



REPUBLIC OF KENYA



Independent Policing
Oversight Authority



PERFORMANCE REPORT JULY - DECEMBER 2020



IPOA photo: Commissioners Doren Muthaura and Fatuma Mohammed listen to the Director/ CEO Mr. Maina Njoroge during the launch of the Call Center on 7th July, 2020. Looking on is Hon. Edward Oku Kaunya and Ms. Roselyn Linguli.

Cover photo: IPOA Chairperson Mrs. Anne Makori interacts with a female detainee during an inspection operation on observance of the COVID-19 protocols in Nyanza Region on 11th November, 2020.

Back cover: IPOA Vice Chairperson Dr. Jonathan Lodompui and CEO Maina Njoroge inspecting a Child Protection Unit at a Police Station.



PERFORMANCE REPORT
JULY - DECEMBER 2020

**Waweza
kuandikisha
lalamishi lako dhidi
ya utendakazi wa
polisi kwa IPOA
bila malipo kupitia
nambari
1559**

Au kwa kutuma barua pepe kwa: complaints@ipoa.go.ke

* Huduma huu unapatikana kuanzia saa mbili asubuhi hadi saa kumi na moja jioni Jumatatu hadi Ijumaa.

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ABBREVIATIONS AND ACRONYMS

APCOF	African Policing Civilian Oversight Forum
CHRIPS	Centre for Human Rights and policy Studies
CIC	Case Intake Committee
COVID	Coronavirus Disease-2019
EACC	Ethics and Anti-Corruption Commission
IAU	Internal Affairs Unit
ICPAK	Institute of Certified Public Accountants of Kenya
IEBC	Independent Electoral and Boundaries Commission
IG	Inspector General
IHRM	Institute of Human Resource Management
KNCHR	Kenya National Commission On Human Rights
KPS	Kenya Police Service
KSG	Kenya School of Government
LSK	Law Society of Kenya
NCAJ	National Council on Administration of Justice
ODPP	Office of the Director of Public Prosecutions

CHAIRPERSON'S STATEMENT

The Independent Policing Oversight Authority Board is delighted to present the Performance Report for the period July - December 2020.

The Authority's mandate of holding the Police accountable to the public in the performance of their functions is anchored in Article 244 of the Constitution. The Article affirms that the National Police Service shall strive for professionalism and discipline, and shall promote and practice transparency and accountability. I am pleased to express gratitude for the strides the Authority has made in this pivotal role of policing oversight towards realization of these constitutional principles.



In accordance with section 30 of the IPOA Act, 2011, 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. Thereafter, 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.

Due to the emergence of the global pandemic; COVID 19, the Ministry of Health issued directives against the spread of the disease that were put in place from 15th March 2020. This led to scale down of many operations and affected the Authority's general performance in investigations, inspections and monitoring of Police operations during the reporting period. However, the Authority continued to offer services while observing the directives, hence recorded an improvement in the number of complaints received and processed.

In the period under review and even with the challenges posed by Covid-19 Pandemic, the Authority received and processed 1,557 complaints, conducted 330 investigations, inspected 142 police facilities and monitored 53 police operations.

During the period under consideration, the Board planned and executed dialogue sessions with the National Assembly's Departmental Committee on Administration and National Security led by the Chairman, Hon. Paul Koinange (MP). Other stake holders included the ODPP the International Commission of Jurists, and the criminal justice system partners who were engaged during the launch of the Authority's Call Centre. The engagements sought to strengthen the existing cooperation between the Authority and the stakeholders, noting their centrality in police reforms.

On behalf of the Board, I would like to appreciate the staff for the dedication in their work that has enabled the Authority to record another period of great achievement despite the drawbacks brought about by the COVID-19 Pandemic. I would like to assure the public and other stakeholders of continued commitment towards realization of the Authority's mandate.

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

Anne Makori, EBS
Chairperson

DIRECTOR / CHIEF EXECUTIVE OFFICER'S STATEMENT

The Board, Management and Staff of the Authority remained committed towards implementation of its mandate. This being the second year of implementation of the second Strategic Plan 2019-2024, the Authority focused more on achieving the targets set out in the plan.



Since inception the Authority has received and processed 18,166 complaints and concluded 2,625 investigations. As a result, the Authority has secured 8 convictions while 95 case files were before courts as at 31st December 2020. In addition, 378 police operations have been monitored while 2,389 inspections have been conducted in various police premises and facilities across the country. Consequently, IPOA has made various recommendations to the NPS and other relevant stakeholders informed by these operational functions. The uptake of these recommendations has been very commendable both at the station and the NPS leadership levels.

The Authority participated in the Public Service Commission online survey on Evaluation of Compliance to the National Values and Principles and submitted the required response on 8th September, 2020. The Working Committee on the National Values and Principles prepared a summary report to inform continuous improvement.

In response to increased interest on the Authority's progress in executing its mandate, the Authority organized and executed press conferences and interviews within and without the premises, as circumstances demanded including virtually. Furthermore, 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 facilitated.

The Authority's digital platforms - the official website and social media accounts - were regularly updated to ensure internal and external stakeholders were kept abreast of progress on key activities and developments.

As at 31st December 2020, the Authority had absorbed Kshs.365.12M (42%) of its annual budgetary allocation of Kshs. 862.63 Million.

I would like to assure the Board and our stakeholders of our commitment in offering quality services. I also extend my appreciation to the staff members and commend them for the good work done for the six months despite the difficult circumstances particularly presented by COVID-19.

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

Maina Njoroge
Director/ Chief Executive Officer

EXECUTIVE SUMMARY

The Authority received **1,557** 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 on police inaction or negligence of duty (**520**), followed by abuse of office (**226**). These complaints were received from members of public, police officers, state and non-state organizations. Other incidents of police misconduct considered of high interest to the public were taken up on own motion. Own motion complaints are police misconduct incidences taken up by the Authority on its own initiative.

In the period July - December 2020, the Authority conducted a total of 330 investigations. Out of these, (**45**) investigation case files were forwarded to the ODPP and **15** of the cases were cleared for registration in court. Two hundred and sixty-eight (**268**) cases were recommended for closure owing to various reasons including, withdrawal by the Complainant and lack of evidence among others.

The Authority conducted **142** inspections in police premises and detention facilities, and monitored **53** Police Operations affecting members of the public. The Authority made recommendations to the Service and other relevant actors for action as per the Authority's constitutive Act [Sec. 6(k)].

Awareness creation and outreach activities were conducted through social media and other digital platforms. This was necessitated by the Government directives to limit face-to-face engagements as one of the measures of combating Covid-19 spread. In line with Government directives, the Authority designed outreach messages, social media content and posters that were conspicuously displayed in all of the Authority's offices. They were particularly designed to communicate the Authority's functions as well as information on the prevention of the spread of the Corona virus disease.

The Authority further reached out to the members of the public through various conventional platforms including print and electronic media, social media and the Authority's website and also designed and delivered branded posters for outreach activities. The Authority disseminated Information, education and communication materials, including the January to June 2020 performance report as required by its constitutive Act.

Despite the achievements made in the period under review, the Authority encountered challenges including; the continued spread of Covid-19 that led to scale down of activities. This affected service delivery to some extent since it was challenging to respond to certain cases in areas that have higher or perceived levels of infections; Insecurity in Garissa County and other terror threat areas; poor response rate for some matters referred to Directorate of Criminal Investigations and the National Police Service hence delaying feedback to complainants.

Based on these challenges, and the Authority's findings during its operational functions in the reporting period, IPOA recommends among others, cooperation by the Service especially around the investigation of cases, increased resource allocations to the Service, continuous review of the training curricula to ensure its relevance to Policing requirements, improved Staff Strength in all police facilities and gender parity during deployments in the Service.

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 in its functions, 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 as laid out under section 6 of the Authority's Act 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 independent 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 No. 35 of 2011 requires the Authority to ensure independent oversight of the handling of complaints against the NPS. The Authority executed this function through receipt and processing of complaints lodged by members of the public and police officers. This is accomplished through independent cross-examination of all complaints lodged to assess the involvement of members of the NPS or otherwise. .

The IPOA Act provides that the Authority may receive and investigate complaints related to disciplinary or criminal offences committed by members of the Police Service when;

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

2.1.1 Complaints Received

The Authority received and processed **1,557** complaints ranging from death from police action, enforced disappearance, sexual offences, abuse of office, physical assault, arbitrary arrests, among others. The complaints were received through walk-ins, letters, telephone calls, social media, emails, the Authority's website, outreach activities, among other modes, in all the Authority's offices.

The chart below indicates the regional distribution of complaints received within the period in each of the Authority's regional office.

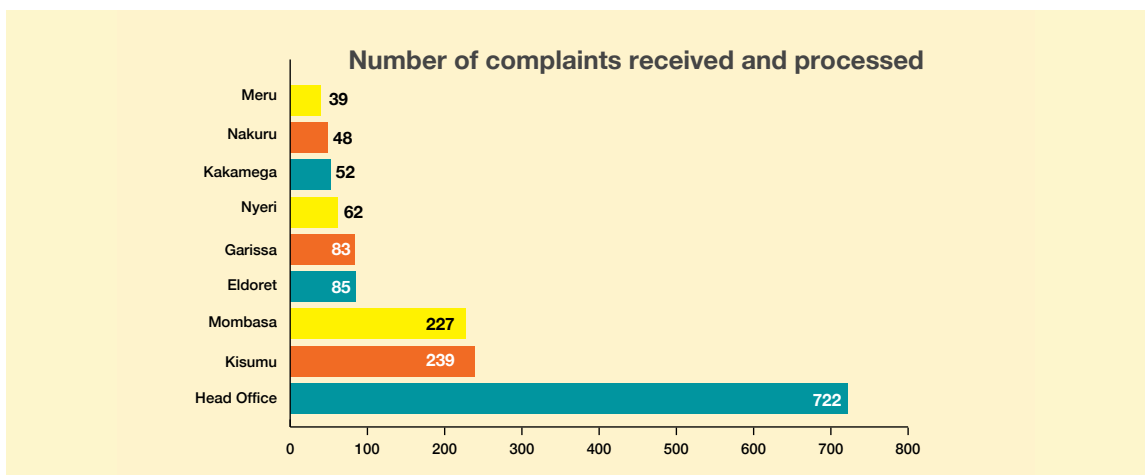


Figure 1: Complaints Received per Region

Source: (IPOA, 2020)

2.1.2 Source of Complaints

The complaints were received from members of public, police officers, state and non-state organizations¹. Other incidents of police misconduct considered of high interest to the public were taken up on own motion. Own motion complaints are police misconduct incidences taken up by the Authority on its own initiative. Such complaints are largely highlighted on media (mainstream or social) and have high public interest. The Authority also makes follow up on such complaints through reaching out to the source or the complainants. The sources of complaints during the period are presented in Figure 1 below:

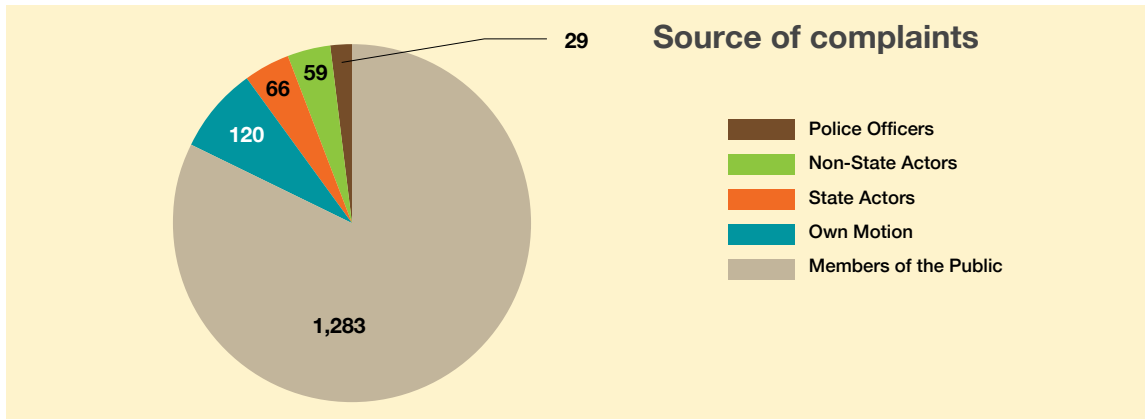


Figure 2: Source of Complaints

Source: (IPOA, 2020)

2.1.3 Nature of Complaints Received

The Authority handled Complaints of varied nature with majority of these complaints (520) being on police inaction. The Figure 3 below shows the nature of the complaints received and processed.

¹ The Non-state organizations who lodged complaints with the Authority include IMLU, Kituo Cha Sheria, KHRC, MUHURI, Kayole Social Justice

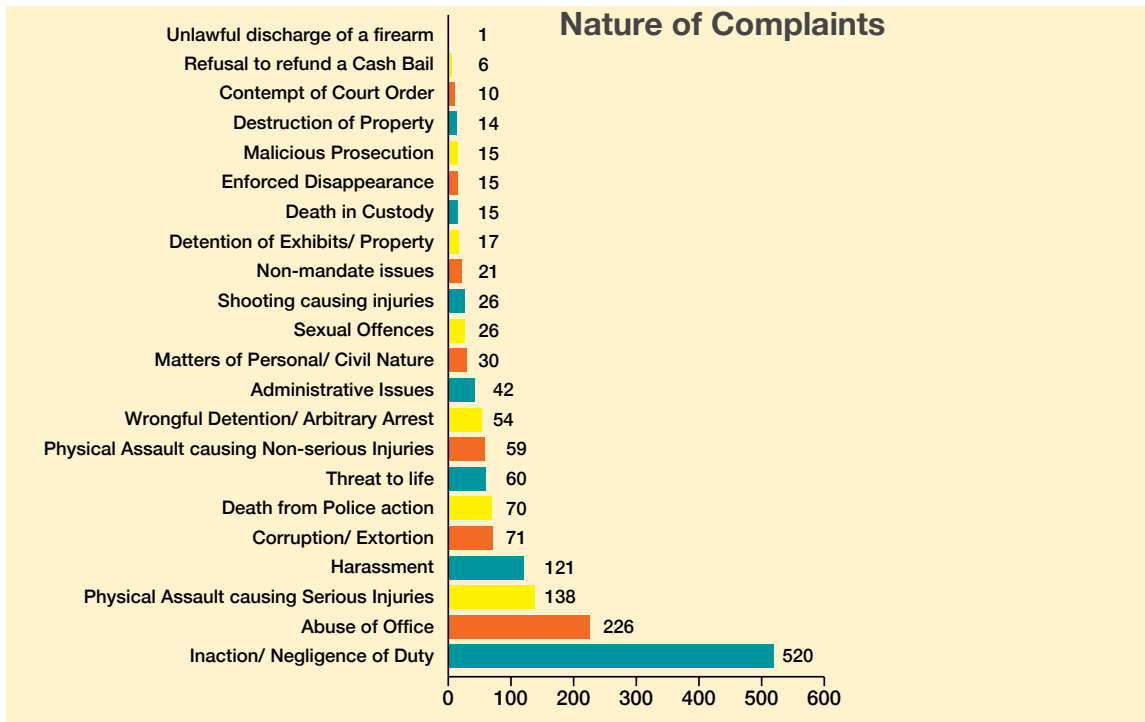


Figure 3: Nature of Complaints Received

Source: (IPOA, 2020)

The highest number of complaints received was on police inaction or negligence of duty (520), followed by abuse of office (226) as indicated in Figure 3 above. There was a notable case of unlawful discharge of firearm and although it did not cause any injuries, the Authority calls upon the Service Commanders to ensure that police officers use firearms in accordance with the law.

2.1.4 Complaints Processing

All formal complaints received were processed through the Authority’s Complaints Intake Committee (CIC). The committee made recommendations for investigations, inspections and monitoring within the Authority and referred some cases to other state agencies for further action depending on the nature of complaints. The figure 4 below shows the ways in which complaints received were processed in the period under review.

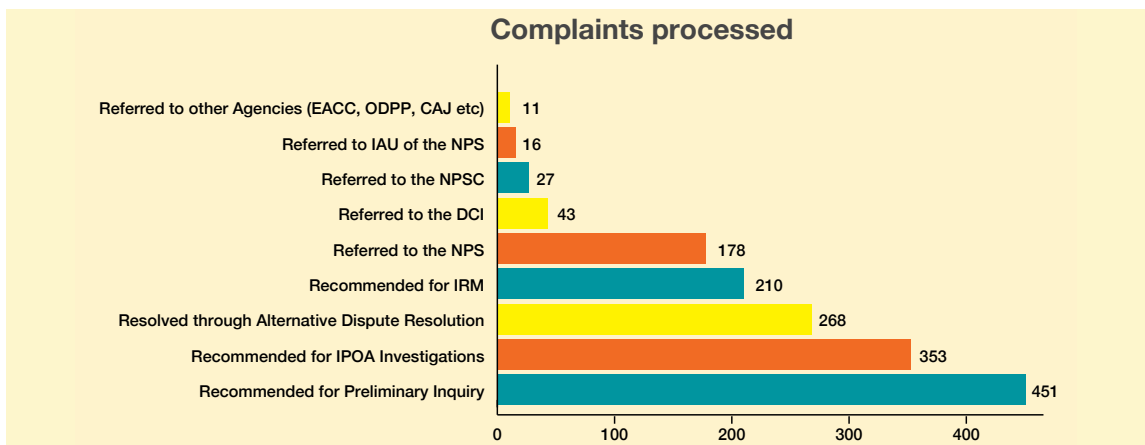


Figure 4: Complaints processed

Source: (IPOA, 2020)

2.1.5 Complaints Referred to the Internal Affairs Unit (IAU)

The Internal Affairs Unit of the National Police Service (NPS) is mandated to promote highest standards of professionalism and discipline within the service by ensuring that there is compliance with constitutional standards of human rights and fundamental freedoms. In view of the foregoing, IPOA and IAU are expected to have effective and efficient complaints handling mechanism against and by the members of the National Police Service.

During the reporting period, the Authority referred seven (16) complaints to the Internal Affairs Unit of the Police.

During the reporting period IAU provided feedback and reports on 13 and two (2) complaints respectively as in Table 1 below.

Month	Feedback	Reports
July	1	0
August	4	0
September	8	2
Total	13	2

Table 1: Feedback and reports from IAU

2.2 Counselling and Psychosocial Support

In the period 1st July 2020 to 31st December 2020 the Authority offered counselling and psychosocial services to a total of 19 clients of whom male were 8 while female clients were 11. Of the 19 clients 14 were either complainants or witnesses while, 5 were IPOA staff members. Staff members were seen through the provision of individual counselling, staff debriefing and psychological First Aid sessions.

2.3. Investigations of Police Misconduct

The IPOA Act 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

During the reporting period, the Authority investigated 330 cases. Out of these, 95 cases were recommended for closure as they required no further action. Forty-five (45) case files were forwarded to the ODPP for action and as at 31st December 2020, 15 had been cleared pending registration in court.

Additionally, the Authority attended one hundred and forty-two court sessions across the regions and had a total of ninety five cases pending in Court as at the end of the reporting period. The table below indicates the number of completed investigations per county.

County	Investigations Completed	County	Investigations Completed
Nairobi	45	Kakamega	20
Nakuru	20	Uasin Gishu	16
Kilifi	15	Trans Nzoia	16
Mombasa	15	Bungoma	16
Kiambu	12	Nyandarua	12
Nandi	10	Kirinyaga	7
Kisii	9	Meru	6
Murang'a	8	Laikipia	6
Samburu	7	Nyeri	5
Migori	7	Baringo	4
Kisumu	6	Homabay	4
Garissa	6	Isiolo	4
Kajiado	6	Kitui	3
Embu	5	Busia	3
Kwale	5	West Pokot	3
Makueni	4	Narok	2
Kericho	4	Turkana	2
Wajir	4	Lamu	2
Nyamira	2	Elgeyo Marakwet	2
Machakos	1	Vihiga	2
Mandera	1	Taita Taveta	1
Tana River	1	Bomet	1
Total	330		

Table 2: Number of Completed Investigations per County

2.3.2 Cases before Courts

As at 31st December 2020, **95** case files on police misconduct were before courts **82** (1 at ruling and judgement stage **81** under further hearing) files were IPOA led investigation cases while **13** were DCI led investigations with close monitoring by the Authority.

The Table 3 below gives detailed information on the **95** case files before courts as at 31st December 2020.

No	IPOA FILE No.	Subject	Jurisdiction
81 Case Files at Advanced Court Hearing Stage (Cases undergoing further hearing)			
1	002-INV-NAROK-OM-124-2015	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/Deceased:SOM Accused person/s: Narok County ranger Julius Tapolis Dikiir	NAIROBI Milimani Law Courts

No	IPOA FILE No.	Subject	Jurisdiction
2	002-INV-NAROK-OM-124-2015	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/Deceased: JKN, AM, JSK, PK Accused person/s: Narok County rangers: Moses Kuyoini and Samuel Kishoyian	NAIROBI Milimani Law Courts
3	243-INV-NRB-C-1337-2014	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/Deceased: D.O and F.N Accused person/s: Patrick Thurania	NAIROBI Milimani Law courts
4	0124-INV-NAIROBI-2014-Om-77	Offense/charges: Inquest Complainant/Deceased: Deceased: F.M. Accused person/s: killing caused by Poisoning while in Police Custody.	NAIROBI Chief magistrates court Milimani
5	0118-INV-OLENGURUONE-2014-C-694	Offense/Charges: Murder c/sec 203 as read with Section 204 of the Penal Code Complainant/Deceased: C.C Accused person/s: Silas Murimi, Reuben Maina and Wycliffe Wangila Sikuku	NAKURU Nakuru High Court
6	0042 -INV-NYANDARUA-2015-OM-0382	Offense/charges: Manslaughter Complainant/Deceased: M.M Accused person/s: APC Samuel Chege and APC Jackson Letinina	NYAHURURU Nyahururu Law Courts
7	0133-INV-NVS-2014-C-835	Offense/charges: Murder c/sec 203 as read with Section 204 of the Penal Code Complainant/Deceased: M.W Accused person/s: PC Evans Maliach Wiyema	NAIVASHA Naivasha High Court
8	0196-INV-NAIROBI-2014-1312	Offense/Charges: Unlawful wounding Complainant: E.M. Accused person: Brian Chieng Onyango.	NAIROBI Kibera Law court.
9	0011-INV-NYERI-2015-OM-0382	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/Deceased: Family Deceased: P.K Accused person/s: PC Chibungu Sanga	NYERI
10	0020-INV-NRB-2013-C-0933	Offense/charges: N/A Complainant/Deceased: E.A Accused person/s: N/A	NAIROBI Milimani Law Courts
11	263-INV-BUNGOMA-C-170-2015	Offense/charges: Murder c/sec 233 as read with section 234 of the Penal Code. Complainant/Deceased: E.N Accused person/s: Dennis Odhiambo (Bungoma Police Station)	BUNGOMA Bungoma High Court
12	0280-INV-ISIOLO-2015-C-306	Offense/charges; Inquest Deceased: S.H Accused person/s: N/A	ISIOLO Isiolo Law Courts

No	IPOA FILE No.	Subject	Jurisdiction
13	0005-INV-NAIROBI-2013-OM-0699	Offense/charges: N/A Complainant/Deceased: P.W Accused person/s: N/A	NAIROBI Milimani Law Courts
14	IPOA/ INV/001710/2018	Offense/charges; rape Victim: S.A Accused person; Police constable James Kinyua	Busia Court 4
15	INV/000706-2017	Offense/charges; Inquest Deceased: Minor S.M Accused person; Death occasioned by police officers during demonstrations in Mathare Area, Nairobi	Nairobi Milimani Courts
16	089-INV- NRB-C-1948-2015	Offense/charges; Inquest Deceased: N.M Accused person;	NAIROBI Milimani Law Courts
17	218-INV- MOMBASA-2013-789	Offense/charges; Inquest Deceased: L.M 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
18	015/RR/INV/178/ MACHAKOS/ OM/1278/2016	Offense/charges: Murder Deceased: W.K Accused person; Fredrick Leliman, Leonard Mwangi	NAIROBI Milimani High Court
19	0645- INV- NAIROBI- C- 218- 2017	Offense/charges: Rape c/sec 3(1) as read with section 393) of the sexual offences Act No.3 of 2006. Complainant/Deceased: V.O Accused person/s: PC Anthony Ongere Moseki	NAIROBI Milimani Law Courts
20	IPOA/INV-00125/2018	Offense/charges: defilement c/sec 3(1) as read with section 393) of the sexual offences Act No.3 of 2006. Complainant/Deceased:JNK Accused person/s: PC Paul Rotich	KIAMBU Kiambu Law Courts
21	979-INV- NBI-C-00701-2017	Offense/charges: Inquest Complainant(s) (Deceased): Family Deceased: S.L	Milimani law Courts
22	0175-INV-UASIN GISHU-2014-C-847	Offense/charges: Murder c/sec 203 as read with Section 204 of the Penal Code Complainant/Deceased: E.K Accused person/s: C.I Isaac Sirengo Siatani	NANDI Eldoret Law Courts
23	0188-INV-MURANGA- 2014-C-1285	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant(s) (Relative): V.N Deceased: J.K.M Accused person/s: PC Hillary Nyatodo Oyugi	MURANGA Muranga Law Courts
24	091-INV- NRB-C-2081-2015	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code Deceased-P.K.B Accused person; Amos Okoth	NAIROBI Milimani Law Courts

No	IPOA FILE No.	Subject	Jurisdiction
25	IPOA/INV/000846-2017	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant(s)/ (Relative): K.A.A. Deceased: Y.A.A Accused person/s: Cpl. Adan Boru	Garissa High Court
26	IPOA/INV/000846-2017	Offense/charges: Grievous Harm c/sec 234 of the Penal Code Complainant/Deceased: Y.A.A Accused person/s: Cpl. Adan Boru	Garissa High Court
27	IPOA/INV/001313/2018	Offense/charges: Grievous Harm c/sec 234 of the Penal Code Complainant/Deceased: S.C Accused person/s: Martin Maina	Machakos Law courts
28	IPOA/INV/1218-2018	Offense/charges: Murder c/s 203 as read with 204 Complainant/Deceased: E.N. Accused person/s: APC Leakey Maina	Meru High Court
29	IPOA/INV/001841-2018	Offense/charges: Murder c/s 203 as read with 204 Complainant/Deceased: E.M Accused person/s: CPI Salesa Galgalo and Sub-Chief Kennedy Karuwa	Meru High Court
30	006-INV-KSM-2013-C-727	Offense/charges: Inquest Complainant/Deceased: Deceased: E.N.J.O, BN, DO Accused person/s: Killings caused by the NPS after the verdict of the Supreme Court on Presidential elections in March 2013 in Kisumu County.	KISUMU Kisumu Law Courts
31	IPOA/INV/000953-2018	Offense/charges: Murder c/s 203 as read with 204 Complainant(s)/ deceased(s): A.S.B Accused person/s: Bernard Gachau	Marsabit High Court
32	081-582-2016	Offense/charges: Murder c/s 203 as read with 204 Complainant/Deceased: CO Accused person/s: Lotung Angorita	High Court at Kisumu
33	127-INV-MURANGA-C-794-2014	Offense/charges: Grievous Harm c/sec 234 of the Penal Code Complainant/Deceased: AMM Accused person/s: CI George Anyonje Ndirire	MURANG'A Muranga Law Courts
34	032-INV-WAJIR-2015-C-447	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/Deceased: Deceased: MI Injured: AO Accused person/s: PC Patrick Sigilai	WAJIR Wajir Law Courts

No	IPOA FILE No.	Subject	Jurisdiction
35	103 -INV-MACHAKOS-C-1380-2015	Offense/charges: Causing Greivous harm Complainant/Deceased: JM Accused person/s: APC George Kinuthia Njuguna	MACHAKOS Kangundo Law courts
36	IPOA-0041-INV-KIAMBU-2014-C-107	Offence/charge: Inquest Complainant/Deceased: JNC Accused person:	KIAMBU Kiambu Law Courts
37	0024-INV-KIKUYU-2016-C-270	Offence/charge: grievous harm Complainant/Deceased: AWN Accused person: PC Kipkorir Tanui	KIAMBU Limuru Law Courts
38	IPOA/INV/000881-2017	Offense/charges: Inquest Complainant(s) (Deceased): Family Deceased: FM	KISII Kisii Law Courts
39	0065/INV/MAZERAS/KILIFI-2015-OM-1305	Offense/charges: manslaughter c/s 202 as read with 205 of the Penal Code, matter to proceed to court Complainant(s) (Deceased): AKA Accused person/s: George Gucha Onyango	Mombasa Mombasa Law Courts
40	0001-INV-MSA-2012-C-0712	Offense/charges: Murder c/c 203 as read with 204 of the penal code Complainant(s) (Deceased): Family Deceased: AM Accused person(s) Naftali Chege, Charles Munyiri, Ismael Baraka and John Pamba	MOMBASA Mombasa High Court
41	312-INV-MURANGA-C-749-2016	Offense/charges: Grievous harm C/s 234 of the Penal code. Complainant(s) (Deceased): JPN Accused person/s: John Mutheka	MURANGA Murang'a High Court
42	019-INV-NBI-2015-C-597	Offence/charge: Grievous harm Complainant/Deceased: Edward Mathenge Accused person: PC Rufus Muriithi	Makadara
43	IPOA/INV/00853/2017	Offense/charges: Inquest Complainant/Deceased: SJ	Tana river Hola law courts
44	IPOA/INV/001841-2018	Offense/charges: Murder c/s 203 as read with 204 Complainant/Deceased: EM Accused person/s: Salesa Galgalo	Meru
45	IPOA/INV/001812/18	Offense/charges: Inquest Complainant/Deceased:	WAJIR
46	003-INV-KILIFI-OM-055-2016	Offense/charges: Inquest Complainant/Deceased: MK	KILIFI Malindi law courts
47	0054-ELD-2015-C-463/455/580	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/Deceased: Rep Thru M.A.L Luka Accused: PC Michael Masai and PC Mark Nyongo	ELDORET Eldoret High Court Petition at Eldoret High Court.

No	IPOA FILE No.	Subject	Jurisdiction
48	IPOA/INV-00125/2018	Offense/charges: defilement c/sec 3(1) as read with section 393) of the sexual offences Act No.3 of 2006. Complainant/Deceased: JNK Accused person/s: PC Paul Rotich	Gatundu Law Courts Kiambu
49	INV/1642/2018	Offense/charges: Murder Deceased: F.W.K. Accused person: PC David Ochieng	KAKAMEGA Kakamega High Court
50	IPOA/INV/001008-2018	Offense/charges: Murder Deceased: F.W.K. Accused person: PC David Ochieng	NAKURU Molo Law Courts
51	IPOA/INV/001179-2018	Offense/charges: Murder c/s 203 as read with 204 Complainant/Deceased: A.A.D Accused person/s: David Kilengwe Papa	Kitui
52	091-INV-NAIROBI-C-2081-2015	Offense/charges: Murder c/s 203 as read with 204 Complainant/Deceased: A.D Accused person/s: Julius Cheruiyot	KAJIADO Ngong Law Courts
53	IPOA/INV/002024/2019	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/Deceased:REP M.A.L Accused person/s: Dennis Lagat & Kennedy Okuli	GARRISA Garrisa High Court
54	458/INV/EMBU/C/071/2014	Offense/charges: Assault Complainant/Deceased:M.A.L Accused person/s: John Njagi	EMBU Embu law courts
55	IPOA/INV/001573/2018	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/Deceased: KK Accused person/s: Simeon Oyoo	MALINDI Malindi High court
56	IPOA/INV/001683-2018	Offense/charges: Assault Complainant/Deceased:EMM Accused person/s: Kelvin Omondi	Machakos Law Court
57	IPOA/INV/001282/2018	Offense/charges: Causing grievous harm Complainant/Deceased:MKG Accused person/s: APC Geoffrey Chege Mwangi	KIAMBU Kikuyu law courts
58	IPOA/INV/1643/2018	Offense/charges: Assault Complainant/Deceased:JM Accused person/s: CPL Martin Chege	KAJIADO Ngong law courts
59	IPOA/INV/000002-2019	Offense/charges: Murder Complainant/Deceased:CM Accused person/s: PC Emmanuel Abunya	Milimani Law Courts
60	IPOA/INV/0252-2020	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/Deceased:VO Accused person/s: PC Dancun Ndiema	Milimani Law Courts

No	IPOA FILE No.	Subject	Jurisdiction
61	IPOA/INV/006-RR- MACHAKOS-C- 1067-20162020	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/Deceased:JM Accused person/s: Stephen Lelei & SGT Leliman	High Court At Machakos
62	0073-INV-RUMURUTI-C-1088-2015	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/Deceased:MC Accused person/s:	High Court At Nyandarua
63	IPOA/INV/00719/2017	Offense/charges: Causing grievous harm Complainant/Deceased:JK Accused person/s: Hamilton Mwangura Kisaka	Milimani Law Courts
64	IPOA/INV/001924/2018	Offense/charges: Causing grievous harm Complainant/Deceased: Charles Wafula Accused person/s: Rex Okhato	Eldoret Law Courts
65	008/INV/MUMIAS/2016/C/249	Offense/charges: Inquest Complainant/Deceased: AM Accused person/s:	Kisumu Law Courts
66	IPOA/INV/1760/2020	Offense/charges: Grievous harm Complainant/Deceased: JG Accused person/s: Francis Mwangangi Mutunga	NAKURU Naivasha Law Courts
67	IPOA/INV1556/2018	Offense/charges: Murder Complainant/Deceased: AHO Accused person/s: Francis Mwangangi Mutunga	Tana River High Court at Garsen
68	IPOA/INV1765/2018	Offense/charges: Complainant/Deceased: NK Accused person/s: Jeremiah Matunda	MOMBASA Shanzu law courts
69	IPOA/INV1490/2018	Offense/charges: Murder Complainant/Deceased: KW Accused person/s: Harmony Somoni	BUSIA High Court at Busia
70	IPOA/INV/000046-2019	Offense/charges: Murder Complainant/Deceased: MW Accused person/s: Alfred Mwangi	MURANGA Muranga High Court
71	IPOA/INV/001495-2018	Offense/charges: Inquest Complainant/Deceased: MM Accused person/s: Alfred Mwangi	EMBU Embu law courts
72	IPOA/INV/000256-2019	Offense/charges: Murder Complainant/Deceased: CN Accused person/s: APC Patrick Nyapara	KAKAMEGA High court at Kakamega
73	IPOA/INV/001792-2018	Offense/charges: Inquest Complainant/Deceased: PO Accused person/s:	KISII Kisii Law Courts
74	IPOA/INV/00632-2018	Offence/charge: Defilement Complainant/Deceased: CJ Accused person: Ambrose Mutua	KITUI Kitui Law Courts
75	IPOA/INV/001286-2018	Offense/charges: Assault Complainant/Deceased: RN Accused person/s: Jilo Kitasi	EMBU Embu Law Courts

No	IPOA FILE No.	Subject	Jurisdiction
76	028-INV-KILIFI-C-811-2015	Offense/charges: Murder c/s 203 as read with 204 Complainant/Deceased: K.D.N Accused person/s: Ezekiel Omolo	MALINDI Malindi High Court
77	IPOA/INV/001525/2018	Offence/Charge: Inquest Complainant (s)/ Deceased(s): HAM Accused Person (s):	WAJIR Wajir Law Courts
78	IPOA/INV/000468/2019	Petition	MERU
79	IPOA/INV/1808/2018	Offence/Charge: Manslaughter Complainant (s)/ Deceased(s): J.I.N Accused Person (s): David Irungu Maina	MURANGA Muranga Law Courts
80	IPOA/INV/927/2019	Offence/Charge: N/A Complainant (s)/ Deceased(s): RL Accused Person (s):N/A	KAKAMEGA Kakamega Law Courts
81	004-INV-LAMU-C-005-2016	Offence/Charge: Grievous harm Complainant (s)/ Deceased(s): K.B & 3 others Accused Person (s): George Kimani	LAMU Lamu law courts

13 Cases File Investigated by DCI and being Monitored by the Authority

No	IPOA FILE No.	Subject	Jurisdiction
1	0068-INV-NRB-2015-C-1364	Offense/charges: Police Inquest Deceased: W.W.W Accused person: Deceased was a watchman at Kamukunji Secondary school was shot dead by police officers on duty.	NAIROBI Makadara law courts
2	INV-MURANGA-000820-2017	Offense/charges; Defilement C/S 8(1)as read with 8(3) of the sexual offences Act Victim: L.W.M Accused person; Laban Maina Njogu	MURANGA Murang'a law courts
3	IPOA/INV/001763-2018	Offense/charges: Murder c/c 203 as read with 204 of the penal code Complainant(s) (Deceased): Family Deceased: OOH Accused person(s) Silas Waswa Wasalwa and George Odhiambo Omune	KAKAMEGA Kakamega High Court
4	IPOA/INV/001863-2018	Offense/charges: Robbery with violence Complainant(s) (Deceased): Family Accused person(s) Issa Baya Charo	MOMBASA Mombasa Law Court
5	306-KITUI-OM-1766-2016	Offense/charges; Murder Deceased: NM Accused person; Gilbert Maina & 3 Others	KITUI Kitui High Court
6	IPOA-CMU-001049-2017	Offense/charges: Murder c/sec 203 as read with section 204 of the Penal Code. Complainant/Deceased: Rep thru J.O Accused: S/SGT James Range	KISII Kisii High Court
7	INV-MURANGA-000820-2007	Offense/charges: Defilement c/sec of the Penal Code. Complainant/Deceased:LWM Accused: Laban Njogu Maina	MURANGA Muranga Law Courts

No	IPOA FILE No.	Subject	Jurisdiction
8	IPOA/ INV/001570/2018	Offense/charges: Inquest Complainant/Deceased: Benson Waweru Accused: N/A	ELDORET Eldoret Law Courts
9	0114-INV-BUNGOMA- 2014-OM-476	Offense/charges; Police Inquest Deceased: K.Y Accused person: AP officers from Kakamkuywa	Bungoma Kimilili law courts
10	INV/1813/2018	Offense/charges: Inquest Complainant/Deceased: WT Accused person: Unknown	VIHIGA Vihiga Law Courts
11	INV/0001/2019	Offense/charges: Murder Complainant/Deceased: GNW Accused person: PC Francis Iyaya	Bungoma Bungoma High Court
12	306-KITUI- OM-1766-2016	Offense/charges; Murder Deceased: NM Accused person: Gilbert Maina & 3 Others	KITUI Kitui High Court
13	IPOA/ INV/000520/2020	Offence/ Charges: Defilement Deceased: IWK Accused Person: Josephat Ndirangu	Nyahururu Nyahururu Law Courts
1 Case File at ruling stage			
No	IPOA FILE No.	Subject	Jurisdiction
1	IPOA/INV/001498- 2018	Offense/charges: INQUEST Complainant/Deceased: IIG Accused person/s: Benson Mulinge, Michael Rotich, Osoi Sakimba	TANA RIVER Hola Law Courts

Table 3: Cases before Courts as at 31st December 2020

Source: (IPOA, 2020)

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 National Police Service. Based on the findings, the Authority makes recommendations to the Service and other state organs for implementation or any other appropriate action.

2.4.1 Police Premises Inspected

During the reporting period, the Authority conducted a total of 142 inspections in various NPS facilities across the country. The inspections were distributed as follows; KPS 41(29 New Inspections, 12 Follow-ups), 97 Thematic Inspections (54 on compliance to COVID-19 Guidelines and other Legal Frameworks by the National Police Service and 43 on Police Infrastructure and Detainee Welfare) and 4 new DCI Inspections.

2.4.1.1 New Inspections

During the reporting period, 33 New Inspections were conducted in various Police facilities and premises nationally (29 KPS, and 4 DCI Head-quarters).

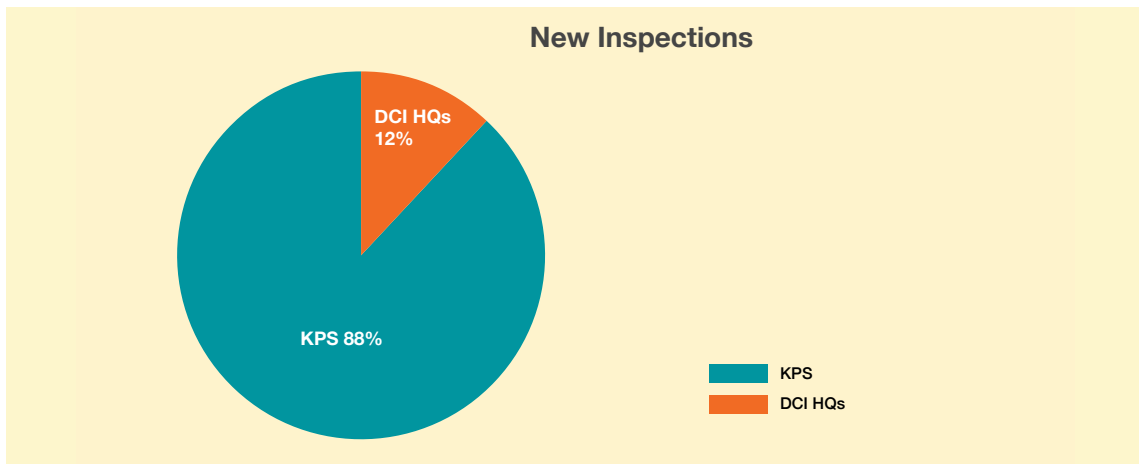


Figure 5: New inspections conducted

Source: (IPOA, 2020)



Photo 1: Cells in a deplorable condition at Wanguru Police station

Source: (IPOA, 2020)

2.4.1.2 Follow-up Inspections

During the reporting period, 12 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.

Parameter	Initial Inspections	Follow-up Inspections	Comments on Improvement/deterioration
UTILITIES			
Water	75%	66%	There was a 9% decline in water availability in the inspected facilities, thus showing poor progress in the implementation of IPOA's recommendations.
Lighting	83%	75%	There was a 8% decline in the provision of lighting in Police premises. This is attributed to the disconnections as a result of non-payment of bills.
Wheel chair accessibility	50%	33%	There was a 17% wheelchair accessibility decline from the previous inspection attributed to construction of new office spaces.
Availability of kitted First Aid Box	19%	25%	There was an improvement of 6% on the facilities inspected as a result of implementation of the recommendations made during initial inspections.
SAFETY AND SECURITY			
Sentry at Main Gate	25%	17%	There was a decline of 8% during Follow-up inspections and this was attributed to slow uptake of recommendations made during initial inspections.
Secure Report Office (grills at the report desk)	33%	50%	There was a 17% improvement attributed to terrorism risk and some OCPD's using their AIE allocations to install grills at their station report offices.
Perimeter Fence	42%	42%	Status Quo.
Clear Signage	67%	58%	There was a decline of 9% on clear signage. This may be attributed to wearing out and non-replacement of the signage.
Fire equipment	25%	42%	There was a 17% improvement as a result of uptake of IPOA's recommendations made to the station commanders during initial inspections.
FRONT OFFICE MANAGEMENT			
Manned Customer Care desk	25%	16%	Manning the customer care desk/office declined by 9% as a result of non-adherence to recommendations made during initial inspections.
Manned Gender Desk	8%	5%	There was a 3% decline in manning of the gender desk as a result of non-adherence to IPOA's recommendations and the need for the service to be sensitive on gender issues at various levels.
DETENTION FACILITIES			
Stations that held Detainees for over 24hrs	8%	0%	There was an 8% decrease in the number of facilities holding detainees for more than 24 hours. This was as a result of adherence to recommendations made during initial inspections.
Existence of Child Protection Unit (CPU)	0%	0%	There was a status quo. The Station In-charges attributed this to lack of funding to put up CPUs.
CONDITIONS OF CELLS			
Hygienic Conditions of Cells	42%	33%	The 9% decline was as a result of non-adherence to recommendations made during initial inspections.
Toilets within Cells	25%	16%	This 9% reduction was as a result of lack of proper maintenance and non-adherence to previous IPOA recommendations.

Parameter	Initial Inspections	Follow-up Inspections	Comments on Improvement/deterioration
Cleanliness of Toilets and Wash Area	41%	50%	This 9% improvement was as a result of IPOA recommendations and availability of AIEs to the Station Commanders.
Adequate Artificial Light	25%	25%	Status quo was maintained.
Adequate Ventilation	42%	42%	Status quo was maintained.
Provision of Bedding	0%	8%	This 8% improvement could be attributed to implementation of IPOA's recommendations.
DETAINEE WELFARE AND TREATMENT			
Provision of 3 Meals a Day	83%	58%	The 25% decline was attributed to pending bills owed to contractors crippling their operations.
Provision of Drinking Water	83%	67%	The 16% decline was attributed to delayed AIE disbursement to Station Commanders leading to water supply disconnection in some stations.
Provision of Special Services for Women i.e. Sanitary Towels	83%	67%	The 16% decline in special services was partially attributed to withdrawal of community organizations and NGO's support due to biting economic conditions as a result of COVID-19.
Provision of Medical Care	92%	58%	This 34% decline was as a result of public health sector persistent industrial action and strikes.
Display of Detainee Rights	10%	8%	This 2% decline could be attributed to the ongoing renovations in the stations hence removal of the rights displayed earlier.
RECORDS MANAGEMENT			
Occurrence Book Correctly Entered	83%	66%	This 17% decline in OB entries could be attributed to non-adherence to IPOA recommendations during initial inspections on proper records management.
Cell Register Correctly Entered	67%	50%	There was a 17% decline attributed to failure to implement IPOA recommendations during initial inspections.
Detainees' Property Register Correctly Entered	25%	16%	The 9% decline was as a result of failure to implement IPOA recommendations made during initial inspections.
Arms and Ammunition Movement Register	67%	42%	The 25% decline was as a result of failure to implement IPOA recommendations made during initial inspections.
Exhibits Register	25%	33%	The 8% improvement was due to sensitization on the importance of listing all the exhibits.
Availability of Complaints Against Police Register	67%	33%	The 34% decline could be as a result of lack of stores supply by the NPS.
Weekly Duty Roster	75%	58%	27% decline due to failure to implement IPOA's recommendations made during initial inspections.
OFFICE SPACE, HOUSING AND RESOURCE ALLOCATION			
Availability of office Space	98%	98%	Status quo was maintained
Sufficiency of available office Space	50%	50%	Status quo was maintained as there had not been additional constructions of office spaces.

Parameter	Initial Inspections	Follow-up Inspections	Comments on Improvement/deterioration
State of Offices	60%	58%	There was a 2% decrease as a result of having no renovations being done.
Availability of Computers	67%	58%	Declined by 9% as a result of some getting obsolete.
Vehicle Allocation	75%	67%	The 8% decline was an indicator on the need of more police vehicles and the repair of those in poor condition.
Working Communication Gadgets	67%	33%	The 34% decline indicated NPS failure to maintain faulty equipment by utilizing their AIEs amongst other solutions.
Sufficient Issue of Uniforms	42%	0%	The 42% decline of uniform allocation was attributed to new uniform procurement delays and insufficient supply of the old uniforms.
Sufficient Protective Gear	42%	8%	The 34% decline in supply of protective gear was attributed to failure to implement IPOA recommendations made during initial inspections.
Separate Crime Office	50%	50%	Status quo maintained
Availability of Interrogation/ interview Rooms	0%	0%	Status quo maintained
Adequacy of Exhibits Store	8%	17%	The 9% improvement was as a result of uptake IPOA recommendations and the need to manage movement of exhibits professionally as part of the chain of custody process.
COMMUNITY POLICING			
Existence of Community Policing Committees	25%	42%	The 17% improvement was countered by an up-trend on insecurity. This calls for a people centered policing that jointly shares security challenges within the community.

Table 4: Status on Follow-up inspections conducted

Source: (IPOA, 2020)



Photo 2: Separate washrooms for male and female detainees at the cells in Kagumo Police Station

2.4.1.3 Thematic Inspections

During the reporting period, **97** thematic Inspections were conducted in various KPS facilities in various Counties. **54** of the inspections focused on NPS compliance to COVID-19 Regulations and other legal Frameworks while **43** were on Police Infrastructure and Detainee Welfare.

The findings for the 54 inspections on Compliance to COVID-19 Regulations and other legal Frameworks were as follows:

- a) 81% of the NPS facilities inspected complied with hand washing regulation with availability of hand washing water tanks, sanitizers and soaps being observed. Piped water was available in 50 (92.5%) of the Police premises inspected with 4 (7.5%) relying on buying and use of water bowsers to ferry water from nearby water sources.
- b) Adherence to social distance as a measure to mitigate the spread of COVID-19 could not be attained in the inspected Police stations. High numbers of remandees and convicts were being held in the cells as prisons were not admitting inmates without a COVID-19 negative certificate.
- c) Inordinate delays in processing of COVID-19 test results for convicts and remandees by MoH.
- d) Inadequate office spaces in these facilities could not allow practice of Social distance by officers on duty.
- e) Rising numbers of stations with huge pending bills for feeding detainees.
- f) Inadequate supply of PPEs to the Stations for use by Officers on duty exposed them to the risk of contracting the virus as they mostly interacted with members of the public. Ward Commanders in 70% of the facilities reported having been supplied with PPEs albeit inadequate and irregular whereas 30% reported to have never been supplied with the PPEs.

2.4.1.4 Conclusion on Inspections Conducted

Twenty six which translates to 60.5% of the 43 parameters assessed during follow up inspections registered a deterioration while 9 (20.9%) improved. There was no change in 8 (18.6%) of the parameters. There was no change in existence of a perimeter fence, adequate artificial lighting, ventilation, availability and sufficiency of the office space, a separate crime office and the availability of an interview/interrogation room during the initial and follow up inspections. There was also a significant improvement in the availability of kitted First Aid Box, Secure Report Office (grills at the report desk), Fire equipment among others. There was a notable decline in the issue of uniforms among other parameters, Provision of 3 Meals a day, availability of the Arms and Ammunition Movement Registers, retention of detainees for more than 24 hours in the cells among other parameters as indicated by the table above. The NPS should endeavor to ensure that Station/Ward Commanders improve on the areas that IPOA recommendations points on; to ensure that the detention facilities remain habitable, and especially areas that are within the powers of the Commanders. (Detailed information on the findings availed in a separate report²). Appendix (IV) gives a summary of findings of the facilities inspected)

2.5 Monitoring of Policing Operations

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

2.5.1 Police Operation Monitored

During the reporting period, the Authority monitored **53** Policing operations, which included **2** on provision of security during by-elections, **7** government-initiated operations, **23** public order management operations, **11** traffic management, **6** Case intake committee (CIC) referrals and **4** on Beats and Patrol.

2.5.2 Findings from Monitoring of Police Operations

Monitoring of Government Initiated Operations

The 7 monitored Government Initiated operations were conducted as a containment measure against the spread of COVID -19 pandemic. Complaints made by the members of the public through social media led to the monitoring.

a) Public Order Management

During the period under review, the Authority monitored 23 public order management operations across the country. It was observed that Police officers mostly conducted themselves professionally with no reported cases of excessive use of force.

b) Traffic Management

The Authority also conducted 11 traffic management operations monitoring which were as a result of complaints from members of the public. The monitoring revealed entrenched corruption and extortion by the traffic police officers. It was noted that these extortions are mostly perpetrated early in the morning and late in the evenings and over the weekends.

c) Beats and patrols

Four (4) operations on Beats and Patrol were also conducted as informed by complaints from members of public. Professionalism was observed amongst police officers.

d) Provision of Security during Elections

Two operations on provision of security during by-elections in Msambweni Constituency in Kwale County and Gaturi Ward in Murang'a County were monitored. The general observation by the team during the monitoring period was that the conduct of the police was commendable. The by-elections ran generally smoothly except for a few incidences in Msambweni Constituency where politicians and their supporters were involved in confrontations. This was noted at Jomo Kenyatta Primary School where former Senator Johnstone Muthama was arrested.

e) Monitoring Informed by Complaints referral

During the reporting period, the Authority conducted **6** monitoring activities were conducted informed by complaints from the public including corrupt practices, arbitrary arrests and harassment of members of the public by the Police which were dealt with accordingly.

3. STAKEHOLDER COOPERATION AND COMPLEMENTARITY

3.1 Stakeholder Engagement

The Authority enhanced its visibility and awareness on its mandate and key functions amongst the general public and key stakeholders through a set of planned activities.

The Authority held dialogue sessions with the Kenya Professional Society of Criminology, the National Assembly's Departmental Committee on Administration and National Security led by the Chairman, Hon. Paul Koinange, MP during the launch of the Authority's Call Centre. Other stake holders engaged included the International Commission of Jurists, National and County Assemblies Hon. Members, ODPP and other criminal justice system stakeholders, US Embassy, US Department of State Bureau of International Narcotics and Law enforcement Director, APCOF & CHRIPS and the Criminal Journalists Association of Kenya. The Authority held various consultative meetings with the Ministry of Interior and Coordination of National Government, the IEBC, Murang'a and Taita Taveta county governments during the respective by-election preparations, and the Machakos County Government, the Legal Resource Foundation and LSK during the legal awareness week among others.

These engagements sought to strengthen the existing cooperation between the Authority and the stakeholders, noting their centrality in police reforms.

Various outreach activities targeting the police and the general public were also organized and executed during the period across the country including Nairobi, Nyandarua, Nandi, Machakos, Nyeri, Uasin Gishu, Kisii, Nyamira, Murang'a, Kericho, Kisumu, Nakuru, Isiolo, Mombasa, Embu, Meru, Tharaka Nithi, Kwale, Kilifi and Bomet Counties.

3.2 Branding and Awareness Creation

In response to increased interest on the Authority's progress in executing its mandate, IPOA organized and executed press conferences and interviews within and without the premises, as circumstances demanded including virtually. Further, printing of IEC materials, issuing media advisories, preparing media mentions, preparing and publishing bulletins and newsletters, organizing appearances, stakeholder engagement and customer care activities were done.

The Authority's digital platforms - the official website and social media accounts were regularly updated to ensure internal and external publics are kept abreast with progress; key activities and developments. There was an increase in the target reach through messages on IPOA disseminated via various media including print and electronic media, social media, the Authority's official website, lectures, legal clinics, e - newsletters and inspection exercises among others.

To support Authority activities further, IPOA liaised with the Government Advertising Agency and ensured that paid for advertisements were designed and published in dailies with national wide circulation, announcing tenders and vacancies, in accordance with statutory requirements.

Through day-to-day media engagement, the Authority engaged on a need-basis on matters policing oversight with Kenya Broadcasting Corporation, NTV, KTN, Nederlandse Omroep Stichting, Media Max, Capital FM, Milele FM, Royal Media Services, Radio Maisha, West FM, West TV, Inooro TV and FM, Radio Africa, Standard Media Group, Nation Media Group, K24, Milele Fm, Chamgei FM, Coro FM, Njata TV/Radio and Radio Jambo among others. The Authority also undertook communication campaigns employing the mainstream media, social media

campaigns, electronic and print campaign and sensitization on the Authority mandate through IEC. Branded T-shirts were distributed alongside other IEC materials which further increased brand exposures.

4. RESEARCH AND INFORMATION MANAGEMENT

4.1 Research

The Authority makes use of research for knowledge generation, production of evidence based and factual statistics, advisory on strategy, interventions and data management functions.

During the reporting period, the following reports and surveys were carried out and completed as indicated below

S. No	Report / Survey
1.	Client Exit Interview Data Analysis and Report.
2.	Review and Editing of January-June 2020 Performance Report
3.	IPOA Training Evaluation Report
4.	Work Environment and Employee Job Satisfaction Survey

Table 5: Research reports and surveys conducted

5 INSTITUTIONAL CAPACITY

5.1 Resource Mobilisation

The Authority's initial approved budget for FY2020/21 was Ksh.752.63M. The budget was further enhanced by additional Ksh.110M to ksh.862.63M to cater for

- i. Partitioning of Eldoret and Nakuru regional office
- ii. Domestic travel for technical activities
- iii. Purchase of vehicles
- iv. Staff salaries
- v. Insurance costs
- vi. Fuel and Maintenance of motor vehicles
- vii. Telephone (toll free line for the call center)

5.2 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 financial operations and management. In the period under review, the Authority had absorbed **Kshs.365.12M (42%)** of its annual budgetary allocation of **Kshs. 862.63 Million**.

5.3 Automation

During the period, the Authority worked towards strengthening business systems and internal processes through leveraging on Information technology and Risk management.

To ensure that systems are highly available, secure and accessible, the Authority carried out various activities such as continuous monitoring of the performance of internet, email and web services and availability. The percentage of uptime achieved was 99%. To foster reachability

cost-effectively, there was continued support to the call center system. Through the platform, the public has an opportunity to submit their complaint by calling a toll-free number, 1559.

During the period, the Authority adopted and operationalized the use of Microsoft teams and google meet platforms for conducting virtual meetings in line with the government protocols and guidelines on COVID-19. Through the platforms various meetings were held which ensured business continuity and minimal disruptions of Authority's operations during the pandemic period. IPOA also facilitated users working from home through provision of laptops and enabling remote access on critical systems like emails, and ECM and also providing prompt remote support when required.

To enhance digital capacity and furtherance of partnership, the Authority received ICT equipment from its donor partners (USA Govt and GIZ). On 1st of October, 2020 US Government delivered lot 2 of ICT equipment; 68 Desktops, 8 Laptops, 15 MFP printers, 10 flatbed scanners, 10 Projectors, 2 Cisco Switches, and 103 Backup UPS. On 7th of December 2020, GIZ delivered the following ICT equipment; 9 Desktops, 9 Laptops, and 5 Digital Cameras.

5.4. Learning and Growth

The Authority facilitated 79 members of staff to undertake various courses with an aim of strengthening internal capacity. These included, Senior Management Course at the KSG, job evaluation and analysis, Occupational Safety and Health, ICPAK, LSK and IHRM courses, as shown in Table 6 below.

	Course / Programme	No. of Programmes	Trainer	No. of Officers Trained
1	Job Evaluation	1	KSG / SRC	35
2	Occupational Safety & Health Training	1	DOSH	23
3	Senior Management Course (SMC)	1	KSG	3
4	ICPAK CPD	2	ICPAK	5
5	LSK CPD	24	Various	11
6	IHRM CPD	1	IHRM	2
	TOTAL	30		79

Table 6: Staff trained between July and December 2020

Following the appointment of the Corruption Prevention Committee in 2019/2020, the members were inducted by the EACC. The Committee will subsequently conduct Corruption Risk Assessment to facilitate development of the Annual Work Plan and continuous implementation of corruption prevention activities. The draft Corruption Prevention Policy was presented to the Audit Committee for approval to inform implementation.

The Authority also participated in the Public Service Commission online survey on evaluation of compliance in the implementation of National Values and Principles and submitted the required response by 8th September, 2020. The working Committee prepared a summary report to inform continuous improvement. The report will be shared once released by the CEO's office.

6. CHALLENGES

During the reporting period, the Authority faced several challenges as listed below;

- i. The spread of Covid-19 led to scale down of activities. This hampered service delivery to some extent including inspection of police facilities and investigations. Response to cases in areas that have higher or perceived levels of infection was a challenge.
- ii. Insecurity in Garissa County and other terror threat areas: crime scenes in areas with terror threats were not easy to handle.
- iii. Delay in responding to matters referred to Directorate of Criminal Investigations and National Police Service hence delayed feedback to complainants.

7.0 CONCLUSION AND RECOMMENDATIONS

7.1. Conclusion

During the reporting period, the Authority's general performance in complaints processing, investigations, inspections and monitoring of police operations was affected by the emergence of COVID-19 and subsequent directives and measures to curb its spread. There was a slight decline on the number of completed investigations and the inspections conducted compared to the previous half year. There was a slight decline on the number of cases referred to the ODPP and those that were cleared for registration in court. The Authority looks forward to a better performance in the next period due to the ease in COVID-19 restrictions that were put in place earlier to contain the pandemic.

7.2 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. Modern Police Facilities

The National Assembly through the Departmental Committee on Administration and National Security needs to come up with an Affirmative Fund for Development of National Police Service Infrastructure. This Fund should cover among others development of new Police facilities where they are dilapidated, and extreme cases should be taken as a priority especially in the era of COVID 19.

7.1.2 Inadequate Resource Allocation

The Authority recommends to the Inspector General NPS that he 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 stationeries will ensure efficient service delivery since the public/ officers will not be compelled to source for stationeries using their own finances.

The Inspector General should therefore 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 Paragraph 4(3) of the Service Standing Orders (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 liters allocation is not sufficient especially in hardship areas, thus stalling the response rate to incidences. PPEs should also be sufficiently provided to Police officers to ensure they are protected from contracting COVID-19. It was noted that the NPS was not providing adequate stock of masks, sanitizers and gloves to Police officers. It was noted that most roadblock resources were also old or missing. These included; red lamps, torches, illuminated/reflective stop sign and blinking lights.

7.1.3. Reform Documents and Legal Documents

IPOA recommends to the IG KPS to ensure that all the guiding documents on work procedures are provided at the station level. Appendix 44(a)³ provides that guiding documents on work procedures need to be inspected, hence a requirement within the Service, this include Maps, Ransley Report, Service Strategic Plan, Code of Conduct, the Constitution, NPS Act, IPOA Act etc. Most Units lacked these documents hence provision and distribution of the same to Police facilities is highly recommended.

7.1.4. Treatment of Detained Persons

The OCS should ensure that there is adherence to the Article 25 of the Constitution of Kenya on Fundamental Rights and freedoms that may not be limited and include freedom from torture and cruel, inhuman or degrading treatment or punishment. Chapter 15 of the Service Standing Orders states that any allegation of ill treatment of prisoners, or of witnesses or other persons, or any suggestion of harsh or oppressive treatment by a Police officer shall be the subject of an immediate inquiry, and where the facts warrant, disciplinary action or court proceedings shall be instituted against the Police officer concerned.(2) An Officer-in-Charge of Police Stations shall be constantly on the alert to prevent any instances of ill treatment, which are detrimental to the good relation with the public and contrary to the Police tradition. Upon thorough investigations criminal charges should be preferred against Officers who cause bodily harm against detainees as spelled out in Section 261 of the Penal Code (Common Assault Occasioning Bodily Harm). This is especially in light with the rise in cases of Police brutality during the COVID 19 pandemic period.

7.1.5. Allowances; Hardship, Transfer, and Operations

Police Officers complained of non-payment of Hardship and Transfer Allowance. The Inspector General of Police NPS should ensure the payment of these allowances promptly. 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 stationed in a designated hardship area as specified by the Government from time to time. Officers reported of being sent on transfer without proper facilitation. Transfer allowance was not paid on time and ample time is not accorded to the Officers to report to the new Station. An Officer should be paid transfer allowance and where the funds are not readily available; provisions shall be made to pay within a reasonable period after the transfer. Chapter 72(10) (2) of the SSO, provides for the Transfer Allowance to be paid. 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.

7.1.6 Records Management

The OCS should ensure that records are kept and maintained in accordance to Chapter 59 of the Service Standing orders and strict adherence to Appendix 59(a) of Service Standing Orders.

³ Service Standing Orders.

Additionally, there is need to streamline the issuance of Police registers and stationeries in all Police premises. Migration into Digital Record Keeping should be fast tracked especially with the minimal contact being currently embraced in order to curb the spread of Coronavirus.

7.1.7 Cell Condition

According to, Rule 5, Arrest and Detention rules, 5th Schedule of the National Police Service Act 2011, it is the responsibility of the Officer-in-charge of the Station, to ensure that a lock up facility is in hygienic conditions conducive for human habitation, adequate light, toilet and washing facilities and outdoor area. The officers-in-charge of the Stations and Posts should ensure that they adhere to the provisions of the National Police Service Act 2011. The stretch on resources in Police Cells currently caused by the upsurge in number of remandees occasioned by a delay in transferring them to Prisons should be addressed. Police premises should have adequate holding facilities to cater for such unexpected circumstances in future.

7.1.8 Community Policing

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

7.1.9 Issuance of Uniforms

In accordance with Police Service Reforms, all Police Officers should be issued with the new police uniform (deep blue) and all other necessary gear and equipment as stipulated in the SSO Chapter 70 Paragraph 22(1). Therefore, the IG should fast track the supply of the new uniforms. Further, there was a number of police officers who did not affix their name tags to their uniforms contrary to Para 29 of Cap 23 of the SSOs. IPOA recommends that disciplinary action be taken against officers who violate this regulation.

7.1.10 Staff Strength and Gender Consideration

Article 246 (3) (a) of the Constitution of Kenya 2010; gives the National Police Service Commission the mandate to recruit and appoint persons to hold or act in offices in the service, confirm appointments and determine promotions and transfers within the National Police Service. The National Police Service Commission should ensure that staff shortage and gender balance especially in the DCI units is addressed to ensure compliance with one third Gender Rule as enshrined in the Constitution.

7.1.11 Welfare and Recreational Facilities

Chapter 66 of the Service Standing Orders (SSO) stipulates that; (1) The general comfort of officers in their quarters shall include: (a) adequate water supplies; (b) recreation during off-duty hours; (c) provision of canteens; (d) having organized sports and games; (e) cinema shows; (f) distribution of books, magazines, periodicals, newspapers. The officers in the Specialized Units inspected lacked clean water, recreational facilities, and the provision of canteen was done through officers' out of pocket initiative. Additionally, Police officers lacked psycho-social support. The NPSC should consider offering psycho-social and counseling services to officers. Police officers deployed to perform Government-initiated directives should be facilitated with meals among other amenities such as mobile toilets. Further under Section 46 (2) of the NPS Act 2011 (2) working hours of police officers should be reasonable and where excessive overtime is required, police officers should be compensated with commensurate periods of rest. The NPSC

should address the persistent issue of under staffing to avoid exposing officers to long working hours of more than 12 hours per shift.

7.1.12 Administration of Justice

Courts and the National Council on administration of Justice (NCAJ) need to explore ways into how they hasten administration of justice and deal with detainees being held in Police Stations. Partial opening of courts has been considered in most parts of country and the use of virtual technology. However, Police Stations are still facing a challenge of holding of detainees for a longer time than expected.

7.1.13 Training

The NPSC is mandated to regularly review the Training Curricula to ensure its relevance to Policing Requirements. They should fundamentally move swiftly when there is need to equip Officers with certain crucial knowledge. Officers did not receive any form of training in regard to protection against and spread of COVID 19. This exposed them to the risk of contracting the virus.

7.1.14 Use of Force, Harassment and Arbitrary Arrests

Continuous Sensitization on adherence to the 6th Schedule of the NPS Act 2011 to be emphasized on use of force during Police operations. Police should avoid Harassment, Arbitrary Arrests and Detention to endeavor to act always within the confines of the law or they face disciplinary action.

8. APPENDICES

Appendix (i): Operational Statistics Since Inception

IPOA OPERATIONAL STATISTICS SINCE INCEPTION TO JUNE 2020										
MANDATE	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	Jul-Dec 20	TOTAL
COMPLAINTS MANAGEMENT										
Complaints received	594	860	1,792	2,529	2,267	2,339	3,237	2,991	1,557	18,166
Complaints cases referred to IAU	125	40	25	105	355	119	57	10	16	852
Complaints recommended for investigations	0	304	1,608	1,927	819	482	489	763	353	6,745
Complaints recommended for IRM	0	39	37	42	90	171	289	326	210	1,204
Complaints referred to NPS	43	59	27	63	232	415	415	271	178	1,703
Complaints referred to NPSC	49	39	13	39	105	90	73	68	27	503
Complaints referred to KNCHR	8	3	3	8	9	10	0	0	0	41
Complaints referred to DCI	16	20	16	49	116	12	151	108	43	531
Complaints referred to other agencies (EACC, CAJ, NLC, NTSA, RBA) among others	73	80	26	70	287	113	92	80	11	832
Preliminary inquiry conducted (ongoing station visits, client interviews and fact finding) to determine the nature, solve mild complaints, and refer the rest for various actions						546	795	933	451	2,725
Complaints closed (due to complainant withdrawal, matter before court, not actionable, insufficient information and resolved)	280	276	37	226	254	381	876	432	268	3,030
INVESTIGATIONS										
Total No. of Cases received for investigation	0	304	1,608	1,927	819	482	473	693	353	6,659
Investigations Completed	0	27	115	157	294	197	728	777	330	2,625
Closed after Preliminary investigations							451	321	85	772
Closed after legal review							4	9	1	12
Cases under further investigations (cover points)							112	171	44	192
Ongoing Legal review							114	196	59	156
Cases forwarded to ODPP	0	2	13	37	26	27	55	114	45	319
Cases forwarded to EACC							1	1	0	1
Cases forwarded to NPSC							1	3	0	3
Cases under Initial Investigations Assessment								2,413	1,552	2,413
Cases currently under investigations	0	76	230	140	649	321	2,003	1,458	2,568	1,458
Cases before Courts							67	76	95	95
Convictions made	0	0	0	2	0	1	3	2	0	8
MANDATE	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	Jul-Dec 20	TOTAL
POLICE OPERATIONS MONITORED										
Public Order Management	0	2	6	8	10	33	29	24	23	135
Government initiated	0	2	0	1	4	3	13	41	7	71
Traffic Management	0	0	0	1	13	5	27	4	11	61
Police Recruitment	0	0	2	1	1	0	0	0	0	4
Cases Intake Committee (CIC) referrals / Own motion	0	0	0	1	8	4	19	1	6	39
Beats & Patrol	0	0	0	0	12	0	8	3	4	27

Elections	1	0	0	0	16	13	6	3	2	41
Subtotal	1	4	8	12	64	58	102	76	53	378
INSPECTIONS OF POLICE PREMISES										
New Inspections	25	40	181	153	94	103	336	183	33	1,148
Follow-up inspections		0	15	59	114	137	340	91	12	768
Thematic				25	0	3	17	196	97	338
Specialized Units							89	22	0	111
Police Training schools					1	0	22	1	0	24
Subtotal	25	40	196	237	209	243	804	493	142	2,389

Source: (IPOA, 2020)

Appendix (ii): Cases Cleared By ODP in the Process of Court Registration

No	File Number	Court Case No.	Subject	Jurisdiction- County and specific Court station
1	019-INV-NBI-2015-C-597	In the process of Court registration	Offence/charge: Murder Complainant/Deceased: MCK Accused person: PC Cedric Abuga	Milimani
2	IPOA FILE NO: 0082-INV- KITENGELA-2014-C-357	In the process of Court registration	Offense/charge: Unlawful wounding Complainant/Deceased: JM Accused person: Fredrick M. Mukasa	Kajiado
3	075-INV- NAIROBI-C-766-2016	In the process of Court registration	Offense/charge: Murder c/s 203 as read with 204 Complainant/Deceased: DM Accused person: Joycliff Githinji	Nairobi
4	IPOA/INV/ 001570/2018	In the process of Court registration	Offense/charge: Inquest Complainant/Deceased: BW Accused person: N/A	Uasin Gishu County Eldoret law courts
5	IPOA/INV/ 001595-2018	In the process of Court registration	Offense/charges: Manslaughter c/s 202 as read with 205 Complainant/Deceased: WM Accused person/s: Isaac Mosiria	Makadara Law Courts
6	IPOA/INV/ 000934-2018	In the process of Court registration	Offense/charges: Unlawful wounding c/s 231(a) Complainant/Deceased: FN Accused person/s: Dennis Orito	Kiambu Law Courts
7	IPOA/INV/ 001727-2018	In the process of Court registration	Offense/charges: Inquest Complainant/Deceased: DM Accused person/s: N/A	Milimani law courts
8	IPOA/INV/ 002180-2018	In the process of Court registration	Offense/charges: Murder Complainant/Deceased: RNN Accused person/s: Jilo Kitasi	Nyeri High court
9	001-INV(KSM) KAKAMEGA- 001-2017	In the process of Court registration	Offense/charges: Inquest Complainant/Deceased: ES Accused person/s: N/A	Kakamega Law Courts
10	IPOA/INV/001843-2018	In the process of Court registration	Offense/charges: Murder Complainant/Deceased: EM Accused person/s: Josephat Mokono & Another.	High Court at Machakos
11	IPOA/INV/ 001759-2018	In the process of Court registration	Offense/charges: Inquest Complainant/Deceased: JG Accused person/s:	High Court at Nyeri
12	IPOA/INV/ 001271-2018	In the process of Court registration	Offense/charges: Causing greivous harm Complainant/Deceased: JG Accused person/s: Boniface Chacha & 3 others.	Garrisa Law Courts

No	File Number	Court Case No.	Subject	Jurisdiction- County and specific Court station
13	IPOA/INV/ 693-2017	In the process of Court registration	Offense/charges: Inquest Complainant/Deceased: MC Accused person/s:	Eldoret Law Courts
14	IPOA/INV/ 1521-2014	In the process of Court registration	Offense/charges: Inquest Complainant/Deceased: CO Accused person/s:	Milimani Law Courts
15	IPOA/INV/ 1525-2018	In the process of Court registration	Offense/charges: Inquest Complainant/Deceased: HAA Accused person/s:	Garissa Law Courts

Appendix (iii): Status of the Various Inspected Utilities in NPS Facilities

Key Area	Name of Facilities
KPS premises inspected with detention	Mawingu Police Post, Lereshwa Police Post, Nchiru Police Station, Kambakia Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station, Mukuyuni Police Station, Muumoni Police Station, Oloolaimutia Police Station, Kithumani Police Station, Matiliku Police Station, Kyambeke Police Station and Masimba Police Station.
Detention facilities with female cells	Nchiru Police Station, Kambakia Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station, Mukuyuni Police Station, Matiliku Police Station, Kyambeke Police Station and Masimba Police Station.
Detention with clean cells	Mawingu Police Post, Lereshwa Police Post, Nchiru Police Station, Kambakia Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station, Muumoni Police Station, Oloolaimutia Police Station, Kithumani Police Station, Matiliku Police Station, Kyambeke Police Station and Masimba Police Station
Detention facilities with adequate artificial lighting,	Kambakia Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station, Muumoni Police Station, Oloolaimutia Police Station, Matiliku Police Station, Kyambeke Police Station and Masimba Police Station
Detention facilities with adequate ventilation inside the cells,	Nchiru Police Station, Kambakia Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station, Muumoni Police Station, Oloolaimutia Police Station, Kithumani Police Station, Matiliku Police Station, Kyambeke Police Station and Masimba Police Station
Detention facilities with a wash area	Kagumo Police Station, Mukuyuni Police Station and Kyambeke Police Station
Detention facilities with irregular connections within the cells	Mawingu Police Post, Lereshwa Police Post, Nchiru Police Station, Kambakia Police Station, Tigania Police Station, Kagumo Police Station, Mukuyuni Police Station, Muumoni Police Station and Masimba Police Station
Detention facilities with toilets inside the cells	Nchiru Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station and Kyambeke Police Station
Detention facilities with bucket toilets inside the cells	Mavindini Police Station, London Police Post, Ngoswani Police Post, Mawingu Police Post, Kambakia Police Station, Kangeta Police Station, Kithungo Police Station, Mukuyuni Police Station, Nkoilale Police Post, Muumoni Police Station, Ngungani Police Station, Kalatine Police Post, Oloolaimutia Police Station, Mwamba Police Post, Ewaso Nyiro Police Post and Kalawani Police Station
Detention facilities that provided bedding for detainee	None.
Detention facilities that provided detainees with clean drinking water	Mawingu Police Post, Lereshwa Police Post, Nchiru Police Station, Kambakia Police Station, Kangeta Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station, Kithungo Police Station, Muumoni Police Station, Oloolaimutia Police Station, Matiliku Police Station, Kalawani Police Station, Kyambeke Police Station and Masimba Police Station

Key Area	Name of Facilities
Detention facilities provided detainees with 3 meals per day	Nchiru Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station, Muumoni Police Station, Oloolaimutia Police Station and Kyambeke Police Station
Detention facilities where detainees complained of Police mistreatment	Mawingu Police Post, Lereshwa Police Post, Nchiru Police Station, Kambakia Police Station, Kangeta Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station and Muumoni Police Station
Detention facilities where detainees who were sick and unattended to by medics	Mawingu Police Post, Lereshwa Police Post, Nchiru Police Station, Kambakia Police Station, Kangeta Police Station, Tigania Police Station, Kagio Police Station and Muumoni Police Station
Detention facilities that provided medical emergency care to detainees	Mawingu Police Post, Lereshwa Police Post, Nchiru Police Station, Kambakia Police Station, Kangeta Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station, Mukuyuni Police Station, Muumoni Police Station, Kithumani Police Station, Matiliku Police Station and Masimba Police Station
Police facilities with secure perimeter fence	London Police Post, Kagumo Police Station, Talek Police Post, Matiliku Police Station and Kalawani Police Station
Police facilities with secure grills at the report office	Nchiru Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station and Kyambeke Police Station
Police facilities with Sentry at the main gate	Nchiru Police Station, Tigania Police Station and Kalawani Police Station
Police facilities with clear Signage	Mavindini Police Station, Mawingu Police Post, Nchiru Police Station, Kambakia Police Station, Kangeta Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station, Kithungo Police Station, Mukuyuni Police Station, Ngungani Police Station, Talek Police Post, Matiliku Police Station, Kalawani Police Station, Kyambeke Police Station and Masimba Police Station
Police facilities with fire equipment	Tigania Police Station, Kagumo Police Station and Muumoni Police Station
Police premises that were accessible by wheelchair users	Tigania Police Station, Muumoni Police Station and Talek Police Post
Police premises that had Water access	Mavindini Police Station, London Police Post, Ngoswani Police Post, Mawingu Police Post, Lereshwa Police Post, Nchiru Police Station, Kambakia Police Station, Tigania Police Station, Kagio Police Station, Kagumo Police Station, Kithungo Police Station, Mukuyuni Police Station, Nkoilale Police Post, Muumoni Police Station, Ngungani Police Station, Kalatine Police Post, Oloolaimutia Police Police, Talek Police Post, Mwamba Police Post, Ewaso Nyiro Police Post, Kithumani Police Station, Matiliku Police Station, Kalawani Police Station, Kyambeke Police Station and Masimba Police Station



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 Mohamad
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, 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 artist.

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

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Independent Policing Oversight Authority



Independent Policing Oversight Authority

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