



Independent Policing
Oversight Authority



PERFORMANCE REPORT
JULY - DECEMBER 2016



Independent Policing
Oversight Authority



PERFORMANCE REPORT JULY - DECEMBER 2016

Cover photo: IPOA staff, management, Board member Mr. Tom Kagwe celebrating the Fire Awards

Inside cover photo: IPOA Board and management meeting the policing experts from the UK

Back cover photo: IPOA Board and management during a breakfast meeting with Development Partners.

TABLE OF CONTENTS

ABBREVIATIONS AND ACRONYMS	7
STATEMENT BY CHAIRPERSON OF THE AUTHORITY	8
MESSAGE FROM THE CEO	10
EXECUTIVE SUMMARY	11
1.0 INTRODUCTION	13
2.0 PERFORMANCE STATUS	14
2.1 COMPLAINTS MANAGEMENT	14
2.1.1 Source of complaints	15
2.1.2 Admission status	15
2.1.3 Gender analysis on complaints	16
2.1.4 Mode of lodging complaints	17
2.1.5 Nature of complaints	18
2.1.6 Recommendations on received complaints	19
2.1.7 Police notifications	21
2.2 INVESTIGATIONS	21
2.2.1 Status on investigations by IPOA	21
2.3 INSPECTIONS OF POLICE PREMISES, DETENTION FACILITIES AND MONITORING POLICE OPERATIONS	25
2.3.1 Status of detention facilities	25
2.3.2 Follow-up Inspections	27
2.3.3 Responsiveness to special interest groups	29
2.3.4 Officer’s Housing	30
2.3.5 Community Policing	32
2.3.6 Monitored police operations	32
2.4 OUTSTANDING POLICE SERVICE AWARDS (OPSA) 2016	33
2.5 COMMUNICATION AND OUTREACH	32
2.6 RISK MANAGEMENT AND AUDIT	35

2.7 PERFORMANCE MONITORING	36
2.8 INSTITUTIONAL STRENGTHENING	37
2.8.1 HUMAN RESOURCE MANAGEMENT	37
2.8.2 Decentralization of IPOA services	40
2.8.3 INFORMATION TECHNOLOGY AND COMMUNICATION (ICT)	40
2.8.4 FINANCIAL MANAGEMENT	41
2.9 Knowledge sharing and experiential learning	43
3.0 COLLABORATION WITH STAKEHOLDERS AND PARTNERS	44
4.0 CHALLENGES AND RECOMMENDATIONS	45
Appendix I: Recommendations on police premises inspections July-December 2016	46

ABBREVIATIONS AND ACRONYMS

AIEs	Authority to Incur Expenditure
AP	Administration Police
CEO	Chief Executive Officer
CIC	Case-Intake-Committee
CS	Cabinet Secretary
DCI	Directorate of Criminal Investigations
ECM	Enterprise Content Management system
FY	Financial Year
GoK	Government of Kenya
IAU	Internal Affairs Unit
ICPAK	Institute of Certified Public Accountants of Kenya
ICT	Information Communication and Technology
IEC	Information Education and Communication
IG	Inspector General
IPOA	Independent Policing Oversight Authority
KENAO	Kenya National Audit Office
IPCC	Independent Policing and Complaints Commission
KNCHR	Kenya National Commission on Human Rights
KPS	Kenya Police Service
MMU	Multi Media University
MoU	Memorandum of Understanding
NPSC	National Police Service Commission
NPS	National Police Service
OCPD	Officer Commanding Police Division
OCS	Officer Commanding Station
ODPP	Office of the Director of Public Prosecution
OPSA	Outstanding Police Service Awards
SGR	Standard Gauge Railway
SP	Strategic Plan
SRC	Salaries and Remuneration Commission
UK	United Kingdom
UNODC	United Nations Office on Drugs and Crime
USA	United States of America

STATEMENT BY CHAIRPERSON OF THE AUTHORITY



On behalf of the Board, the management and the staff, I am pleased to present the 9th Statutory Performance Report since inception for the Period July - December 2016.

Under this time, the Authority has made great strides within its mandate framework. As we reflect on the past with great pride and satisfaction over the gains that the Authority has made so far, this report outlines the Authority's performance in key mandate areas, achievements, challenges and recommendations made to the National Police Service (NPS).

Indeed, the consolidated effort that IPOA has made since inception has established it as a household name in Kenya. It has become clear that the Authority is crucial in playing a critical role towards professionalizing the police and directly holding the service accountable to the public. In the spirit of co-operation and guided by the Act, the Authority has continued to work with stakeholders in guarding public interest in policing in Kenya. In our mission to serve all, we continue to conduct impartial and independent investigations, inspections, audits and monitoring of the National Police Service. This indeed continues to prevent impunity in the Police Service while promoting professionalism and integrity. Gradually, our vision to be a robust civilian accountability mechanism that promotes public trust and confidence in the National Police Service continues to be realized.

So far, the Authority has received 8,232 complaints since inception. 465 consequent investigations have been completed. The completion of investigations has gradually grown over the periods attributed to sustained capacity growth in staffing, training and financial allocation. The Authority has conducted 564 inspections across 46 of Kenya's 47 counties, towards realisation of one of the five outcomes stipulated in the Authority's Strategic Plan 2014-2018: the realization of improved detention facilities and police premises. This is an area of focus with its achievement being through conducting inspections of police premises, and making recommendations on areas of improvement by the NPS.

The Authority undertook a mid-term review of its Strategic Plan 2014-2018 to ensure that it is delivering on its mandate to the members of the public and those of the National Police Service. During the review, arising contemporary issues in the policing environment were addressed.

The Authority was also fortunate to host policing experts from the United Kingdom. From them, the Authority benefited first hand from their vast experience in policing in the UK. Ideas which the Authority resolved include in its service delivery.

To recognize police officers serving the public professionally, the Authority in collaboration with various partners and stakeholders commenced the processes for the third Outstanding Police Service Awards (OPSA) 2016/2017. The Award ceremony is expected to be held in April 2017.

In the effort to take its services closer to the people, the Authority will set up regional offices in Mombasa, Kisumu and Garissa this year, with vigour to focus on the other regions of the country. Arrangements to staff and resource the offices are at an advanced stage to ensure members of the public can access IPOA services from decentralized points across the country.

The Authority would not have made the achievements contained in this report without the

support and cooperation of its partners and stakeholders. The Authority has sustained collaboration and partnership with various stakeholders including the US Embassy, the British High Commission, the Swedish Embassy and UNODC. Meeting with the African Development Bank was also held. We would express our gratitude to all our development partners whose enormous support greatly helped the Authority to achieve its mandate during this period.

The Authority would also like to pay special acknowledgment to the National Treasury and the National Assembly's Committee on Administration and National Security and the Budget and Appropriation Committee for ensuring the its budget for 2016/2017 was revised upwards to match mandate scope. We are also grateful to the ODPP for the cooperation and support that we have continued to receive from this office. All this continued support is highly acknowledged and appreciated.

In conclusion, I would like to thank my fellow Board members for their continued invaluable contribution, support and commitment to the Authority's vision and mission. Their service is commendable, together with appreciation of the IPOA management and staff, for their hard work and dedication that has enabled the Authority to record another six months of great success and achievements.



Mr. Macharia Njeru
Chairperson
The Independent Policing Oversight Authority

MESSAGE FROM THE CEO



The Independent Policing Oversight Authority's performance between July and December 2016 has been successful with increased visibility amongst members of the public and the National Police Service. For the reporting period, the Authority received 1,254 complaints and conclusively conducted 157 investigations out of which 46 were recommended to ODPP while 108 were closed without further action. One case was referred to each of the following partners; the NPSC, IAU and EACC. As at 31st December 2016, the Authority had cumulatively made 67 case recommendations to ODPP, out of which 53 were worked on and returned to IPOA for subsequent processes that include judicial processes or inquests.

During the reporting period, a strategic decision to reorganise the Investigations Directorate into two Departments was made. This has realized the establishment of the Forensics and Rapid Response and the Investigations Department, which have contributed to an improved completion rate of investigations.

The Inspections, Research and Monitoring Directorate completed 122 inspections of police premises and monitored 36 police operations affecting members of the public.

Further, the Authority got a clean Audit Report in the financial year 2014/2015. This is a great achievement that partly contributed to the Authority's participation and winning of two category awards in the FIRE AWARDS organized by ICPAK.

During the reporting period, collaboration was maintained with the various partners and stakeholders as illustrated in the IPOA Strategic Plan 2014-2018. The Authority is grateful to the United States of America Embassy which has continued to provide the Authority with support for the upcoming OPSA 2016/17 event and the implementation of the Enterprise Content Management (ECM) computer system. The British High Commission facilitated policing experts to undertake experiential training sessions for IPOA staff on police oversight based on UK models. The experts also interviewed various IPOA stakeholders, held internal directorate and departmental review sessions and made recommendations for operational improvement. UNODC has been supporting several of the Authority's programmes including the Strategic Plan 2014-2018 mid-term review. The Authority extends gratitude to all our partners and stakeholders for their continued support and partnership.

On behalf of all the staff, I would like to thank the Board for its continued guidance and support throughout the period. I would also like to thank and commend the staff for yet another successful period. Together, we look forward to an even better performance in the future.

Dr. Joel Mabonga
Chief Executive Officer
Independent Policing Oversight Authority

EXECUTIVE SUMMARY

Complaints Management

During July-December 2016, the Authority received 1,254 complaints compared to 1,326 in January-June 2016. Out of these complaints, 69% and 16% were by male and female complainants respectively.

Of the received complaints, 46% were channeled for investigations and inspections by IPOA, 6% to OCSs, OCPDs and County Commanders, 5% to Internal Affairs Unit (IAU) and 12% to other agencies.

Since inception up to 31st December 2016 the Authority has received 8,232 complaints.

Investigations and Prosecutions

During the report period, the Authority conclusively conducted 157 investigations out of which 46 were recommended to ODPP, 108 were closed without further action and 1 case was referred to each of these stakeholders; NPSC, IAU and EACC.

As at 31st December 2016, the Authority had cumulatively made recommendations to ODPP on 67 cases, out of which 53 had been reviewed on and returned to IPOA for subsequent processes that include court and inquests.

Forty two (42) matters were in court out of which one (1) was completed with conviction of 2 police officers.

Cumulatively, since IPOA's inception, 465 investigations had been completed at the Authority.

Inspection of Police Premises

During the report period, 122 inspections (65 new and 57 follow-up) and 36 monitoring of police operations were conducted respectively. Cumulatively, 624 inspections were conducted across 46 counties since inception.

The police operations monitored included; regular police operations, public order management, Police Operations initiated by government and operations on election processes. Cumulatively, 66 police operations have been monitored.

Comparing the findings on status of detention facilities during the reporting period and previous periods, there wasn't notable variance in terms of their conditions implying slow intake of the Authority's recommendations. Out of the 93 detention facilities, 82% had separate cells for female and male detainees while 18% had only one cell. Sixty seven percent (67%) of the detention facilities inspected had clean cells while 33% were dirty.

Rewarding Outstanding Police Officers

To recognize police officers serving the public professionally, the Authority in collaboration with partners and stakeholders commenced the processes for the third Outstanding Police Service Award (OPSA) 2016. The Award ceremony is expected during January-April 2017.

Partnership and Collaboration

During the report period, collaboration and partnership was sustained with various stakeholders. Meetings with UNODC on the 'Basket fund' continued, sessions with USA Embassy were held

referenced on the ECM project and possible support on OPISA. Other interactions were with African Development Bank, British High Commission among others.

1.0 INTRODUCTION

Background

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

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

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

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

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

- i) Compliance by police to human rights standards;
- ii) Restored public confidence and trust in police;
- iii) Improved detention and police premises;
- iv) A functional Internal Affairs Unit (IAU);
- v) A model institution in policing oversight in Africa.

2.0 PERFORMANCE STATUS

During the report period 1st July-31st December 2016, the Authority sustained the execution of its mandate by receiving and processing of complaints against police; conducting investigations, inspecting police premises and detention facilities and monitoring of police operations. Achievements in these areas are detailed in the sections below.

2.1 COMPLAINTS MANAGEMENT

The Authority is mandated under both the Constitution and the IPOA Act to ensure independent oversight of the handling of complaints against the NPS. Section 24(1) of the IPOA Act provides that a person wishing to lodge a complaint against the police may do so orally or in writing or in such an appropriate format as may be prescribed in the regulations. The Authority executes this function through the receipt, processing and investigation of complaints lodged by the public and police officers. This function is operationalized by the Authority's Complaints Management Department.

During the report period, the Authority received 1,254 complaints on alleged police misconduct and criminal actions. The monthly distribution of the complaints was as in table 1 below.

Table 1: Monthly receipt of complaints

Month	July	August	September	October	November	December	Total
Number of complaints	191	291	206	167	193	206	1,254

Cumulatively since inception, the Authority has received 8,232 complaints. The trend in the growing number of complaints received is shown in figure 1 below.



Figure 1: Complaints received per financial year

As seen in figure 1 above, a rising trend is expected to peak by close of FY 2016/2017 as publicity on IPOA is sustained.

2.1.1 Source of complaints

The Authority received complaints from different entities. The main sources included members of the public and non- state actors as seen in table 2 below. The largest percentage of complaints were directly from members of the public. This is similar with the previous year’s trends.

Table 2: Complaints by source

Source of complaints	Number	Percentage
Public	1042	83%
Police officers	33	3%
Non state actors	32	26
State Actors	53	4
Anonymous/ Not indicated	16	1
Media	55	4
Outreach	23	2
	1254	100%

2.1.2 Admission status

Out of 1254 reported complaints, 1107 (88%) were within the mandate of the Authority and different interventions are in place to resolve the complaints. Interventions on the complaints include, preliminary inquiries, investigations, inspections and monitoring by IPOA. Complaints outside mandate were 147 (12%) and the complainants were advised accordingly. Figure 2 below illustrates the proportion of complaints by mandate

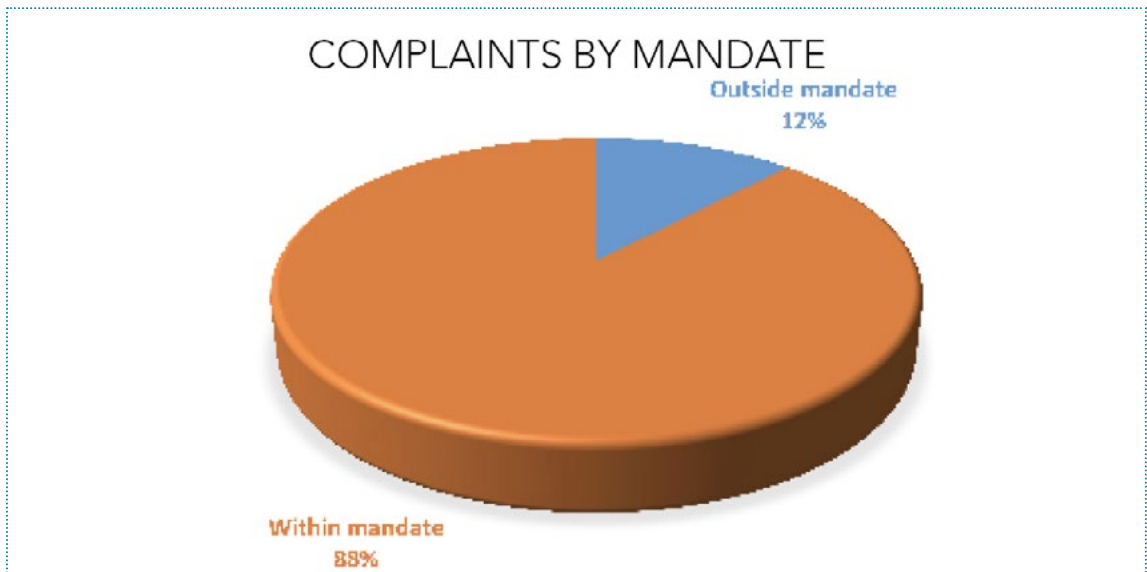


Figure 2: Admission status of complaints

Figure 3 below illustrate the trend on admission status and it is encouraging to see that the proportion of non-mandate went down from 34% to 12% which could be attributed but not limited to continuous awareness on IPOA’s mandate.

PROPORTION OF COMPLAINTS OUTSIDE IPOA MANDATE

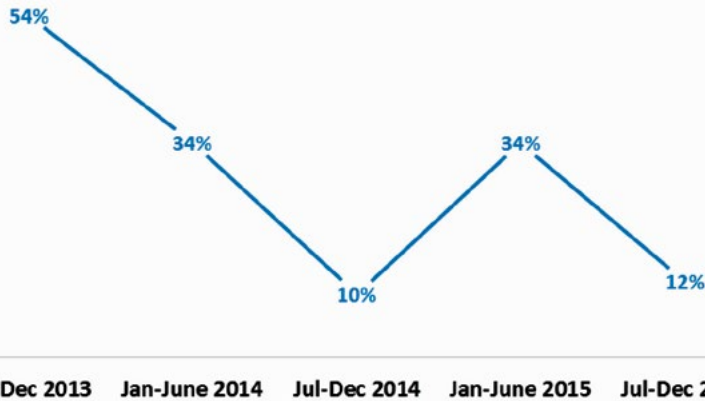


Figure 3: Trend on proportion of complaints outside mandate

2.1.3 Gender analysis on complaints

Out of the 1,254 complaints received, 865 were by men, 205 by women while 184 were by other entities thus not gender classified. This translates to 69%, 16% and 15% respectively as illustrated in figure 4 below.

COMPLAINTS BY GENDER

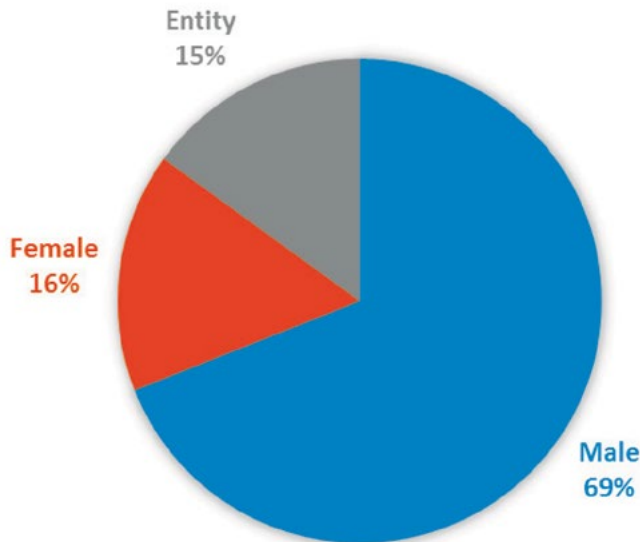


Figure 4: Proportion of complaints by gender

The gender classification of complaints received seem to be consistent over time with male gender dominating all through as presented in figure 5 below. This is in tandem with the baseline survey finding that showed 62% of men and 38% female who reported to have experienced police malpractice.

GENDER BASED TREND ON RECEIVED COMPLAINTS

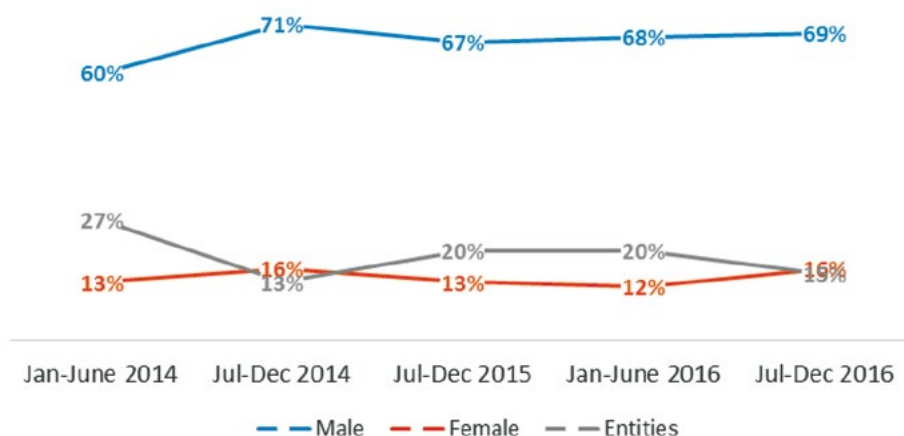


Figure 5: Trend on gender proportion of received complaints

2.1.4 Mode of lodging complaints

In July-December 2016, complaints were lodged through various channels/modes as shown in table 3 below. Letters remained the most commonly used at 36% followed by online at 28% and walk-ins at 24%. Telephone and social media were the least used.

Table 3: Complaints lodging modes

Mode	Walk ins	Letters	Online complaints	Telephone calls	Outreach	Own motion	Total
Number of complaints	303	455	357	32	24	83	1254
Percent	24	36	28	3	2	7	100%

The trend on the lodging modes used seem to be consistent over the periods as shown in table 4 and figure 6 below.

Table 4: Periodic use of complaints lodging modes

Period	Walk ins	Letters	Online complaints	Telephone calls	Own motion	Social media	Outreach
Jul-Dec 2014	39%	25%	31%	3%	2%		
Jan-June 2015	34%	36%	29%	2%	0%		
Jul-Dec 2015	37%	32%	23%	0%	1%	0%	6%
Jan-June 2016	30%	34%	30%	2%	3%	0.1%	0.5%
Jul-Dec 2016	24%	36%	28%	3%	7%		2%
Overall/ Average	33%	33%	28%	2%	3%	0%	3%

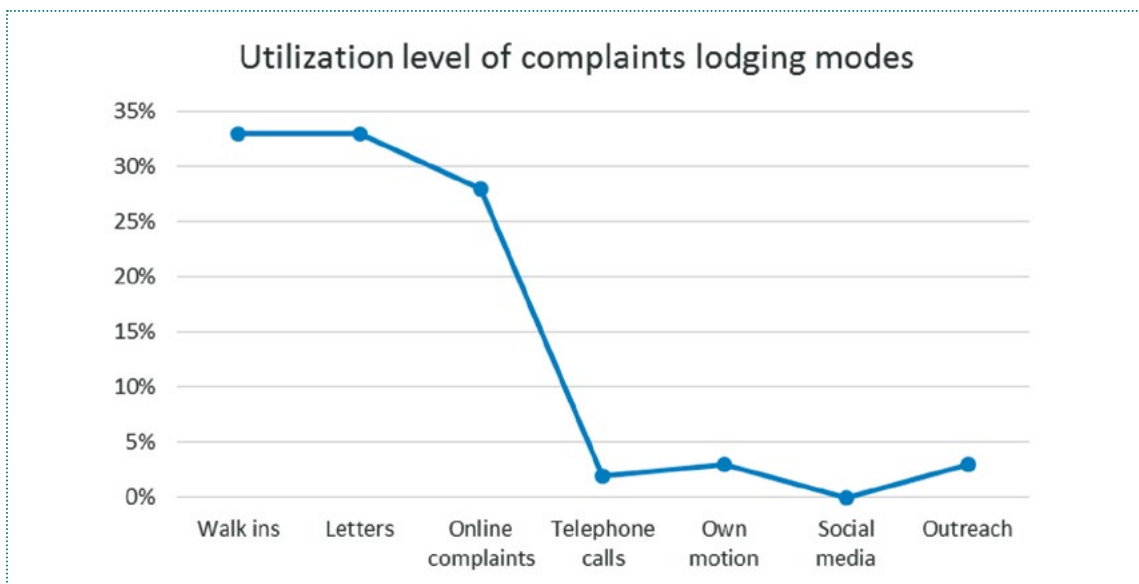


Figure 6: General trend on complaints lodging modes

From table 4 and figure 6 above, it is evident that the walk-ins and letters are alternately heavily utilized, closely followed by online mode. It is therefore necessary to ensure adequate and reliable capacity to sustain effectiveness of the 3 modes in receipt and feedback.

2.1.5 Nature of complaints

Complaints received during the report period were varied in nature as broken down in table 5 below, with police inaction being the highest at 29% while police shootings and deaths remain significant at 9%.

Table 5: Nature of complaints received

Category	Number of complaints	Percentage
Abuse of office	45	4%
Arbitrary arrest and unlawful detention	111	9%
Corruption and extortion	60	5%
Unfair administrative action including dismissal, transfers, promotions and trainings	51	4%
Malicious prosecution and dissatisfaction with court processes	41	3%
Deaths	35	3%
Obstruction of justice	44	4%
Debts and loans	2	0%
Police assault	113	9%
Land issues	6	1%
Improper investigations	3	0%
Police harassment	112	9%
Police inaction	337	27%
Police misconduct	182	15%
Police shooting	70	6%

Category	Number of complaints	Percentage
Threats	32	3%
Poor service delivery	3	0%
Transmission of HIV	1	0%
Destruction of property	6	1%
Total	1254	100%

The trend on nature of complaints as exhibited on figure 7 below, depicts police inaction as the highest proportion over the periods. This is an area of focus which the Authority, in liaison with NPS, will explore strategies to have such complaints reduced.

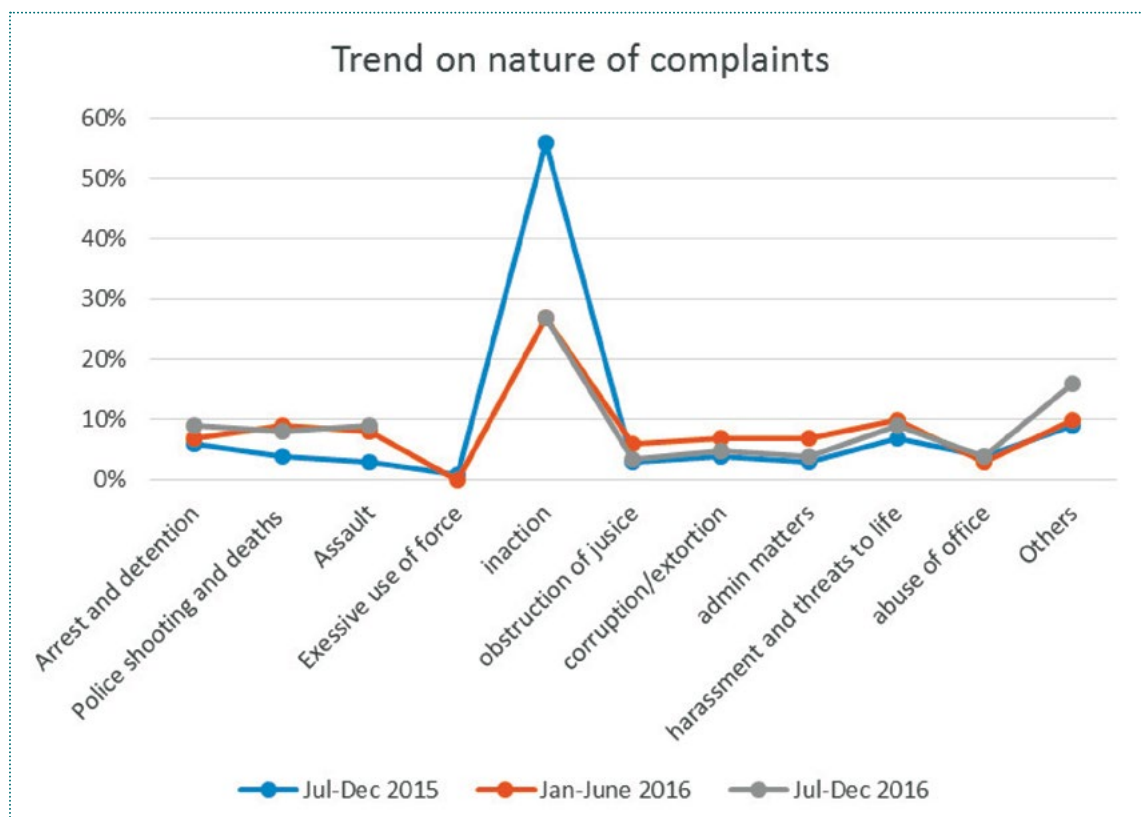


Figure 7: Trend on nature of complaints

2.1.6 Recommendations on received complaints

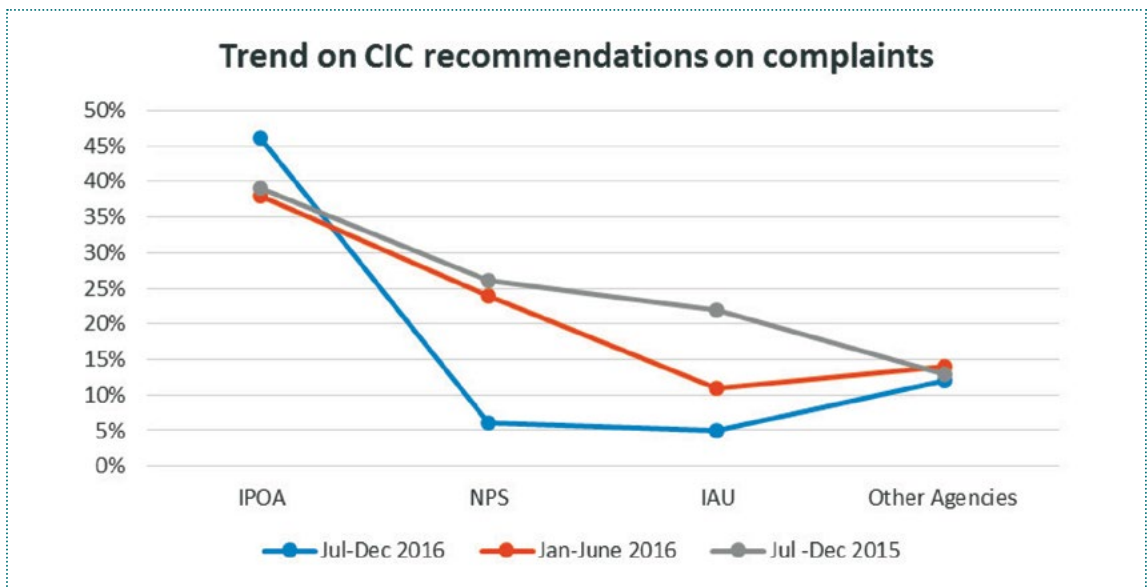
The primary objective of complaints management is to examine all cases fairly and assess the criminal liability of the officers involved thereby contributing to the prevention of impunity within Police. The Case Intake Committee¹ (CIC) held 20 meetings and reviewed all the 1254 complaints. The complaints were reviewed and distributed as shown in table 6 below:

¹ CIC is IPOA's internal committee charged with examining and providing conclusive recommendations on each complaint received

Table 6: Recommendations on received complaints

CIC recommendations	July- December 2016	Percentage
Investigations & inspections by IPOA	579	46%
Action by National Police Service (NPS)	74	6%
Action by Internal Affairs Unit (IAU)	66	5%
Action by other agencies	153	12%
Request for additional information from complainants	131	10%
Refusal to admit by IPOA	251	20%
Total	1,254	100%

The greatest percentage of complaints which amounts to 46% are investigated or inspected within IPOA with 6% and 5% respectively forwarded to the National Police Service and the Internal Affairs Unit while 12% are referred to other agencies.



	Jul-Dec 2016	Jan-June 2016	Jul-Dec 2015	Overall
IPOA	46%	38%	39%	40%
NPS	6%	24%	26%	19%
IAU	5%	11%	22%	18%
Other Agencies	12%	14%	13%	21%

Figure 8: Proportion of complaints referred to entities

As illustrated in figure 8 above, it is notable that the proportion of complaints referred to IAU has been on a significantly downward trend (22% in July-December 2015 to 5% in July-December 2016).

2.1.7 Police notifications

The 6th Schedule of the National Police Service Act and section 25 of the IPOA Act requires the National Police Service to report deaths and serious injuries to the Independent Policing Oversight Authority. During the period under review the Authority received 3 death notifications received from Jogoo Police Station. It is noted the number of deaths reported by the National Police Service is not reflective of the number of deaths as a result of police actions that were received through other channels. This implies a non-compliance by NPS.

Closed files

During the period under review, 208 files were concluded, closed and the complainants informed. The files have been archived and placed in the registry.

2.2 INVESTIGATIONS

Complaints received against police for misconduct and criminal actions largely form the basis of investigations by the Authority. Other incidents are also considered for investigations as identified by the Authority through own motion. Cases investigated that meet the necessary evidentiary threshold are escalated to the ODPP with recommendations for prosecution, inquests among others.

2.2.1 Status on investigations by IPOA

During July-December 2016, one hundred and fifty seven (157) cases were investigated spread across 32 Counties. Out of these 63 were in Nairobi, 9 in Uasin Gishu, 7 in Nandi, 6 each in Machakos and Kiambu, 5 each in Makueni, Nyeri and Mombasa, 4 in Kitui, Nakuru, Kakamega and Siaya, 3 each in Kisii, Narok and Kisumu, 2 each in Laikipia, Kajiado, Bungoma, Kirinyaga, Isiolo, Muranga, Baringo, Mandera and Trans Nzoia, 1 each in Samburu, Meru, Migori, Kilifi, Wajir Bomet and Lamu.

As depicted in figure 9 below, 40.1% of the investigations during the report period was concentrated in Nairobi and this has been a consistent trend. The decentralization of the Authority's services to Kisumu, Garissa and Mombasa is expected to cause a fairer distribution of the completed investigations.

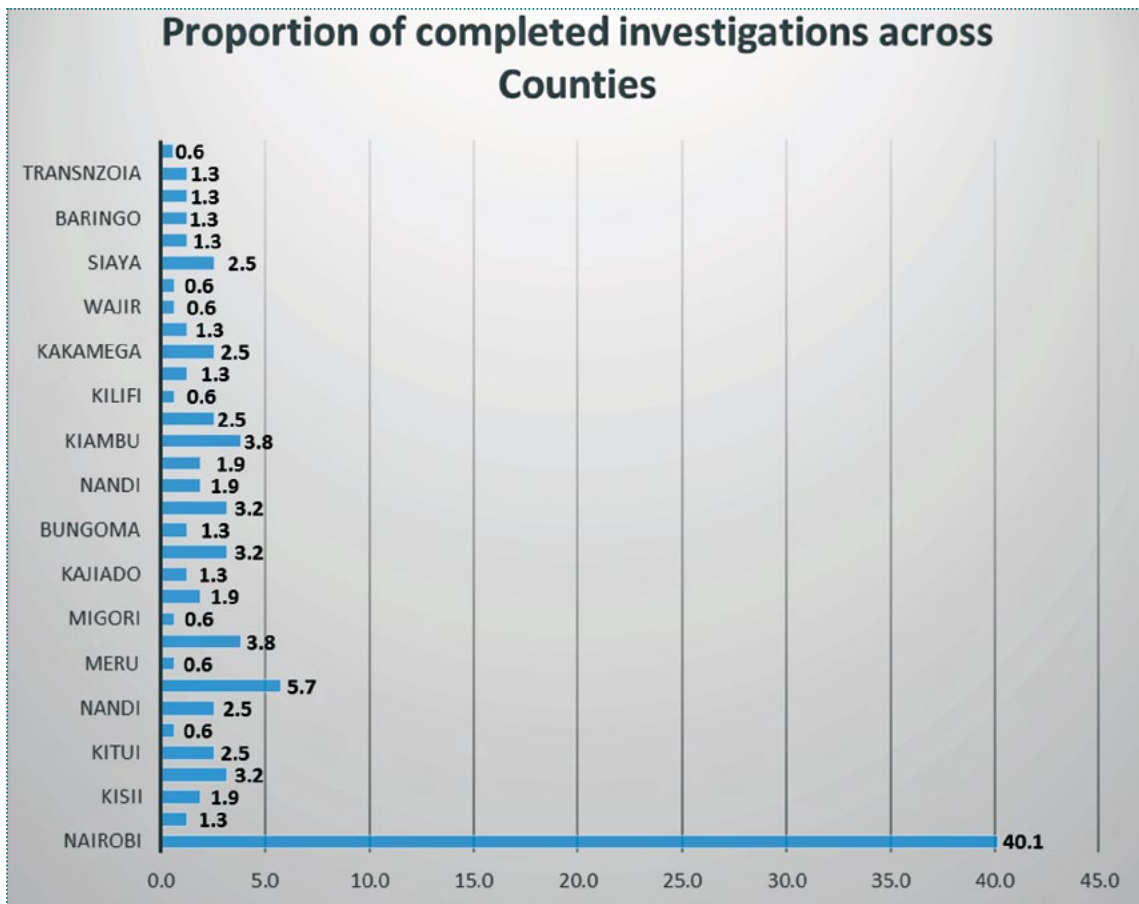


Figure 9: Distribution of completed investigations

Out of the 157 completed investigations, 46 cases were recommended for action from the ODPP. The recommended actions varied but mainly included criminal charges of murder, assault, use of excessive force and non-criminal proceedings such as public inquests and disciplinary actions.

One hundred and eight (108) investigations were completed without the need for further action owing to various reasons. Cases closed without the need for further action include those where other agencies were already acting upon them such as those which the Police had already instituted criminal action against officers or civil proceedings were ongoing in relation to the cases. Others were also closed without further action when complainants withdrew their cases prompting the withdrawal to be accepted by the Authority or due to lack of cooperation from the complainant or victim. Closure without the need for further action also include cases where the investigation was inconclusive owing to lack of evidence, resolution reached through other means such as arbitration or negotiation or no misconduct or criminal offence was identified.

Three cases were referred to National Police Service Commission, Internal Affairs Unit and EACC.

Nature of investigated cases

In July-December 2016, investigated cases were varied in nature. There were 38 cases on serious injuries/assault/brutality and 37 on deaths arising from police actions/inactions. Variance on the nature of cases is as depicted in table 7 below.

Table 7: Nature of investigated cases

Nature of case	Percent
Deaths arising out of police action or inaction	24%
Deaths in custody	1%
Serious injuries/assault/police brutality	26%
Sexual offences and sexual related offences	1%
Harassment, intimidation, extortion and corruption/arbitrary arrest	17%
Police inaction: Undue delay and partial investigations/negligence/collusion	17%
Enforced disappearance	1%
Theft/fraud/robbery	1%
Cases involving minors	2%
Dismissal from service	1%
Non-cooperation	2%
Unlawful wounding	1%
Misconduct	6%
Total	100%

Cumulative status of cases

The breakdown in the table 8 below shows the status of investigations since IPOA's inception.

Table 8: Status of cases as at 31st December 2016

Status	No. of cases
Cases with investigations ongoing	391
Completed investigations	465
Cases awaiting commencement of investigations	677
Cases forwarded to ODPP	67
Cases in Court	47

As seen in figure 10 below, completion of investigations has gradually grown over the periods attributed to sustained capacity growth in staffing, training and financial allocation. The report period benefited from the creation of a 2nd Department under Investigations Directorate namely Forensics and Rapid Response which contributed to an improved rate of completion of investigations. Comparing the report period with the previous, there is a notable growth of 86% in the number of completed investigations.

Number of completed investigations per period

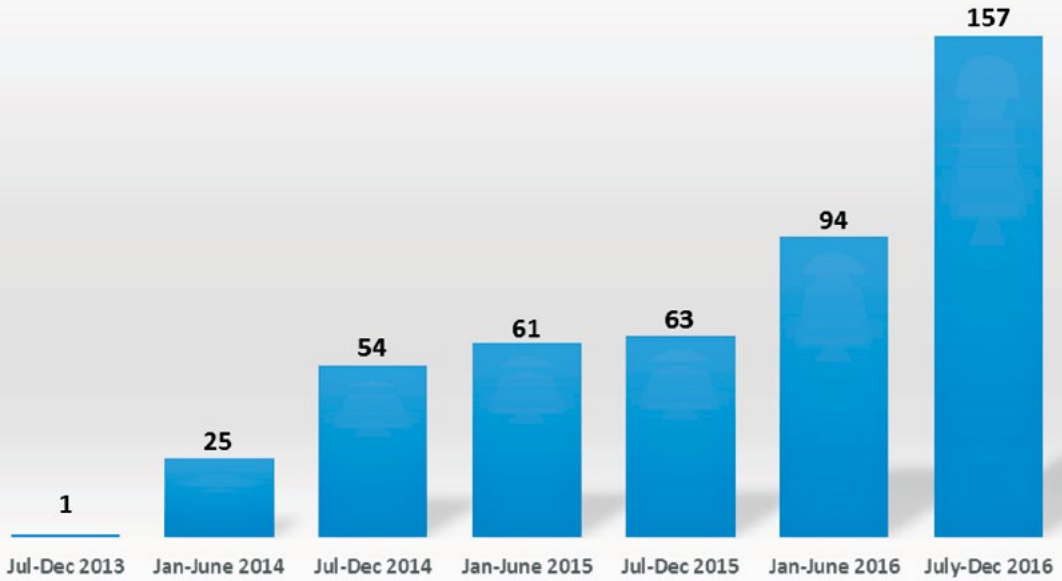


Figure 10: Growth in completion of investigations

Status of case backlog

The backlog of cases is an experience that the Authority has had since inception as submission of complaints against police commenced as soon as the Board got engaged in laying the foundation for the Authority. The complaints awaited establishment of the secretariat thus a significant backlog was accumulated. Status of the case pile-up is as presented in figure 11 below. It is observable that the lowest rate of growth in the case backlog was realized during the report period at (-18%). This was a time when there was the most intensified capacity enhancement at the Authority mainly on staffing of investigators.

Percent change on case backlog



Period	Number of cases awaiting investigations	Percent change
Jan-June 2014	179	
July-Dec 2014	429	140
Jan-June 2015	540	26
July-Dec 2015	767	42
Jan-June 2016	821	7
July-Dec 2016	677	-18

Figure 11: Status of investigations case backlog

2.3 INSPECTIONS OF POLICE PREMISES, DETENTION FACILITIES AND MONITORING POLICE OPERATIONS

Improved detention facilities and police premises is one of the five outcomes stipulated in the Authority's Strategic Plan 2014-2018. This is therefore an area of focus whose achievement is through conducting inspections and making recommendations on areas of improvement for action by the NPS.

During the report period, 122 inspections (65 new and 57 follow-up) were conducted. 78 (64%) of the inspections were conducted in Police stations, 20 (16 %) in Police Posts, 2 (2%) in Police Patrol Bases, and 22 (18%) in Administration Police Post/Camps. The inspections were conducted across 25 Counties (9 Nyeri, 2 Kirinyaga, 5 Embu, 6 Nyandarua, 6 Elgeyo Marakwet, 2 Baringo, 4 Nakuru, 7 Machakos, 4 Kericho, 3 Siaya, 1 Vihiga, 1 Kisumu, 3 Laikipia, 3 Nyamira, 3 Kisii, 3 Makueni 10 Narok, 1 Nairobi, 13 Tana River, 3 Kwale, 7 Taita Taveta, 1 Tharaka Nithi, 15 Kakamega, 1 Homabay and 9 in Bomet.

Cumulatively, since inception, 624 inspections were conducted across 46 counties. To date, only Wajir County remains uncovered.

Thirty six (36) monitoring exercises on police operations were conducted during the reporting period. These covered regular police operations (traffic management and beat and patrol), Public Order Management, Police Operations initiated by government and operations around elections. Cumulatively, 66 police operations have been monitored.

2.3.1 Status of detention facilities

Of the 122 police premises inspected, 93 (82%) had detention facilities. Out of the 93 detention facilities, 76 (82%) had separate cells for female and male detainees while 17 (18%) had only one cell². 62 (67%) of the detention facilities inspected had clean cells while 31 (33%) of the detention facilities inspected were dirty³. For instance, Tambach Police Station had littered items and bucket toilet which had not been emptied at the time of inspection, a situation which had not changed from the initial inspection of the facility.

Only 16 (17%) of the inspected detention facilities provided detainees with bedding⁴. Table 9 shows the status of detention facilities based on the inspections conducted within specific report periods. Figure 12 illustrates the trend on overall status of detention facilities. The lowest overall status is notably provision of beddings to detainees at 10% while the best status is on

² These included Kedowa Patrol Base, Ngarengiro Police Station, Marua Police Post, Mairo Inya Police Station, Kabonge Police Post, Mbooni Police Station, Bangale Police Station, Wenje Police Station

³ These included Butere Police Station, Ngarengiro Police Station, Tambach Police Station, Chagaik Police Post, Siaya Police Station, Mbooni Police Station, Tawa Patrol Base, Tambach Police Station

⁴ Which included Ntulele Police Station, Matunda Police Station, Salama Police Station,

cells separated by gender at 82%. There is a clear indication that improvement actions by NPS call for attention by the National leadership, OCPDs and OCSs.

Table 9: Trend on status of detention at varied report periods

	Separate cells by gender	Juvenile cells exist	Clean cells	Clean toilets	Bucket toilets in cells	Artificial lighting exist	Beddings available
June 2015	82%	10%	75%	42%	38%	47%	4%
December 2015	81%	16%	74%	49%	38%	51%	8%
June 2016	81%	16%	75%	49%	32%	56%	9%
December 2016	82%	30%	67%	52%	13%	42%	17%

	Separate cells by gender	Juvenile cells exist	Clean cells	Clean toilets	Bucket toilets in cells	Artificial lighting exist	Beddings available
Overall-June 2016	81%	14%	75%	47%	36%	51%	7%
Overall- Dec 2016	82%	18%	73%	48%	30%	49%	10%

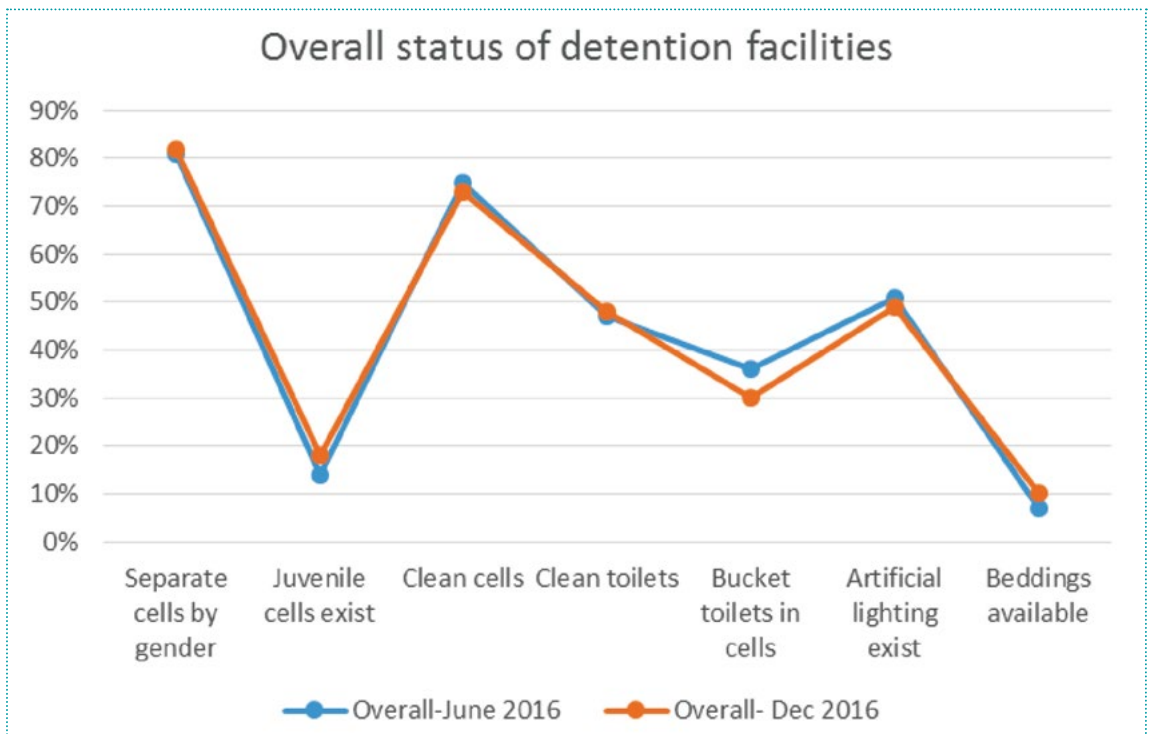


Figure 12: Overall status of detention facilities

Pictorial representation on the condition of cells is presented in the photos below taken during inspections by IPOA team.

Poor cell condition - Case for Butere Police Station

Butere Police Station is within Butere Division in Kakamega County. The station had the dirtiest cells and toilets during the reporting period, the cells had huge cockroaches, which were crawling on the floor and walls, and posed a threat on the health of the detainees, as they are associated with any place where there are biological waste products such as sewers, septic tanks, garbage cans, and animal cages and contain staggering amounts of bacteria, protozoa, amoeba, fungi, and other microbial material. This is contrary to Article 43 of the Constitution which stipulates that every person has the right to the highest attainable standard of health. Further the Station was the most inadequately ventilated. Despite the structure showing that the facility was designed to have adequate ventilation, it showed that the ventilation had been sealed completely leaving the cells and the corridor very dark and therefore not accessible unless one uses a torch. Equally, there was no artificial lighting and that made it impossible for detainees to access the toilets which were inside the cells. This qualified why the cell had water flooding in the floor of the toilets and wash area.

2.3.2 Follow-up Inspections

During the period July-December, 2016, fifty seven (48 %) out of the 122 premises inspected were follow-ups. Out of the 57 premises, 52 (91%) had detention facilities. During follow-up inspections⁵, 37 (71%) of the detention facilities were found to be clean. For instance, 8 cells which were dirty in the initial inspections period were found to be clean during the follow-up⁶. This was a clear indication that the recommendations made to the commanders in adherence to the 5th Schedule to the NPS Act, 2011 were gradually being observed.

In terms of records management, 100% of the premises inspected had properly maintained Occurrence Books, 87% had correctly filled-in the Cell Register, 81% had properly filled-in Arms Movement Registers, 62% had properly filled-in Exhibit Registers while 33% had well maintained Detainee Property Registers during the follow-up inspections.

On resourcing, an improvement of staff strength was witnessed in most premises⁷ owing to the increased capacity of police recruits every year. For instance Emali Police Station which had staff strength of 29 during the initial inspections compared to 41 staff during follow-up inspections against an establishment of 42. Another station which had a remarkable improvement was Taru Police Station which against an establishment of 62 officers, had only 12 officers during an initial inspection. This however improved to a strength of 41 during a follow-up inspection.

However, there were no notable improvements on the part of resource allocations, specifically paralegal documents, gloves, protective gears, and stationeries⁸. Photos below depicts noted improvements during the follow-up inspections.

5 Which included Lumakanda Police Station, Salama Police Station, Emali Police Station, Ogembo Police Station, Nyamira Police Station

6 Wundanyi Police Station, Ogembo Police Station, Nyamira Police Station, Londiani Police Station, Maseno Police Station, Mbumbuini Police Station, Itabua Police Station and Matunda Police Station

7 These included Emali Police Station, Voi Police Station, Taru Police Station

8 This was attributed to lack of enough supply of the resources from the NPS Headquarters.



IPOA Photo: Clean cell without bucket toilet that had been found during initial inspection at Wundanyi Police Station



IPOA Photo: Clean washroom at Lumakanda Police Station in Kakamega County.

2.3.3 Responsiveness to special interest groups

The special interest groups in the context of this report mainly refers to children, women, and physically challenged persons. It is the interest of the Authority to follow up on the extent to which NPS covers the interest of this group.

Out of 76 Police Stations inspected, only 2 (3%) had child protection units⁹.

For instance, Ogembo Police Station in Kisii County has a Child Protection Unit which is fully equipped with child facilities provided. The unit has a Child Protection Officer who is trained on children affairs and the officer has working relationships with other agencies like Children Department within Ogembo Sub County as well as other Civil Society Organizations.

Only 43 (35%) of the police premises inspected were accessible by persons with physical disabilities¹⁰, leaving the remaining 79 (65%) premises without ramp access.



IPOA Photo: A ramp for physically challenged persons at Nyangusu Police Station.

As shown in figure 13 below, the provision of child protection units to take care of the children's needs are least met at 7% followed by existence of gender desk at 22%. Although at 29%, access to police premises by physically challenged citizens is relatively better than the other parameters, it is still far below expectation. This calls for more intensified interventions by the NPS to ensure protection of special interest groups and those vulnerable at the stations.

⁹ Ogembo Police Station and Kakamega Police Station.

¹⁰ These included Nyangusu Police Station, Keroka Police Station, Nanyuki Police Station, Menengai Police Station, Mogotio Police Station

	Gender desk	Existence of Child Protection Unit	Accessibility by physically challenged
Jun-15	24%	10%	19%
Dec-15	24%	9%	26%
Jun-16	23%	4%	36%
Dec-16	15%	3%	35%
Overall status	22%	7%	29%

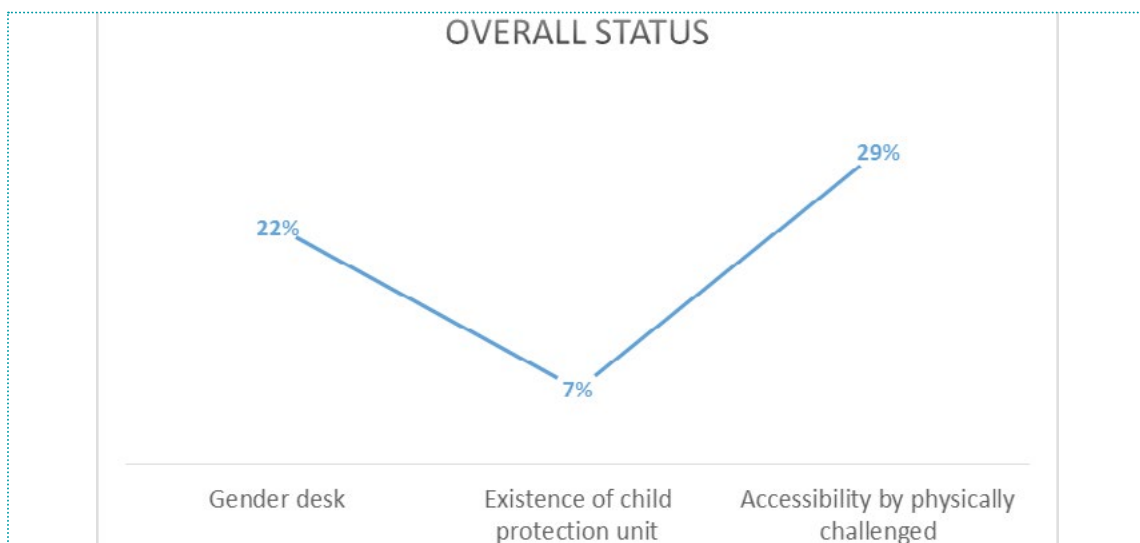


Figure 13: Responsiveness of police premises to special interest groups

2.3.4 Officer's Housing

Eighty one percent of inspected police officers' houses had inadequate space and were in deplorable conditions. Officers housing at Lumakanda Police Station were in extremely deplorable condition although the Station had modern administration office space. At Ogembo Police Station, officers had converted former school classrooms into their living quarters. Similarly, officers at Rioma Police Station had converted an office space into living quarters.

Delayed completion of police houses-Case of Matunda Police Station

The County Government of Kakamega was in the process of constructing modern one-bedroom houses for officers though completion was threatened by divergent opinions between the National Government and the County Government in what was explained as County Government involvement in National Government projects. The housing project was one of the main electoral manifesto projects by the Governor when he was elected. The NPS neither approached the County Government for assistance nor contributed towards the project.

Finding amicable solutions to the stalemate to ensure completion of the officers' houses will alleviate living conditions at Matunda Police Station which has dilapidated mud houses.



IPOA Photo: Incomplete modern houses for officers at Matunda Police Station which were constructed through the support of the County Government of Kakamega but have caused divergent opinion between the County Government and the National Government.



IPOA Photo: Officer's housing at Lumakanda Police Station



IPOA Photo: A deplorable officer's Staff quarter at Kedowa Patrol Base Police Patrol Base in Kericho

2.3.5 Community Policing

It was noted that there was confusion between Community Policing and Nyumba Kumi Initiative. Thirty seven or 30% of the police premises inspected had active community policing initiatives with active community policing initiatives, clusters in place and regular meetings with minutes. Seventy percent of the remaining police premises alleged to be implementing the recently launched Nyumba Kumi Initiative though there was no proof. It is important for the Service to explore how both can be harmonized at the Station level.

2.3.6 Monitored police operations

During the report period, 36 police operations affecting members of the public were monitored. Out of these, 11 were on public order management, 23 on regular police operations and 1 on operations around elections as well as 1 operation initiated by government.

The Authority monitored 5 events qualified under public order management which included; two (2) stop extra judicial killings demonstrations, demonstration by students of Multimedia University (MMU) against reckless driving, extortion and intimidation by Ongataline Matatu Sacco, demonstration by Kenya Coalition for Wildlife Conservation and Management against the interference with wildlife by construction of the SGR and non-response by police on the complaints from residents of Maasai village in Westlands. In the MMU demonstration, misconduct and criminal actions by police was observed and investigations were ongoing by close of December 2016.

Beat and patrols were monitored at Tawa and Matuu in Machakos, Flamingo in Nakuru and Butere as a result of complaints lodged with the Authority. In all the beat and patrols, police officers lacked torches, notebooks and were ill-equipped to do beats and patrols efficiently. Communication gadgets- such as pocket radio were also lacking, resulting to use of their personal mobile phones for communication.

Monitoring of traffic management and control was conducted at the Nyalı road block, Eldoret-Bungoma road, Masii traffic and Mariakani weigh bridge. In all the monitored areas, officer's misconduct through extortion, without inspections of stopped vehicles, was observed.

Government initiated operation at Mumias was monitored. The operation was aimed at recovery of the 7 G3 rifles that were stolen from Booker Police Post. Police misconduct and criminal actions were observed and investigations were ongoing by close of December 2016.

2.4 OUTSTANDING POLICE SERVICE AWARDS (OPSA) 2016

During the report period, arrangements on OPSA 2016 officially commenced in July 2016 and the Authority together with OPSA stakeholders/partners held 5 stakeholders meetings. 50,000 nominations forms were printed and distributed as follows; NPS structures 40%, Huduma Centre 40%, civil society 16% and KNCHR 4%. The forms were subsequently distributed to members of public to nominate outstanding police officers and detention facilities. Remaining processes of receipt of nomination forms, evaluation, verification and ultimate Award ceremony will be completed during the 1st half of 2017.

2.5 COMMUNICATION AND OUTREACH

During the report period, the communication strategy's objectives of creation and enhancement of IPOA awareness, promotion of effective stakeholder engagement and generation of a brand personality were met through various activities such as the implementation of outreach activities targeting our stakeholders, printing of IEC materials, holding of occasional media briefings

and advisories, media mentions and appearances, stakeholder MOU signings, customer care among other activities. The number of IPOA's partners increased by inclusion of Huduma Kenya, the Government Advertising Agency, development officials and media practitioners.

There was an increase in the number of people reached with messages on IPOA through various media including print and electronic media, new media, the Authority website, lectures, talks, inspections exercises among others.



On 11th August 2016, at the CID Training School, the CEO conducted a sensitisation session with senior members of the National Police Service on the role of the Authority in policing, the importance of role of IPOA and its legal linkages with NPS, NPSC and the IAU

Through normal departmental media practitioner engagement, the Authority engaged in a soft arrangement with several media including; 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. It also implemented most recommendations made towards improving communication by the Board and Management.



The IPOA Board and Directors during a press briefing in August, 2016



On 12th August 2016, Board Member Vincent Kiptoo engaging with K24 on the mandate of the Authority with respect to human rights abuses and enforced disappearances by counter-terrorism agencies with regard to a recently released Human Rights Watch report

For public outreach forums, the Department conducted forums in Nairobi, Kisumu, Mombasa, Tana River, Wajir, Lamu, Garissa, Turkana, Mandera, Marsabit, Isiolo Counties. In particular, the Authority sensitised members of the National Police Service and the public including through the CID Training School, Senior APS Officers in Loresho, Emali AP Senior Staff College, Mathare, Kibera and Huruma youths, Loreto Convent Valley Road School, Dandora women and youths, Kakuma refugees, during the Legal Awareness Week at Milimani Law Courts, Human Rights defenders at Hotel Metro in Nairobi, Public inquiries in the Coastal region and in churches and mosques.

IPOA undertook 5 communication campaigns employing the media, outreach using focus group discussions, social media campaigns, OPSA nomination activation campaign, electronic and print campaign and sensitization on IPOA mandate through IEC materials.

Through the Government Advertising Agency, the Department also entered into an agreement with several media houses to advertise and popularize the Outstanding Police Service Awards through the Daily Nation, the Standard, the People Daily newspapers and local radio stations. The department disseminated Information, Education and Communication materials (pieces). This included; 8,000 brochures, 200 branded notebooks, 1,000 posters, 12,000 fliers, 6,000 fact sheets, 300 performance reports, 4,500 business cards.

The Department facilitated brand exposures through 160 print and electronic advertisements during the period. These exposures were attributed to Authority event branding, stakeholder attribution and mentions in electronic, print and social media brand exposures. The Department also made strides in social media presence and population during the year.

The Department released 24 media monitoring reports and the results of one online customer satisfaction survey. The Communication Strategy continues to be actualized in its three-pronged objective approach of creation of IPOA awareness, promotion of effective stakeholder engagement and generation of a brand personality. Among others, Authority stationery was

standardized, staff issued with identification, IEC materials developed, Staff branded with Authority business cards, OPISA MOU signed, facilitation of speaker opportunities for IPOA officials among others.



An Outreach activity at Loreto Convent Valley Road School in Nairobi

2.6 RISK MANAGEMENT AND AUDIT

The Risk and Audit Department's overall objective is to ensure enhanced accountability and integrity in IPOA's operations through systematic and disciplined approach to work established towards effective and efficient operations of IPOA. Therefore, for the Authority management of risks and improvement of governance is a key focus area.

Risk and Audit is the Key Department in terms of enhancing accountability and integrity in IPOA's operations, thus for the Department to achieve its objectives and goals, it majorly depends on the support from the Board and management.

This has been continually supported by KENAO and a full time Risk and Audit internal team. During the reporting period, KENAO team commenced the annual audit engagement referenced on 2015/2016 Financial Year, and that was ongoing by the end of December 2016.

As required by the Public Financial Management Act 2012, the Authority complied with the inclusion of the Treasury Representative to the membership of the Risk and Audit Board Committee.

Internal audits conducted during the period were on; Inspections, Research and Monitoring, Investigations, Administrative services, Finance Follow-Up Audit and Governance follow-up Audit. The reports were ready for presentation to the Risk and Audit Board Committee.

On risk management, the Authority sustained the monitoring of implementation of the existing Enterprise Risk Management Framework (ERMF) through quarterly risk reports, by the risk owners and sessions with Risk Champions¹¹.

11 Champions are nominated staff from each unit who serve as the lead person in their units on matters of risk management.

2.7 PERFORMANCE MONITORING

In reference to the Performance Management Framework, the Authority remained on course and was able to develop the 2016/2017 Annual Work Plan and Budget that went through the stipulated participatory processes, with a culmination of its approval by the Board on 17th August 2016. This provided the basis for each staff to develop the Individual Work Plans that were signed with respective supervisors.

Performance review sessions were conducted at the management and board committee levels, based on the analyzed 2015/2016 performance information gathered from each of IPOA's departments.

Mid-term review for the Strategic Plan 2014-2018 commenced during the report period with support from the "UNODC Basket Fund" and was wound up in October 2016. The process was made as participatory as possible with a culmination of an all-inclusive feedback forum held at Sarova Stanley hotel on 21st October 2016 where Board members, Management and staff attended.



Photo: Mid-term review feedback workshop by the consultant, to the Board Members and management on 14th October 2016 at Sarova Stanley Hotel



Photo: IPOA staff, management and Board members during the mid-term review of Strategic Plan on 21st October 2016 at Sarova Stanley Hotel

2.8 INSTITUTIONAL STRENGTHENING

2.8.1 HUMAN RESOURCE MANAGEMENT

The Authority recognizes that through effective and efficient human resource services and capacity building provided to staff, Human Capital is key in execution of its mandate to ensure enhanced productivity among its staff. Thus a lot of attention is given on several aspects of motivating the staff and strengthening their capacity.

During the reporting period, this was pursued through various interventions that included:

1. Receipt of clearance Pensions Department under the National Treasury for registration of the desired IPOA Staff Retirement Benefit Scheme with Retirement Benefits Authority (RBA). This is in readiness for the intended transition from contract terms of employment to permanent and pensionable.
2. Structural enhancement that included: Enhancement of qualified officers at grade 7 to grade 6. These include the records officer, procurement assistant, HR assistant and the 2 accounts assistants; Setting up of regional staffing structure; Staffing gaps analysis.
3. Induction of 39 employees who joined the Authority in the year 2016 and training of 54 staff on human rights and fundamental freedoms.
4. The following policies and guidelines were developed/ reviewed and approved by the Board for implementation; the IPOA staff retirement benefit scheme trust deed and rules was revised; the IPOA staff retirement benefit scheme investment policy; the Drug and Substance Abuse Policy; the Gender Equality Policy; the IPOA Guidelines on Bonding; the HIV and AIDS Policy; and the Code of Conduct for IPOA Staff.
5. The Authority also benefited from experiential learning through facilitators from UK who visited the Authority. This was a result of an earlier visit made by IPOA representatives to UK's IPCC, which is an independent police oversight entity.

Motivational talks were organized and guest speakers invited. A session with renowned Dr. Wale Akinyemi covered areas on making a name, writing own history and leaving a legacy. Session with George Wachiuri, the CEO of Optiven, covered areas on how to invest, career and daily work, among others.

Staff end year party was held at the Ngong Hills Hotel on 16th December 2016. This event enabled the staff and management to reflect back on the year 2016 and also have a general overview of what to expect in the year 2017.

During the period, the management and leadership development of the management staff slowed down. However, the staff development and training committee will prioritize this in quarter three and four. The Department will also undertake team building and staff bonding to quarter 3. The approval the Authority had sought for the staff car loan and mortgage scheme regulations are still pending at the National Treasury.

Capacity building and trainings

Brief on the trainings, followed by tabulation below.

Training	Year	Source of funds	No. of staff/ Board members	Objective of the training and category of staff
IPOA Evidence Based Monitoring Training Programme	Jul 2016	UNODC Basket Fund	27	Capacity building on evidence based monitoring of police operations
Supervisory Training	Sept & Oct 2016	IPOA Training Budget	2	Management Development
Public policy Executive Programme	Oct 2016	IPOA Training Budget	1	Senior management Development programme
Legal Audit conference	Oct 2016	IPOA Training Budget	3	Continuous professional development of legal officers
ERM Seminar at white-sands hotel Mombasa	Oct 2016	IPOA Training Budget	1	Capacity building ERM framework
Annual IHRM Conference	Oct 2016	IPOA Training Budget	2	Continuous professional development for HR Staff
Staff Induction Training	Nov 2016	IPOA Training Budget	39	Induction on IPOA Operations and interdepartmental interaction and briefing
Specification Development, Evaluation and Professional opinion writing, International Supply Chain Solutions,	Nov 2016	IPOA Training Budget	1	Capacity building in procurement
Annual Internal Audit Seminar	Nov 2016	IPOA Training Budget	1	Professional Development
Personal Security Training	Nov 2016	IPOA Training Budget	65	Personal security preparedness
UK Experts Training	Dec 2016	IPOA Training Budget	55	Introduction to the UK model of police oversight & UK case studies and investigative methods
Human Rights Training	Nov-Dec 2016	IPOA Training Budget	54	Statutory Requirement as per the IPOA Act
Executive Secretaries Leadership Programme	Dec 2016	IPOA Training Budget	1	Secretarial leadership development



Board member Ms. Grace Madoka officiating the opening of the staff induction program on 3rd November 2016 at Laico Regency Hotel



Director Inspections, Research and Monitoring Mr. Stephen Musau awarding the human rights participant-Mr Benson Muthwii with a certificate of participation at the end of the two (2) days training on 22nd November 2016 at Sarawa Panafric Hotel

2.8.2 DECENTRALIZATION OF IPOA SERVICES

Taking services closer to the people was IPOA's resolve in 2015/2016 and having been allocated Ksh80 million in 2016/2017 budget, there has been commitment to actualize this. During the report period, office space has been secured in Kisumu, Mombasa and Garissa. The three regions were the target for the year, and staffing arrangements and other requirements to these offices are at an advanced stage in anticipation of opening doors to the public by February 2017.

2.8.3 INFORMATION TECHNOLOGY AND COMMUNICATION (ICT)

Implementation of Enterprise Content Management (ECM) continued during the report period. This is a major project aimed at automating all IPOA's functions. The functions given priority under ECM are complaints management, investigations, legal, inspections, research and monitoring. The modules for this functions have been developed and are now at the tail end of user testing to allow the contracted firm embark on the rest of the modules.

An exciting exercise of getting the name for the IPOA's ECM was conducted where the staff participated through suggestion of innovative names was essential. This culminated to voting on the best 3 names and the winner was Ms. Laureen Nalwenge with the name "IPOAcloud."



Photo: Ms. Laureen Nalwenge, the winner of the best ECM name "IPOAcloud" receives her award from Ms. Courtney Morris of the US Embassy as IPOA Board Chair Mr. Macharia Njeru and CEO Dr. Joel Mabonga witness the session

To support ECM, the Authority invested heavily in renovating and equipping the data center. Further, several other milestone achievements were made. These include; server consolidation through virtualization technologies, adoption of open standards while implementing intranet systems and networks, automated disaster recovery and backup processes and a new customer oriented and interactive website was hosted.

2.8.4 FINANCIAL MANAGEMENT

The Authority was allocated Kshs.246m, 279.68m, 290.6m, 395.89m and 469.7M in financial years 2012-13, 2013-14, 2014-15, 2015/16 and 2016/17 respectively. Expenditures in respective years was Ksh.174.88m 2012/2013, Kshs.219.16m in 2013/2014, Kshs.265.1m 2014/2015, Kshs.359.8 in 2015/16 and Kshs.186.3m in mid 2016/17. Allocations against requirements is as presented in table 10 and figure 14 below:

Table 14: Budget Requirements, Allocations and expenditures over years

FY	Requirements (million ksh)	SP ¹² budget projection	A-Gok(million ksh)	Other allocations	Total allocation	Expenditure (million ksh)	% exp (GoK)	% variance in R & A	Allocation growth rate -% (GoK)	Allocation growth rate -% (Total)
2012/13			246		246	175	71			
2013/14	603		279		279	219	78	54	13	13
2014/15	429	429	291	4	295	265	91	32	18	20
2015/16	460	460	396	19	415	360	91	10	61	69
2016/17	650	473	491	6	497	117	24	24	100	102

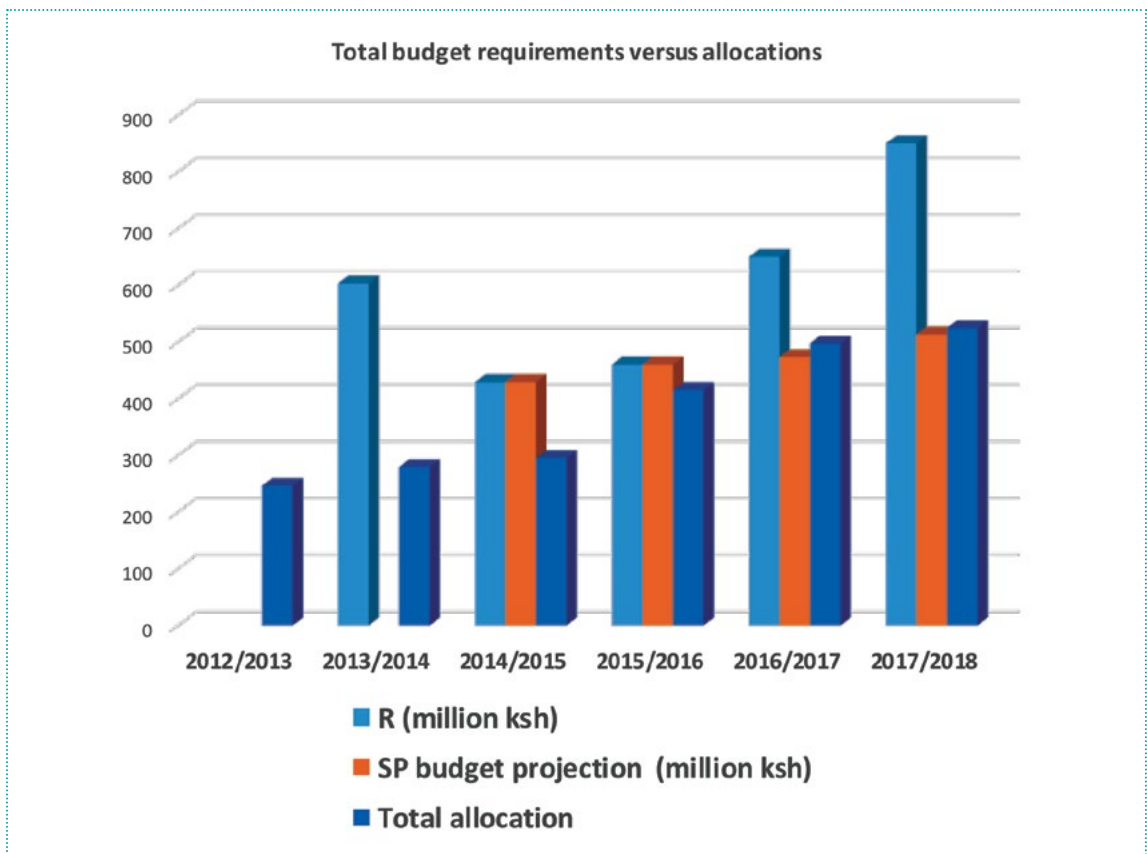


Figure 14: Budget requirements versus allocation

¹² SP Denotes Strategic Plan.

Absorption rate

Budget allocation growth is commendably on an upward trend as illustrated in figure 15 below. However, budgetary gaps are noted to have been on the decline in the 1st three years then rose up to 24%. Real budgetary gap is noted to be less based on the absorption rate as shown in figure 16.

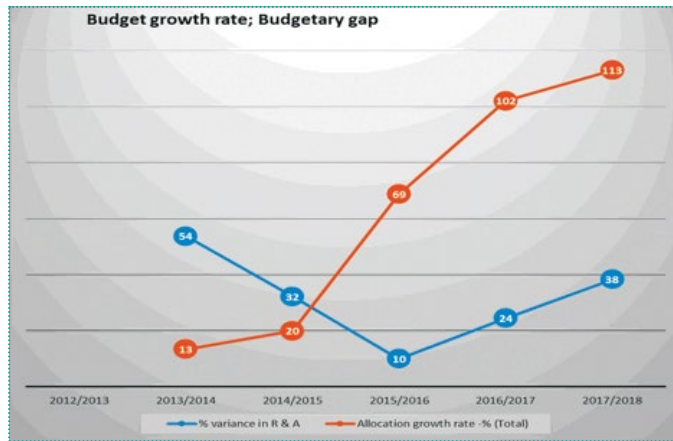


Figure 15: Budget growth rate and budgetary gap

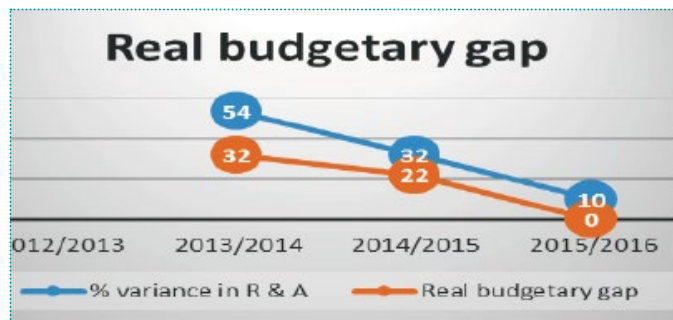


Figure 16: Real budgetary gap

During the report period, the Authority got a clean Audit Report (Unqualified Opinion) in financial year 2014/2015 which was a great achievement. This got the Authority participating in the FIRE AWARDS organized by ICPAK and won in two categories namely:

- i) In Application of International Public Accounting Standards (IPSAS), and
- ii) In the Independent Offices and Commissions.

There is commitment by the Authority to continue participating and improving performance through the FIRE AWARDS in the future.



Photo: IPOA staff, management, Board member Mr. Tom Kagwe celebrating the Fire Awards

2.9 KNOWLEDGE SHARING AND EXPERIENTIAL LEARNING

Learning gained from the visit made by IPOA team to Britain remained of interest to the Authority, and deliberate efforts were made to make improvements based on the outcome of the visit.

During the report period, UK experts visited IPOA as agreed and held training sessions with IPOA staff at Sarova Panafric Hotel, visited and interviewed stakeholders, held review sessions on implementation of actions from the UK trip and this culminated to a feedback session with management and Board members on 8th December 2016. An action matrix was shared and a full review report was expected in January 2017.



Photo: UK visiting team with Board Members and Management during the feedback and wrapping up session on 8th December 2016

3.0 COLLABORATION WITH STAKEHOLDERS AND PARTNERS

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



The IPOA Board Member Mr. Tom Kagwe addressing members of the public in Mombasa on October 26th, 2016

UNODC: The Authority continued to draw support from the “UNODC Basket Fund” and regular meetings were sustained with UNODC representatives on discussions relating to existing and projected allocations.



IPOA Board during a press briefing in August 2016

4.0 CHALLENGES AND RECOMMENDATIONS

The Authority made significant progress during the report period amidst various challenges, key of which were lack of cooperation from NPS, slashing of budget allocation and inaccessibility to IPOA services by members of the public due to its centralized locality. These challenges are highlighted in table 15 below.

Table 15: Challenges and recommendations

Challenge	Recommendation
Technical challenges	
Dwindling cooperation from NPS hindering execution of Authority's mandate	<ul style="list-style-type: none"> IPOA to pursue due process as per the law and hold the individual officers accountable on non-cooperation. Pursue the ongoing dialogue with NPS on working modalities.
Police proceeding to undertake investigations and recommending inquests before informing the Authority and thus legally barring IPOA's investigations	Follow up with ODPP in addressing the issue
Lack of MoUs with critical stakeholders such as mobile telephone service providers, Government chemist and ODPP to assist with investigations and prosecution	IPOA to follow up with respective stakeholders
Inadequate knowledge on IPOA's mandate by members of the public and NPS	Conduct increased publicity forums on IPOA's mandate
Release of Job Evaluation Report by SRC before IPOA's participation	IPOA to pursue with SRC in the job evaluation
Operational Challenges	
Reduction of GoK budget allocation at the onset of the 2016/2017 thus constrained operations	IPOA to pursue resource mobilization from other sources
High staff turnover	<ul style="list-style-type: none"> IPOA to explore possible areas of improvements within its means for staff retention Implementation of P&P once the registration is completed.

Appendix I: Recommendations on police premises upon inspections in July-December 2016

ISSUE	RECOMMENDATION	ACTION PERSON
<p>1. Conditions of cells and Toilets. 33% of the cells were dirty. 48% of the toilets were dirty.</p>	<p>The National Police Service Act (NPS Act) rightly recognizes that the detention of detainees should be carried out in accordance with the law. According to Rule 5 of the Fifth Schedule of the National Police Service Act 2011, it is the responsibility of the Officer In Charge of the station, to ensure that a lock up facility is in hygienic conditions conducive for human habitation, have adequate light, toilet and washing facilities and an outdoor area. The officers in charge of the stations and posts should ensure that they adhere to these provision of the NPS Act. These conditions do not require much effort other than the officer in charge mobilizing officers under his command to ensure that these conditions are met at all times. In addition, the detention facilities should have toilets within the cells to avoid detainees being given bucket toilets.</p>	<p>The Officer-in-Charge of the premises</p>
<p>2. Separation of detainees by gender. 18% of the detention facilities had one holding cell.</p>	<p>Fifth Schedule Rule 5 (c&d) states that males and females should be kept separately. The Inspector General of Police and the Cabinet Secretary Interior and Coordination of National Government should ensure that designated detention facilities are facilitated in establish male and female cells. All the cells in addition to this, should be labeled accordingly.</p>	<p>IG, CS and the Officers in charge of the station</p>
<p>3. Separation of detainees by age 70% of the detention facilities did not have juvenile cells.</p>	<p>Fifth Schedule Rule 5 (c&d) states that juveniles shall be kept separately from adults. The Inspector General of Police and the Cabinet Secretary Interior and Coordination of National Government should ensure that designated detention facilities are facilitated in establishing juvenile cells.</p>	<p>IG and CS</p>
<p>4. Community Policing Initiatives It was observed that 70% of the Police facilities inspected had no active community policing initiatives.</p>	<p>According to Article 244(e) of the Constitution of Kenya 2010, the National Police Service should strive to foster and promote relationships with the broader society. Section 98 of the NPS Act mandates a police officer in charge of an area in consultation with stakeholders to establish community policing committee. If implemented properly, community policing leads to intelligence based policing and ensures safer neighborhoods. The officers in charge should ensure that community policing is up and running at the station level.</p>	<p>In charges of police premises.</p>

ISSUE	RECOMMENDATION	ACTION PERSON
<p>5. Records management. The crucial police records were not up to date including Cells registers, OB, Arms movement registers and Detainees property registers. 21% of the police facilities had incorrectly filled-in Arms Movement Register, while 7% had incorrectly filled-in Occurrence Book. 9% Of the KPS premises had incorrectly filled-in Cell Registers. 63% of the facilities had incorrectly filled-in detainees Property Register. 53% of the facilities had their Exhibit Registers incorrectly filled-in.</p>	<p>Properly kept records determines and influences the accountability of members of the National Police Service while at the same time ensuring the rights of the detained persons are safeguarded. The necessity of keeping proper records is well recognized in the National Police Service Act, and the officers commanding police station must ensure that proper records are kept as required by law. Section 50 (1) of the NPS Act stipulates that a police officer in charge of a police station or post, unit or formation shall keep a record in such form as the IG may in consultation with the DIG direct and shall record all complaints and charges preferred, the names of all persons arrested and the offences with which they are charged. Further the 5th Schedule of the NPS Act Section 8, stipulates that a register shall be kept in police station or other place of detention in which particulars of detained persons are entered. The officers in charge should ensure that registers are correctly entered and consistently updated.</p>	<p>In charge of police premises</p>
<p>6. Resource Allocations Over 50% of the premises inspected lacked sufficient stationeries and police registers. The vehicles and fuel allocation was not sufficient to cover their respective jurisdiction. 35% of the inspected facilities had no vehicles.</p>	<p>According to Section 116 (2) of the National Police Service Act 2011; it is the responsibility of the Inspector General to ensure that every police station, post, outpost, unit, base, and county authority is allocated sufficient funds to finance its activities. The Inspector General should ensure that, stationery, registers, vehicle and fuel allocation are sufficient to address the needs of the stations. The issue of lack of stationeries should be addressed. Further the Inspector General should ensure that each police station/camp/posts has at least a computer which is internet enabled and a printer for efficient and effective performance of police duties. To ensure accountability at the station level, the Inspector General of Police should ensure that the Authority to Incur Expenses (AIEs) is delegated from the OCPD's to the station Commanders' (OCS).</p>	<p>The Inspector General Of Police</p>

ISSUE	RECOMMENDATION	ACTION PERSON
<p>7. Staff Capacity and Gender balance Over 50% of NPS premises inspected were understaffed. In addition some police stations/ posts had not adhered to the third gender rule.</p>	<p>Article 246 (3) (a) of the Constitution of Kenya gives the National Police Service Commission the mandate to recruit and appoint persons to hold or act in offices in the service, confirm appointments and determine promotions and transfers within the National Police Service. The National Police Service Commission 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. Proper redeployment of officers is also necessary to ensure that the police officers are utilized in their key functions. This will help in ensuring that shortage of officers in the stations are addressed.</p>	<p>The Chairman, National Police Service Commission</p>
<p>8. Officers' housing and Office Space 7% of the premises inspected had inadequate office space which were in pathetic conditions and 20% of the premises inspected had insufficient housing in deplorable state.</p>	<p>To ensure efficiency in Police work, police stations should have enough office space to accommodate all its sections as this will improve service delivery. Article 43 (b) of the Constitution stipulates that every person has the right to adequate housing and to reasonable standards of sanitation. To address the crisis in housing, the Cabinet Secretary and the IG should facilitate for adequate housing for officers serving under the National Police Service. The IPOA's report on police housing released in February 2016 should be a yardstick in addressing police housing crisis, through giving officers decent house allowances.</p>	<p>The Inspector General of Police, the Cabinet Secretary and the National Police Service Commission</p>
<p>9. Relationship between the two entities of the National Police Services</p>	<p>It was observed and officers raised concerns on the bad working relationships between APS and KPS. In some counties, officers from the two police services cited non-cooperation from each other. The IG should ensure mutual relationships are enhanced between the two services towards total integration.</p>	<p>The IG; DIGs and County Commanders</p>
<p>10. Transfer and promotion of police officers</p>	<p>Officers that were interviewed confirmed that transfers and promotions were still not conducted in a transparent and fair manner. Some claimed that they were being transferred from one operation area to another despite the non-attainment of necessary qualifications. The force standing orders stipulates that constables working in operational areas should be below 30 years of age and N.C.O's to be below 40 years. The National Police Service Commission (Transfers and Deployments) Regulations, 2015 should be reviewed to address these challenges.</p>	<p>The Chairman, National Police Service Commission</p>

ISSUE	RECOMMENDATION	ACTION PERSON
<p>11. Ease of identification of police officers in any police operation.</p>	<p>In all police operations that were monitored, it was not easy to identify the officers who were deployed. This is contrary to Rule 10 of Part A to the Sixth Schedule of the NPS Act which states that “a Police officer in uniform shall at all times affix a name tag or identifiable Service number in a clearly visible part of the uniform”. The Inspector General of Police should ensure that this is complied with during all police operations including public order management.</p>	<p>The Inspector General of Police</p>

