



REPUBLIC OF KENYA



Independent Policing
Oversight Authority



PERFORMANCE REPORT JULY - DECEMBER 2019



IPOA photo: Interior Cabinet Secretary Fred Matiangi, IPOA Chairperson Mrs. Anne Makori, Commissioners and other VIP guests during the IPOA 2019 - 2024 Strategic Plan launch on 6th November, 2019.

Cover photo: IPOA Chairperson Mrs. Anne Makori during an outreach programme in Bondo in Siaya County on 10th August, 2019.

Back cover: The IPOA Board and members of the National Assembly Committee on Administration and National Security of the Parliament led by the Chairman Paul Koinange during a benchmarking visit to IPID in South Africa from 6th to 12th July 2019.



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ABBREVIATIONS AND ACRONYMS

AIE	Authority to Incur Expenditure
APS	Administration Police Service
CIC	Case Intake Committee
CIPU	Critical Infrastructure Protection Unit
IAU	Internal Affairs Unit
IG	Inspector General of Police
KPS	Kenya Police Service
KSG	Kenya School of Government
ODPP	Office of the Director of Public Prosecutions
PWDs	Persons with Disabilities
QMS	Quarter Master Stores

CHAIRPERSON'S STATEMENT

On behalf of the Board, the Management and Staff, I am pleased to present the Independent Policing Oversight Authority's Performance Report for the period July -December 2019 during which, the Authority's Strategic Plan 2019-2024 was launched.



The strategic plan was launched on 6th November 2019 which envisions a trans-formative civilian oversight Authority that promotes public trust and confidence in the National Police Service. The Authority's mission is to conduct independent and impartial investigations, inspections, audits and monitoring of the National Police Service to enhance professionalism and discipline in the Service". The Key result areas for the next five years are; Police Accountability; Stakeholder Cooperation and Complementarity; Research and Information Management and Institutional Capacity.

The Authority alongside the strategic plan; launched an end-line survey report on policing standards and gaps in Kenya. The survey aimed at gathering comparable evidence on the perception of Kenyans about the quality of policing services and the factors affecting effective policing in Kenya. This was a follow-up to a Baseline Survey that was conducted in 2013. Some of the recommendations made in the survey report include the need to work collaboratively among government agencies, NGOs and CSOs working towards police reforms; digitization of records by the NPS to improve quality, consistency and standards and enhancing community policing among others.

To enhance realization of the Authority's mandate through expansion of awareness and shaping public opinion in the society, the Board held meetings with the Kenya Editors Guild, Constitutional Commissions and Independent Offices, International Committee of the Red Cross and Coffey International. Further, the Authority in partnership with Kenya Human Rights Commission, International Justice Mission and Amnesty International, organized and executed a media training workshop to equip journalists on realities of the Criminal Justice System in Kenya. This was to enable them give accurate information on the Authority's mandate and functions and milestones made towards police reforms.

The Authority continues to recognize the important role played by the stakeholders including NPS, NPSC, and Parliamentary Committee on Administration and National Security, the Ministry of Interior and Coordination of National Government, ODPP, Judiciary, the National Treasury, the Media, Civil Society Organizations, Development partners among others, and vows to keep strengthening the evident cooperation.

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

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

Mrs. Anne Makori
Chairperson

DIRECTOR/CHIEF EXECUTIVE OFFICER'S STATEMENT

In the period under review, the Board, Management and Staff of the Authority remained committed towards implementation of its mandate in line with the Strategic Plan 2019-2024.



Between July and December 2019, the Authority received and processed 1,578 complaints and completed 371 investigations; Sixty (60) case files were forwarded to the ODPP for action while by 31st December 2019, 75 case files were before courts. Two hundred and twenty seven (227) inspections were conducted in various police premises, including detention facilities and 25 Police operations were monitored, with recommendations being made to the NPS and other state organs for action.

To effectively achieve its mandate, staff capacity was enhanced through training in various courses by Kenya School of Government and other professional bodies while others were trained on mandate oriented courses with support from development partners. A total of 82 members of staff and the Board were trained during the period.

As part of awareness creation on its mandate, the Authority participated and made exhibitions in the Annual Agricultural Society of Kenya trade fairs in Mombasa, Nyeri and Migori and was awarded two trophies for the Best Non-Agricultural Statutory Board stand during the Nyeri, Kitale, Mombasa and Migori shows.

The Authority had received 40% of its budgetary allocation by 31st December 2019 and absorbed 39% of its budget. In the FiRe Awards for the FY 2018/19, the Authority was awarded the 1st Runners up in the Constitutional Commissions and Independent Offices category.

I would like to assure the Board and our stakeholders of our commitment in realizing the mandate of the Authority. I also extend my appreciation to the staff members and commend them for the good work done for the six months.

A handwritten signature in black ink, appearing to read 'Maina Njoroge'. The signature is stylized and written over a faint, circular watermark or logo.

Maina Njoroge
Director/ Chief Executive Officer

EXECUTIVE SUMMARY

The Authority launched its second Strategic Plan 2019 - 2024 and an end-line survey report on policing standards and gaps in Kenya on 6th of November 2019, at the Kenyatta International Convention Centre (KICC). The Chief Guest was Dr. Fred Matiang'i, the Cabinet Secretary, Ministry of Interior and Coordination of National Government. The launch was attended by over 200 members of the public including the IPOA staff and other partners. The Authority's mission is to conduct independent and impartial investigations, inspections, audits and monitoring of the National Police Service to enhance professionalism and discipline in the Service". The Key result areas for the next five years are; Police Accountability; Stakeholder Cooperation and Complementarity; Research and Information Management and Institutional Capacity.

The end-line survey aimed at gathering comparable evidence on the perception of Kenyans about the quality of policing services and the factors affecting effective policing in Kenya. This was a follow-up to a Baseline Survey that was conducted in 2013. Some of the recommendations made in the survey report include the need to work collaboratively among government agencies, NGOs and CSOs working towards police reforms; digitization of records by the NPS to improve quality, consistency and standards and enhancing community policing among others.

The Authority received 1,578 complaints and processed them through investigation, monitoring, inspections of the mentioned police facilities and referral to other agencies for action. The highest number of complaints received was as a result of police inaction (468), abuse of office (292), physical assault (196) and (142) on harassment of members of public by police officers among others.

In the same period, 371 investigations were completed and 60 case files forwarded to the ODPP for action. As at the end of the period under review, 75 case files were before courts while 119 files were undergoing internal legal scrutiny for submission to the ODPP and other agencies for action. The Authority also conducted 227 inspections in police premises, including police detention facilities, and monitored 25 Police Operations affecting members of the public. From these operations, recommendations were made to the NPS and other relevant actors for action as per the Authority's constitutive Act [Sec. 6(k)].

A total of 82 members of staff and Commissioners were trained during the period by undertaking various courses organized by professional bodies, experiential learning forums and courses offered by the Kenya School of Government and KIHBT.

Nineteen outreach activities targeting the general public and the NPS were organized and executed during the period. The Authority staff and commissioners attended and had exhibitions during Mombasa, Kitale, Migori and Nyeri ASK Shows, where they interacted with members of the NPS and the public. The Authority engaged other stakeholders including the National Police Service, Law Society of Kenya (LSK), and International Committee of the Red Cross (ICRC), Kenya Prisons, Coffey International, GIZ among others.

As at 31st December 2019, the Authority had received 40% of its FY 2019/20 budgetary allocation and had absorbed 39%. The Authority was the 1st Runners up during the 2019 FIRE Awards in the Constitutional Commissions and Independent Offices category. The Authority upholds the Constitution of Kenya 2010, the Public Financial Management (PFM) Act, 2012 and Regulations 2015, Public Audit Act, 2015, International Public Sector Accounting standards

(IPSAS), IPOA Financial Policies and Procedures Manual, government circulars and directives issued from time to time, in all its operations.

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

Despite the achievements made in the period under review, the Authority encountered challenges including non - cooperation from some members of the NPS, withdrawal of complaints by some witnesses and failure by the NPS to notify the Authority about deaths and serious injuries as required by law, parallel investigations on police misconduct by IPOA and DCI and slow review of files by the ODPP.

The Authority recommends among others; disciplinary measures be taken by the IG on non-cooperative officers, training of NPS officers on integration (conversion courses), training of OCSs on financial management and faster review of files by the ODPP.

1. INTRODUCTION

1.1 Background

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

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

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

In accordance with section 30 of the IPOA Act, the Authority should 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. This Report is in realization of this statutory requirement.

1.2 Principal Functions

The Authority's principal functions are to:

- a) Investigate any complaints related to disciplinary or criminal offences committed by any member of the National Police Service, whether on its own motion or on receipt of a complaint, and make recommendations to the relevant authorities, including recommendations for prosecution, compensation, internal disciplinary action or any other appropriate relief, and shall make public the response received to these recommendations;
- b) Receive and investigate complaints by members of the Police Service;
- c) Monitor and investigate policing operations affecting members of the public;
- d) Monitor, review and audit investigations and actions taken by the Internal Affairs Unit of the Police Service in response to complaints against the Police and keep a record of all such complaints regardless of where they have been first reported and what action has been taken;
- e) Conduct inspections of Police premises, including detention facilities under the control of the Service;
- f) Co-operate with other institutions on issues of Police oversight, including other State organs in relation to services offered by them;
- g) Review the patterns of Police misconduct and the functioning of the internal disciplinary process;
- h) Present any information it deems appropriate to an inquest conducted by a court of law;
- i) Take all reasonable steps to facilitate access to the Authority's services to the public;
- j) Subject to the Constitution and the laws related to freedom of information, publish findings of its investigations, monitoring, reviews and audits as it seems fit, including by means of

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

1.3 Vision

A transformative civilian oversight Authority that promotes public trust and confidence in the National Police Service.

1.4 Mission Statement

To conduct independent and impartial investigations, inspections, audits and monitoring of the National Police Service to enhance professionalism and discipline of the Service.

1.5 Motto

Guarding Public Interest in Policing

1.6 Core Values

- Independence
- Integrity and Accountability
- Impartiality
- Professionalism
- Accessibility

2. POLICE ACCOUNTABILITY

As a civilian oversight body, the Authority executes various functions towards ensuring police accountability. These include receiving and processing complaints on police misconduct, conducting investigations, inspecting police premises including police lock-up facilities and monitoring of police operations affecting members of the public.

2.1 Complaints Management

The IPOA Act, 2011 requires the Authority to ensure independent oversight of the handling of complaints against the NPS. The Authority executed this function through receipt, processing and investigation of complaints lodged by the public and police officers. This is accomplished through independent cross-examination of all cases to assess the criminal liability of officers involved, with a view of preventing impunity within Police Service. The IPOA Act provides that the Authority may receive and investigate complaints related to disciplinary or criminal offences committed by the members of the Police Service when;

- a. Reported by members of the public.
- b. Reported by members of the NPS.
- c. On own motion by the Authority.

2.1.1 Complaints Received

The Authority received 1,578 complaints ranging from death from police action, enforced disappearance, sexual offences, abuse of office, physical assault, and arbitrary arrests, among others. The complaints were received through walk-ins, letters, telephone calls, social media, email, website, outreach activities among other modes. Figure 1 below indicates the regional distribution of complaints received within the period.

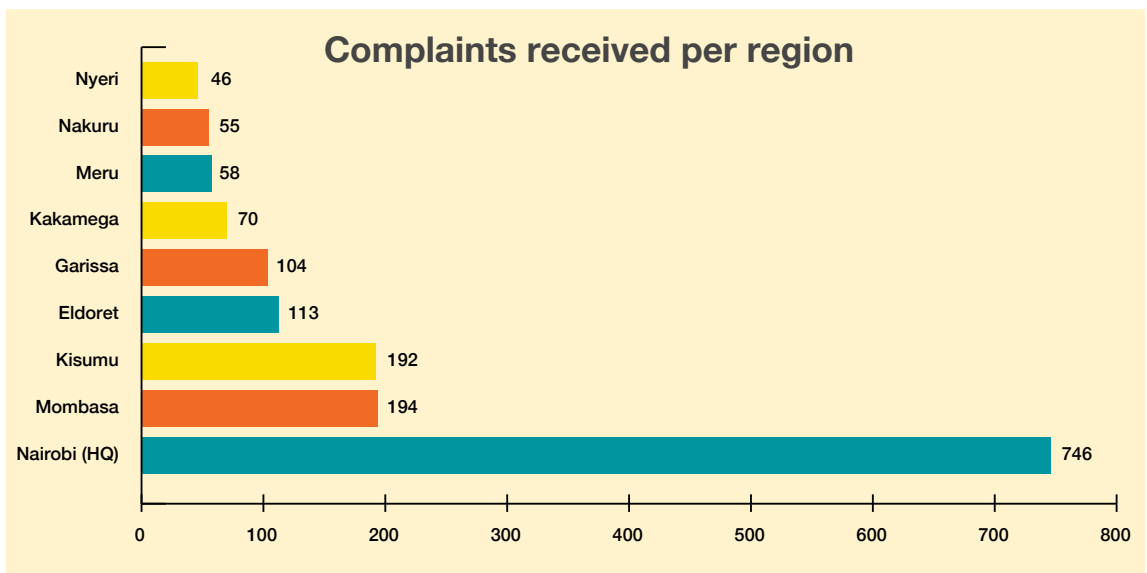


Figure 1: Complaints received per region. Source: (IPOA, 2019)

2.1.2 Source of Complaints

The Complaints received by the Authority were from members of the public, police officers, state and non-state actors and others on own motion¹. The Authority makes follow up on such complaints, reaching out to the source or the complainants. The sources of complaints during the period are presented in Figure 2 below:

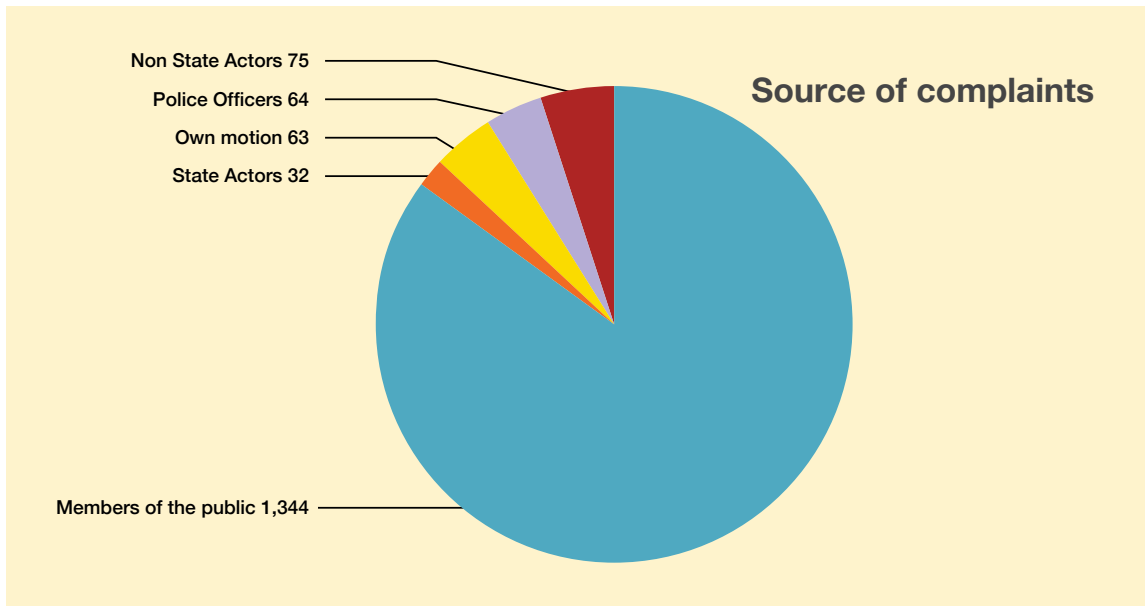


Figure 2: Source of Complaints. Source: (IPOA, 2019)

2.1.3 Nature of Complaints Received

The biggest number of complaints received was on police inaction, followed by abuse of office, physical assault and harassment. During the period, no death notification was made to the Authority on death as a result of police action or death in police custody as required by law. This does not mean there were no deaths. Therefore, the Authority appeals to the members of NPS to be notifying the Authority on any death out of police action or in police custody, as required by law (Sec. 25 of the Authority’s Act). Table 1 below shows the nature of complaints received in the reporting period.

Nature of Complaints	No. of complaints
Police Inaction/negligence	468
Abuse of office	292
Physical Assault	196
Harassment	142
Death from Police Action	74
Threats to Life	63

¹ Own motion complaints are those taken up by the Authority on its own initiative. Such complaints are largely highlighted on media (mainstream or social), and have high public interest.

Nature of Complaints	No. of complaints
Administrative Issues Including, Transfers, Promotions and Dismissals	57
Wrongful Detention and unlawful arrests	80
Corruption/ Extortion	43
Contempt of Court Order	31
Shooting Causing Injuries	27
Matters of a personal nature (Civil in Nature, debts, family disputes)	23
Non-mandate issues (Complaints not involving police officers)	17
Sexual Offences	15
Death in Police Premises/Custody	12
Detention of exhibits/ property by police officers	12
Enforced Disappearance	10
Refusal to refund cash bail	7
Destruction of property by police officers	5
Unlawful discharge of firearm that does not cause injuries	2
Use of obscene, abusive, insulting language	1
Other forms of Police Notifications (Excluding Death)	1
GRAND TOTAL	1,578

Table 1: Nature of complaints received. Source: (IPOA, 2019)

2.1.4 Complaints Processing

Section 6(a) of the IPOA Act stipulates that the Authority shall investigate any complaints related to disciplinary or criminal offences committed by any member of the 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. Upon receipt of complaints, the Authority internally gives the suitable recommendations depending on the nature of the complaint.

Some complaints were recommended for closure due to various reasons including withdrawal by the complainant, resolution through Alternative Dispute Resolutions mechanism, being out of mandate, insufficient information to warrant tangible action or being before a court of law. Figure 3 below shows the ways in which complaints received were processed during the period under review.

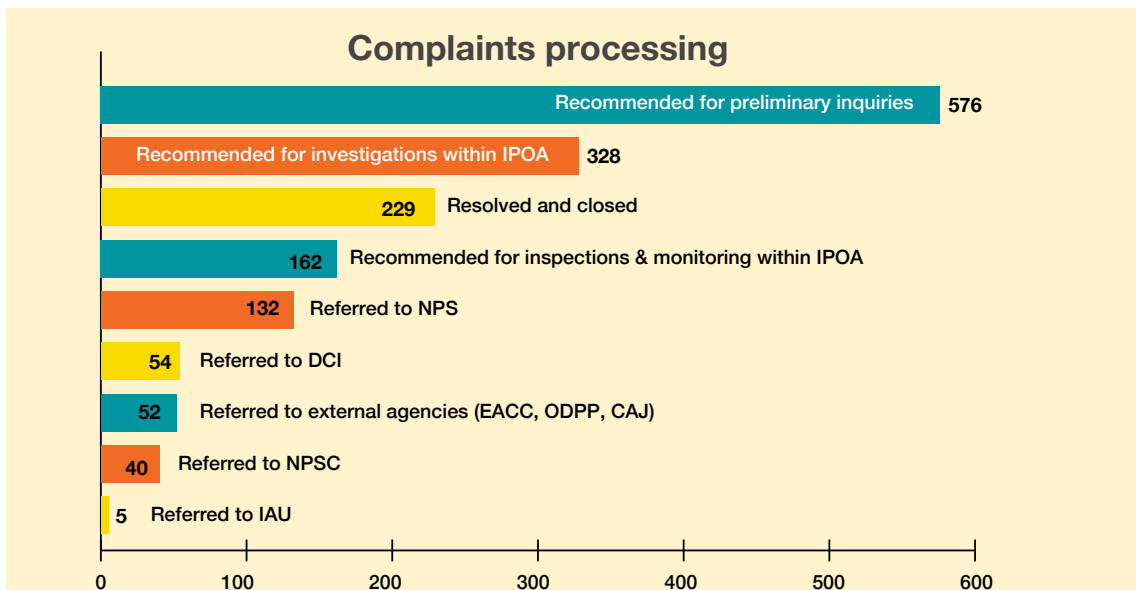


Figure 3: Complaints processing. Source: (IPOA, 2019)

2.2 Counselling and Psychosocial Support

During the period under review, the Authority offered counselling and psycho-social services to a total of 212 (116 male and 96 female). Out of the 212 clients, the staff members represented 168 (79.2%) (Male=99, Female=69); while external clients were 44 (Male=17, Female=27).

The services provided included Psychological First Aid to first responders and persons attending to critical incidents such as crime scenes and post mortems, groups and individual psychological therapy, psychological education and motivational sessions.

Activity	Male	Females
External Clients attended	17	25
External Clients referred	0	02
Staff counselled	16	13
Staff referred	0	0
Staff debriefed	38	28
Psycho social education on staff	45	28
TOTAL	116	96
PERCENTAGE	55%	45%

Table 2 : Counselling and Psycho-social Services offered. Source: (IPOA, 2019)

2.3. Investigations on Police Misconduct

The IPOA Act, 2011 mandates the Authority to investigate any complaints related to disciplinary or criminal offences committed by any member of the 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.

2.3.1 Investigations Conducted

In the period under review, IPOA conducted a total of 371 investigations. Out of these, 134 case files were fully investigated. Sixty (60) investigation case files had been forwarded to the ODPP out of which 8 were cleared by the ODPP for registration in court. Three (3) investigated cases were referred to NPSC, 1 to EACC, 92 cases were recommended for closure (Appendix IV) while sixty seven (67) cases were under active investigations.

2.3.2 Cases before Courts

As at 31st December 2019; 75 case files were before courts. The Figure 4 below indicates the status of the cases before court.

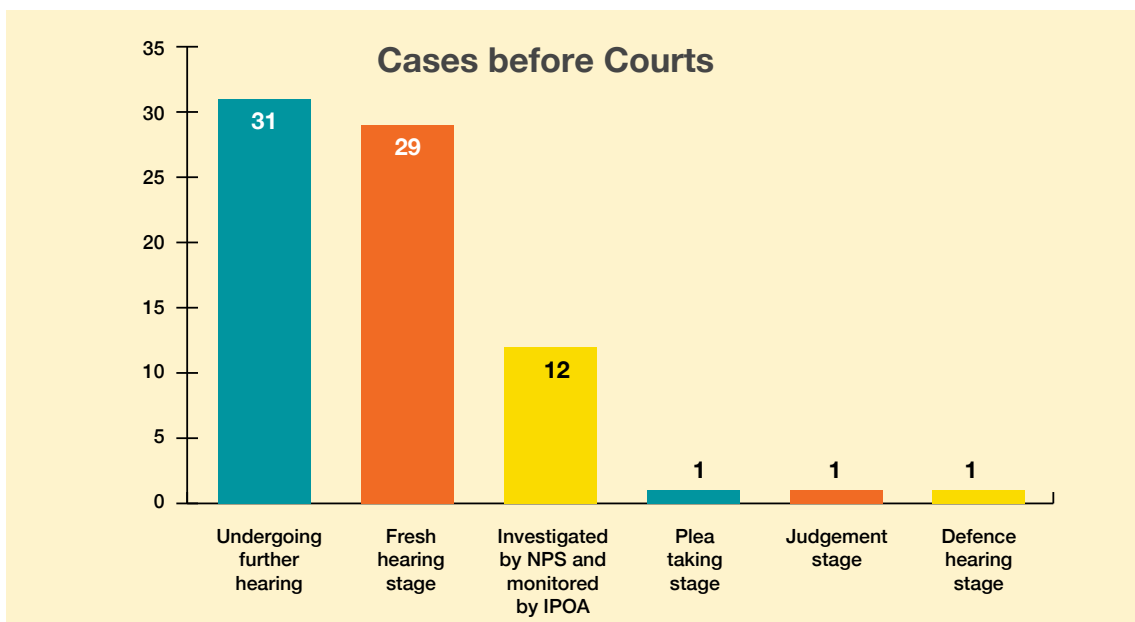


Figure 4: Cases before Courts. Source: (IPOA, 2019)

31 case files are at advanced court hearing stage, 29 at fresh hearing, 12 are closely being monitored by the Authority after investigations were done by the NPS, 1 each at plea taking, judgement and defence hearing stages respectively.

The Table 3 below gives detailed information on the case files before courts as at 31st December 2019.

S.No	Court case No.	Subject	Jurisdiction
Advanced court hearing stage - Pending expert witnesses and the investigating officers to testify before the prosecution case closes			
	HCCR No. 80/2015 Rep Vs Narok County Ranger	Offense: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant(s)/deceased(s): Sikona Ole Muntet. Accused: Narok County ranger Julius Tapolis Dikiir	NAIROBI Milimani Law Courts

S.No	Court case No.	Subject	Jurisdiction
	C.M.CR.C 1398 of 2015 Rep Vs County ranger Moses Kuyoini and Sergeant Samuel Kishoyian	Offense/charges: Attempted murder contrary to section 220(a) of the Penal Code. Grievous Harm c/sec 234 and unlawful wounding of persons of the Penal Code. Unlawful wounding of person contrary to section 237(a) of the Penal Code Complainant(s)/deceased(s): James Kimpila Ntempei, Allan Mengati, Jackson Saruni Kool Phillip Kisio, Accused person(s): Narok County rangers: Moses Kuyoini & Samuel Kishoyian	NAIROBI Milimani Law Courts
	HCCR 101 /2015 Rep Vs Patrick Thurania	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant(s)/deceased(s): Egerton. University students, Dennis Ongwae, Felix Ngaywa Accused person(s): Patrick Thurania	NAIROBI Milimani Law courts
	INQ 10/2016	Offense/charges: INQUEST Complainant(s)/deceased(s): Deceased- Fredrick Mburu Accused person(s): killing caused by Poisoning while in Police Custody.	NAIROBI Chief Magistrates Court Milimani
	INQ 1/2017	Offense/charges: INQUEST Complainant(s)/deceased(s): Deceased- Kennedy Wamalwa, James Wanjala Justus Okuatch, Shaban Ramadhan Accused person(s): Killings were caused by police shooting in Busia.	BUSIA Busia Chief Magistrates Court
	HCCR 5 of 2015 Nakuru	Offense/Charges: Murder c/sec 203 as read with Section 204 of the Penal Code Complainant(s)/deceased(s): Caren Chepkoech Accused person(s): SILAS Murimi, Reuben Maina and Wycliffe Wangila Sikuku	NAKURU Nakuru High Court
	CF 2114 OF 2016	Offense/charges : Manslaughter Complainant(s)/deceased(s): Mwang'ombe Maganjo Accused person(s): APC Samuel Chege and APC Jackson Letinina	NYAHURURU Nyahururu Law Courts
	HCCR 36 of 2016	Offense/charges : Murder c/sec 203 as read with Section 204 of the Penal Code Complainant(s)/deceased(s): Moses Wanyoike Accused person(s): PC Evans Maliach Wiyema	NAIVASHA Naivasha High Court
	CMCRC 4152/2016	Offense/Charges: Unlawful wounding Complainant: Ms Edwina Mbuvi. Accused person: Brian Chieng Onyango.	NAIROBI Kibera Law court.
	HCCR No. 14/2015 Rep Vs Police	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant(s) (Deceased) :Family Deceased : Patrick Kanyi Accused person(s): PC Chibungu Sanga	NYERI
	Inquest No. 15/2016	Offense/charges: N/A Complainant(s)/deceased(s): Erastus Abok Accused person(s): Public Inquest	NAIROBI Milimani Law Courts

S.No	Court case No.	Subject	Jurisdiction
	HCCR 16/2016 Rep vs Dennis Odhiambo	Offense/charges: Murder c/sec 233 as read with section 234 of the Penal Code. Complainant(s)/deceased(s): Emily Naliaka Accused person(s): Dennis Odhiambo (Bungoma Police Station)	BUNGOMA Bungoma High Court
	Inquest No. 3/2017	Offense/charges; Inquest Deceased- Saida Hussein Accused person(s): Public Inquest	ISIOLO Isiolo Law Courts
	Inquest No. 1/2016	Offense/charges: N/A Complainant(s)/deceased(s): Mwangi Accused person(s): Public Inquest	NAIROBI Milimani Law Courts
	CR 961/119/2018	Offense/charges: rape Victim-Sarah Atyang Accused person; Police Constable James Kinyua	Busia
	Inquest No. 14/2017	Offense/charges: Inquest Deceased: Minor Stephanie Moraa Accused person: Death by police officers during demonstrations in Mathare Area, Nairobi	Nairobi Milimani Courts
	Inquest No. 12 /2017.	Offense/charges; Inquest Deceased- Nura Malicha Accused person; Public Inquest	NAIROBI Milimani Law Courts
	Inquest No. 15/2017	Offense/charges; Inquest Deceased- Leonard Mramba Accused person; Allegations of cruel and inhumane treatment by officers stationed at Nyali Police Station resulting into the death of Leonard Mramba.	MOMBASA Mombasa Law Courts
	HCCR 57/2016	Offense/charges; Murder Deceased- Willie Kimani Accused person; Fredrick Leliman, Leonard Mwangi	NAIROBI Milimani High Court
	SO. 19/2018 Rep Vs Anthony Ongere Moseti	Offense/charges: Rape c/sec 3(1) as read with section 393) of the sexual offences Act No.3 of 2006. Complainant(s)/deceased(s):Violet Oseko Accused person(s): PC Anthony Ongere Moseti	NAIROBI Milimani Law Courts
	SO 2/2018	Offense/charges: defilement c/sec 3(1) as read with section 393) of the sexual offences Act No.3 of 2006. Complainant(s)/deceased(s):JNK Accused person(s): PC Paul Rotich	KIAMBU Kiambu Law Courts
	Inquest no. 6 of 2017	Offense/charges: Inquest Complainant(s) (Deceased) : Family Deceased : Silas Leboo	Milimani law Courts
	CR.C NO 3 Of 2016 Rep Vs Isaac Sirengo Siatani	Offense/charges: Murder c/sec 203 as read with Section 204 of the Penal Code Complainant(s)/deceased(s): Edward Kipchumba Accused person(s):C.I Isaac Sirengo Siatani	NANDI Eldoret Law Courts

S.No	Court case No.	Subject	Jurisdiction
	HCCR 20/2016 Rep Vs Hillary Nyatodo Oyugi.	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant(s) (Relative): Veronica Njeri. Deceased : Julius Karanja Mwangi Accused person(s): PC Hillary Nyatodo Oyugi	MURANGA Muranga Law Courts
	HCCR 24/2017	Offense/charges; Murder c/sec 203 as read with section 204 of the Penal Code Deceased-Paul Kipngeno Bett Accused person; Amos Okoth	NAIROBI Milimani Law Courts
	HCCR 9/2018	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant(s) (Relative): Kulmiye Ali Adan. Deceased : Yusuf Ali Adan Accused person(s): Cpl. Adan Boru	Garissa High Court
	CR.C 563 Of 2018 Rep Vs Cpl. Adan Boru	Offense/charges: Grievous Harm c/sec 234 of the Penal Code Complainant(s)/deceased(s): Yusuf Ali Adan Accused person(s): Cpl. Adan Boru	Garissa High Court
	CR 6/2019 Rep v Martin Maina	Offense/charges: Grievous Harm c/sec 234 of the Penal Code Complainant(s)/deceased(s): Simon Chokera Accused person(s): Martin Maina	Machakos Law courts
	H.C.C.R 59/2018	Offense/charges : Murder c/s 203 as read with 204 Complainant(s)/deceased(s): Evans Njoroge (Meru University Student leader) Accused person(s): APC Leakey Maina	Meru High Court
	H.C.C.R 39/2019	Offense: Murder c/s 203 as read with 204 Complainant(s)/deceased(s): Erick Mwendwa Accused person(s): CPI Salesa Galgalo and Sub-Chief Kennedy Karuwa	Meru High Court
	INQUEST 7/2016	Offense: Inquest Complainant(s)/deceased(s): Deceased- Eric Ouma Ndia, Joseph Ongoro Child Injured- Benedict Otieno David Okongo Accused person(s): killings by the NPS after the verdict of the Supreme Court on Presidential elections in March 2013 in Kisumu County.	KISUMU Kisumu Law Courts
Fresh hearing			
	CR.C 721 Of 2016 Rep Vs Chief Inspector George Anyonje Ndirire Case was delayed by a petition at the high court challenging the officer's prosecution	Offense/charges: Grievous Harm c/sec 234 of the Penal Code Complainant(s)/deceased(s): Anthony Mwangi Muthoni Accused person(s): CI George Anyonje Ndirire	MURANG'A Muranga Law Courts

S.No	Court case No.	Subject	Jurisdiction
	Court Case No: TCR 134 OF 2016 Case derailed by disappearance of the officer hence there is a warrant of arrest.	Offense/charges: Causing death by dangerous driving c/sec 46 of the Traffic Act and a further charge of reckless driving c/sec 47 of the Traffic Act. Complainant(s)/deceased(s): Deceased-Mohammed Ibrahim Injured-Alfred Odhiambo Accused person(s): PC Patrick Sigilai	WAJIR Wajir Law Courts
	CMCC 426/2018	Offense/charges : Causing Grievous harm Complainant(s)/deceased(s): Julius Mutuku Kioko Accused person(s): APC George Kinuthia Njuguna	MACHAKOS Kangundo Law courts
	INQ1of 2018	Offence/charge: Inquest Complainant/Deceased: Jason Ndindiri Chui Accused person: (Public Inquest)	KIAMBU Kiambu Law Courts
	INQ 278/2018	Offence/charge: grievous harm Complainant/Deceased: Ann Wanjiru Ndira Accused person: PC Kipkorir Tanui	KIAMBU Limuru Law Courts
	Inquest No. 4/2018	Offense/charges: Inquest Complainant(s) (Deceased) : Family Deceased : Francis Mainyura	KISII Kisii Law Courts
	CF NO. 1928/2018 Rep VS George Gucha Onyango	Offense/charges: manslaughter c/s 202 as read with 205 of the Penal Code, matter to proceed to court Complainant(s) (Deceased) : Asha Kwekwe Abdalla Accused person(s) : George Gucha Onyango	Mombasa Mombasa Law Courts
	HCCR NO 34/2018	Offense/charges: Murder c/c 203 as read with 204 of the penal code Complainant(s) (Deceased) : Family Deceased : Alexander Monson Accused person(s); Naftali Chege.Charles Munyiri,Ismael Baraka and John Pamba	MOMBASA Mombasa High Court
	CF 93/2019	Offense/charges: Grievous harm C/s 234 of the Penal code. Complainant(s) (Deceased) : James Peter Ngigi Accused person(s); John Mutheka	MURANGA Murang'a High Court
	HCCR 9 OF 2018	Offense/charges: Murder C/s 204 of the Penal code. Complainant(s) (Deceased) : Yusuf Adan Ali Accused person(s); Adan Boru Galicha	GARISSA Garrisa High Court
	CR 1825 /2019	Offence/charge: Grievous harm Complainant/Deceased: Edward Mathenge Accused person: PC Rufus Muriithi	Makadara
	INQ 2 /2019	Offense/charges : Inquest Complainant(s)/deceased(s): Said Jillo Accused Person: (Public Inquest)	Tana River Hola law courts
	CMCC 39/2019 Petition 16/2019	Offense/charges : Murder c/s 203 as read with 204 Complainant(s)/deceased(s): Erick Mwendwa Accused person(s): Salesa Galgalo	Meru

S.No	Court case No.	Subject	Jurisdiction
	INQ 1/2019	Offense/charges : Inquest Complainant(s)/deceased(s): Accused Person: (Public Inquest)	WAJIR
	INQ 2/2019	Offense/charges : Inquest Complainant(s)/deceased(s): Mangi Kerao Accused Person: (Public Inquest)	KILIFI Malindi law courts
	HCCR NO 73/2016	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant(s)/deceased(s):REP THRU Michael Asenga Luka Accused: PC Michael Masai and PC Mark Nyongo	ELDORET Eldoret High Court Petition at Eldoret High Court.
	SO 2/2018	Offense/charges: defilement c/sec 3(1) as read with section 393) of the sexual offences Act No.3 of 2006. Complainant(s)/deceased(s):JNK Accused person(s): PC Paul Rotich	Gatundu Law Courts Kiambu
	HCCR 52/2018	Offense/charges; Murder Deceased-Francis Wekesa Karakacha Accused person; PC David Ochieng	KAKAMEGA Kakamega High Court
	CMCC 2842/2018	Offense/charges; Murder Deceased-Francis Wekesa Karakacha Accused person; PC David Ochieng	NAKURU Molo Law Courts
	HCCR 28/2019	Offense/charges : Murder c/s 203 as read with 204 Complainant(s)/deceased(s): Abdi Ali Dirsame Accused person(s): David Kilengwe Papa	Kitui
	CR 686/2019	Offense/charges : Murder c/s 203 as read with 204 Complainant(s)/deceased(s): Abdi Ali Dirsame Accused person(s):Julius Cheruiyot	KAJIADO Ngong Law Courts
	HCCR 3/2019	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/deceased:Abdia Omar Adan Accused: Dennis Lagat & Kennedy Okuli	GARRISA Garrisa High Court
	CMCC 594/2019	Offense/charges: Assault Complainant(s)/deceased(s):REP THRU Michael Asenga Luka Accused person(s): John Njagi	EMBU Embu Law Courts
	HCCR 2/2019	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant(s)/deceased(s): Accused person(s): Simeon Oyoo	MALINDI Malindi High court
	CMCC 491/2019	Offense/charges : Assault Complainant(s):Erick Muasya Mutava Accused person(s): Kelvin Omondi	Machakos
	CMCC 555/2019	Offense/charges : Causing greivous harm Complainant(s):Moses Kariuki Gatungo Accused person(s): APC Geoffrey Mwangi	KIAMBU Kikuyu Law Courts
	CMCC 493/2019	Offense/charges : Assault Complainant(s):John Muchama Accused person(s): CPL Martin Chege	KAJIADO Ngong Law Courts

S.No	Court case No.	Subject	Jurisdiction
	SO/55/2019	Offence/charge: Defilement Complainant: Charity John Accused person: Ambrose Mutua	Kitui Law Courts (Zombe Mobile Court)
	INQ/15/2019	Offence/charge: Inquest Complainant/Deceased: Benson Waweru Accused person: Public Inquest	Uasin Gishu County Eldoret law courts
Closely being monitored by the Authority after NPS Investigations			
1.	6/2015	Offense/charges; Police Inquest Deceased-William Wanyoike Wanjiru Accused person; Deceased was a watchman at Kamukunji Secondary school was shot dead by police officers on duty.	NAIROBI Makadara law courts
2.	Cr. 11 OF 2017	Offense/charges; Defilement C/S 8(1)as read with 8(3) of the sexual offences Act Victim: LWM Accused person; Laban Maina Njogu	MURANG'A Murang'a law courts
3.	HCCR No. 31 of 2016	Offense/charges: Murder c/c 203 as read with 204 of the penal code Complainant(s) (Deceased) : Family Deceased : Odhiambo Ouma Herbert Accused person(s); Silas Waswa Wasalwa & George Odhiambo Omune	KAKAMEGA Kakamega High Court
4.	CR/332/2018	Robbery with violence Against Issa Baya Charo Accused person(s): Issa Baya Charo	MOMBASA Mombasa Law Court
5.	HCCR 26/2016	Offense/charges; Murder Deceased- Ngadi Malia Accused person; Gilbert Maina & 3 Others	KITUI Kitui High Court
6.	Rep Vs S/SGT JAMES RANGE. Monitoring	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant(s)/deceased(s):REP Thru Jared Omwansu Omune Accused: S/SGT James Range	KISII Kisii High Court
7.	Rep V Laban Njogu Maina Monitoring	Offense/charges: DEFILEMENT c/sec of the Penal Code. Complainant(s)/deceased(s):Minor/Deceased Accused: Laban Njogu Maina	MURANGA Muranga Law Courts
8.	Inquest	Offense/charges: Inquest Complainant(s)/deceased(s):Benson Waweru Accused: Public Inquest	ELDORET Eldoret Law Courts
9.	Inquest 18/2014	Offense/charges; Police Inquest Deceased-Khamis Yusuf Accused person; was assaulted by AP officers from Kakamkuywa.	Bungoma Kimilili law courts
10.	Inquest 1/2019	Offense/charges: Inquest Complainant(s)/deceased(s): Wilson Tunya Accused person: Public Inquest	VIHIGA Vihiga Law Courts
11.	HCCR 2/2019	Offense/charges: Murder Complainant/deceased: George Namalwa Wekesa Accused person: PC Francis Iyaya	Bungoma Bungoma High Court
12.	HCCR 26/2016	Offense/charges; Murder Deceased- Ngadi Malia Accused person; Gilbert Maina & 3 Others	KITUI Kitui High Court

S.No	Court case No.	Subject	Jurisdiction
Plea taking, judgement and defence hearing stages			
1.	Inquest No. 1/2016 Plea Taking stage	Offense/charges: INQUEST Complainant(s)/deceased(s): Ibrahim Gutu Accused person(s): Benson Mulinge, Michael Rotich & Osoi Sakimba	HOLA Hola Law Courts
2.	CR/1826/2019 Judgement stage	Offense/charges : Unlawful wounding Complainant(s)/deceased(s): Joshua Munene Accused person(s): Fredrick Masanghwe Mukasa	Kajiado
3.	CR 1167/2015 Defense Hearing stage	Offense/charges: Attempted murder contrary to section 220(a) of the Penal Code. Grievous Harm c/sec 234 and unlawful wounding of persons of the Penal Code. Unlawful wounding of person contrary to section 237(a) of the Penal Code Complainant(s)/deceased(s): Ibrahim Shid Hassan Accused person(s): Edward Wanyonyi Makokha	GARRISA Garissa Law Courts

Table 3: Cases before court as at 31st December 2019. Source: (IPOA, 2019)

2.4 Inspection of Police Premises and Detention Facilities

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

2.4.1 Police Premises Inspected

During the reporting period, the Directorate conducted a total of 227 inspections in various NPS facilities (KPS and APS) in 31 Counties. The inspections were distributed as follows; KPS 84(42 New Inspections, 42 Follow-up), APS 5 New Inspections, 51 Thematic Inspections and 46 new DCI Inspections, 18 new County/Sub County Headquarters inspections and 23 new inspections of Quartermaster stores as shown in Figure 5 below.

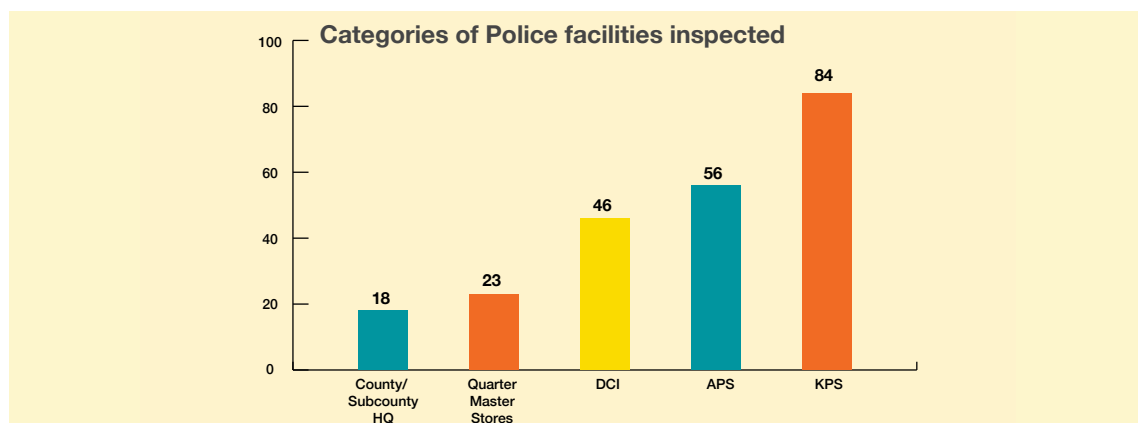


Figure 5: Categories of Police facilities inspected. Source: (IPOA, 2019)

The facilities inspected included 99 Police Stations, 20 Police Posts, 16 Patrol Bases, 3 in APS Posts, 1 CIPU HQ, 1 AP Sub county HQS, 18 Sub County HQS, 46 DCI HQS, 23 Quartermaster HQS.

2.4.1.1 New Inspections

During the reporting period, 134 New Inspections were conducted in various Police facilities and premises nationally (42KPS, 5 APS and 46 DCI Hqs, 18 Sub county HQs and 23 Quartermaster Stores). The parameters assessed during inspections included but not limited to; cell conditions, treatment of detainees and utilities, safety and security, facilities and infrastructure, Record management, Resource allocation and management, Provision of uniform and protective gears.

A. KPS NEW INSPECTIONS - KEY FINDINGS

The graphical summary below shows some of the key findings on the parameters inspected during the new inspections for the KPS facilities.

I. Cell Conditions

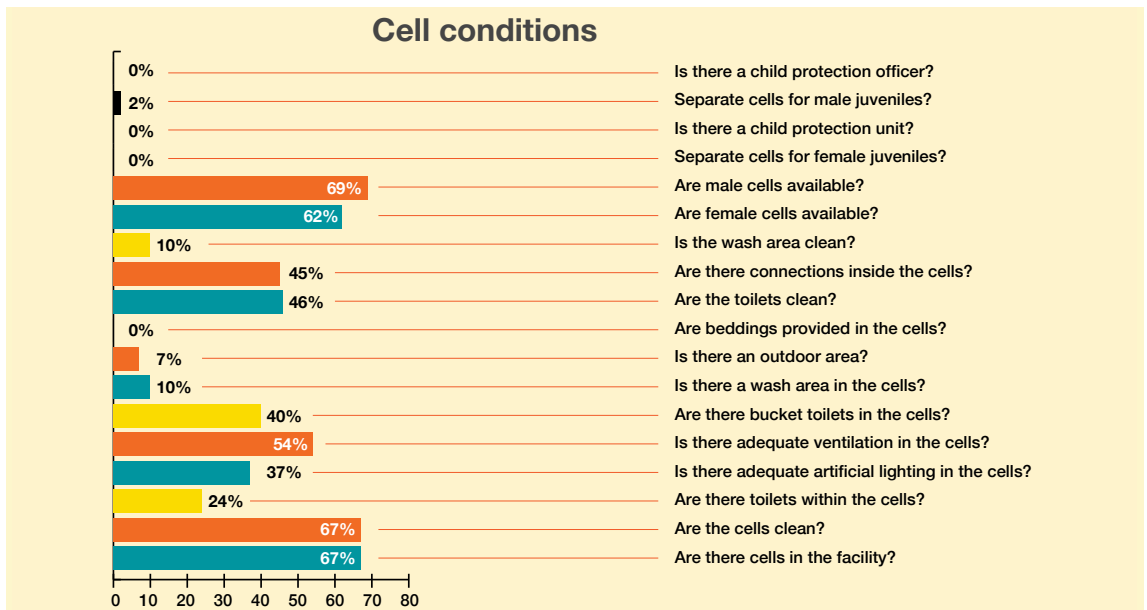


Figure 6: The cell conditions. Source: (IPOA, 2019)

Out of the detention facilities inspected, 18(43%) provided detainees with 3 meals per day, 31(74%) of the facilities provided detainees with clean drinking water and in 18(43%) of the facilities inspected, the detainees appreciated that the meals provided were sufficient.

II. Detainees Welfare and Treatment

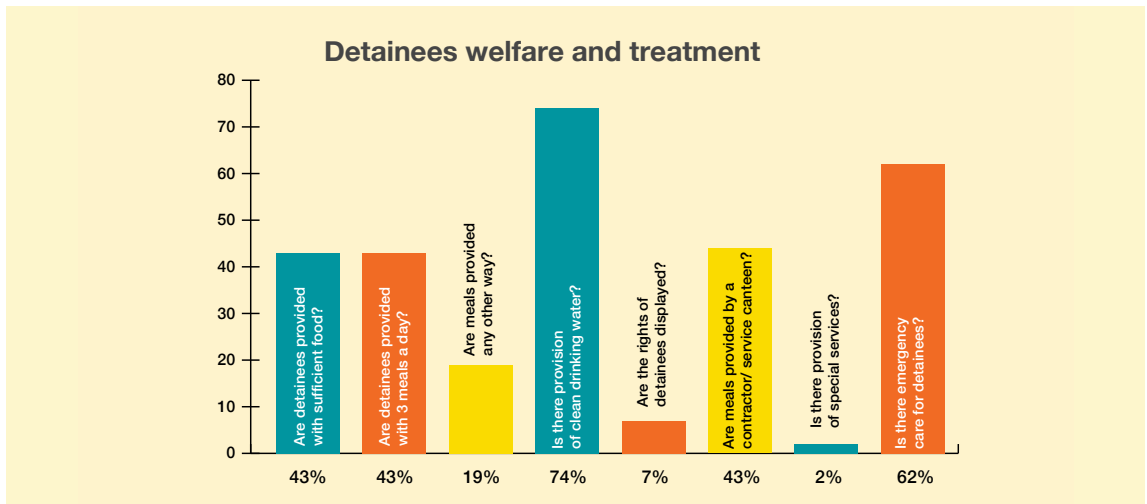


Figure 7: Detainees welfare and treatment. Source (IPOA,2019)

III. Safety and Security

On safety and security, 16(39%)² of the inspected facilities had a secure perimeter fence, 9(21 %) had report offices secured with grills, 14(33%) of all the facilities inspected had sentry at the main gate, 21(51%) of the facilities had clear signage, 7(17%) had fire equipment and 7(18%)³ facilities had a well kitted First Aid Kit, an indication that First Aid and emergency services were easily available and provided at these facilities, to both the police officers and detainees, including members of the public who visit the facilities in case of any eventualities or emergencies.

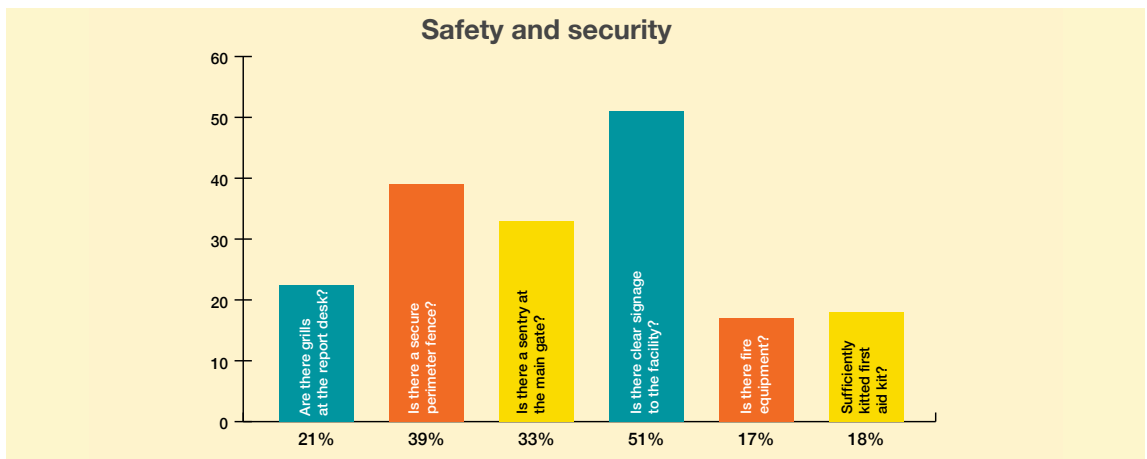


Figure 8: Safety and security. Source: (IPOA, 2019)

B. APS NEW INSPECTIONS - KEY FINDINGS

Five (5) new Inspections were conducted in APS facilities namely; Gatanga Sub County CIPU, Dadaab Sub County AP Hqs, Ifo Main AP Post, and Ifo 2 West AP Post and Dagahaley AP Post. Apparently, the 4 AP Posts were under Garissa County and had AP Officers attached to them.

² See specific details in appendix 2

³ Bukura Patrol Base, Chinga Police Station, Girmori Police Post, Manyatta Police Station, Munyange Police Station, Shisasari Patrol Base, Siakago Police Station

I. Safety and Security

On safety and security, all 5 premises that were inspected had sentry at the main gate as well as a secure perimeter fence. None of the AP premises had grills at the reporting desk and further only 3(60) % of the premises has clear signage in the facilities.

Figure 9 below indicates the key findings on safety and security of the new APS facilities' inspections.

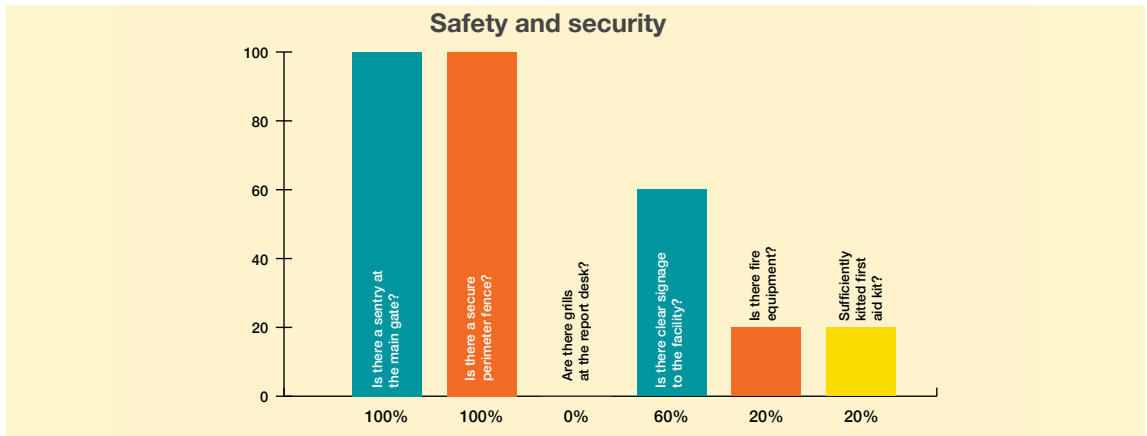


Figure 9: Safety and security. Source: (IPOA, 2019)

II. Availability of Infrastructure

Only 1 (20%) of the facilities inspected had wheelchair accessibility, 5 (100%) facilities had water, 1 (20%) had access to electricity. In terms of customer care desk, 2 (40%) facilities had customer care desks, none of this were well labeled and 2(40%) were manned by an officer assigned.

On availability of the office space, 3 (60%) facilities had sufficient space, while 4 (80%) facilities had sufficient housing for officers.

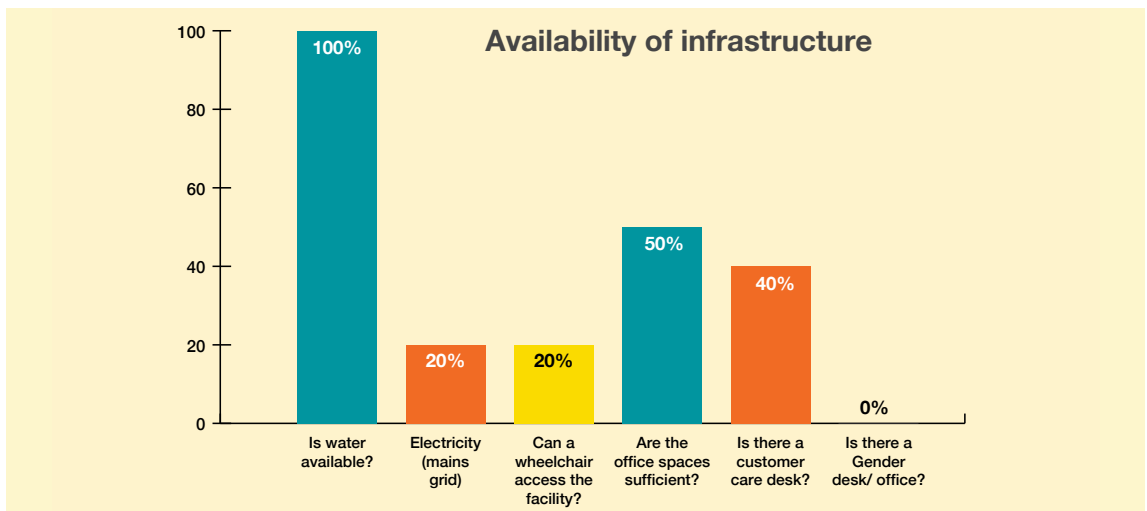


Figure 10: Availability of infrastructure. Source: (IPOA, 2019)

C. DCI NEW INSPECTIONS - KEY FINDINGS

During the reporting period, 46⁴ New Inspections were conducted in DCI facilities across 16 Counties as follows; Baringo 5, Bungoma 1, Busia 1, Garissa 2, Kajiado 2, Kericho 6, Kisii 3, Kitui 4, Kwale 3, Laikipia 5, Machakos 2, Makueni 2, Narok 3, Samburu 2, Taita Taveta 4 and Vihiga 1. All the facilities inspected were connected to electricity which was regarded as the main source of lighting, with 9 facilities having generators as an alternative source of lighting, (54%) had ramps in place to ease access and movements of the PWDs within the facilities. Of the 46 inspected DCI facilities, 23% had a clear signage that gave direction to the facilities while only 26% had fire extinguishers in place to handle fire emergencies. The table below gives details of the findings;

S/No	Item	Status	Percentage
1.	Office space sufficiency	Sufficient	28%
		Insufficient	65%
		Nil	7%
2.	State of the offices	Good	43%
		Fair	30%
		Deplorable	24%
		Inhabitable	2%
3.	Established exhibit store	Yes	46%
		No	54%
4.	Established office for specialized crime officers	Yes	41%
		No	59%
5.	Established armory	Adequate	26%
		Inadequate	4%
		None	70%
6.	File Cabinets	Adequate	13%
		Inadequate	76%
		None	11%
7.	Adequacy of Bullet proof vests	Adequate	13%
		Inadequate	46%
		None	41%
8.	Existence of stores for Uniforms	Adequate	7%
		Inadequate	7%
		None	87%

Table 4: Key Findings at DCI facilities. Source: (IPOA, 2019)

⁴ Kitui Central DCI Sub County Headquarters, Laikipia Central DCI, Laikipia North DCI, Laikipia East DCI, Laikipia West DCI, Nyahururu DCI, Kitui West DCI Sub-County HQs, Bungoma South Sub-County DCI, Teso North Sub-County DCI, DCI Vihiga Sub County, DCI Kericho East, Kipkelion DCI Sub Countyoffices, Londiani DCI Sub County Offices, Bureti DCI Sub County Office, Belgut DCI Subcounty Office, County DCI Headquarters, Kajiado Central DCI, Kajiado South-D.C.I, Makueni DCI, Makindu DCI, Kilgoris DCI, Narok North DCI, Narok South DCI, Machakos DCI Sub County Headquarters, Kangundo DCI Sub County HQS, Yatta sub-county DCI Headquarter, Mwingi Central Sub County DCI Hqs, Mogotio Sub County DCI Office, DCI Baringo Central, Koibatek Sub-county DCI Office, DCI Tiati, Baringo North DCI Office, Matuga DCIO, DCI DADAAB, Lunga Lunga DCI, Kinango DCI, DCI LAGDERA, Samburu Central DCI, Samburu East DCI, DCI Kisii Central, DCI Nyamache Sub-County, DCI Suna East Sub-County, Wundanyi DCI Sub County, Voi DCI Sub County, Mwatate DCI Sub County and Taveta DCI Sub County

Other key records inspected in the premises were as outlined in the figure below, with a notable absence of Complaints Register against DCI officers in 40 facilities.

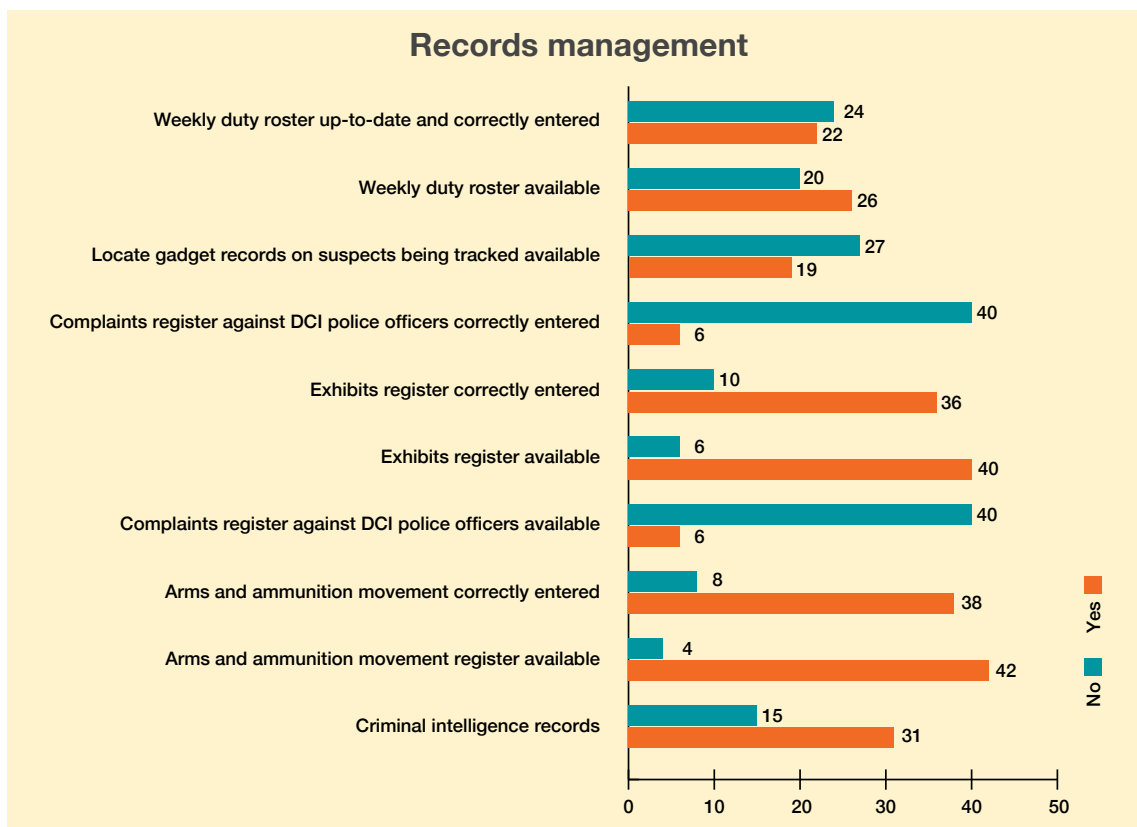


Figure 11: Records management. Source: (IPOA, 2019)

D. QUARTERMASTER STORES NEW INSPECTIONS - KEY FINDINGS

During the reporting period, the Authority also conducted 23⁵ new inspections of Quartermaster Store facilities. Critical to note, QM3 Forms were not available in all Quartermaster Store facilities that were inspected.

A summary of the findings on record management is as detailed in the table below;

Area of Inspection	Availability		Correctly kept		Updated		Neatness	
	No.	%	No.	%	No.	%	No.	%
Permanent stores ledger cards	9	36	8	32	8	32	9	36
Expendable store ledger cards	9	36	7	28	7	28	8	32
Consumable Stores Ledger	4	16	3	12	3	12	3	12
Issue & Receipt Vouchers	19	76	17	68	17	68	17	68

⁵ Wundanyi Subcounty, Voi Sub-County Quarter Master, Taita Taveta County Quartermaster, Vihiga Sub-County, Quartermaster Store, Mwatate Sub-county Quartermaster, Taveta Sub-county Quartermaster, Mwingi Central Sub county quartermaster, Motoko Sub county Quartermaster stores, Embu County Quarter Master Stores, Embu West Sub County Quarter Master Stores, Samburu County Quarter Masters Stores, Matuga Sub-County Police Headquarters, Lunga Lunga Sub-county, Kinango Sub-county Police Headquarter, Busia sub county QMS, Makueni Quartermaster, Makindu Quartermaster store, Kisii Central Sub-County, Suna East Sub-County, Kitui Central Sub-County Quartermaster Stores and Kitui West Sub-County Quartermaster Stores

Counter-requisition & Issue Vouchers	18	72	16	64	16	64	16	64
Counter Receipt Vouchers	17	68	15	60	15	60	15	60
QM3 Forms	0	0	0	0	0	0	0	0

Table 5: Records Management at Quartermaster Stores. Source: (IPOA, 2019)

E. SUB-COUNTY HEADQUARTERS NEW INSPECTIONS - KEY FINDINGS

During the reporting period, a total of 18 new inspections were conducted in County and Sub - County Headquarters in 8 Counties distributes as follows; Bungoma 2, Kajiado 2, Kisii 2, Kitui 3, Machakos 2, Makueni 2, Migori 2 and Narok 3.

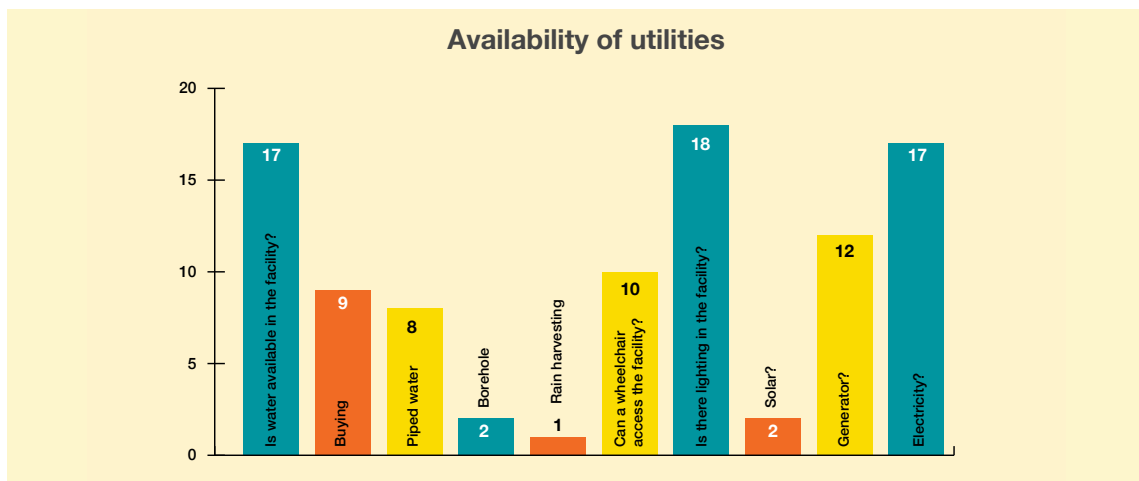


Figure 12: A graph showing availability of various utilities in the Sub - County Headquarters

2.4.2 Follow-up Inspections

During the reporting period, 42 KPS Follow-up inspections were conducted in Police Premises across the country. The objective of the Follow-Up Inspection was to check for any improved, decline or status quo of the detention facilities, detainees' welfare and Police working conditions, as well as find whether the recommendations made during the initial inspections had been implemented, and if not what the challenges were. Below is a summary of the follow up inspections and the findings as per the inspection parameters and not as per the NPS facilities earlier inspected;

Parameter	Status Initial Inspections	Follow-up Inspections	Comments on Improvement/deterioration in terms of parameters and not facilities
UTILITIES			
Water	83%	76%	There was a 7% decline in water availability in the follow up inspected facilities, showing poor progress in implementation of the Authority's recommendations. This was attributed to water disconnections.
Lighting	95%	95%	There was no change in provision of lighting in Police Premises as (95%) of police premises had sufficient lighting. This could have resulted from the relaxed efforts on power connectivity countrywide leading to no improvement in achieving 100% lighting.

Parameter	Status Initial Inspections	Follow-up Inspections	Comments on Improvement/deterioration in terms of parameters and not facilities
Availability of kitted First Aid Box	19%	25%	There was an improvement of 6% on the facilities inspected with availability of kitted First Aid kits. This was as a result of implementation of the recommendations made during the initial inspections.
SAFETY AND SECURITY			
Sentry at Main gate	7%	42%	There was an improvement of 35% during follow-up inspections and this was attributed to recommendations made during initial inspections and the changing security spectrum in the country such as the fight against terrorism where security measures are being taken with seriousness.
Secure report office(grills at the report desk)	33%	34%	In terms of secured report office, there was an improvement of 1%. This was attributed to the changing security risks in the country and some OCS's and OCPD's using their AIE allocations to construct grills at report offices of Stations under their command.
Perimeter fence	35%	47%	There was an improvement of 12% during the follow-up inspections. Some of the Police premises were able to partner with CDF to fund fence around the premises. The improvement is also due to recommendations made during initial inspections.
FRONT OFFICE MANAGEMENT			
Manned Customer Care desk	26%	28%	There was an improvement of 2% on the aspect of manned customer care desk/office as a result of implementation of recommendations made during initial inspections. It was noted that, such improvement were also as a result of having a service that is citizen-centric and the need for reforms within the service.
Manned Gender Desk	26%	25%	There was a decline of 1% on the aspect of a manned gender desk. This was attributed to transfer of officers with skills to man the desks. The Service needs to be sensitive on gender issues at all levels and stations.
DETENTION FACILITIES			
Stations that held detainees for over 24hrs	11%	5%	There was a 6% decrease in the number of facilities holding detainees for more than 24 hours. This was as a result of adherence to the rule of law and recommendations made during the initial inspections.
Existence of Child Protection Unit	3%	2%	There was 1% decline in presence of CPU in KPS premises that were inspected. This was attributed to transfer of the Officer in charge of the Unit, showing how the Service is delinked from the Units. The Service needs sensitization on the importance of providing Child Protection Officer for detained children.
CONDITIONS OF CELLS			
Hygienic conditions of cells	66%	81%	This increased by 15% as a result of availability of AIE to the Station Commanders thus facilitating cleaning of the cells on regular basis and implementation of IPOA recommendations.
Cleanliness of toilets and wash area	55%	53%	Declined by 2% from previous inspections and failure of Officer In-Charge being firm on hygiene detention facility.

Parameter	Status Initial Inspections	Follow-up Inspections	Comments on Improvement/deterioration in terms of parameters and not facilities
Adequate artificial light	33%	53%	Increased by 20% as a result of setting up bulbs outside the cells that have in turn improved lighting within the cells, availability of AIEs at station levels also facilitated this, which was one of the Authority's recommendations.
Adequate ventilation	53%	67%	Improved by 14%. Initial findings showed that ventilations were narrowed to minimize attempts by suspect to escape from detention facilities as shared by station leadership. But in the follow-ups, the ventilations have been modified considerably well and do not compromise safety of the detainees.
Provision of bedding	25%	11%	There was a 14% decline in the provision of bedding to detainees which could be attributed failure by Officer in Charge being firm on ensuring human rights standards in the detention facilities.

DETAINEE WELFARE AND TREATMENT

Provision of 3 meals a day	78%	64%	There was 14% decline in the provision of 3 meals a day in the inspected Police Stations. This could be due to failures of the Officer in Charge in ensuring human rights standards in the detention facilities. Availability of AIES at station level should enhance adherence to human rights standards in policing.
Provision of drinking water	82%	86%	4% improvement as a result of availability of AIE to the Station Commanders thus reducing turnaround time for availability of drinking water for detainees.
Provision of special services for women i.e. sanitary towels	5%	9%	Improvement of 4% special treatment for lactating mothers was provided where they were detained in seclusion from the other detainees. Some Station Commanders liaised with community organizations and NGO's to supply sanitary towels to detained women.
Provision of medical care	38%	52%	14% improvement, this was as a result of partnering with the Sub- County Health facilities around the Police premises where detainees were offered medical care.

RECORDS MANAGEMENT

Occurrence Book correctly entered	100%	96%	4% decline in entries in the Occurrence Book. This could be attributed to the police not adhering to policing standards. The need to have accurate and transparent records should be part of the reform process that would as well contribute to the OB being correctly entered.
Cell Register correctly entered	89%	74%	There was a decline in correctly entered Cell Registers by 15%. This could be attributed to the police not adhering to policing standards
Detainees' Property Register correctly entered	22%	33%	There was an improvement of 11% in correctly entered Cell Registers due to adherence to policing standards as per the Authority's recommendations.
Arms and Ammunition Movement Register	62%	78%	There was 16% improvement in correctly entered Arms and Ammunition Register due to adherence to policing standards as per the Authority's recommendations.
Exhibits Register	36%	43%	Improvement of 7% due to the sensitization on the importance of listing all the Exhibits in Police Premises.

Parameter	Status Initial Inspections	Follow-up Inspections	Comments on Improvement/deterioration in terms of parameters and not facilities
Availability of Complaints against Police Register	41%	37%	There was a 4% decline on correctly entered Complaints against Police Register in KPS premises inspected. This could be attributed to the police not adhering to policing standards as per the Authority's recommendations.
Weekly Duty Roster	90%	98%	8% decline due to police not adhering to policing standards as per the Authority's recommendations.
OFFICE SPACE, HOUSING AND RESOURCE ALLOCATION			
Availability of office Space	98%	92%	There was 6% decrease in availability of office even after merging the APS and KPS facilities and as a result of NG-CDF and community Initiatives due to increased number of officers in one facility.
Sufficiency of available Office Space	50%	30%	There was a decline of 20%. This was attributed to increased number of officers deployed to these stations.
State of offices	60%	58%	There was a 2% decrease as a result of having no renovations being done.
Availability of Computers	55%	63%	Increased by 8% as a result of the ongoing police reforms where the Authority plays a critical role. Donations from Community Based Organizations and NGOs' also boosted the number of computers available for use in the Stations.
Vehicle allocation	90%	69%	There was a 21% decline. This was attributed to recall of some vehicles to the HQs especially in the APS. The Service should provide more vehicles and those in poor conditions should be repaired in addition to increasing leases for vehicles.
Working communication gadgets	62%	58%	A 4% decline was noted indicating failure of the Service to allocate more resources for effective communication. Facilities should strive to acquire digital communication gadgets to increase their response to report on crimes. The use of AIEs on this should be explored.
Sufficient issue of uniforms	96%	33%	There was a decline of 63 % on uniform allocation to officers in the field. This was attributed to delays in supply and procurement of the new uniforms to all officers, and the phasing out of the old uniforms.
Sufficient protective gear	80%	51%	There was 29% decline on supply of sufficient protective gear for use in the field. The Authority has made recommendations on this and officers should be given sufficient protective gears.
Separate crime office	69%	60%	There was a 9% decline as result of the ongoing police reforms where offices are being merged. Notably, there is need to have crimes professionally investigated by having separate crime offices.
Availability of Interrogation/ interview rooms	0%	1%	There was an improvement of 1% as a result of creative OCSs converting some offices within the station level for interviewing and interrogations.
Adequacy of Exhibits Store	20%	26%	There was a 6% increase in adequacy of the Exhibits Store. The need to manage movement of exhibits professionally as part of the chain of custody process cannot be gainsaid.

Parameter	Status Initial Inspections	Follow-up Inspections	Comments on Improvement/deterioration in terms of parameters and not facilities
Sufficiency of houses for Police officers	36%	47%	There was 11% improvement in sufficiency of housing for police officers as a result of implementation of the new housing policy. In the field, some Officers were happy of the awarded house allowance leading to most of them vacating the Police lines and houses.
COMMUNITY POLICING			
Existence of Community Policing Committees	49%	36%	There was 13% decline on the existence of Community Policing Committees. This is attributable to lack of support of the Committees. The means to address this needs to be explored for support of a people centered Service, jointly sharing security challenges with communities.

Table 6: Detailed follow-up inspections. Source: (IPOA, 2019)



Photo 1: A wheelchair ramp installed at Ferry Police Station after a previous IPOA inspection recommendation. Source: (IPOA, 2019)

2.4.3 Thematic Inspections

During the reporting period, 51 thematic Inspections were conducted in various KPS facilities in various Counties⁶. 39 of the inspections focused on Community Policing, Police Records, Integration of KPS and APS and with neighborhood, Special Interest Groups (women, children, PWD and refugees/immigrants), ICT Mainstreaming at Station level while 12 focused on the Detention Facilities, Detainee welfare, Records and Registers Management. The 12 were specifically informed by complaints received from members of the public while the remaining 39 were newly designed by the Directorate. Below is a summary of the findings;

⁶ Narok, Makueni, Kitui, Kajjado, Machakos, Kirinyaga, Kwale, Tana River, Nairobi and Nyeri.

Thematic inspection	Police premise/facility	Key findings	Recommendation
Persons with disability	Salama Police Station	Lack of training for officers on how to handle PWDs	Officers should be trained.
	Mulot Police Station	Lack of a special role in the AIE for development of PWD friendly infrastructure	Facilitation be provided in developing of PWD friendly infrastructure.
	Kayole Police Station	Lack of safety measures when handling PWDs especially mentally challenged PWDs being unruly/ out of control	
Special interest group (women)	Machakos Police Station	Facilities do not have gender/children desk	Need for gender balance in deploying of Officers.
	Masii Police Station	Lack of motor vehicles in the facility	Officers should be counselled and also equipped with counselling skills because of the nature of cases handled Provision of relevant legal documents Construction of female cells and juvenile cells Equipping of gender office
	Kwavonza Police Station	Insufficient staff strength(female) to handle gender issues	
	Makindu Police Station	There are many defilement cases affecting vulnerable children	
Insufficient information from women detainees pertaining women detainees			
	Lack of toiletries for female detainees		
	Lack of stationery		
	Need for constant training on current gender issues.		
	Need for counselling on officers because some of the issues they handle are sensitive and emotionally draining.		
	Officers have improvised sexual offence records to capture issues raised by complainants		
	In some facilities there are very dedicated officers at the gender desk		

Thematic inspection	Police premise/facility	Key findings	Recommendation
Special interest group (children)	Makindu Police Station	Lack of juvenile cells	Construction of a juvenile cells and CPUs. Training of Officers on children issues. Deployment of more Officers.
	Narok Central Police Station	Lack of Children Protection Unit	
	Ololunga Police Station	Lack of training on children's matters	
	Machakos Police Station	Inadequate office space	
	Oloitoktok Police Station	Lack of cooperation of the children's officers	
	Kajiado Police Station	Lack of cooperation from the local community	
	Namanga Police Station	Low staff strength	
	Kwa Vonza Police Station	Witness unwillingness to record statements	
	Kayole Police Station	Lack of vehicle	
Community policing	Mwingi Police Station	Lack of funds to facilitate the activities of the community policing	Funding of Community Policing at the Station level. Composition of the community policing committee to be as per the law Creation of office space for community policing staff People living with disability to be incorporated in the community policing committee
	Makueni Police Station	Hostility of members of the public against the policy	
	Ntulele Police Station	Political indifferences	
	Masii Police Station	Lack of sensitization and training on the aspect of community policing	
	Kathiani Police Station	The area has involved a lot of stakeholder engagement	
	Ilasit Police Station	No facilitation given to members on transport and allowances	
	Kimana Police Station	Lack of airtime facilitation	
	Matinyani Police Station	Lack of capacity building for members of the community policing committee Cultural setbacks and practices acts as a drawback on community policing Lack free flow of information	
Police records	Kitui Police Station	Lack of some registers	More Officers to be deployed The registers should be updated
	Narok Central Police Station	Lack of cabinets for registers storage	
	Sultan Hamud Police Station	Understaffing	
		Lack of photocopiers	

Thematic inspection	Police premise/facility	Key findings	Recommendation
ICT mainstreaming	Kitui Police Station	Lack of office space for ICT Officers	Hotline numbers for stations Installation of CCTV Cameras for enhanced security Internet connectivity at Police Premises. Training of Officers on ICT.
	Makueni Police Station	Lack of airtime for communication	
	Narok Central Police Station	Lack of internet connectivity to enable accessibility of information	
	Kasarani Police Station	Allocation of more modern computers Lack of training of Officers in ICT	
Integration of kps and aps with communities and neighbourhoods	Salama Police Station	Challenges during shift changes	The APS Officers need trainings Need of sufficient resource allocation to cater for the increased staff strength.
	Mulot Police Station	There is no discrimination in deployment	
	Ololunga Police Station	All APS have been issued with dark blue uniforms	
	Mummandu Police Station	Training of APS Officers	
	Machakos Police Station	Lack of motor vehicle	
	Kitui Police Station	Lack of office space	
	Namanga Police Station	Working environment not conducive	
Kayole Police Station	Police Posts not branded No Holding cells at the upgraded AP Posts.		
Immigrant detainee	Mwingi Police Station	Challenge in feeding immigrant detainees with special dietary needs	Facilitation on feeding the immigrants. Officers be trained on handling immigrants.
		Officers lack training on immigration matters and psychosocial support of detainees Detainees arrested by multi-Agency officers are not processed quickly by the said Officers. Profiling of immigrants is challenging due to insufficient training Insufficient fuel Lack of separate interview/interrogation rooms	

Table 7: A summary of findings on thematic inspections. Source: (IPOA, 2019)

2.4.4 Conclusion from Inspections Conducted

Twenty (20) which translates to 51.3% of the 39 parameters assessed during follow up inspections registered improvement while 18 (46.2%) deteriorated. There was no change in provision of lighting in Police Premises because the facilities had sufficient lighting during the initial and follow up inspections.

There was a notable decline in the following parameters: water availability which was attributed to water disconnection; guarding of the Gender Desks which was attributed to transfer of

officers with skills to guard the desks among others.

The NPS should endeavor to ensure that Station/Ward Commanders improve the premises and ensure availability of all utilities for an enhanced working environment to the police officers and habitable detention facilities.

(Detailed information on the findings availed in a separate report⁷).Appendix II gives key detailed findings with specific facilities during the new KPS inspections.

2.5 Monitoring of Policing Operations

The IPOA Act Section 6 (c) 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.

2.5.1 Police Operation Monitored

During the reporting period, the Authority monitored 25 Policing Operations, which included 3 Monitoring on provision of security during by-elections, 2 government initiated operations, 16 Public order management operations, 1 CIC referrals and 3 on Beats and Patrols operations.

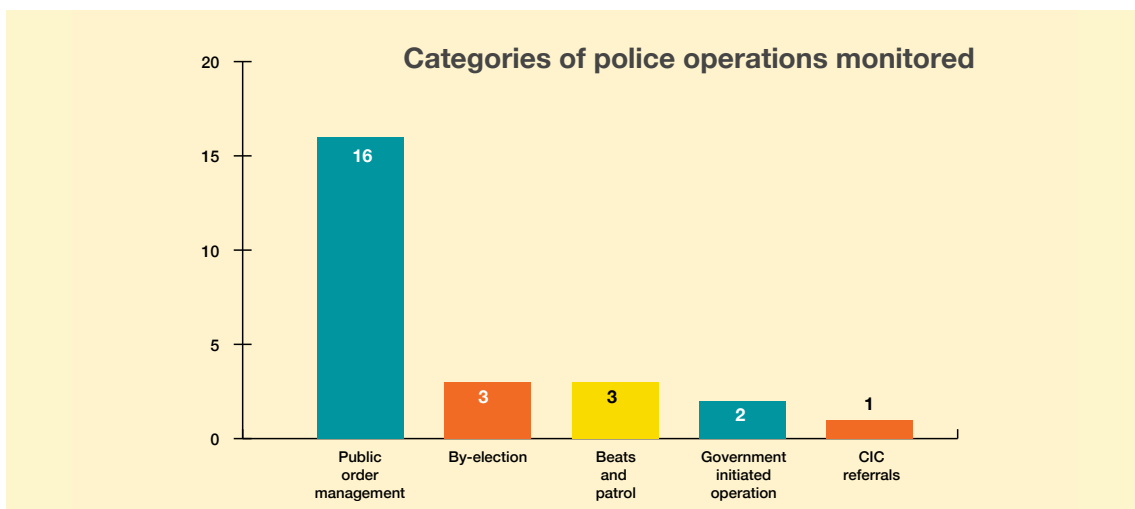


Figure 13: Categories of Police operations monitored. Source: (IPOA, 2019)

2.5.2 Findings from Monitoring of Police Operations

(a) Public Order Management

During the period under review, the Authority conducted 16 Public Order Management monitoring across the country, 2 in Nairobi, 4 in Garissa, 2 in Kisumu, 2 in Mombasa, 3 in Kakamega, 1 in Eldoret and 1 in Nakuru. It was observed that Police officers mostly conducted themselves professionally except on a few occasions where they were alleged to have used excessive force. One such incident was when police officers were caught on camera beating up a student during a demonstration at Jomo Kenyatta University of Agriculture and Technology (JKUAT). The officers were identified and action was taken against them.

⁷ IPOA Inspections, Research and Monitoring July- December 2019 report

(b) Provision of Security during Elections

Three (3) operations on provision of security during by-elections in Kibra Constituency in Nairobi County, Ganda Ward in Kilifi County and Abakaile Ward in Dadaab constituency, Garissa County were monitored. The general observation by the Authority during the monitoring period was that the conduct of the police was commendable. The by-elections were run smoothly except for a few incidences in Kibra Constituency where politicians and their supporters were involved in confrontations. In Ganda Ward one person was killed prior to the by-election day during a political meeting where supporters of different candidates confronted each other. DCI officers investigated the matter and charged a suspect in court.

(c) Beats and Patrols

There were 3 operations on Beats and Patrol conducted; 1 in Mombasa County, 1 in Kilifi County and 1 in Bungoma/Busia Counties. The beats and Patrol in Mombasa and Kilifi were informed by complaints and as a result, a total of 28 complaints were handled. During the three patrols, Police Officers were observed to have conducted themselves professionally.

(d) Monitoring of Government Operations

The Authority monitored 1 Government Initiated Disarmament Operation in Baringo County. The objective of the monitoring was to identify gaps exploited by rogue National Police Reservists in perpetuating criminal acts contrary to their terms of office; document any cases of human rights violations by members of the National Police Service involved in the operation and make recommendations that will help the National Police Service professionalize the National Police Reserve Unit. It was observed that the area presented unique challenges to security officers due to its vast and rough terrain, marginalization, a culture of cattle rustling and banditry, and proliferation of arms. Notably, fire arms held by National Police Reservist were withdrawn as they were alleged to be using them in aiding banditry and cattle rustling in the area.

Another monitoring operation was conducted in Pate Island, Lamu County informed by the disappearance of No. 107088 PC Hesbon Okemwa Anunda attached to Tchundwa Police Post while in uniform and armed with a G3 rifle. In the search process that lasted for 4 days, over 36 persons mainly from Tchundwa and Myabogi villages were beaten up by the police resulting to various degrees of harm. In several accounts given by the members of public, police were accused of using excessive force and torturing members of the public as they searched for their colleague. During the monitoring it was also noted that there was poor relationship between members of the public and police officers, and cases of arbitrary arrests were reported.

(e) Monitoring Informed by Complaint Referrals

A monitoring activity was conducted and as a result of 17 complaints within Nairobi County, Dandora Area and 9 police premises were inspected. It was observed that Police Officers abused their powers, extorted money from members of the public, harassed them and arbitrary arrests were noted.

It was also noted that officers conducting patrols were on civilian clothing while on official duty hence making it impossible for members of the public to identify them and hold them accountable in the case of misconduct. Cases of Friday arrests were noted with detainees being held over 24-hours hence leading to extortions, an issue the Authority is taking up with a change of strategy.

3. STAKEHOLDER COOPERATION AND COMPLEMENTARITY

3.1 Stakeholder Engagement

During the period under review, the Authority set out to enhance visibility and awareness of its mandate and key functions among the general public. The Board held meetings with the Kenya Editors Guild, CC&IOs, ASK, ICRC and Coffey International. These engagements sought to strengthen the existing cooperation between the Authority and the various stakeholders for effective cooperation towards realization of the Authority's mandate through expansion of awareness and shaping public opinion in the society.

Further on media relations, the Authority, in partnership with Kenya Human Rights Commission, International Justice Mission and Amnesty International, organized and executed a media training workshop in Naivasha to equip a selected pool of journalists on realities of the Criminal Justice System in Kenya, and therefore the Authority would benefit by having the general public receive accurate information about its statutory mandate, functions and roles. The participating journalists were drawn from key media organizations with bias to those who specialize in reporting on matters within the Criminal Justice System in Kenya. A total of 48 participants attended the workshop.

3.2 Branding and Awareness Creation

Nineteen outreach activities targeting the general public and the NPS were organized and executed during the period under review. In the Coast region, IPOA planned and executed engagement with members of the NPS and public at the Mombasa, Kitale and Nyeri ASK Shows. The Authority engaged other stakeholders including the National Police Service, LSK, ICRC, Kenya Prisons, and GIZ amongst others. During the engagement sessions IEC materials were distributed. The Board conducted sensitization sessions to the member of NPS at the Senior Staff College Loresho, Kitui County and at the GSU Training School in Nairobi.

In response to increased interest on the Authority's progress in executing its mandate, the Authority organized press conferences and interviews. Further, printing of IEC materials, issuing media advisories, preparing Media mentions, preparing and publishing bulletins and newsletters, organizing appearances, stakeholder engagement and customer care among other activities were conducted.

The Authority's digital platforms - the official website and social media accounts were regularly updated to ensure internal and external publics were kept abreast with progress; key activities and developments. Messages on IPOA were disseminated via various media including print and electronic media, social media, the Authority's official website, lectures, legal clinics, e - newsletters among others. IPOA liaised with the Government Advertising Agency and ensured that the paid for advertisements were designed and published in dailies with national wide circulation, announcing tenders and vacancies, in accordance with statutory requirements. The Authority facilitated branding of T-shirts that were distributed alongside other IEC materials and further increased brand exposures. The Authority also carried out brand awareness surveys and customer satisfaction surveys in Mombasa, Nairobi, Nyeri and Siaya. IPOA also undertook communication campaigns employing the mainstream media, social media campaigns, electronic and print campaign and sensitization on IPOA mandate through IEC materials. IPOA also undertook daily media monitoring and handled matters touching on the Authority's mandate including complaints.

4. RESEARCH AND INFORMATION MANAGEMENT

4.1 Launch of the End-line Survey on Policing Standards and Gaps in Kenya

The End-line Survey conducted by the Authority through Strategic Africa as the consultants in the FY 2018/19 was launched together with the Strategic Plan 2019-2024. The survey aimed at gathering comparable evidence on the perception of Kenyans about the quality of policing services and the factors affecting effective policing in Kenya. This was a follow-up to a Baseline Survey that was conducted in 2013. The Survey showed an increase in public confidence and trust with the Authority from an index of 34.3% in 2013 to 43.3% in 2019. The Authority endeavors to increase this index every year. Some of the recommendations made in the survey report include the need to work collaboratively among government agencies, NGOs and CSOs working towards police reforms; digitization of records by the NPS to improve quality, consistency and standards and enhancing community policing among others. The findings of the survey and the recommendations were used to define targets in the Authority's five years' strategic plan.

5 INSTITUTIONAL CAPACITY

5.1 IPOA Strategic Plan 2019- 2024 Launch

The Authority launched its Strategic Plan (2019 - 2024) in the period under review in an event held at the Kenyatta International Convention Centre (KICC) on 6th November 2019. The event was attended by over 200 participants including Government officers, CSOs, Development partners and members of the public with the Cabinet Secretary, Ministry of Interior and Coordination of National Government Dr. Fred Matiang'i being the Chief Guest.

The Plan was developed in cognisance of the Authority's mandate as stipulated in the IPOA Act No. 35, 2011, the Kenya Vision 2030 (with special reference to MTP III), the Constitution of Kenya, the Big Four Agenda, Africa Agenda 2063, Sustainable Development Goals and other prevailing legal and policy documents. The Strategic Plan sets out the goals that the Authority intends to pursue for the next five years and provides the framework to guide the development and implementation of Annual Work Plans to ensure efficient and optimal use of resources. The Strategic Plan focuses on four Key Results Areas with strategic objectives under each KRA as follows;

KRA 1: Police Accountability

1. To build public confidence and trust in policing
2. To enhance compliance to human rights standards and fundamental freedoms

KRA 2: Stakeholder Cooperation and Complementarity

1. To strengthen cooperation with and complement state and non-state actors

KRA 3: Research and Information Management

1. To generate knowledge for evidence based policy, strategy and decision making

2. To facilitate utilization of knowledge for evidenced based policy, strategy and decision making

KRA 4: Institutional Capacity

1. To promote corporate governance
2. To strengthen human resource Capacity
3. To ensure institutional financial sustainability
4. To strengthen business systems and internal processes

5.2. Learning and Growth

The Authority facilitated 82 members of staff and the Board to undertake various courses and to attend experiential learning forums with an aim of strengthening internal capacities. The forums were organized by professional bodies such as LSK, ICPAK, and PRSK among others. Others trainings included Expert Evidence, Gaps in Evidence Analysis and Conspiracy Crimes Management, Strategic Leadership Development, Senior Management, and Administrative Assistant Courses at KSG and Trainers of Trainees in Investigations.

IPID Experiential Learning Visit

A police oversight delegation from Kenya comprising IPOA and a committee of the National Assembly visited South Africa for benchmarking on police oversight. The aim of the visit was to undertake a comparative review of the Constitutional and legislative mandates of the two organizations; undertake visits to the IPID Headquarters and two Regional Offices to observe and share comparative experiences from both jurisdictions; hold consultations and discussions with senior officers from both sides on their practical and other experiences; and, participate in extensive and elaborate presentations on the structures and processes of the IPID investigations and other teams.

Learning Points from the visit

1. Improvement of complementarity and working relationships with stakeholders
2. Developing and inculcating institutional ethos, policies and values to deliver on mandate with unity of purpose
3. Implementation of resource mobilization policy to explore supplementary funding options
4. Development of IPOA Regulations by borrowing certain aspects from the IPID regulations
5. Improved press/media engagement
6. Establish more regional offices
7. Use of case studies for learning/training, and for future planning and execution.
8. Embed legal advisory services in investigations for legal support and direction as the

investigation progresses to ensure files to ODPP are complete.

9. Institutionalize continuous investigator training programmes including refresher courses.
10. Through collaboration, ensure death and serious injury notifications are done and scenes attended besides developing a mechanism to hasten deployment of the rapid response team.
11. Identify and utilize independent and accredited forensic laboratories as and when necessary.
12. Establish and implement a policy on prioritization of cases.
13. Develop and implement a backlog policy to eradicate accumulation of investigation cases.

The following table indicates courses undertaken by the IPOA staff and Board Members.

Course Undertaken	No. of Staff	Sponsor
AA Kenya - Transport Management	1	IPOA
Corporate Governance Seminar	1	IPOA
Ernest & Young Seminar	2	IPOA
ICJ - Conference	1	IPOA
ICPAK Seminar	3	IPOA
ICPS Governance Seminar	2	IPOA
IHRM Seminar	1	IPOA
Institute of Internal Auditors	1	IPOA
KIBHT - Refresher, Defensive and First Aid	2	IPOA
Law Society of Kenya Seminar	6	IPOA
Law Society of Kenya seminar- Policy Awareness	1	IPOA
Public Relations Society of Kenya	1	IPOA
Senior Management Course	7	IPOA
Supervisory Skills Development	5	IPOA
Trainer of Trainers for Investigators	15	US Embassy
Trustee Development Programme	4	IPOA
Law enforcement Investigators - ILEA Gaborone	1	US Embassy
Experiential Learning in South Africa(IPID)	12	US Embassy/IPOA
Expert Evidence, Gaps in Evidence Analysis and Conspiracy Crimes	15	IJM
Security Sector Reform	1	International Peace Training Centre (IPTC)
Grand Total	82	

Table 8: Courses and Trainings Undertaken by IPOA staff and Board Members

5.3 Financial Management

The Authority is guided by the Constitution of Kenya 2010, the Public Financial Management

(PFM) Act 2012, and Regulations 2015, Public Audit Act 2015, International Public Sector Accounting Standards (IPSAS), IPOA Financial Policies and Procedures Manual and government circulars and directives issued from time to time in all its operations. In the period under review, the Authority received 40% of its FY 2019/20 budgetary allocation and absorbed 39% of this budget. This is because the National Treasury restricted access to budget in anticipation for the supplementary budget I. The Authority received a FiRe Awards for the FY 2018/19 as the 1st Runners up in the category of Constitutional Commissions and Independent Offices.

5.4 Risk Management

During the period July -December 2019, the Authority ensured that risk management process was integrated and factored in the development of the Strategic Plan that was launched on 6th November 2019. Possible risks, to which the Authority may be exposed during the implementation of the Strategic Plan were identified, ranked, and mitigation strategies were provided. Some of the Risks that were identified which were likely to affect the effective implementation of 2019-2024 Strategic Plan were; Governance risk, Operational risk, Financial risk, Human risk, Legal risks and Technological risk. Continuous monitoring of the above risks will enable the Board and the Management to ensure effective and efficient implementation of the Strategic Plan. Security risks were handled at the regional offices by the security champions and the Regional Coordinators and at the HQs by the Security department.

5.5 Decentralization of IPOA Services

During the period, the Regional Offices enhanced facilitation and access to Authority's services for the public through effective and efficient coordination of planned activities. All the Authority's decisions were disseminated and implemented at the regional office. Key activities at the regional offices are technical in nature covering complaints, investigations, inspections and Monitoring. In addition, the regional offices continued to coordinate and manage Authority's affairs at the grassroots and facilitating collaboration with wide range of stakeholders at the regional level.

The Authority in the previous two financial years; established eight regional offices as part of its decentralization strategy and in concurrence with the Constitution of Kenya on taking services closer to the people. The offices are in Mombasa, Kisumu, Garissa, Nakuru, UasinGishu, Nyeri, Kakamega and Meru Counties; each serving the Counties within the respective regions. However, the Authority is cognizant of the fact that some citizens are not able to access its services effectively, owing to the distance from their residence to the current offices. The Authority therefore plans to establish eight more regional offices (2 per FY) in the next four years as per the strategic plan 2019-2024. This is however pegged on availability of funds and therefore praying to the National assembly for allocation to realize the target.

6. CHALLENGES

- a) Despite the enhanced working relationship between IPOA and NPS, there are few cases of Non-cooperation by some suspect officers and their colleagues who derailed interviews and statement recording, and consequently investigations. In other instances some police officers refused to release required documents and some covering up their colleagues during identity parades.
- b) Witness withdrawal due to intimidation and fear of reprisals, out of court settlement among other reasons delaying investigations.

- c) Delay in review of files from the ODPP's office.
- d) Parallel investigations by IPOA and DCI with some cases proceeding in courts using DCI files despite the Authority having gathered more reliable evidence. This results in loss of critical evidence and unnecessary delay in review of files at the ODPP due to the conflicting recommendations.
- e) Failure by the NPS to notify the Authority on deaths of persons or serious injuries as a result of police action or when in police custody as stipulated in Sec. 25 of IPOA Act and the sixth schedule part C (Paragraph 3(b) of the NPS Act.

7.0 RECOMMENDATIONS AND CONCLUSION

7.1 Recommendations

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

7.1.1 Police Notification of Deaths to the Authority

The IG should ensure that the officers notify the Authority upon a death or serious injury as stipulated in Sec. 25 of IPOA Act the sixth schedule part C (Paragraph 3(b) of the NPS Act. The officers should take all necessary steps to secure evidence which may be relevant for the investigation, including pictorial and written evidence, and shall in writing notify the Authority, and supply it with the evidence and all other facts relevant to the matter, including, if available, the names and contact details of all persons who may be able to assist the Authority should it decide to conduct an investigation. In the reporting period, there were no death notifications to the Authority by NPS as a result of police action or in police custody yet there were complaints related to death as a result of police action and also in custody.

7.1.2 Faster Review of Case Files at ODPP

The Authority acknowledges the important role played by the ODPP and the continued cooperation. However, the Authority prays to the ODPP to fast-track review of the files forwarded to the Office, to avoid delay in conclusion.

7.1.3 Enhanced Cooperation

IPOA recommends to the IG to ensure that members of the Service fully cooperate with the Authority in its implementation of its mandate as per the law. Disciplinary measures should be taken against the Police officers who defy summons or fail to provide required documents.

7.1.4 Training on Integration (Conversion Course) and Recruitment of Officers

The Authority recommends to the Inspector General to consider rigorous training for the APS officers following the integration of KPS and APS. APS officers should be taken through intensive conversion courses to ensure they are well conversant with the necessary Laws and Police procedures to enable them competently and confidently carry out all policing duties at the Stations, especially on key policing Registers and Records.

The Authority also recommends recruitment of police officers to avoid overstretching them due to increase in work load especially the APS officers who were noted to be thinly spread.

7.1.5 On Job Training for APS Officers

Station Commanders should ensure that they provide an enabling environment for former APS Officers by deploying them with experienced officers so that they can learn on the job to ensure a smooth integration process.

7.1.6 Audit the Issuance of the New Police Uniform

An audit on the cause of delay on issuance of the new police uniforms is required as all Police Officers should be issued with the new police uniforms and all the other necessary gear and equipment as stipulated in the SSO Chapter 70 Paragraph 22(1)⁸.

7.1.8 Juvenile Cells

The Inspector General of Police to ensure that Police Stations are facilitated in establishing juvenile cells to cater for Juvenile detainees. This is in accordance with the Fifth Schedule Rule 5(d) which provides for juveniles and children to be kept separately from adults.

7.1.9 Police Records Management

Records should be kept and maintained in accordance to Chapter 59 of the Service Standing Orders and strict adherence to Appendix 59(a) of Service Standing Orders. Additionally, there is need to streamline the issuance of police registers and stationeries in all Police Premises. Police Records should also be neatly and legibly maintained and further records of a Police Post and Outpost should be returned to the parent Police Station and Sub-County Headquarter. Officers should detest from Improvising office records as use of loose papers affects proper record keeping since they can get lost.

7.1.10 Inadequate Resource Allocation

The Inspector General NPS should, as stipulated in National Police Service Act 2011, section 116(2) ensure adequate and fair distribution of finances and resources to fund police premises including Specialized Police formations. Fair and adequate distribution of resources such as stationaries will ensure efficient service delivery since the public/ officers will not be compelled to source for stationaries using their own finances. The Inspector general therefore should establish a proper accounting system and fair distribution of the available resources for good policing in all areas.

Sub-depots should be revived and be well equipped with supplies to be disbursed to Counties, Sub Counties and Police Formations on need basis in accordance with Cap 70 Para 4(3) of the SSO. Motor Vehicles and fuel allocation should be done on basis of geographical area covered by the facility, terrain frequency of emergencies and rapid response incidences. The 15 litres allocation is not sufficient especially in hardship areas, thus stalling the response rate to incidences.

7.1.11 Allowances

Officers complained of non-payment of Hardship and Transfer Allowance. Hardship allowance should be paid through payroll to avoid complaints and for accountability purposes. Chapter 39(31) (2) of the SSO provides that a hardship allowance shall be paid to a Police Officer

⁸ The Officer-in-Charge of a Sub-County or Police Station or their Deputies shall be superintend, personally, the issuance of clothing and equipment and ensure that each new item fits properly and is correctly marked and numbered.

stationed in a designated hardship area as specified by the Government from time to time. Chapter 72(10) (2) of the SSO, provides for the Transfer Allowance to be paid and Chapter 72 (7) (2) of the SSO stipulates that an officer will be afforded adequate time to report to new station and the period shall not be less than fourteen days. This needs to be adhered to.

7.1.12 Reform Documents and Legal Documents

Maps, Ransley's Report, Service Strategic Plan, Code of Conduct, The Constitution, NPS Act, IPOA Act, among other police reform documents and policies needs to be availed to police officers. Most Units lack these documents hence their provision and distribution is recommended.

7.1.13 Staff Strength in the Service

The National Police Service Commission should ensure that shortage of staff and gender balance are addressed to ensure a gender balance in all facilities is realized. Article 246 (3) (a) of the Constitution of Kenya 2010 gives the National Police Service Commission the mandate to recruit and appoint persons to hold or act in offices in the service, confirm appointments and determine promotions and transfers within the National Police Service.

7.1.14 Adherence to the Rule of Law

The Authority recommends continuous sensitization on adherence to the 6th Schedule of the NPS Act 2011 on use of force during police operations. Police officers should avoid harassment of members of the public, arbitrary arrests and detention beyond the 24 hours and endeavor to act always within the confines of the law or face disciplinary action. Due diligence at the time of arrest would be paramount as 80 of the reported complaints in the period under review were as a result of wrongful detention and unlawful arrests.

7.1.15 Authority to Incur Expenditure (AIE) Management

Policy guidelines should be made available to the Station Commanders and other officers on utilization of the AIE. The IG should also put in place training on finance for non-finance managers for all Station Commanders before being posted to various stations.

7.2 Conclusion

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

The Authority completed an End-Line survey and looks forward to implementing the recommendations therein for effective service delivery. With the launch of the strategic plan (2019-2024), the Authority is well guided in its operations and looks forward to achieve more in the next reporting period.

With effective cooperation of all actors, the Authority looks forward to another successful half year of the 2019/2020 financial year.

8. APPENDICES

Appendix 1: Operational Statistics Since Inception

IPOA operational statistics since inception to December 2019									
MANDATE	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20 (Jul-Dec)	TOTAL
COMPLAINTS MANAGEMENT									
Complaints received	594	860	1,792	2,529	2,267	2,339	3,237	1,578	15,196
Complaints cases forwarded to IAU	125	40	25	105	355	119	57	5	831
Complaints forwarded to investigations	0	304	1608	1927	819	482	489	328	5,957
Complaint forwarded to IRM	0	39	37	42	90	171	289	162	830
Complaints Referred to NPS	43	59	27	63	232	415	415	132	1,386
Complaints forwarded to NPSC	49	39	13	39	105	90	73	40	448
Complaints Referred to KNCHR	8	3	3	8	9	10	0	0	41
Complaints Forwarded to DCI	16	20	16	49	116	12	151	54	434
Complaints referred to other agencies (EACC, CAJ, NLC, NTSA, RBA) among others	73	80	26	70	287	113	92	52	793
Preliminary inquiries conducted						546	795	576	1341
Complaints closed	280	276	37	226	254	381	876	229	2,559
Total	594	860	1792	2529	2267	2339	3237	1578	15,196
INVESTIGATIONS									
Total No of Cases received for investigation	0	304	1608	1927	819	482	473	327	5,940
Investigations Completed	0	27	115	157	294	197	728	371	1,889
Closed after Preliminary investigations							451	204	738
Closed after legal review							4	1	188
Cases under further investigations (cover points)							112	16	112
Ongoing Legal review							114	119	119

Cases Forwarded to ODPD	0	2	13	37	26	27	55	60	220
Cases forwarded to EACC							1	1	1
Cases forwarded to NPSC							1	3	3
Cases under Initial Investigations assessment								1,480	1,480
Cases currently under investigations	0	76	230	140	649	321	2,003	2,269	2,269
Cases before Courts							67	75	75
Convictions made	0		0	2	0	1	3	0	6
POLICE OPERATIONS MONITORED									
Public Order Management	0	2	6	8	10	33	29	16	104
Government initiated	0	2	0	1	4	3	13	2	25
Traffic Management	0	0	0	1	13	5	27	0	46
Police Recruitment	0	0	2	1	1	0	0	0	4
Cases Intake Committee referrals / Own motion	0	0	0	1	8	4	19	1	33
Beats & Patrol	0	0	0	0	12	0	8	3	23
Elections	1	0	0	0	16	13	6	3	39
Subtotal	1	4	8	12	64	58	102	25	274
INSPECTIONS IN POLICE PREMISES									
New Inspections	25	40	181	153	94	103	336	134	1,066
Follow-up inspections		0	15	59	114	137	340	42	707
Thematic				25		3	17	51	96
Specialized Units							89	0	89
Police Training schools					1		22	0	23
Subtotal	25	40	196	237	209	243	804	227	1,981

Source: (IPOA, 2019)

Appendix 2: Status of Various Utilities in KPS Facilities Inspected (New KPS inspections)

No	Key Area	Name of facilities
1.	KPS premises inspected with detention	Anandanguru Police Post, Balambala Police Station, Bukura Patrol Base, Busibwabo Police Patrol Base, Chinga Police Station, Dagahaley Police Patrol Base, Gatunyu Police Post, Hagardere Police Patrol Base, Huruma Police Station, Ifo 2 Police Post, IFO Main Police Station, Kandara Police Station, Kapsabet Police Station, Kapsistet Police Post, Kibugat Police Post, Kirwara Police Station, Makutano Police Station, Manyatta Police Station, Moisbridge Police Station, Moiben Police Station, Munyange Police Station, Ndakaini Police Station, Potopoto Police Post, Shisasari Patrol Base, Siakago Police Station, Songhor Police Station Sikhendu Police Post, Ziwa Police Post.
2.	Detention facilities with female cells	Anandanguru Police Post, Balambala Police Station, Busibwabo Police Patrol Base, Chinga Police Station, Dagahaley Police Patrol Base, Enderasha Police Post, Hagardere Police Patrol Base, Huruma Police Station, IFO Main Police Station, Kandara Police Station, Kangurwe Patrol Base, Kapsabet Police Station, Kapsistet Police Post, Kibugat Police Post, Makutano Police Station, Kirwara Police Station, Manyatta Police Station, Moiben Police Station, Munyange Police Station, Moisbridge Police Station, Ndakaini Police Station, Potopoto Police Post, Shisasari Patrol Base, Siakago Police Station, Songhor Police Station, Ziwa Police Post.
3.	Detention with clean cells	Anandanguru Police Post, Bukura Patrol Base, Busibwabo Police Patrol Base, Chinga Police Station, Dagahaley Police Patrol Base, Gatunyu Police Post, Huruma Police Station, Ifo 2 Police Post, IFO Main Police Station, Kandara Police Station, Kangurwe Patrol Base, Kapsabet Police Station, Kapsistet Police Post, Kibugat Police Post, Makutano Police Station, Kirwara Police Station, Manyatta Police Station, Moiben Police Station, Munyange Police Station, Moisbridge Police Station, Ndakaini Police Station, Pioneer Police Post, Potopoto Police Post, Shisasari Patrol Base, Siakago Police Station, Sikhendu Police Post.
4.	Detention facilities with adequate artificial lighting,	Balambala Police Station, Busibwabo Police Patrol Base, Hagardere Police Patrol Base, Ifo 2 Police Post, Kibugat Police Post, Kirwara Police Station, Manyatta Police Station, Moiben Police Station, Moisbridge Police Station, Ndakaini Police Station, Pioneer Police Post, Potopoto Police Post, Siakago Police Station, Songhor Police Station, Ziwa Police Post.
5.	Detention facilities with adequate ventilation inside the cells,	Anandanguru Police Post, Busibwabo Police Patrol Base, Chinga Police Station, Dagahaley Police Patrol Base, Hagardere Police Patrol Base, Ifo 2 Police Post, IFO Main Police Station, Kandara Police Station, Kangurwe Patrol Base, Kapsabet Police Station, Kibugat Police Post, Kirwara Police Station, Makutano Police Station, Manyatta Police Station, Ndakaini Police Station, Moisbridge Police Station, Pioneer Police Post, Potopoto Police Post, Siakago Police Station, Shisasari Patrol Base, Songhor Police Station, Ziwa Police Post.
	Detention facilities with a wash area.	Chinga Police Station, Huruma Police Station, Kibugat Police Post, Ndakaini Police Station.
6.	Detention facilities with irregular connections within the cells	Anandanguru Police Post, Balambala Police Station, Busibwabo Police Patrol Base, Chinga Police Station, Dagahaley Police Patrol Base, Gatunyu Police Post, Hagardere Police Patrol Base, Huruma Police Station, Ifo 2 Police Post, IFO Main Police Station, Kandara Police Station, Kangurwe Patrol Base, Kapsistet Police Post, Kirwara Police Station, Manyatta Police Station, Makutano Police Station, Munyange Police Station, Ndakaini Police Station, Siakago Police Station.

No	Key Area	Name of facilities
7.	Detention facilities with toilets inside the cells	Busibwabo Police Patrol Base, Chinga Police Station, Hagardere Police Patrol Base, Huruma Police Station, Ifo 2 Police Post, IFO Main Police Station, Kapsabet Police Station, Kibugut Police Post, Manyatta Police Station, Ndakaini Police Station.
8.	Detention facilities with bucket toilets inside the cells	Anandanguru Police Post, Balambala Police Station, Dagahaley Police Patrol Base, Gatunyu Police Post, Hagardere Police Patrol Base, Huruma Police Station, Ifo 2 Police Post, IFO Main Police Station, Kandara Police Station, Kapsistet Police Post, Kibugut Police Post, Makutano Police Station, Manyatta Police Station, Munyange Police Station, Pioneer Police Post, Ndakaini Police Station, Siakago Police Station.
9.	Detention facilities that provided bedding for detainees	None.
10.	Detention facilities that provided detainees with clean drinking water	Anandanguru Police Post, Balambala Police Station, Bukura Patrol Base, Busibwabo Police Patrol Base, Chinga Police Station, Dagahaley Police Patrol Base, Endarasha Police Post, Gatunyu Police Post, Hagardere Police Patrol Base, Huruma Police Station, Ifo 2 Police Post, IFO Main Police Station, Kandara Police Station, Kangurwe Patrol Base, Kapsabet Police Station, Kapsistet Police Post, Kibugut Police Post, Kirwara Police Station, Makutano Police Station, Manyatta Police Station, Moiben Police Station, Moisbridge Police Station, Munyange Police Station, Ndakaini Police Station, New Base Police Patrol Base, Pioneer Police Post, Shisasari Patrol Base, Siakago Police Station, Solio Police Patrol Base, Songhor Police Station, Ziwa Police Post.
11.	Detention facilities provided detainees with 3 meals per day	Balambala Police Station, Dagahaley Police Patrol Base, Hagardere Police Patrol Base, Huruma Police Station, IFO Main Police Station, Kandara Police Station, Kapsabet Police Station, Kibugut Police Post, Kirwara Police Station, Makutano Police Station, Manyatta Police Station, Moiben Police Station, Moisbridge Police Station, Ndakaini Police Station, Shisasari Patrol Base, Siakago Police Station, Songhor Police Station, Ziwa Police Post.
12.	Detention facilities where detainees complained of Police mistreatment	Anandanguru Police Post, Chinga Police Station, Dagahaley Police Patrol Base, Endarasha Police Post, Gatunyu Police Post, Hagardere Police Patrol Base, Huruma Police Station, Ifo 2 Police Post, IFO Main Police Station, Kandara Police Station, Kangurwe Patrol Base, Kirwara Police Station, Maili Saba Police Patrol Base, Makutano Police Station, Manyatta Police Station, Munyange Police Station, Ndakaini Police Station, New Base Police Patrol Base, Siakago Police Station, Solio Police Patrol Base, Tiribe Police Patrol Base, Tiwi Police Patrol Base.
13.	Detention facilities where detainees who were sick and unattended to by medics	Anandanguru Police Post, Chinga Police Station, Dagahaley Police Patrol Base, Endarasha Police Post, Gatunyu Police Post, Hagardere Police Patrol Base, Huruma Police Station, Ifo 2 Police Post, IFO Main Police Station, Kandara Police Station, Kangurwe Patrol Base, Kirwara Police Station, Maili Saba Police Patrol Base, Makutano Police Station, Manyatta Police Station, Munyange Police Station, Ndakaini Police Station, New Base Police Patrol Base, Siakago Police Station, Solio Police Patrol Base, Tiribe Police Patrol Base, Tiwi Police Patrol Base.

No	Key Area	Name of facilities
14.	Detention facilities that provided medical emergency care to detainees	Anandanguru Police Post, Balambala Police Station, Chinga Police Station, Dagahaley Police Patrol Base, Endarasha Police Post, Gatunyu Police Post, Hagardere Police Patrol Base, Huruma Police Station, Ifo 2 Police Post, IFO Main Police Station, Kandara Police Station, Kangurwe Patrol Base, Kapsabet Police Station, Kapsistet Police Post, Kirwara Police Station, Makutano Police Station, Manyatta Police Station, Moiben Police Station, Moisbridge Police Station, Munyange Police Station, Ndakaini Police Station, New Base Police Patrol Base, Pioneer Police Post, Shisasari Patrol Base, Siakago Police Station, Ziwa Police Post.
15.	Police facilities with secure perimeter fence	Bukura Patrol Base, Busibwabo Police Patrol Base, Hagardere Police Patrol Base, Ifo 2 Police Post, Huruma Police Station, IFO Main Police Station, Kangurwe Patrol Base, Mukumu Patrol Base, Pioneer Police Post, Shisasari Patrol Base, Manyatta Police Station.
16.	Police facilities with secure grills at the report office	Busibwabo Police Patrol Base, Hagardere Police Patrol Base, Huruma Police Station, Kapsabet Police Station, Kandara Police Station, Kirwara Police Station, Manyatta Police Station, Ndakaini Police Station, Moisbridge Police Station.
17.	Police facilities with Sentry at the main gate	Dagahaley Police Patrol Base, Girimori Police Post, Hagardere Police Patrol Base, Ifo 2 Police Post, Huruma Police Station, IFO Main Police Station, Kapsabet Police Station, Moisbridge Police Station, New Base Police Patrol Base, Pioneer Police Post, Shisasari Patrol Base, Kapsistet Police Post, Shisasari Patrol Base, Sikhendu Police Post, Tiribe Police Patrol Base.
18.	Police facilities with clear Signage	Bukura Patrol Base, Busibwabo Police Patrol Base, Chinga Police Station, Kandara Police Station, Huruma Police Station, Kapsabet Police Station, Kipsaina Police Post, Korinda Police Patrol Base, Makutano Police Station, Manyatta Police Station, Moisbridge Police Station, Kirwara Police Station, Moisbridge Police Station, Munyange Police Station, Ndakaini Police Station, Pioneer Police Post, Shisasari Patrol Base, Siakago Police Station, Songhor Police Station, Ziwa Police Post.
19.	Police facilities with fire equipment	Busibwabo Police Patrol Base, Chinga Police Station, Kapsistet Police Post, Manyatta Police Station, Makutano Police Station, Munyange Police Station, Ndakaini Police Station.
20.	Police premises that were accessible by wheelchairs	Chinga Police Station, Girimori Police Post, Hagardere Police Patrol Base, Huruma Police Station, Kandara Police Station, Kapsistet Police Post, Kibugat Police Post, Korinda Police Patrol Base, Maili Saba Police Patrol Base, Munyange Police Station, Shisasari Patrol Base, Vanga Police Post.
21.	Police premises that had Water access	Anandanguru Police Post, Balambala Police Station, Bukura Patrol Base, Busibwabo Police Patrol Base, Chinga Police Station, Dagahaley Police Patrol Base, Endarasha Police Post, Gatunyu Police Post, Girimori Police Post, Hagardere Police Patrol Base, Huruma Police Station, Ifo 2 Police Post, IFO Main Police Station, Kandara Police Station, Kangurwe Patrol Base, Kapsabet Police Station, Kapsistet Police Post, Kibugat Police Post, Kipsaina Police Post, Kirwara Police Station, Korinda Police Patrol Base, Maili Saba Police Patrol Base, Makutano Police Station, Manyatta Police Station, Moisbridge Police Station, Mukumu Patrol Base, Munyange Police Station, Ndakaini Police Station, New Base Police Patrol Base, Njukiri Police Post, Pioneer Police Post, Shisasari Patrol Base, Siakago Police Station.

Source: (IPOA, 2019)

Appendix 3: Amenities in Administration Police Service

No	Key Area	Facilities
1.	Secure perimeter fence available	Dadaab Sub County AP Headquarters, Dagahaley AP Post, Gatanga Sub County CIPU, Ifo 2 West AP Post, Ifo Main AP Post.
2.	Grills at report office	None
3.	Sentry at main gate available	Dadaab Sub County AP Headquarters, Dagahaley AP Post, Gatanga Sub County CIPU, Ifo 2 West AP Post, Ifo Main AP Post.
4.	Clear signage available	Dadaab Sub County AP Headquarters, Gatanga Sub County CIPU.
5.	Fire equipment available	Gatanga Sub County CIPU.
6.	First Aid kit available	Gatanga Sub County CIPU.
7.	Availability of water	Dadaab Sub County AP Headquarters, Dagahaley AP Post, Gatanga Sub County CIPU, Ifo 2 West AP Post, Ifo Main AP Post.
8.	Wheel Chair Accessibility	Dagahaley AP Post
9.	Connection to Electricity	Gatanga Sub County CIPU
10.	Customer care desk	Dadaab Sub County AP Headquarters and Dagahaley AP Post
11.	Gender desk	None.
12.	Sufficient Office Space	Dadaab Sub County AP Headquarters and Gatanga Sub County CIPU
13.	Sufficient Housing	Dagahaley AP Post, Ifo 2 West AP Post and Ifo Main AP Post
14.	Occurrence Book correctly entered	Dadaab Sub County AP Headquarters, Gatanga Sub County CIPU & Ifo Main AP Post.
15.	Arms and Ammunitions Register correctly filled	Gatanga Sub County CIPU
16.	Weekly Duty Roster available	Dadaab Sub County AP Headquarters, Ifo 2 West AP Post, Gatanga Sub County CIPU, Dagahaley AP Post & Ifo Main AP Post.
17.	Vehicles available	Dadaab Sub County AP Headquarters, Ifo 2 West AP Post, Gatanga Sub County CIPU, Dagahaley AP Post & Ifo Main AP Post.
18.	Communication gadgets available	Dadaab Sub County AP Headquarters
19.	Sufficient Police Uniform	Ifo 2 West AP Post
20.	Sufficient Protective Gear	Dadaab Sub County AP Headquarters, Ifo 2 West AP Post & Dagahaley AP Post.
21.	Officer in Charge involved in budget making	Gatanga Sub County CIPU

Source: (IPOA, 2019)

Annex 4: Details of Closed Cases by Nature and Reason

No.	Inv No.	Category	Recommendation/ Reason for closure
1	IPOA/INV/000333/2019	Threat to life	Closed-non cooperation from the complainant
2	IPOA/INV/001999/2019	Assault	Closed-non cooperation from the complainant
3	IPOA/INV/000007/2019	Attempted murder	Matter before court
4	IPOA/INV/000300/2019	Enforced disappearance	No police involvement
5	IPOA/INV/001196/2018	Assault	Closed-non cooperation from the complainant
6	IPOA/INV/000249/2019	Police inaction	No police inaction
7	IPOA/INV/001839/2018	Police inaction	Withdrawal by the complainant
8	IPOA/INV/000356/2019	Assault	Withdrawal by the complainant
9	IPOA/INV/00500/2019	Threat and unlawful detention	Withdrawal by the complainant
10	IPOA/INV/0002078/2018	Assault	Closed-non cooperation from the complainant
11	IPOA/INV/000585/2019	Police Inaction	Lack of evidence
12	IPOA/INV/000478/2019	Assault	Closed-non cooperation from the complainant
13	IPOA/INV/000489/2019	Assault	Closed-non cooperation from the complainant
14	IPOA/INV/000595/2019	Assault	Closed-non cooperation from the complainant
15	IPOA/INV/000623/2019	Harassment	Closed- lack of evidence
16	IPOA/INV/000280/2019	Abuse of office	Duplicate file
17	IPOA/INV/0001978/2018	Police Inaction	Closed-non cooperation from the complainant
18	IPOA/INV/000624/2019	Unlawful detention	Closed-non cooperation from the complainant
19	IPOA/INV/000481/2019	Corruption	Duplicate file
20	IPOA/INV/000629/2019	Police misconduct	Closed-non cooperation from the complainant
21	IPOA/INV/000622/2019	Police brutality	Non cooperation from complainant
22	IPOA/INV/001366/2019	Assault	Matter withdrawn by the complainant
23	IPOA/INV/000670/2019	Police shooting	Closed for lack of evidence
24	IPOA/INV/000351/2019	Threats to life	Referred to NPSC
25	IPOA/INV/000429-2019	Enforced disappearance	Non- mandate
26	IPOA/INV/001447-2018	Fatal shooting	Matter is pending before Court
27	IPOA/INV/001894-2018	Fatal shooting	Lack of evidence
28	IPOA/INV/000569-2019	Police inaction	Matter is pending before Court
29	IPOA/INV/000470-2019	Threat to life	Lack of evidence
30	IPOA/INV/002078-2018	Assault	File to be closed. Non-cooperation by complainant
31	IPOA/INV/001335-2018	Grievous Harm	File closed. Victim withdrew the complaint
32	IPOA/INV/000620/2017	Shooting causing injuries	File to be closed
33	IPOA/INV/1042-2018	Disappearance	Marked for closure: Police inquest in Court, Inquest 8 of 2019

34	IPOA/INV/001244/2018	Assault	Closure (Insufficient evidence)
35	IPOA/INV/000399/2019	Death	Closure (insufficient evidence)
36	IPOA/INV/000281-2019	Assault	Closure (insufficient evidence)
37	IPOA/INV/000408-2019	Theft	Closure (insufficient evidence)
38	IPOA/INV/000402-2019	Unlawful wounding	Closure (Accidental firearm discharge)
39	IPOA/INV/000524-2019	Serious assault	Officer to be charged for assault
40	IPOA/INV/000374-2019	Death in custody	Victim's family expressed their wish not to pursue the matter further
41	IPOA/INV001905-2018	Illegal detention and assault	Complainant refused to co-operate
42	IPOA/INV000176-2018	Defilement	Matter before court
43	IPOA/INV/000611/2019	Threat to life	File forwarded to HRRF for closure since the matter is already before Court
44	IPOA/INV001755/2018	Shooting causing grievous harm	Withdrawal by complainant
45	IPOA/INV/002200-2018	Death in custody	Closure. Investigations disclosed that the death was occasioned by members of public and not Police officers who arrested him
46	IPOA/INV000360-2019	Threat to Kill	Closure due to lack of sufficient evidence
47	IPOA/INV/000381-2019	Assault	complainant withdrew the complaint
48	IPOA/INV/001908-2018	Sexual harassment	complainant declined to record a statement despite having been given 21 days' notice
49	IPOA/INV/00302/2019	Inaction on Assault	Closure as inaction was established and complainant also withdrew the case
50	IPOA/INV/00435/2019	Inaction on defilement	Closure as inaction was not established and matter is pending before court
51	IPOA/INV/000065/2019	Sexual harassment	Closure for lack of sufficient evidence and non-cooperation
52	IPOA/INV/1791-2018	Assault	No evidence linking the police
53	IPOA/INV/412/2019	Loss of prisoner's property	No evidence linking the police
54	IPOA/INV/1978/2018	Assault	No evidence linking the police
55	IPOA/INV/521-2019	Assault	No evidence linking the police
56	IPOA/INV/001694-2018	Abduction	Closed at PI. No evident police involvement
57	IPOA/INV/001712-2018	Death	Closed at PI. No evident police involvement
58	IPOA/INV/000015-2019	Death	Closed at PI. No evident police involvement
59	IPOA/INV/000026-2019	Police Inaction	Closed at PI. Police acted accordingly
60	IPOA/INV/001946-2018	Assault	Closed at PI. No evident police involvement
61	91 backlog cases from 2014, 2015 & 2016	Backlogs cases.	Closed at PI. Non cooperation from the complainants
62	IPOA/INV/000841/2019	Unlawful detention	File closed due to insufficient evidence.
63	IPOA/INV/0005-2019	Fatal shooting	Lack of sufficient evidence
64	IPOA/INV/002194-2018	Threat to life	Complainant withdrew the case

65	IPOA/INV/OO591-2019	Threat to life	Lack of sufficient evidence
66	IPOA/INV/000073/2019	Assault	Closure recommendation. Complainant resolved issue and received part compensation from accused police officer
67	IPOA/INV/000386-2019	Assault	Full investigations complete. Closure recommendation due to insufficient evidence
68	IPOA/INV/000330-2019	Assault	Full investigations complete. Closure recommendation due to insufficient evidence
69	IPOA/INV/000193-2019	Shooting causing death	PI complete. Closure recommendation since the Suspect KPRS has been charged with manslaughter
70	IPOA/INV/001856-2018	Death in police custody	PI complete. Closure recommendation since there is an on-going inquest in Court
71	IPOA/INV-000003-2019	Shooting causing death	PI complete. Closure recommendation since suspect has been charged with manslaughter
72	IPOA/INV-000403-2019.	Assault causing grievous harm	PI complete. Closure recommendation since suspect has been charged with murder
73	IPOA/INV/002127-2018	Defilement by a GSU officer	PI complete. Closure recommendation since suspect has been charged with defilement
74	IPOA/INV/001550/2018	Death in custody	Closed. Lack of evidence to link police with the death
75	IPOA/INV/000413/2019	Death	Closed. Lack of evidence to link police with the death
76	IPOA/INV/000871-2019	Assault	Complainant withdrew the complaint
77	IPOA/INV/000023-2019	Assault	Complainant withdrew the complaint
78	IPOA/INV/001652-2018	Malicious damage	Complainant withdrew the complaint
79	IPOA/INV/000645-2019	Assault	Complainant withdrew the complaint
80	IPOA/INV/001744-2018	Threat to life and inaction	Complainant withdrew the complaint
81	IPOA/INV/000818/2019	Death in custody	Matter was formally withdrawn by complainant
82	IPOA/INV/000587/2019	Assault	Non cooperation from the complainant
83	IPOA/INV/664/2019	Assault	No Member of NPS was involved
84	IPOA/INV/0001446/2018	Assault	Non Cooperation from the complainant
85	IPOA/INV/555/2019	Assault	No element of Police Inaction
86	IPOA/INV/001694/2018	Serious police misconduct	Non mandate
87	IPOA/INV/001712/2018	Police inaction	No police involvement. Non mandate
88	IPOA/INV/001865/2018	Disappearance	No incriminating evidence against police
89	IPOA/INV/001886/2018	Assault	No police involvement
90	IPOA/INV/002029/2018	Death	Non-cooperation from the family
91	IPOA/INV/000015/2019	Death	No evidence of police involvement
92	IPOA/INV/00254/2019	Assault	No evidence of police involvement

Source: (IPOA, 2019)

THE IPOA BOARD



Mrs. Anne Makori

Chairperson

Mrs. Anne Makori is the Chairperson of the Independent Policing Oversight Authority. She holds a Law Degree (LLB Hons) from the University of Nairobi, a Postgraduate Diploma from the Kenya School of Law, a Postgraduate Diploma in Human Resource Management and a Masters in Leadership. She is a Certified Public Secretary (C.P.S.) K., a Certified Professional Trainer and a Certified Professional Mediator.

Anne has a vast experience spanning over 20 years with exposure at both board and management levels. She has worked for the Government of Kenya, the media industry, the banking sector and legal practice specializing in civil litigation, conveyancing and corporate law. Mrs. Makori has also undertaken human resource consultancies at both local and international levels.

She is an experienced leader in strategy development and implementation, company secretarial, organizational review, performance management, culture and change management as well as business development having previously given oversight and leadership at different levels including serving as a General Manager in charge of business development, legal and human resources.

Mrs. Makori is a member of Law Society of Kenya (LSK), Institute of Certified Public Secretaries of Kenya (ICPSK) and the Institute of Human Resource Management (IHRM). She is also actively involved in community service in the areas of education, literacy and language development for small and marginalized community groups as well supporting Churches.



Dr. Jonathan Lodompui, PhD
Vice-Chairperson

Dr. Lodompui holds a PhD in Political Science and Public Administration with a bias in conflict transformation, a Master's Degree in International Relations and Diplomacy and a Bachelor's Degree in Public Administration and Political Science biased on reforms and transformational development all from the University of Nairobi. He also holds two Diplomas.

He has management experience in various organizations and in national consultancies in transformative development, peace building, conflict management and security matters. He has presented locally, internationally and contributed in academic journals including; Conflict Analysis and Mapping in Kenya, Impoverishment of the Pastoralists Groups in Kenya, Fathers are parents too, the Collapse of the EAC in 1977, the National interest of Tanzania, Samburu origins, Migrations and settlement and Internal and external conflict triggers.

He is the Vice Chairperson at IPOA, and the immediate former Director for the Enablers and Macros Directorate at the Kenya Vision 2030 Delivery Secretariat, which is charged with coordination of the implementation of infrastructure projects.

Prior, he worked with the Military as an Air Force Officer, the Child Fund as a Regional Coordinator and at the Teachers Service Commission as a Chief Research Officer. He also taught at various universities including the University of Nairobi, Technical University of Kenya, Africa Nazarene University and the United States International University.



Dr. Jimmy Mwithi, PhD
Commissioner

Jimmy is a holder of Doctor of Philosophy (PhD), in Leadership and Governance from the Jomo Kenyatta University of Agriculture and Technology. A holder of a Master's degree in Business Administration (MBA) Strategic Management – Kenya Methodist University (KeMU) and Bachelor of Arts (Hons) Criminology; – Egerton University. He is a fellow at the Kenya Institute of Bankers (FKIB); a full Member of the Kenya Institute of Management (MKIM) and a Certified Fraud Examiner (CFE). He has attended several courses on management, leadership and governance.

He has served in various capacities in the Public and Private sectors for 29 years and has dealt with strategy/policy formulation, capacity building programs, intelligence collection, investigations and prosecution of criminal & civil cases.

In the 29 years, he has served in the Kenya Police Service, Efficiency Monitoring Unit (Office of the President), Kenya Anti-Corruption Commission, Consolidated Bank of Kenya Limited and as a University Lecturer. He has also published journals on leadership, governance, strategy formulation and security.

He is a former chairman of the Association of Certified Fraud Examiners (ACFE) Kenya Chapter and former Chairman of the Kenya Bankers Association (KBA), Security Committee. He chairs the Audit and Risk Committee of the Board.



Ms. Fatuma Mohamud
Commissioner

Fatuma is a gender and governance specialist who holds a Masters and Bachelor's Degree in Gender and Development Studies from the University of Nairobi. She has over 20 years experience in policy-related development issues, policy formulations, dealing with stakeholders, donor organizations and local communities.

She is a trained mediator with expertise in fostering peaceful coexistence, conflict management and national cohesion. She is the founder of the Women Centre for Peace and Development, an NGO that empowers marginalized women in peace, security and education through economical and political participation in the northern Counties of Kenya. She is knowledgeable of the relevant national and international gender and human rights instruments, convention and legislation.

Fatuma was a Commissioner with the National Cohesion and Integration Commission and also served as a part time lecturer at the Egerton University's Institute of Women Gender and Development Studies. She is a member of the National Women Steering Committee which advocates for the implementation of the two-third constitutional gender rule. She also served at the Barclays Bank (K) Ltd. in several capacities. She chairs the Communication and Outreach Committee of the Board.



Ms. Doreen Muthaura, MBS
Commissioner

Ms. Muthaura is an advocate of the High Court of Kenya, an expert in Legislative Drafting, Law Reform, Policy Formulation and evidence based Regulatory Impact Assessment (RIA).

She holds a Masters Degree in Law (LLM – Distinction) from the University of London, Law Degree (LLB Hons.) from Moi University, a postgraduate Diploma in Legal Studies from the Kenya School of Law, a Postgraduate Diploma in Legislative Drafting from the Royal Institute of Public Administration (RIPA – International) London, a Postgraduate in Evidence Based Policy Formulation and Translating Policy into Legislation from RIPA International London, Certificate in Effective Governance, Leadership and Integrity from the Griffith University, Queensland Australia.

She has served in various capacities in the public and private sectors. She was the Vice Chairperson and Commissioner at the Kenya Law Reform Commission from 2013 to 2018 where she chaired the Committee on Law Reform, Policy Formulation and Legislative Services, spearheaded and drafted the first Legislative Process Guide in Kenya, participated in the drafting of over 60 model laws for County Governments customization and adoption, developed several Government policies and other legal instruments.

As a law lecturer, she has

trained County attorneys and other senior Government officers. She also worked for the Commission for the Implementation of the Constitution (CIC) from 2011 where she participated extensively in drafting laws required by the Fourth Schedule to the Constitution.

Ms Muthaura was instrumental in drafting the National Police Service Act, National Police Service Commission Act, Independent Policing Oversight Authority Act, Kenya Defence Forces Act, Power of Mercy Act, National Security Council Act, National Intelligence Service Act, amongst others.

She is also a Parliamentary Counsel having worked for the Office of the Attorney-General, State Law Office, Legislative Drafting Department. At the AG Chambers, she drafted several legal instruments, Bills and subsidiary legislation and offered high profile legal and legislative advice to the Government of Kenya.

She participated in various taskforces and committees including the Taskforce on the Review of the Mandatory Nature of the Death Penalty in Kenya and has also undertaken law reform and legislative drafting consultancies locally and internationally. She is a member of the Law Society of Kenya, the East African Law Society, the Commonwealth Association of Lawyers, the Commonwealth Association of Legislative Counsel (CALC), the Chevening Scholars Alumni, the Federation of Women Lawyers Kenya Chapter FIDA-K and an Australian Award Fellow.

She is also actively involved in community service in human rights, education as well supporting women, churches and other charity organizations.

She chairs the the Human Development Committee of the Board.



Dr. Walter Owen Ogony
Commissioner

Dr. Ogony, a distinguished medical practitioner, is a former Chief Medical Specialist at the Kenyatta National Hospital and Assistant Director of the Surgical Division. He has served in Public Service for 35 years, including 27 at Kenyatta National Hospital where he rose to the Chief Specialist position.

He holds a Masters Degree in Medicine from the University of Nairobi, Postgraduate Diploma from University of London, and Fellowship of the Eastern Africa College of Ophthalmologists. He is a registered and licenced member of the Medical Practitioners and Dentists Board and also a member of the Kenya Medical Association and Ophthalmological Society of Kenya.

He is vastly experienced in medical practice having initially worked as a general practitioner, then later as a specialist, medical education and management. He chaired and also sat as a member of several taskforces and committees of the Kenyatta National Hospital while in service.

He has attended several courses including, Senior Management Course at the Kenya School of Government, Corporate Governance, BIDE Performance Contracting, Industrial Relations at F.K.E and Trustee Development Programme Kenya. He is a past Chair and member of the Board of Governors of Sidindi Secondary School and a past member of the Nairobi Health Management Board.

In 2012, His Excellency the President awarded Dr. Ogony the Order of the Grand Warrior (OGW) for his exemplary service to the nation.



Ms. Praxedes Tororey
Commissioner

Ms Tororey holds a Masters degree in Women's Law from the University of Zimbabwe and is pursuing another Masters in Diplomacy and Foreign Policy at Moi University.

She has a Bachelor of Laws (LLB); University of Nairobi, Diploma in International Environmental Law-making and Diplomacy; University of Joensuu, Diploma in Women's Law and a Diploma in Law from the Kenya School of Law, Certificates in Management and Strategic Reform of Electoral Processes, Legal Audits, Legislation Drafting, Mediation, Arbitration, Conflict Management and Dispute Resolution, Strategic Leadership Development Programme and Corporate Governance.

Praxedes has over 26 years of public service having worked as a Magistrate in Narok, Nanyuki, Karatina and Machakos Law Courts.

She participated in the

development of the Judiciary Bench Book for Magistrates in criminal proceedings and also developed a training manual on application of Human Rights Instruments in Courts by judicial officers.

She served as an in-house General Counsel with a State Corporation and Constitutional Commission in Public sector management, constitutional development, administration of justice, human rights, devolution, policy and legislative drafting, elections management, management of forests and corporate governance including development of national anti-corruption frameworks. She was Director, Legal and Public Affairs at Independent Electoral and Boundaries Commission (IEBC). Among other achievements, she supported the transition of Kenya's electoral management body from ECK, IIEC to the IEBC, developed the Referendum Regulations, 2010 and the Referendum Media Guidelines of the same year.

Ms Tororey also served as the Corporation Secretary and Head of Legal Services at the Kenya Forest Service. Here, she helped develop the Board Code of Conduct, Code of Conduct for disciplined officers, four (4) subsidiary legislations under the Forest Act and a litigation strategy for the Service. She also trained forest officers in prosecutions and oversaw their

Gazettement.

She is a member of the International Commission of Jurists (Kenya Chapter), Law Society of Kenya, FIDA-Kenya and Kenya Women Judges Association, Associate Member of the Chartered Institute of Arbitrators, Member, Consolata Friends Association (Flora Chapel Branch), Vice Chairperson, One More Day for Children and a life member of the Red Cross Society of Kenya.

She has undertaken various leadership responsibilities including; Chairperson, Review of Electoral Laws Taskforce and Referendum Technical Committee (IEBC), member to the Taskforce on Review of Legal, Policy and Institutional Framework for fighting Corruption in Kenya, 2015, Secretary, Legal Reforms, Electoral Code of Conduct and Compliance Committee (IEBC), Taskforce Member, National Steering Committee on Devolved Government; Chairperson, Court Users Committee, Registrar of Titles, Ministry of Lands, Past Secretary, Jurist of the Year – International Commission of Jurists (ICJ).

Ms Tororey is the chairperson of the Technical Committee of the Board.



Hon. John Waiganjo
Commissioner

Hon. John Waiganjo is an Advocate of the High Court with a Law Degree from the University of Nairobi and a Postgraduate Diploma in Law from the Kenya School of Law. He was admitted to the Bar in 1996.

He represented the OI Joro Orok Constituency in Parliament between 2013 to 2017 where he was credited for making more than 360 presentations. In Parliament, he was a member of the Departmental Committee on Justice and Legal Affairs where his name is synonymous with the Penal Code (Amendment) Bill and the Criminal Procedure Code (Amendment) Bill which sought to abolish the death penalty. Championing for proper procedures to be followed during drafting and enactment of laws by various State agencies, Hon. Waiganjo supported the Parliamentary Committee on Delegated Legislation's rejection of PSV regulations developed by

the National Transport and Safety Authority which had not been tabled in Parliament arguing that it was only Parliament that could make laws.

Hon. Waiganjo is also a Co-Convenor of the Kenya Parliamentary Human Rights caucus and a member Law Society of Kenya.

He is senior partner at J.M. Waiganjo and Company advocates, an avid sports fan and a black belt in Shoto Kan martial art.

Hon. John Waiganjo is the Chairperson of the Finance and Administration Board Committee.







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