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## PERFORMANCE REPORT JANUARY - JUNE 2017





*IPOA photo: Seated from left IPOA CEO Dr. Joel Mabonga, DCI Director Mr. Ndegwa Muhoro, DIG Joel Kitili, IGP Joseph Boinnet, the late Cabinet Secretary Internal Security and Coordination of National Government, Mr. Joseph Nkaissey, US Ambassador Robert Godec, Board Chairman Mr. Macharia Njeru pose with OPSA 2016/17 winners.*

*Cover photo: IPOA Board Chairman Mr. Macharia Njeru, US Ambassador Robert Godec, the late Cabinet Secretary Internal Security and Coordination of National Government, Mr. Joseph Nkaissey and IGP Joseph Boinnet during the OPSA 2016/17 event.*

*Back cover: IPOA Board Chairman Mr. Macharia Njeru and CEO Dr. Joel Mabonga receive the Huduma Ombudsman Award.*





Independent Policing  
Oversight Authority

Paper laid by  
the leader of  
Majority on  
15/12/2018  
@Lunkh



PERFORMANCE REPORT  
JANUARY - JUNE 2017





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## ABBREVIATIONS AND ACRONYMS

AP	Administration Police
CIC	Case Intake Committee
DCI	Directorate of Criminal Investigations
ECM	Enterprise Content Management System
IAU	Internal Affairs Unit
IG	Inspector General
IPOA	Independent Policing Oversight Authority
KNCHR	Kenya National Commission on Human Rights
KPS	Kenya Police Service
NPSC	National Police Service Commission
NPS	National Police Service
OCPD	Officer Commanding Police Division
OCS	Officer Commanding Station
ODPP	Office of the Director of Public Prosecution
OPSA	Outstanding Police Service Award
UNODC	United Nations Office on Drugs and Crime



## STATEMENT BY BOARD CHAIRMAN

On behalf of the Board, the Management and the Staff, I am pleased to present the 10th Statutory Performance Report since inception of IPOA for the Period January - June 2017. During this period, the Authority has achieved great milestones in pursuit of achieving its mandate.

As we reflect on the gains that the Authority has made so far, this report outlines the Authority's performance in key mandate areas, achievements, challenges and recommendations made to the National Police Service (NPS). The achievements made by IPOA since inception is a clear indication of its important role in guarding public interest in policing and also in professionalizing the National Police Service (NPS).



In the spirit of co-operation, partnership and as stipulated in the Act, the Authority has continued to work with stakeholders in guarding public interest in policing in Kenya. In our mission to serve all, we continue to conduct impartial and independent investigations, inspections, audits and monitoring of the National Police Service. This indeed continues to prevent impunity in the Police Service while promoting professionalism and integrity.

Gradually, our vision to be a robust civilian accountability mechanism that promotes public trust and confidence in the National Police Service continues to be realized. So far, the Authority has received **8,042** complaints since inception. Five hundred and ninety three (**593**) investigations have been completed. The completion of investigations has gradually grown over the periods attributed to sustained capacity growth in staffing, training and financial allocation.

The Authority has also conducted **711** inspections across the 47 counties, towards realization of one of the five outcomes stipulated in the Authority's Strategic Plan 2014-2018: the realization of improved detention facilities and police premises. This is an area of focus with its achievement being through conducting inspections of police premises, and making recommendations on areas of improvement by the NPS.

To recognize police officers serving the public professionally, the Authority in collaboration with various partners and stakeholders held the third Outstanding Police Service Awards (OPSA) 2016/2017) on 5th of May 2017 at the Intercontinental Hotel in Nairobi. A total of **92** officers were awarded for outstanding performance.

As a way implementing previous recommendations on boosting cooperation between the NPS and IPOA, on the 14th of June 2017 the Authority held the first feedback dialogue meeting with NPS officers in Nakuru County.

In the effort to take services closer to the people, the Authority also set up regional offices in Mombasa, Kisumu and Garissa which became operational from 1st March this year.

IPOA also won a prestigious award - Ombudsman Huduma Award on 9th March 2017, feted by the Commission on Administrative Justice (CAJ) for exemplary services to the public in the institution category.

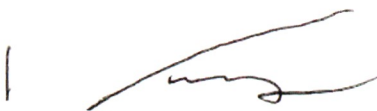
The Authority would not have made the achievements contained in this report without support and cooperation of its partners and stakeholders. The Authority has sustained collaboration and



partnership with various stakeholders including the US Embassy, the British High Commission, the Swedish Embassy and UNODC.

IPOA wishes to express gratitude to all our development partners whose enormous support was key in achieving its mandate during this period. Special acknowledgment also goes to the National Treasury, National Assembly's Committee on Administration and National Security and the Budget and Appropriation Committee for ensuring that the budget for 2016/2017 was revised upwards to meet IPOA's needs. We are also grateful to the ODPP for the cooperation and support that we have continued to receive from this office.

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



**Mr. Macharia Njeru**

**Chairperson**

**The Independent Policing Oversight Authority.**

## MESSAGE FROM THE CEO

The Independent Policing Oversight Authority's performance between January and June 2017 is an improvement of the previous years which is attributed to increased levels of awareness of its existence and mandate amongst members of the public and the National Police Service. During the reporting period, the Authority received **1,013** complaints, conducted **86** inspections in police facilities and conducted **137** investigations.



Further, the Authority developed an online platform for conducting its businesses. The Electronic Content Management (ECM) dubbed 'IPOA Cloud Connect'; an online platform aiming at digitizing all the operations of the authority.

During the reporting period, collaboration was maintained with the various partners and stakeholders as illustrated in the IPOA Strategic Plan 2014-2018. Special thanks goes to the United States of America Embassy which provided support for OPSA 2016/17 event and the implementation of the Enterprise Content Management (ECM) computer system, the British High Commission and UNODC for their support in various programmes.

The Authority extends gratitude to all our partners and stakeholders for their continued support and partnership. On behalf of all the staff, I would like to thank the Board for its continued guidance and support throughout the period. I would also like to thank and commend the staff for their tireless efforts towards another successful period. Together, we will achieve more in the coming years.

**Dr. Joel Mabonga**

**Chief Executive Officer**

**The Independent Policing Oversight Authority.**



## EXECUTIVE SUMMARY

### Complaints Management

Between January -June 2017, the Authority received **1,013** complaints. Out of these complaints, **617** (61%) of the complainants were male while a paltry **146** (14%) were by female. The complaints included Police inaction, Police misconduct Abuse of office, Assault and harassment by police among others

### Investigations and Prosecutions

During the reporting period, the Authority conducted **137** investigations out of which forty eight (**48**) cases were forwarded to the ODPP for further action, **45** cases closed without need for further action, **3** cases closed through alternative resolutions, **3** cases referred to other agents like EACC and DCI for further action and **23** cases which may require further action after closure of Rapid Response Inquiries and Preliminary Investigations while **15** are still under investigations.

### Inspection, Research and Monitoring

During the reporting period, the Authority conducted a total of **86** Inspections across 28 Counties. Of these, **29** (34%) were new inspections while **57** (66%) were follow-up inspections. These inspections brought the cumulative number of inspections conducted since IPOA inception to **711** across the 47 Counties. Out of the **29** facilities where new inspections were conducted, **18** (62%) had detention and holding cells; **16** in police stations, **1** Police Post, and **1** Special unit, while **11** (42%) police premises had no cells. 89% (**16**) of these facilities with detention cells had more than one cell implying that men and women were held separately. Only 22% (**4**) of the police facilities had juvenile cells. The other facilities detained children together with adults. In terms of cleanliness, 78% (**14**) of the detention facilities were clean. On ventilation 83% (**15**) of these cells had adequate ventilation while 61% (**11**) had adequate lighting during day and night. Majority, 61% (**11**) of the detention facilities had clean toilets and wash area and only 22% (**4**) of the facilities provided detainees with beddings.

### Rewarding Outstanding Police Officers

To recognize police officers serving the public professionally, the Authority in collaboration with partners and stakeholders held the third Outstanding Police Service Awards (OPSA) 2016/2017) on 5th of May 2017 at the Intercontinental Hotel in Nairobi. A total of **92** officers were awarded for outstanding performance including Best individual officers - male (**20**) & female (**20**), Best Human Rights Officers (**15**), Best detention/Holding facility (**4**), Best facility in Orderliness and Cleanliness (**5**), Best Facility In Community Policing (**4**), Extra Mile Category (**10**) and Posthumous category (**14**).

### Partnership and Collaboration

During the reporting period, collaboration and partnership was sustained with various stakeholders. Meetings with UNODC on the 'Basket fund' continued, USA Embassy support on the information technology automation project and OPSA support among other development partners.

## 1.0. INTRODUCTION

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

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

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

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

## 2.0. PERFORMANCE STATUS

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

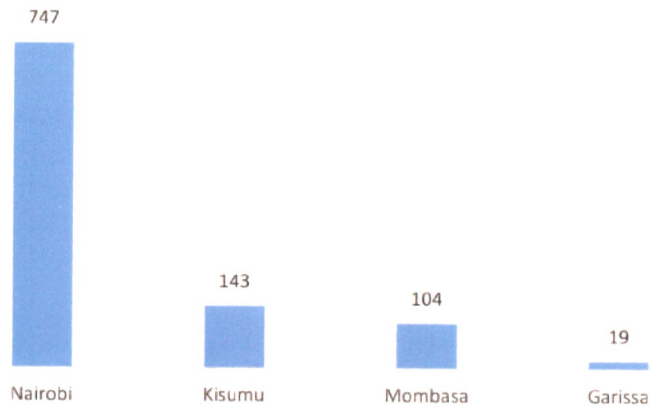
### 2.1 Complaints Management

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

The Authority received a total of **1,013** complaints in the period 1<sup>st</sup> January 2017 to 30<sup>th</sup> June 2017. This has led to a grand total of **8,042** complaints since IPOA's establishment. The Nairobi office received **747** complaints, Kisumu Office **143** complaints, Mombasa Office **104** complaints and Garissa Office **19** complaints.



## Complaints per Office

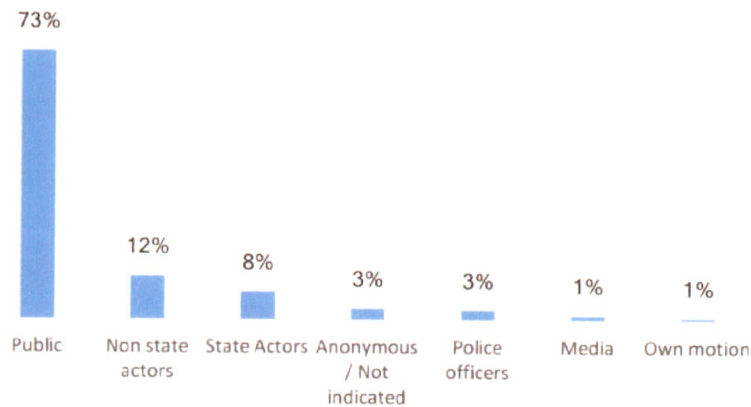


Overall, the Head Office in Nairobi recorded the highest number of complaints contributing almost three quarters (74%) of the total tally. The regional offices contributed slightly above a quarter (26%) of the total complaints for the three months they were operational i.e. from 1st March 2017 to 30th June 2017.

### 2.1.1 Source of Complaints

During the reporting period, the Authority received complaints from different entities. The main sources included members of the public, state actors<sup>1</sup>, non-state actors<sup>2</sup>, police officers and the media. The largest percentage of complaints were directly from members of the public. This has been the trend from the past years where the public has been the major source of complaints.

## Source of Complaints

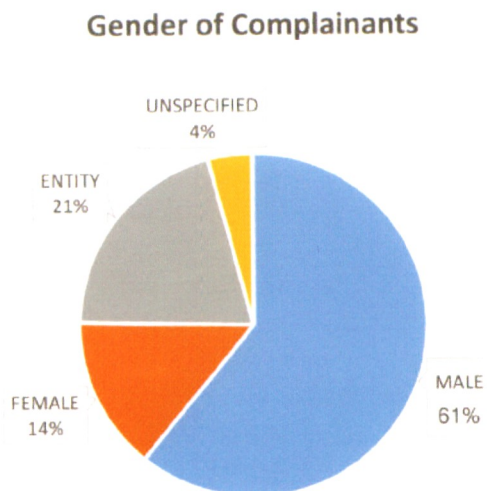


<sup>1</sup> These are other state agencies mandated with handling public complaints e.g. ODPP, KNCHR, NCIC, CAJ among others

<sup>2</sup> These are other agencies which are private in nature including the civil society

## 2.1.2. Complainants Breakdown by Gender

There were more male complainants than female complainants. This is evident as the data reveals 61% (**617**) of the complainants were male while a paltry **146** (14%) were female. Entities that reported were **208** (21%) and **42** (4%) of the reported complaints were from anonymous sources hence gender was not established.



## 2.1.3. Nature of Complaints

The Authority receives varied types of complaints from various Sources. The complaints include Police inaction, Police misconduct Abuse of office, Assault and harassment by police among others. The table below lists all the complaints as received during the reporting period. The list is arranged in order from the most prevalent nature of complaint to the least prevalent.

Nature of Complaint	No.	%
Police inaction	311	31.3%
Police misconduct	135	13.6%
Abuse of Office/Corruption and extortion	95	9.6%
Police assault	91	9.2%
Police harassment	85	8.6%
Arbitrary arrest and unlawful detention	74	7.4%
Police shooting	47	4.7%
Unfair administrative action including dismissal, transfers, promotions and trainings	34	3.4%
Threats	28	2.8%
Deaths	25	2.5%
Improper investigations	17	1.7%
Poor service delivery	17	1.7%
Malicious prosecution and dissatisfaction with court processes	13	1.3%



Destruction of property	7	0.7%
Obstruction of justice	6	0.6%
Debts and loans	6	0.6%
Enforced disappearance	5	0.5%
Complaint against civilians	5	0.5%
Land issues	4	0.4%
Others <sup>3</sup>	8	1

#### 2.1.4. Changes (Increase and Decrease) in Reported Nature of Misconduct

Compared to the previous reporting period there was an overall 19.2% decrease in the number of complaints reported. This is also reflected in the decrease of various types of complaints reported except for improper investigations which increased by **14** cases. The table below shows the comparison between the two halves of the 2016/2017 Financial Year.

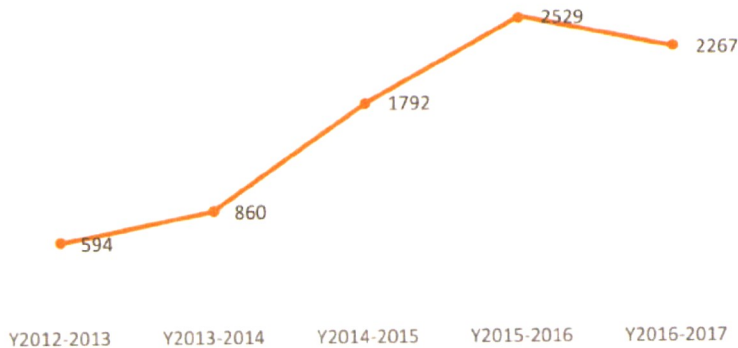
Nature of Complaint	Jun - Dec '16	Jan - June '17	Increase / (Decrease)
Police inaction	337	306	(9%)
Police misconduct	182	135	(26%)
Abuse of Office/Corruption and extortion	105	94	(10%)
Police assault	113	89	(21%)
Police harassment	112	85	(24%)
Arbitrary arrest and unlawful detention	111	74	(33%)
Police shooting	70	44	(37%)
Unfair administrative action including dismissal, transfers, promotions and trainings	51	34	(33%)
Deaths	35	18	(49%)
Improper investigations	3	17	467%
Malicious prosecution and dissatisfaction with court processes	41	12	(71%)

#### 2.1.5. Cumulative Complaints Received since Inception

The Authority had received a total of **8,042** complaints cumulatively from inauguration in 2012 to 30<sup>th</sup> June 2017. There has been a steady growth in the number of complaints received with 3 years recording increased numbers and the 2016/2017 year recording a slight decrease.

<sup>3</sup> These include: traffic matters, sexual harassment and defilement and matters of personal nature.

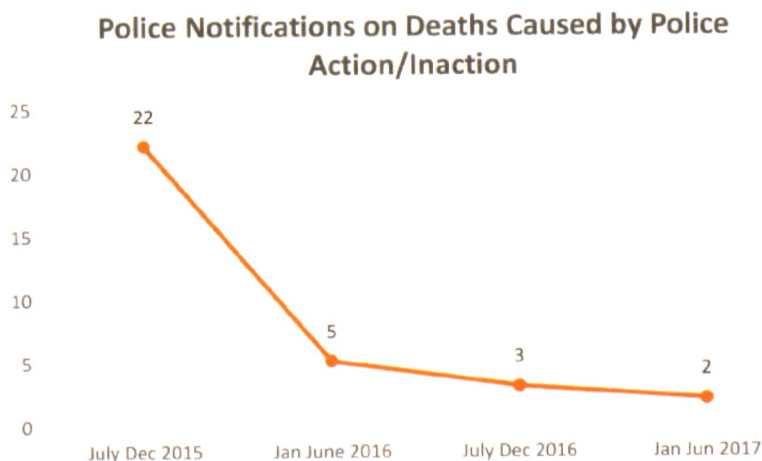
## Trend on Number of Complaints Since Inception



### 2.1.6. Police Notifications

The 6th Schedule of the National Police Service Act and S.25 of the IPOA Act requires the National Police Service to report deaths and serious injuries to the Independent Policing Oversight Authority. During the period under review the Authority received **2** notifications of deaths as a result of police action/inaction. However, information on **12** other deaths and serious injuries was received through other channels. No notifications were received by the IPOA Kisumu and Garissa Office as per the said Act despite the offices receiving complaints regarding police killings in the region. It is noted the number of deaths reported by the National Police Service is not reflective of the number of deaths as a result of police actions that were received through other channels.

The number of notifications from the police in compliance with the law under section 25 of the IPOA Act has been dwindling with time. This is as shown below;



### 2.2. Counseling Services

IPOA offers psychosocial support to the staff and the clients. This is occasioned by the nature of work and the nature of frequent traumatizing scenarios that both some staff and the most complainants experience.



The counseling unit managed a total of **121** psychosocial support sessions with individuals in the period 1<sup>st</sup> January 2017 to 30<sup>th</sup> June 2017. Of the **121** sessions, **65** were either complainants or witness while, **56** individual sessions were for IPOA staff members.

### 2.3. Legal Services and Review of Files

The Authority, had **18** files successfully reviewed and forwarded to ODPP while **11** files were reviewed and returned to the Investigations Department for further investigations. Thirty files were pending review as at 30th June 2017.

#### Court Matters

##### a) Civil cases

During the period the department handled eleven (**11**) civil cases, comprising of eight (**8**) constitutional petitions, two (**2**) judicial review applications, and one appeal. All eleven (**11**) civil cases are ongoing in court.

##### b) Matters arising from IPOA investigations

During the period the department dealt with five (**5**) matters arising from IPOA investigations, being **4** petitions and **1** matter before the Court of Appeal. Two of the petitions were finalized while three (**3**) matters are ongoing in court.

## 2.4. INVESTIGATIONS

The Authority conducts investigations on complaints against the police as received from the public or from members of the NPS. Investigations can at times be launched on the basis of own motion. There are various outcomes of the investigations that include; recommendations for prosecutions by the ODPP, opening of inquests, exoneration among others.

### 2.4.1. Status of Investigations by the Authority

During the reporting period a total of **137** investigations were completed. This was across **30** counties in the Country. This shows at least 64% of all the Counties in Kenya had cases of police misconduct and injustices which needed investigations.

COUNTY	COUNT	PERCENT	COUNTY	COUNT	PERCENT
Nairobi	34	25%	Kisumu	2	1%
Meru	13	9%	Murang'a	2	1%
Kericho	9	7%	Nandi	2	1%
Machakos	8	6%	Siaya	2	1%
Mombasa	8	6%	Laikipia	2	1%
Kiambu	7	5%	Tana River	2	1%
Narok	7	5%	Bungoma	1	1%
Nyeri	7	5%	Busia	1	1%
Kisii	6	4%	Kajiado	1	1%

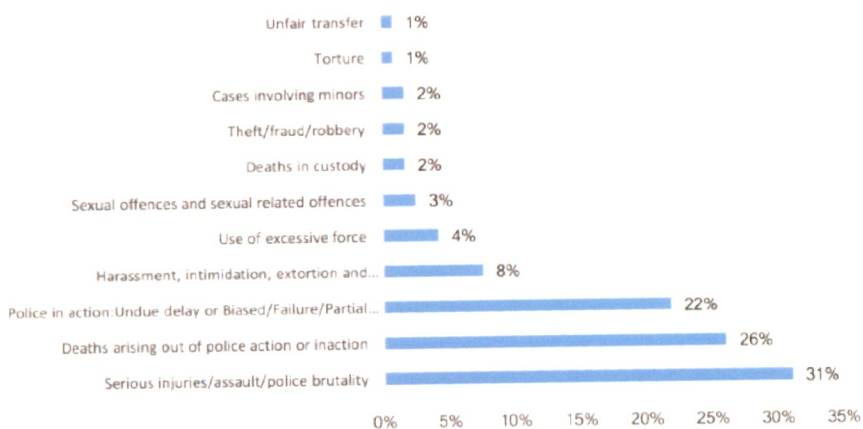
Kitui	5	4%	Kiambu	1	1%
Nakuru	4	3%	Kilifi	1	1%
Kakamega	2	1%	Kwale	1	1%
Embu	2	1%	Makueni	1	1%
Isiolo	2	1%	Uasin Gishu	1	1%
Kisumu	2	1%	Wajir	1	1%

## 2.4.2. Outcome of Investigated Cases

There were various outcomes of the investigated cases. Forty eight (**48**) cases were recommended to ODPP and forwarded to the Legal Unit for further review and subsequent forwarding to ODPP for further action, **45** cases closed without need for further action, **3** cases closed through alternative resolutions, **3** cases referred to other agents like EACC and DCI for further action and **23** cases which may require further action after closure of Rapid Response Inquiries and Preliminary Investigations.

Status of Cases	No
Cases forwarded to the legal unit for recommendation to the DPP for prosecution or other action	48
Cases closed without requirement for further action	45
Cases finalized with other resolution	3
Cases referred to other agencies for further action	3
Cases finalized (at PI and RR <sup>4</sup> ) requiring further action i.e. full investigation by IPOA or other agencies.	23

## Nature of Cases Investigated



## 2.4.3. Nature of Investigated Cases

Serious Injuries, assault and police brutality took the biggest share of the investigated cases at 31% followed by Deaths arising out of police action or inaction at 26%. Cases where the victims

<sup>4</sup> PI = Preliminary Investigations; RR = Rapid Response



reported issues of biased and partial investigations or failure of police to do investigations came third at 22%. Around 8% were victims of police harassment, intimidation, extortion or arbitrary arrests while 4% complained of use of excessive force by the police. Other cases involved sexual offences (3%), deaths in custody (2%), theft/fraud/robbery (2%), and cases involving minors (2%), torture (1%) and unfair transfer (1%)

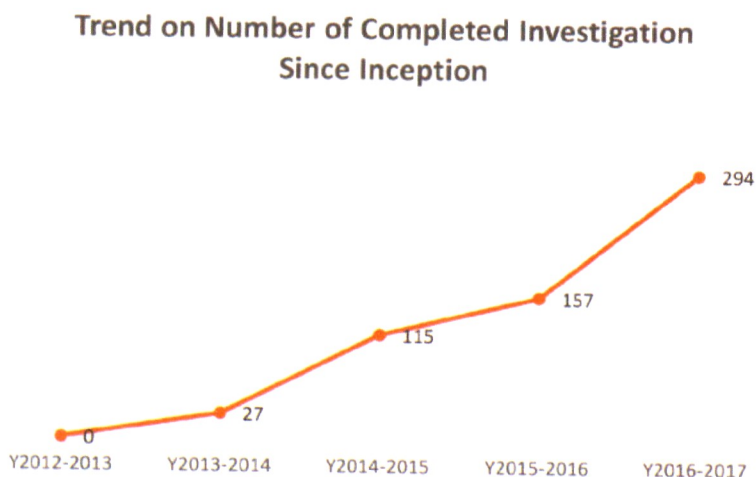
This shows a worrying situation where the top cases involving serious injuries, deaths by police action/inaction form 57% of all the cases which implies a police service that is violating the rights of its citizens instead of protecting those rights. This calls for enhanced efforts from all stakeholders to hasten the police reform process.

#### 2.4.4. Stage of Investigations for Various Cases

Investigation stage	Number
Cases currently under investigations	649
Completed investigations	124
Cases before Court	96
Cases awaiting commencement of investigations	1111
Total cases received for investigation January to June 2017	125

#### 2.4.5. Cumulative Investigations Completed since Inception

The investigative capacity of the Authority has been increasing over time. This has seen the number of investigations completed increase every year. The Authority has seen the numbers improve from **27** investigations in 2013/2014 to **294** complete investigations in the year 2016/2017. This is more than 10 times increment. However, there is still need for more capacity in terms of staffing in the department as the ratio of investigations completed to complaints received remains very low at 294:1013. Cumulatively, the Authority has completed **593** investigations since inception the graph below shows the rising trend of the cases investigated since inception.

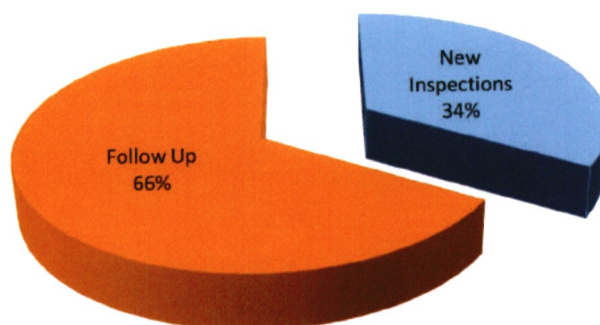


## 2.5. INSPECTION OF POLICE FACILITIES

In line with functions of the Authority as stipulated in the Act and outcome (iii) of the Strategic Plan 2014-2018, the Authority conducts inspection of police premises with an aim of making recommendations that will see achievement of improved detention facilities.

During this period, the Authority conducted a total of 86 Inspections across 28 Counties. Of these, 29 (34%) were New Inspections while 57 (66%) were Follow-Up inspections.

### Categories of Inspections



#### 2.5.1. Number of Inspections per County

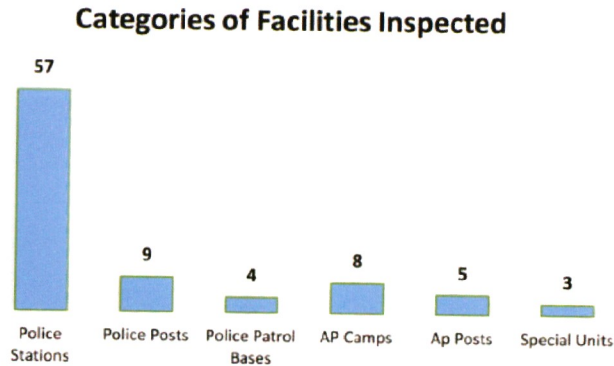
Bungoma County had the highest number of inspections with **13** police premises being visited during this period. Most Counties (**19** of **28**) had two or a single inspection conducted. These inspections brought the cumulative number of inspections conducted since inception to **748** across the 47 Counties.

County	Inspections No.	%	County	Inspections No.	%
Bungoma	13	15%	Busia	2	15%
Uasin Gishu	8	9%	Kakamega	2	9%
Kwale	8	9%	Wajir	2	9%
Kilifi	7	8%	Kirinyaga	2	8%
Machakos	5	6%	Kisii	2	6%
Homa Bay	5	6%	Taita Taveta	1	6%
Mombasa	4	5%	Nakuru	1	5%
Kajiado	4	5%	West Pokot	1	5%
Lamu	3	3%	Migori	1	3%
Murang'a	2	2%	Nyeri	1	2%
Turkana	2	2%	Baringo	1	2%
Narok	2	2%	Tharaka Nithi	1	2%
Homa Bay	2	2%	Embu	1	2%
Nyandarua	2	2%	Siaya	1	2%



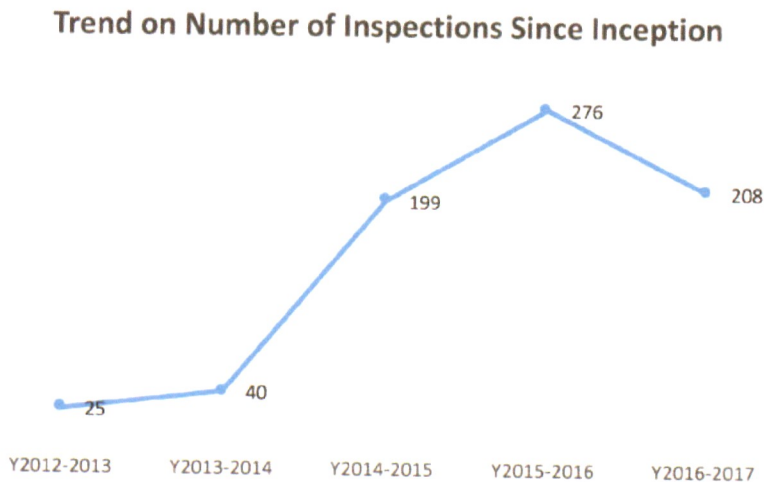
### 2.5.2. Categories of Premises Inspected

Of the total inspections, **57** were in Police Stations, **9** in Police Posts, **4** in Patrol Bases, **8** in APS Camps, **5** in APS Posts, and **3** in Special Units.



### 2.5.3. Cumulative Inspections since Inception

The number of inspections since inception has been on a rising trend. This has seen the numbers rise from **25** inspections in the year 2013/2014 to **276** in 2015/2016 which remains the highest number in a single year. In the year 2016/2017 there were **208** inspections. Cumulatively, the Authority has conducted a total of **748** inspections.

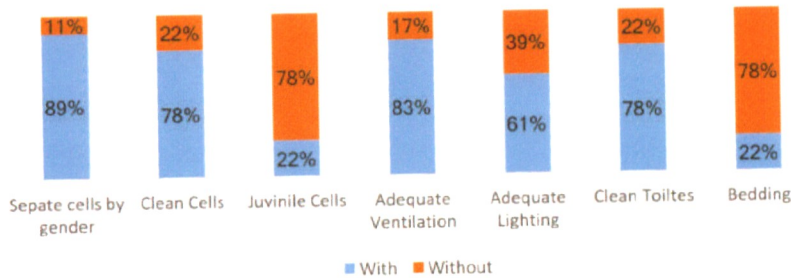


### 2.5.4. Status of Detention Facilities

Out of the **29** facilities where new inspections were conducted, **18** (62%) had detention and holding cells; **16** in police stations, **1** Police Post, and **1** Special unit, while **11** (42%) Police Premises had no cells. 89% (**16**) of these facilities with detention cells had more than one cell implying that men and women were held separately. Only 22% (**4**) of the police facilities had juvenile cells. The other facilities detained children together with adults in police custody. In terms of cleanliness, 78% (**14**) of the detention facilities were clean. On ventilation 83% (**15**)

of these cells had adequate ventilation while 61% (11) had adequate lighting during day and night. Majority, 61% (11) of the detention facilities had clean toilets and wash area and only 22% (4) of the facilities provided detainees with beddings.

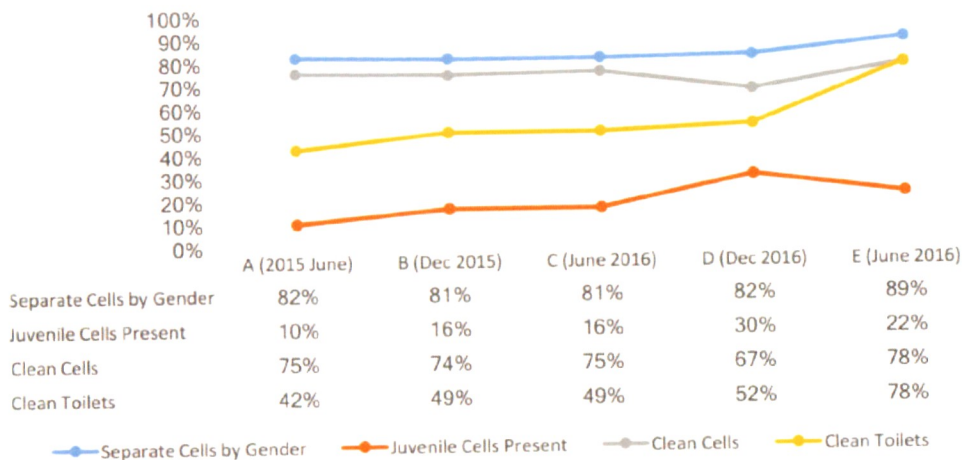
### Status of Availability of Amenities



### 2.5.5. Trends on Availability of Selected Amenities over Time

The line graphs below show the trends on availability of 4 selected items in Police facilities. The following can be derived from the graph on the following page;

#### Trend on Selected Aspects in Police Facilities



- I. **Separate Cells by Gender:** The line is relatively flat indicating consistency on the availability of Cells that are separated by gender.
- II. **Availability of Juvenile Cells:** The line is lying low towards the bottom of the graph. There are few stations with separate cells for minors. The trend also shows that the number of facilities with Juvenile Cells is still low.
- III. **Cleanliness of Cells:** The line graph is lying high towards the top of the graph which indicates an impressive trend on the cleanliness of cells. Majority of facilities (above 70%) have clean cells.
- IV. **Clean Toilets:** The line has a positive gradient which indicates an improving trend of the



facilities with clean toilets in the cells. In the reporting period, the number of facilities with clean cells was impressive at 78%.

### 2.5.6. Treatment of Detainees

On provision of meals to detainees 81% (**13**) of the Police stations provided detainees with three meals a day, **3** (9%) did not provide detainees with three meals a day

### 2.5.7. Vulnerable and Special Interest Groups

In all the facilities inspected none of them had a Child Protection Unit (CPU) and only one had the detainees rights displayed. Forty Eight Percent (48%) of the new police facilities inspected had a manned customer care/information desk and only 21% had gender desks/gender office. Only 38% (**11**) of the police premises were friendly for the physically challenged. This implies that in majority of the Police Premises (62%) people with physical disabilities had difficulties in accessing policing services.

### 2.5.8. Officers Working Conditions and Infrastructure

#### (a) Police Offices and Stores

Majority of the Police Premises inspected had insufficient infrastructure for effective and efficient policing; only 21% (**6**) of the police facilities had sufficient office space that was in good condition while 79% (**23**) of the facilities had limited office space or had offices in poor working conditions which needed urgent repairs.

Majority of the facilities, 60%, had limited space to store exhibits and in some circumstances the stores were dilapidated. In these premises the exhibits were haphazardly kept in small rooms and only 15% (**3**) of the facilities had properly kept exhibit registers correctly entered and labeled.

#### (b) Police Houses

As has been the trend, housing facilities for police officers still remains a big challenge. Only 7% (**2**) of the facilities had sufficient housing units the rest had various housing needs for its officers; 59% of the Police facilities had insufficient housing units with up to three officers sharing a housing unit while in 34% of the facilities the officers had no housing units.

#### (c) Staff capacity

In all the NPS Premises Inspected officers decried being understaffed. This subjected officers to long working hours and in turn impacts negatively on policing operations.

#### (d) Vehicles & Fuel Allocation

Majority of the stations inspected had at least one vehicle with fuel allocation of 450 liters per month. Vehicle and fuel allocations attracted mixed reactions with some officers acknowledging the increased mobility due to transport accessibility, continuous fuel allocation and availability as compared to previous years. In instances where the allocation was insufficient officers would use complainants' resources to carry out policing operations and these arrangements provided

conduits for corruption, an issue that has severally tarnished the image of the Service.

#### **(e) Records Management & Stationeries**

On records management the inspections focused on the Occurrence Book, Cell Register, Arms Movement Register, Prisoners' Property Receipt Book, and complaints against police officers register. All the Occurrence Books and Cell Registers inspected were correctly entered in the facilities inspected. Majority (89%) of the Arms Movement Register examined were correctly entered and only 33% (**6**) of the facilities had a correctly entered Prisoners' Property Receipt Book.

In all the Police premises inspected there was inconsistency in the supply of stationery. There was an acute shortage of key Police Forms and Registers including Occurrence Book, Cell Registers, Arms Movement Register, Prisoners Property Receipt Books, file covers, Statement Forms, Charge Sheets, P3 forms and notebooks among others. In some facilities it was observed that the officers improvised stationeries and specific registers using black book or A4 exercise books in order to meet policing needs at the station level.

#### **(f) Community Policing**

Only 17% (**5**) of the Police facilities had active community policing initiatives with minutes of the same properly taken and documented. 79% of these facilities had no active community policing despite it being clearly stipulated in section 98 of the NPS Act.

### **2.5.9. Follow - Up Inspections Analysis and Findings**

During the reporting period **57** (66.3%), out of the **86** premises inspected were follow-up inspections. Of these **41** were in Police Stations, **6** in Police Post, **3** in Police Patrol Base, **4** in AP Camps and **3** in AP Posts. The Authority conducts follow-up inspections to assess the status of implementation of recommendations made in the initial inspection.

From the follow-up inspections, it was noted that some stations improved on various areas highlighted in the initial inspections. The table below gives a clearer outlook of the status of various parameters as assessed by the Authority during the follow-up inspections. It is important to note the following;

- i. The first column indicates the parameter/item being assessed e.g. water, fire equipment, first aid kit etc.
- ii. The second column shows the percentage of stations which improved on the particular item being assessed. This means a particular item was not there/in bad condition during initial inspection but upon recommendation by IPOA, the item was there/in better condition during the follow-up inspection. E.g. of the stations that had no lighting during the initial inspection, 18% of them had lighting during the follow-up inspections.



Parameter	Percentage of stations that improved on various parameters
<b>UTILITIES</b>	
Water	14%
Lighting	18%
Wheel chair access	21%
First aid box	11%
<b>SAFETY AND SECURITY</b>	
Main Gate	25%
Secure report desk	19%
Perimeter Fence	16%
Fire equipment	11%
<b>FRONT DESK</b>	
Manned customer care desk	21%
Manned Gender desk	23%
Existence of child protection unit	4%
<b>DETENTION FACILITIES</b>	
Cell capacity	9%
Separation by gender	13%
Existence of juvenile cells	11%
No. of detainees held over 24hrs	15%
<b>CONDITIONS OF CELLS</b>	
Hygienic conditions of cells	39%
Cleanliness of toilets and wash area	30%
Adequate light	20%
Adequate ventilation	24%
Provision of bedding	13%
<b>DETAINEE WELFARE</b>	
Provision of 3 meals a day	9%
Provision of drinking water	24%
Provision of special services for women. i.e. sanitary towels	0%
Provision of medical care	18%
<b>DETAINEE TREATMENT</b>	
Detainee rights displayed	4%
<b>RECORDS</b>	
Occurrence book correctly entered	5%

Parameter	Percentage of stations that improved on various parameters
Cell register correctly entered	6%
Detainees' property register correctly entered	22%
Arms and ammunition movement register correctly entered	15%
Exhibits register correctly entered	23%
<b>OFFICE SPACE AND HOUSING</b>	
State of offices	34%
Crime office	29%
Interrogation/ interview rooms	2%
Exhibits store	28%
State of housing	29%
<b>COMMUNITY POLICING</b>	
Existence of community policing committees/ nyumba kumi initiative	20%
Minutes of last meeting	14%
Evidence of structured community clusters	16%

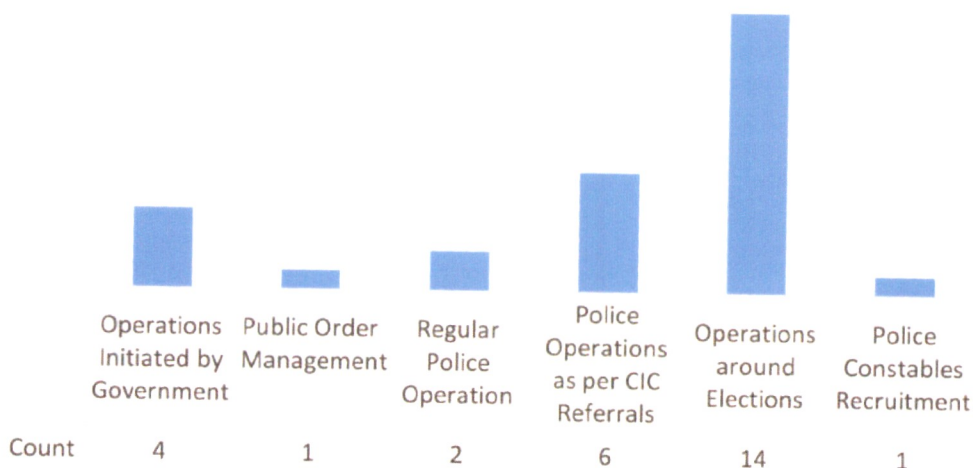
## 2.6. MONITORING OF POLICE OPERATIONS

During the reporting period the Authority monitored a total of 28 police operations affecting members of the public. The monitoring activities were categorized as follows;

- i. Police operations initiated by the government
- ii. Public order management
- iii. Regular Police operations
- iv. Police operations as per CIC referrals
- v. Police operations around elections
- vi. Police Constables Recruitment



## Police Operations Monitoring



The monitored activities were, **4** operations initiated by Government in Baringo County, Laikipia County and Operation Linda Boni in Lamu County. There were **14** monitoring activities around elections where police action was monitored as they provided security in Political Parties Primaries and Political Rallies across **13** Counties in the Country. Cases referred from the IPOA's Case Intake Committee (CIC) informed **6** monitoring activities whose aim was to establish trends and patterns on the various allegations of police misconduct made by the public for necessary interventions. The regular police operations monitored included; police road blocks and beats and patrols by the officers.

The Authority also monitored the Police Constables Recruitment drive in **86** centers spread across **39** Counties on the 11<sup>th</sup> of May 2016. The objective of the monitoring was to ensure that the exercise was transparent and that it promoted accountability, merit and professionalism through adherence to the set rules and regulations. The Authority provided an actionable recommendation, especially towards review of the NPSC Recruitment and Appointment Regulations, 2015, with benchmarking, to enhance the quality, efficiency and effectiveness of the exercise. With complaints still being raised around the elimination criteria being used, mostly around physical and medical fitness of the candidates, combined with the few allocated slots per each recruitment center, the regional, gender and diversity balance remains a big challenge to be addressed by the Commission.

### 2.7. Institutional Strengthening

The Authority through its Human Capital Unit, conducted recruitment interviews for **190** candidates who were shortlisted for various vacant positions arising during the reporting period. The recruitment was aimed at strengthening staff capacity and enhancing performance. From the Interviews, **10** positions were filled and **24** new appointments were approved by the Board for preparation of Offer Letters for the successful candidates.

To promote good governance and adopt best practices in institutional governance, the Authority, through the Board, approved the Sexual Harassment policy and the Staff Recognition, Reward and Retention Policy. Besides the **2** policies, **14** members of staff were sponsored for various trainings to enhance skills and capacity during the reporting period.

During the reporting period, the Authority also operationalized the decentralization policy by opening **3** regional offices in Garissa, Mombasa and Kisumu. The offices began operations on the 1<sup>st</sup> of March 2017 after posting of staff to the regions.

After the above activities were completed, every regional office started operations with staff from key departments being posted there.

## 2.8. Risk and Audit

In an effort of achieving its objective of enhanced accountability and integrity in IPOA's operations through systematic and disciplined approach to work for effective and efficient operations, the Authority through its Risk and Audit department concluded **4** audit reports including; ERM Implementation audit report, Communications and Outreach audit report, Complaints Management audit report besides a quarterly Risk report. The department conducted trainings for the Board Audit committee members and for the Risk Champions committee members. A Risk and Audit Board Committee Charter was also developed.

## 2.9. Procurement

During the period under review, the procurement department achieved more than 90% of all planned procurements. The major procurements which were planned during the period was and not limited to; Procurement of motor vehicles, leasing and partitioning of an extra floor on the 4<sup>th</sup> level of ACK Annex Building, procurement of ICT equipment, Leasing of three (3) regional offices in Kisumu, Garissa and Mombasa.

## 3.0 Communication and Outreach

The Department facilitated 65 outreach activities. These included OPSA verification exercises, KNCHR organized engagements, speaking opportunities at CID and other police forums, Mathare Social Justice Centre Panel discussions, Nakuru dialogue sessions with police commanders, Machozi ya jana at Uhuru Park, Shauri Moyo and Kibera.

The Department also conducted **24** media monitoring reports and one online customer satisfaction survey. Twenty six **26** press statements were released to the media to articulate the Authority's position and achievements

The Communication Strategy continues to be actualized in its three-pronged objective approach of creation of IPOA awareness, promotion of effective stakeholder engagement and generation of a brand personality. Among others, corporate stationery was standardized, staff issued with identification, IEC materials developed, Staff branded with authority business cards, OPSA MOU signed, facilitation of speaker opportunities for IPOA officials among others.

## 3.1. Information Communication Technology (ICT) Services

The Independent Policing Authority endeavors to go paperless. The Authority developed an online platform for conducting its businesses. The Electronic Content Management (ECM) dubbed 'IPOA Cloud Connect' is an online platform aiming at digitizing all the operations of the authority. The system includes a Case Management System (CMS) that creates a central database for clients' information, clients and organization files and an online complaints intake site. The first six modules (Investigations, Complaints, Inspections Research and Monitoring



and Legal) of the system are operational since 1<sup>st</sup> April 2017. Development of the remaining modules is ongoing.

## 4.0. AWARDS ISSUED AND AWARDS WON BY THE AUTHORITY

### 4.1. Outstanding Police Service Award (OPSA)



*IPOA photo 1: Seated from left IPOA CEO Dr. Joel Mabonga, DCI Director Mr. Ndegwa Muhoro, DIG Joel Kitili, IGP Joseph Boinnet, the late Cabinet Secretary Internal Security and Coordination of National Government, Mr. Joseph Nkaisserry, US Ambassador Robert Godec, Board Chairman Mr. Macharia Njeru pose with OPSA 2016/17 winners.*

The Authority coordinated and collaborated with various stakeholders and institutions towards realization of the OPSA 2016/17 which was held on 5th of May 2017 at the Intercontinental Hotel in Nairobi. A total of **92** officers were awarded for outstanding performance including Best individual officers - male (**20**) & female (**20**), Best Human Rights Officers (**15**), Best detention/Holding facility (**4**), Best facility in Orderliness and Cleanliness (**5**), Best Facility In Community Policing (**4**), Extra mile Category (**10**) and Posthumous category (**14**). The Chief Guest was Hon. Joseph Nkaisserry, Cabinet Secretary, Ministry of Interior and Coordination of National Government. Also present were the NPS leadership led by the IG, DIG - KPS, DIG - APS and the DCI.

### 4.2. Ombudsman Huduma Awards

During the reporting period, IPOA won a prestigious award - Ombudsman Huduma Award. On 9th March 2017, services to the public and awarded the award in the institution category. IPOA was feted by the Commission on Administrative Justice (CAJ) for exemplary.



*IPOA photo 2: Jubilating staff celebrate being feted the Huduma Ombudsman Award.*

## 5.0. ENGAGEMENT WITH STAKEHOLDERS

### i) Dialogue Session with Police Commanders

As a way implementing previous recommendations on boosting cooperation between the NPS and IPOA, on the 14<sup>th</sup> of June 2017 the Authority held a feedback dialogue meeting with NPS officers in Nakuru County. This was the first time the Authority was holding such a dialogue session with the station commanders. The Commanders were drawn from 18 police facilities in Nakuru County.

A participatory discussion on 4 issues were discussed; Cooperation between IPOA and the NPS officers, uptake of IPOA recommendations and implementation by the NPS station commanders, Community partnership with the police through community policing initiatives and conduct of police in securing the August 2017 General Election. The officers shared their views and the challenges they experienced in line of their work that made it difficult for them to implement some of the recommendations. Discussions on the way forward and how both agencies can forge forward for improvement of the same and better public service were agreed upon. The Officers expressed their commitment and willingness to work closely with IPOA and within the confines of the law.

### ii) Tripartite agreement entered with the ODPP, NPS and IPOA.



## 6.0. RECOMMENDATIONS

### IPOA

1. There is need for IPOA management to initiate dialogue sessions with the NPS senior commanders in dealing with the contentious issues.
2. The Authority should recruit more staff as all directorates are currently understaffed
3. IPOA, ODPP and NPS develop guidelines on the implementation of tripartite agreement.
4. The staff members should adopt the use of ECM 'IPOA Cloud Connect' in carrying out daily activities in the Authority to enhance efficiency.
5. Authority to develop a robust and comprehensive strategy that will inspire complainants', witnesses' and public confidence on matters of security when they give information.

### National Police Service (NPS)

1. The NPS Act of 2011 Section 46(2) stipulates for reasonable working hours of police officers where if excessive overtime is required, officers shall be compensated with commensurate periods of rest and they shall be allowed a minimum time of rest during and in between shifts. This provision should be granted for police officers to work effectively.
2. The NPS should partner with communities through operationalization of community policing initiatives in order to improve on policing. Commanders need to develop creative ways of bringing the community members aboard to enhance the fight against crime.
3. The NPS should lobby the National Treasury for more funds to equip the cells, build more rooms in the detention facilities, facilitate police with utilities such as fuel as well as housing.
4. The NPS should provide feedback on the extent of implementation of IPOA recommendations on inspections and monitoring of police premises and operations monitored.
5. County Commanders and the IG's office should co-operate with IPOA to ease investigations, complaints handling, inspections and monitoring. For instance, they should avail operational orders, post mortem results and provision of information on reported deaths and injuries.

### National Police Service Commission (NPSC)

1. The NPSC Recruitment and Appointment Regulations, 2015 need to be reviewed to capture what entails 1st stage, 2nd stage and 3rd stage of the recruitment exercise as was recommended by the Report of the National Task Force on Police Reforms (Ransley Report).
2. In order to protect citizens' rights, the NPSC should consider continuous officer training on human rights.
3. The NPSC should find ways of motivating officers for exemplary performance such as officers identified in the OPSA awards for others to emulate.

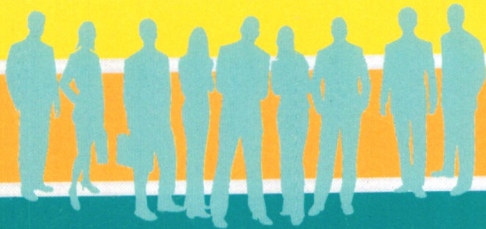




Independent Policing  
Oversight Authority



Guarding  
Public  
Interest in  
Policing



Independent Policing  
Oversight Authority

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