, with a NPS Housing Policy being developed under leadership of the NPSC. This is work in progress with the budget for implementation of the Scheme being considered by the National Treasury in the 2018/2019 FY with supplementing efforts still being considered for the Specialized Units in the Service.
3.	To effectively and efficiently perform all its functions, including decentralization of services, the Authority's budget should be increased as per Section 4(5) of the IPOA Act.	IPOA budget was increased from Kes. 484.9M in FY 2016/2017 to Kes. 695.8M in FY 2017/18.
4.	The Inspector General of Police to investigate and hold accountable the operational commanders in the public order management operations where officers under their command were using excessive force leading to deaths and serious injuries.	The Authority noted that there were instances where police used excessive force. This is an area the Service has not fully considered the recommendations made. During monitoring, cases of police brutality, harassment and use of excessive force are observed. This was witnessed during the Return of Miguna Miguna where journalists were allegedly assaulted by police, his supporters were injured including the lawyers. The IG should take disciplinary measures on officers who use excessive force when managing public order.
5.	The IG to ensure police officers cooperate with the Authority's officers and avoids impediments to the Authority's investigations. Further, it was recommended that the Judiciary to issue court orders to compel police officers to honor summons and produce documents needed during investigations.	The Authority continues to experience cases of non-cooperation from some police officers. The Senior NPS Commanders, especially in Nairobi County, continue to impede the work of the Authority as required by law and the Authority will still pray to the Courts to issue court orders on officers who fail to cooperate by either ignoring court summons or failure to provide information.

Figure 27; Status of previous recommendations

ANNEX C: INSTITUTIONAL OPERATIONAL STATISTICS SINCE INCEPTION

IPOA OPERATIONAL STATISTICS SINCE INCEPTION TO JUNE 2018 YEAR	2012/12	12/14	4 4 /4 F	45/4/	4//47	47/40	TOTAL
	2012/13	13/14	14/15	15/16	16/17	17/18	IUIAL
COMPLAINTS MANAGEMENT	F04	0/0	1700	2520	22/7	2220	40.00
Complaints received	594	860	1792	2529	2267		10,38
Complaints cases forwarded to IAU	125	40	25	105	355	119	76
Complaints forwarded to investigations	0	304	1608	1927	819	482	5,14
Complaints forwarded to IRM	0	39	37	42	90	171	37
Complaints referred to NPS	20	33	15	25	103	30	22
Complaints Forwarded to NPSC	49	39	13	39	105	90	33
Complaints Referred to KNCHR	8	3	3	8	9	10	4
Complaints forwarded to Police Stations OCS	23	26	12	38	129	385	61
Complaints Forwarded to DCI	16	20	16	49	116	12	22
Complaints referred to other agencies (EACC, CAJ, NLC, NTSA, RBA) among others	73	80	26	70	287	113	64
Complaints under preliminary inquiry (Ongoing visits to respective stations, interviewing clients and fact finding) to determine the nature, solve mild complaints and refer the rest for action depending on the subject matter.						546	54
Complaints closed (Due to withdrawal of complainants, matter before court, not actionable, insufficient information, resolved)	280	276	37	226	254	381	1,45
Total	594		1792	2529	2267	2339	10,38
INVESTIGATIONS							
Total No of Cases received for investigation	0	304	1608	1927	819	482	5,14
Investigations Completed	0	27	115	157	294	197	79
Closed after Preliminary investigations							49
Closed after legal review							7
Cases under further investigations (cover points)							1
Ongoing Legal review							8
Cases Forwarded to ODPP	0	2	13	37	26	27	10
Cases forwarded to EACC							1
Cases forwarded to NPSC							
Subtotal							79
Cases under Initial Investigations Assessment							2,87
Cases currently under investigations	0	76	230	140	649	321	1,47
Subtotal							4,35
Cases before Courts							5
Convictions made	0		0	2	0	1	
POLICE OPERATIONS MONITORED					•		
Public Order Management	0	2	6	8	10	33	5
Government initiated	0	2	0	1	4	3	1
Traffic Management	0	0	0	1	13	5	1
Police Recruitment	0	0	2	1	1	0	
Cases Intake Committee (CIC)referrals / Own motion	0	0	0	1	8	4	1
Beats & Patrol	0	0	0	0	12	0	1
Elections	1	0	0	0	16	13	3
Subtotal							14
INSPECTIONS IN POLICE PREMISES			············	······································	•••••••••••••••••••••••••••••••••••••••		
New Inspections	25	40	181	153	94	103	59
Follow-up inspections	-	0	15	59	114	137	32
Thematic				25		3	
Police Training schools				-	1	,	_
Subtotal					·		95

Figure 28; Institutional operational statistics since inception.

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