



**NATIONAL POLICE SERVICE
INTERNAL AFFAIRS UNIT (IAU)**

**ANNUAL REPORT
2018**



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LIST OF ABBREVIATIONS AND ACRONYMS

APS	Administration Police Service
ARIS	Anonymous Reporting Information System
CTO	Chief Technology Officer
DCI	Directorate of Criminal Investigation
DIG	Deputy Inspector General
DPP	Director of Public Prosecution
EACC	Ethics and Anti-Corruption Commission
IAU	Internal Affairs Unit
IBM	International Business Machines
ICT	Information Communication Technology
IG	Inspector General
IJM	International Justice Mission
IMLU	Independent Medico Legal Unit
IPOA	Independent Policing Oversight Authority
KNCHR	Kenya National Commission on Human Rights
KPS	Kenya Police Service
MOICNG	Ministry of Interior and Coordination of National Government
NPS	National Police Service
NPSC	National Police Service Commission
PSC	Public Service Commission
PRIC	Police Reform Implementation Committee
PUI	Pending Under Investigation
PBC	Pending Before Court
RCIO	Regional Criminal Investigation Officer
SMS	Short Message Services
TI	Transparency International
UN	United Nations
UNODC	United Nation Office on Drugs and Crime
WPA	Witness Protection Agency
US	United States
USSD	Unstructured Supplementary Service Data

Director's Message



Mr. Charlton Murithi, EBS, OGW, ndc (K)
Director Internal Affairs Unit

On behalf of the Internal Affairs Unit, I am pleased to present the Annual Report for 2018. This was a year of enormous growth for the Internal Affairs Unit. The Unit was finally able to relocate its offices from Jogoo House to KCB Towers Upper Hill. This is in compliance with the NPS Act 2011 sec. 87(7) which provides that IAU shall be housed in a separate building from the rest of the National Police Service. The commissioning of the offices was officiated by the Cabinet Secretary, Ministry of Interior and Co-ordination of National Government, Dr. Fred Matiang'i. This was an indication of the important position that IAU holds in the National Police Service towards professionalizing the service.

We also celebrate notable achievements such as the expeditious resolution of complaints, police and public sensitization forums, staff training, development of policy guidelines and the development of an Anonymous Reporting and Information System (ARIS).

We are grateful to the Inspector General, Mr Joseph Boinett for his support and guidance. We also thank the DIG KPS, DIG APS and the Director of Criminal Investigations for their tremendous support to the Unit and its operations. More needs to be done to ensure that the Unit can ably sustain its operations and meet the expectations of its clients.

The constitution of Kenya 2010 calls upon the Police Service to strive for the highest standards of professionalism and discipline among its members. The Internal Affairs Unit is established to ensure that this is achieved. Towards this end, the Unit receives complaints through the traditional channels including face-to-face encounters, through letters, emails and phone calls. Further, the Unit receives complaints referred from other institutions, through the media and through an Anonymous Reporting Information System (ARIS).

Continuous training on relevant fields for IAU staff remains key to undertaking our mandate effectively. Sensitization of Police officers countrywide on respect for human rights and the effective and efficient Complaints management remains central in our minds. Through collaboration of the Police Service Commission on Human Resource issues and IPOA on civilian oversight, this has been made possible.

Our work is unique and requires a multi-agency approach, thus, the need for building collaborations. In this regard we greatly appreciate and recognise our partnership in 2018 with the donor Community and Civil society. These partners include the US Embassy, UNODC, Jamii Thabiti, Transparency International, International Justice Mission, IJM, Independent Medico-legal Unit among many key partners. These organizations have become instrumental in supporting, not only the Unit, but also the entire National Police Service. Their contributions and support as far as our work is concerned is a major boost to the overall Police transformation agenda.

In conclusion, I would like to thank IAU staff and the rest of the NPS for the good work that they are doing sometimes under very challenging circumstances. We are happy that in the course of our work we have received compliments for some NPS officers including IAU officers who undertake their work professionally.

It is my hope you find this report informative and a baseline for further discourse.

Thank you.

(Charlton Murithi), EBS, OGW, ndc (K)

Director, Internal Affairs Unit

Message from Deputy Director- IAU



Mr. Gitahi Kanyeki, OGW, HSC
Deputy Director- IAU

“It is important to note that the police play a vital role in providing security and maintaining law and order. In order to do that, they are given a near monopoly to use force in times of peace. Strong and uncontrolled power carries with it a risk of misuse in the form of police brutality”.

It is therefore important that the police are accountable to the communities they serve. A Police Service that is accountable and respects human rights relates well with the community it serves. This enhances prevention of crimes and maintenance of law and order. The police should be held accountable in all stages of their work, before, during and after police operations.

To ensure a better and a more accountable Police Service, a complaint mechanism is crucial. In the absence of a complaint mechanism, an investigation is unlikely to be initiated, and if there is no investigation, the complainant will not be heard, his/her grievances will not be addressed, and the police will miss a potential learning opportunity that could have led to an improvement in services.

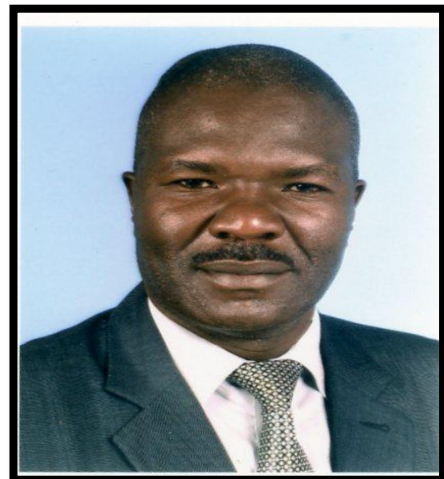
Furthermore, the lack of a formal complaint may lead to impunity for the offender and thereby a culture of impunity and mistrust in the police in the longer term. Hence, the aim of a complaint mechanism is to prevent impunity and enhance public confidence in the police. With the establishment of the Anonymous Reporting Information System (ARIS), the IAU has made the reporting of complaints more accessible.

The principal functions of a police complaints system are: to address the grievances of complainants and eventually to provide remedies and possible solutions, identify police misconduct, and where appropriate, provide evidence in support of criminal proceedings and/or disciplinary measures and to learn from mistakes avoiding future police misconduct.

Thank you.

Gitahi Kanyeki, OGW, HSC
Deputy, Director Internal Affairs Unit

SECTION HEADS





Ms. Esther Ng'ang'a, SP
Head of Legal Services &
Team Leader



Mr. Kyalo Muviti, SP
Team Leader



Mr. Cleti Kemboi, SP
Team Leader



Mr. Wilhelm Kimutai, SP
Team Leader



Mrs Betty J. Jackson, ASP
Team Leader

Executive Summary

The relationship the police have with any given community is an important attribute to effective policing. It has been established that communities that enjoy a positive relationship with Police Officers have been shown to have lower levels of crime and are more likely to cooperate with police investigations when a crime occurs. However, it would be well to note that it takes a lot of effort and time to develop this kind of relationship yet ordinarily it should be the most ideal public/police relationship.

The police are invested with far reaching powers and a significant degree of discretion in order to perform their duty: to uphold the law and protect citizens. Much of their work is enacted immediately and can only be scrutinized afterwards. Because of these aspects of police work it is crucial that the public can place their trust in the police and that they can hold the police accountable for their actions. The Internal Affairs Unit plans, going forward, the need to explore ways of engaging the public and having a conversation on how best they should relate with the police.

One-sided efforts to professionalize and hold the police accountable without involving the public who ought to benefit from an improved Police Service may not yield maximum desired results. Members of the public need to accustom themselves with the various reforms taking place, not only within the Police Service, but in the public order sector a whole. It would then be the desire of IAU to have the public play their patriotic role in enhancing quality relationship with the police even as it strategically leads the onslaught against police misconduct.

Even so, a good working relationship between the police and the public is an important base for the success of police reforms strategies. And the police certainly must have relationship with the public. If the police service is to be in a position to influence the views and expectations of would be disaffected groups of the public, it needs specifically to focus on their interests and so build a working relationship with them.

This report summarizes the IAU activities in 2018. Chapter one covers the mandate and the structure of the Unit. Chapter two and chapter three cover the core mandate of IAU. This is complaints management and investigations. Chapter four covers the complaints statistics and an analysis of the same. Chapter five covers the human capital management including the capacity building efforts of the officers in the Unit. Chapter six is on the achievements made in respect to policy guidelines such as the Operations manual. It describes the activities towards the realization of the same. Chapter seven describes IAU's strategic partnerships as well as the areas of collaboration.

CHAPTER 1: INTRODUCTION

1.1 Background

The Internal Affairs Unit draws its mandate from article 244 of the Constitution. It is the Unit's responsibility to ensure that the police implement and adheres to article 49 and 50 of the Constitution of Kenya.

Apart from the Constitution, the Unit further draws its mandate from National Police Act, No.11A of 2011 especially section 87. The Prevention of Torture Act No. 12 of 2017 gave the unit another function to investigate allegations of torture suspected to have been perpetrated by police officers. Other important legislation where the Unit draws its mandate are: -

1. IPOA Act, Cap 88 laws of Kenya
2. NPSC Act, Cap 185 laws of Kenya
3. Public Officer Ethics Act, Cap 183 Laws of Kenya
4. SSO (Chapter 5, 21 and 30) and
5. NPSC Regulations on Discipline
6. IAU Operations Manual

1.2 Mandate

1. The Constitution of Kenya 2010 in Article 244 sets out the objects and functions of the National Police Service. Article 10 spells out the National Values and principles of governance. Article 47 provides for fair administrative action in handling of the complaints.
2. National Police Service Act 2011 Sec. 87 establishes the Unit and its mandate.
3. The Public Officers and Ethics Act Cap 183 section 9 stipulates the need for public officers to exercise professionalism in the performance of their duties.
4. Prevention of Torture Act no. 12 of 2017 mandated the Unit to investigate any serious allegations of torture by Police officers.
5. The National Police Service Standing Orders
 - a. Chapter 21 on complaints procedure,
 - b. Chapter 22 conduct of interviews of crime victims, suspects and witnesses
 - c. Chapter 30 on discipline

1.3 Functions

- Receive and investigate complaints against the Police
- Promote uniform standards of discipline and good order in the Service
- Keep a record of the facts of any complaint made to it or any investigation done by it
- Investigate any cases including those touching on Human Rights and Corruption which IPOA and any other institutions may refer to it.
- Submit Periodic Progress reports to the IPOA, National Police Service Commission among other bodies.
- Recommend disciplinary action against errant officers to the office of the Inspector General, copy to NPSC

1.4 Command structure of the Internal Affairs Unit

The Unit is headed by a Director who is responsible to the Inspector-General for the effective and efficient administration, operations, training, and internal oversight of the unit. The Director exercises command of the unit and oversees the conduct of all assigned investigations.

The unit has one Deputy Director who deputizes the Director. All IAU staff were selected on the basis of overall law enforcement experience and skills, integrity, maturity, sound professional judgement and the ability to prepare and complete detailed investigative reports in a timely basis.

In order to execute its mandate effectively, the Unit has different sections as follows: -

1. Complaints Managements - This is tasked with receiving, registering and processing all complaints within the Unit. A complaint goes through various stages towards resolution.

2. Legal section - It is headed by a legal officer who has a qualification of an advocate of the high court. The main work here is to analyse complaints and evaluate whether they fall within the mandate of the Unit before taking action on them. The section also scrutinizes all investigations files to ensure they meet the standards required.

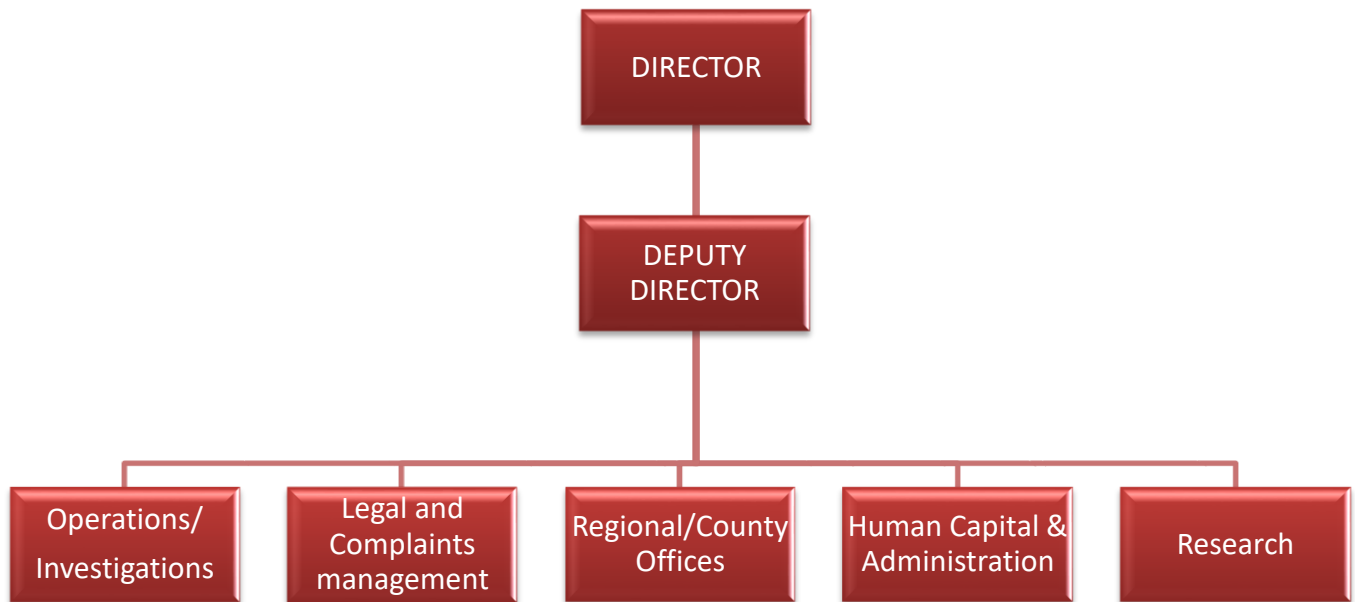
3. Investigations- It forms the critical part of the Unit. It is headed by a Chief Investigator whose main task is to allocate cases for investigations after they have been registered and analysed. The investigators are organised in teams headed by a team leader.

4. Logistics- This is the section that deals with logistical issues at IAU. These include transport, stationary, office utilities, and procurement.

5. Research- This section is yet to be operationalized. Once new personnel are recruited and absorbed in 2019, the research section will be established.

6. Human Capital Management- This deals with the personnel affairs including recruitment, career progression as well as officers' welfare.

1.5 IAU Organogram



Other support services such as finance and procurement will be managed by civilians seconded to the Unit from National Police Service Headquarters and elsewhere.

CHAPTER TWO: COMPLAINTS MANAGEMENT

2.1 Channels of receiving complaints at IAU

- i. Visiting our offices/ nearest police stations
- ii. Through letters P.O Box 1880 -00200 Nairobi.
- iii. Through-email–iau@nationalpolice.go.ke
- iv. Social media – Twitter - @ NPSOfficial-KE
- v. ARIS (USSD *683#, SMS 40683, Toll Free Line 0800721230, Mobile App ARIS NPS, & Web Form www.iau.go.ke)
- vi. Mobile +254 798474619
- vii. WhatsApp (Videos and Pictures) 0758729917
- viii. Through the media

2.2 Categories of complaints handled by IAU

- i. Abuse of office
- ii. Police negligence
- iii. Appeals
- iv. Abuse of power
- v. Assault
- vi. Obstruction of justice
- vii. Sexual harassment
- viii. Harassment
- ix. Corruption
- x. Death in Police custody
- xi. Pecuniary embarrassment
- xii. Police inaction
- xiii. Others

Apart from the usual identification information used to monitor the progress of individual complaints, the critical variables that IAU captures to study trends include the following: -

- Nature of complaint
- Mode of complaint e.g. oral or written

- Location — branch, section, responsible officer
- Action taken and response time,
- Outcome provided to complainant,
- Underlying causes and rectifications.

Resolving an individual complaint is not the last step in IAU's complaint-handling. Individual complaints often point to an administrative defect that either occurred in other cases or could be repeated.

Responsibility for ensuring that such improvements are made lies with the Police command. In the case of IAU, recommendations are made to the Inspector general for policy interventions and concurrence or otherwise on investigations undertaken by the Unit.

2.3 Anonymous Reporting Information System (ARIS)

2.3.1 Introduction

Anonymous Reporting Information System (ARIS) is a web based system for receiving complaints and compliments against police officers from members of the public and also police officers themselves.

The system was developed by the National Police Service in liaison and support of the United Nations Office on Drug and Crime (UNODC) and Transparency International (TI) Kenya. It was developed to enable members of the public report cases against police to the Unit anonymously for the fear of victimization.

It was officially launched in 9th November 2018 by the Cabinet Secretary Ministry of Interior and Coordination of National Government Dr. Fred Matiangi and the Inspector General of Police Mr. Joseph Boinnet.

The aforementioned system facilitates a secure and confidential medium of reporting various incidences such as corruption as well as other forms of malpractices and even compliments or reports from members of the public.

It enables monitoring and tracking of reported incidences as well as report generation and analysis of the cases or reports.

2.3.2 Channels for Reporting

The system allows reporting through the following channels:

a) Toll Free Number (0800721230)



This is a dedicated number that members of the public as well as police officers report to the Unit any form of complaint or compliment without any charges.

b) Short code (40683)



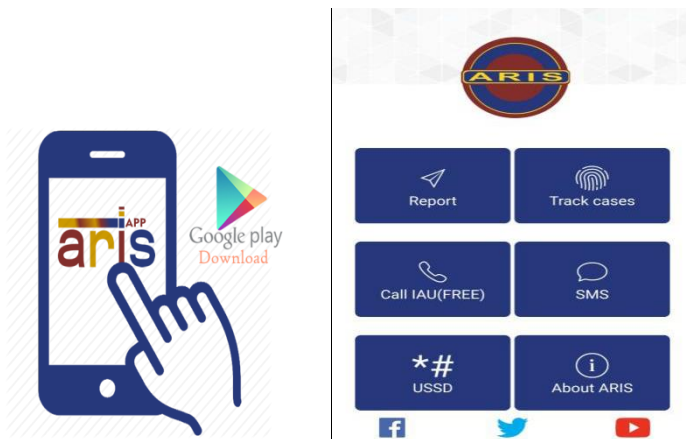
A dedicated number which members of the public or police officers can use to send any form of complaint or compliment to the Unit for free as a short message (sms) through their mobile phones.

c) Unstructured Supplementary Service Data{USSD (*683#)}



A dedicated code which enables members of the public or police officers can use to send any form of complaint or compliment to the Unit for free through their mobile phones.

d) Mobile Application



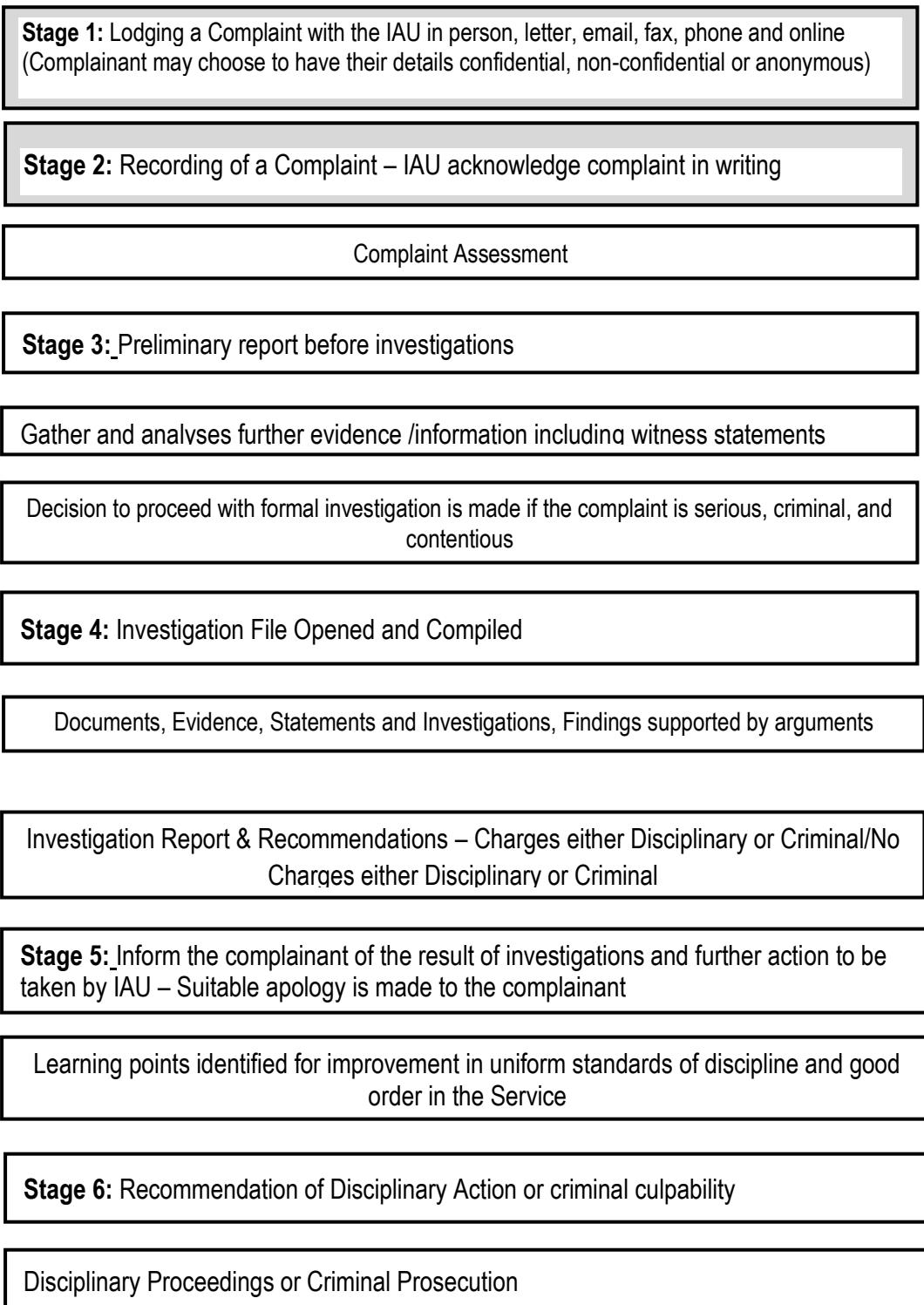
Members of the public who have smart phones can access this mobile application on google play store, download it and use it to report their complaints to the Unit.

e) Web Form (www.iau.go.ke)



Complainants can access the web form through the Unit's website www.iau.go.ke. This will prompt the complainant to report to the Unit either anonymously or non-anonymously.

2.3 Complaints Management Process



CHAPTER THREE: INVESTIGATIONS

3.1 Investigations of complaints at the Unit

Internal Affairs Unit is tasked with the investigations of complaints against Police, which complaints may be from members of the public or from the members of the National Police Service against the fellow Officers. Investigation of complaints involving Police Officers is complex and therefore requires a lot of firmness and resilience on the side of the investigators.

The Unit undertakes to expeditiously investigate complaints received. However, this depends on the complexity of the complaint owing to the circumstances and facts about it. Ordinarily as per the Unit's Operating Procedure (Operation Manual), a complaint may be resolved within sixty (60) to ninety (90) days.

Investigators are organized in groups referred to as Teams. The Teams are led by officers of the Rank of ASP to SSP. Currently there are nine (9) Teams.

3.2 The process of investigations

Investigations of complaints start immediately a complaint has been validated by legal section as meeting the threshold for the Unit's investigations. A case is therefore assigned to a team which prepares a work plan before moving on with the actual investigations.

On collection of relevant facts and evidence, the team prepares a summary of evidence, findings and recommendation. The findings are reasoned against all relevant facts available in order to present a probable conclusion that the allegations are either proved or disproved in whole or in part.

A completed inquiry file is finally submitted to the Inspector General of Police under cover of an Executive Summary giving briefly the salient problem, outcome of the investigations and intended course of action for the Inspector General.

The comments from the IG are then communicated back to the Unit for further action towards finalizing the complaint.

3.3 Selected Notable Cases Investigated in 2018

Among the cases investigated in 2018, listed below are some of the notable complaints investigated by the Unit;

1. Shooting of Meru University of Science and Technology (MUST) Student Leader.

In the Month of March, 2018, Meru University students went on the rampage and demonstrated against the University Administration. A student leader was shot dead in the course of quelling the riots. IAU on its investigations on the alleged Police

Misconduct concluded amongst other recommendations that some Police Officers were culpable for murder. The officer who was finally charged for murder following IPOA investigations was among the ones recommended by IAU to be charged. Case is pending before Meru Court.

2. Leakage of Confidential Information at the IG's office

Three officers among them two Senior Officers were served with warning letters as the junior officer was charged in Orderly Room Proceedings for leaking confidential information without proper authority.

3. Embakasi shooting of a Seven-Year-Old child

The Police was absolved of any misconduct by the Unit's investigations. An inquest file which had already been opened by DCI was recommended to proceed.

4. Human Rights Watch complaint on Sexual abuse of women by men in uniform suspected to be Police Officers during the 2017 Elections period.

5. Complaint of serious assault by Ongata Rongai Police Officer. Criminal Investigations and subsequent prosecution.

6. Complaint against Parklands Traffic Police Officer by a diplomat about harassment and unprofessional conduct. Administrative action taken against the officer.

7. Complaint against Naivasha Police Officer (Cells Sentry) over assault of a suspect already in Police Cells. Criminal action recommended by ODPP and the file forwarded to DIG KPS to initiate the process of prosecution.

8. Complaint by a member of Parliament about arbitrarily arrests of members of a certain community by the police.

9. Complaint by a retired KDF Major against a Senior Police Officer for harassment and intimidation. The Senior Police Officer was found culpable and warned.

10. Complaint by two widows against an OCS whereby the OCS was found culpable and subjected to Orderly Room Proceedings.

11. Complaint against an OCPD for not arresting assailants who committed the offence in his presence. Both the OCPD and a deputy OCS were found culpable for inaction.

12. Complaint by a Police Constable against an OCS (CI) for assault. The OCS was found culpable.

13. Complaint by a civilian against an APC for stealing certificate and subsequent enlistment in the Administration Service. Both were found culpable and DCI took over to institute criminal investigations and subsequent prosecution by ODPP.

CHAPTER FOUR: STATISTICAL ANALYSIS

4.1 Introduction

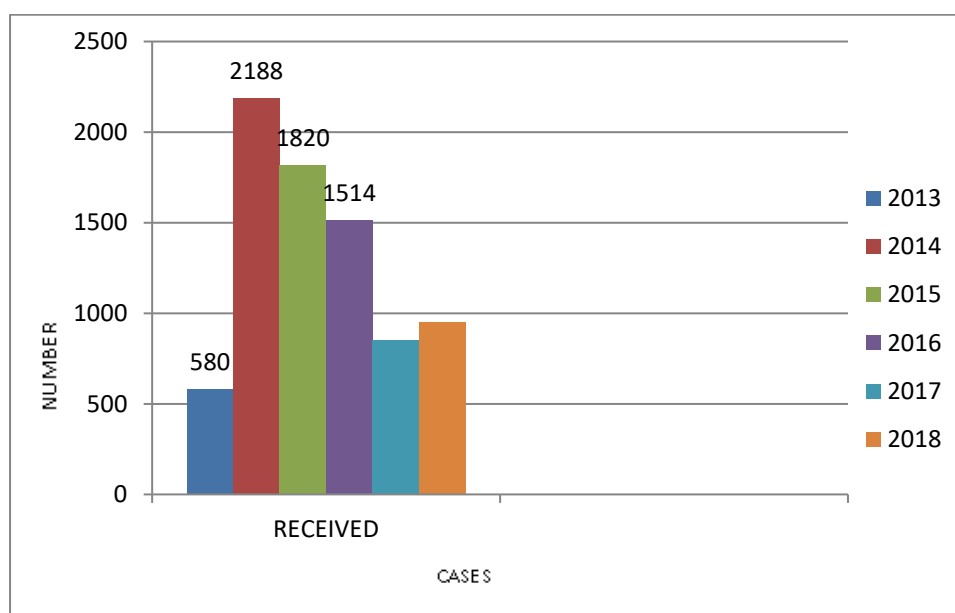
This chapter evaluates complaints that were received in 2018. It provides statistical data that is analysed and categorized from the sources of complaints as per the counties and categories.

Generally, since the inception of the Unit in 2013, 7907 complaints have been received. In 2018, 950 complaints were received. Out of these 130 complaints were fully resolved by the end of that year. It is noted that 32 officers were found culpable of disciplinary and criminal offences and action was duly taken. 83 officers were absolved while cases of 15 other officers were referred to other institutions having mandate to deal with the complaints.

4.2 Cases received by the Unit for the years 2013, 2014, 2015, 2016, 2017 and 2018

YEAR	RECEIVED
2013	580
2014	2188
2015	1820
2016	1514
2017	855
2018	950
TOTAL	7907

Graphical representation



4.2.2 Analysis

Complaint received shot up from 580 in 2013 to 2188 in 2014 and drastically dropped down in the succeeding years settling at 950 in the year 2018.

This may have been attributed to the fact that in 2013, the Unit started its operations and its existence was hardly known. As time went by, Kenyans started getting cognizance of its existence but still were not conversant on the kinds of complaints to be reported to the Unit. This made them report all kinds of complaints including those outside its jurisdiction, thus accelerating complaints lodged as depicted by the rise from 580 in 2013 to 2188 in 2014.

The drastic drop in complaints received from 2188 in 2014 to 950 in 2018 may have been attributed to the fact that many police officers conformed with the law/regulations due to the fact that a number of them had been castigated after investigations revealed their misconduct.

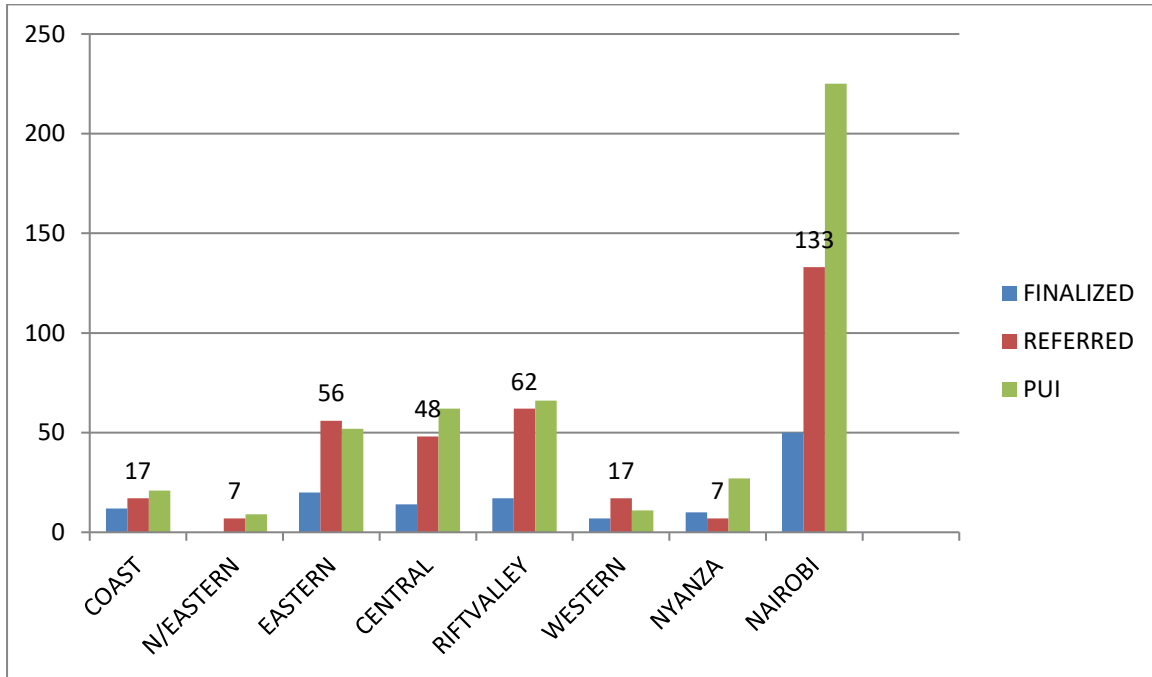
It may also be deduced that police officers had been sensitized and known their role to handle the public professionally.

The revamping of the complaints Directorates of the Services and the DCI led to the reduction of complaints reported to the Unit in the year under review. The said Directorates had been rendered dormant as a result of establishment of the Unit. The operationalization of the SSO also streamlined the complaint management within the NPS and now as per chapter.

4.3 Complaints received and their status per region as at 31st Dec.2018

S/NO	REGION	INVESTIGATED/ FINALIZED COMPLAINTS	REFERRED WITHOUT FEEDBACK	P.U.I	TOTAL
1.	COAST	12	17	21	50
2.	N/EASTERN	0	7	9	16
3.	EASTERN	20	56	52	128
4.	CENTRAL	14	48	62	114
5.	RIFTVALLEY	17	62	66	145
6.	WESTERN	7	17	11	35
7.	NYANZA	10	7	27	44
8.	NAIROBI	50	133	225	408
	TOTAL	130	347	473	950

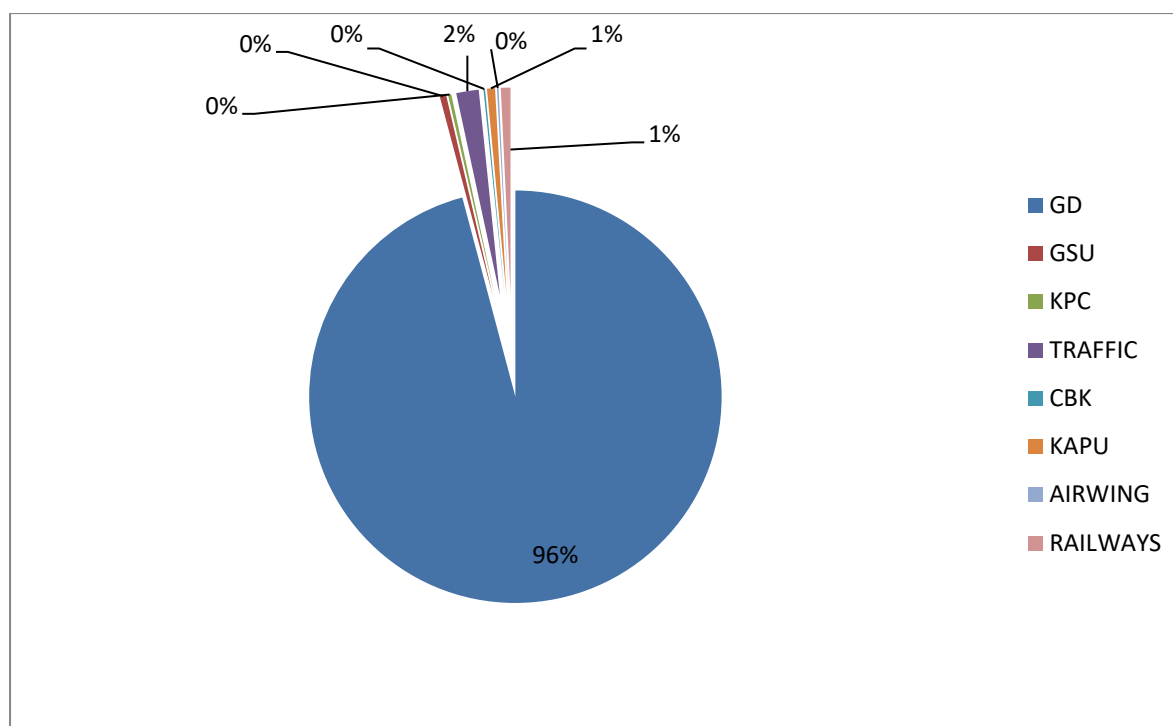
4.3.1 Graphical Representation



4.4 COMPLAINTS RECEIVED AND THEIR STATUS PER SERVICE

S/NO	SERVICE	FORMATON	INVESTIGATED /FINALIZED	P.U.I	REFERRED	TOTAL
1.	KPS	GENERAL DUTY	83	363	317	763
		GSU	2	2	0	4
		KPC	0	2	0	2
		TRAFFIC	3	10	1	14
		CBK	0	1	0	1
		KAPU	2	3	0	5
		AIRWING	0	1	0	1
2.	APS	DIVISIONAL COMMANDS	26	33	15	74
		APSSPU	0	1	0	1
		SGB	1	1	0	2
		RBPU	1	0	0	1
		RDU	0	0	1	1
3.	DCI	DIVISION	9	52	12	73
		LANDFRAUD	0	2	0	2
		TOTAL	130	473	347	950

KENYA POLICE SERVICE

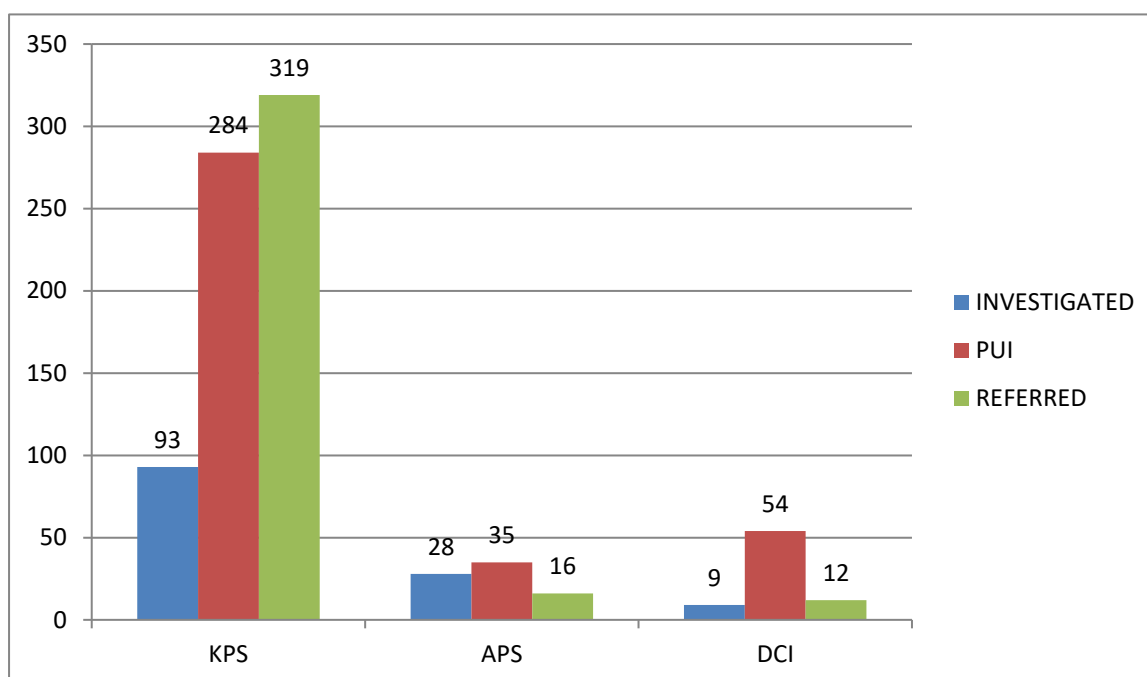


Kenya Police General Duty remains dominant in as far as complaints raised against them is concerned. During the year under review, 96% of the complaints received were against Police Stations and Police Divisions. Less than 5% complaints received were against misconducts committed by officers in other police formations. This is attributed to the fact that a Police Station is the centre for the administrative and command functions of all Police Services hence more interaction with members of the public who play a bigger role in lodging of complaints.

4.5 COMPLAINTS RECEIVED AGAINST THE SERVICES AND DCI

S/NO	SERVICE	NUMBER OF COMPLAINTS	INVESTIGATED/FINALIZED	P.U.I	REFERRED
1.	KPS	796	93	284	319
2.	APS	79	28	35	16
3.	DCI	75	9	54	12
	TOTAL	950	130	473	347

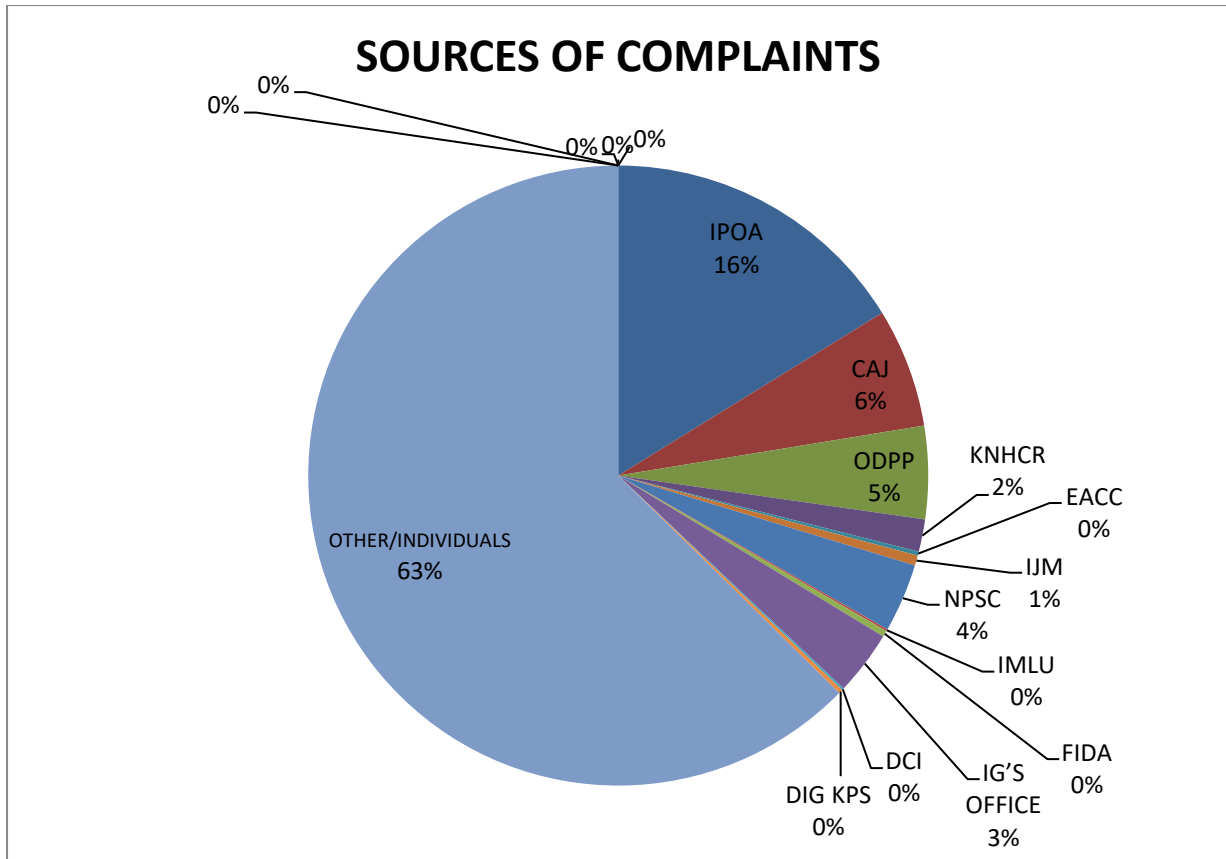
4.5.1 GRAPHICAL REPRESENTATION



During the year under review, complaints against Kenya Police Service was the most at 796, followed by Administration Police Service at 79 and was followed closely by the Directorate of Criminal Investigations at 75. Police Stations of the KPS being the administrative and command Centre of the Service, most activities of policing are done there thus attracting huge number of complaints as compared to the other Service and DCI.

4.6 Breakdown of sources of complaints received in 2018

S/NO	SOURCE OF COMPLAINT	NUMBER OF COMPLAINTS
1.	IPOA	154
2.	CAJ	59
3.	ODPP	46
4.	KNHCR	16
5.	EACC	2
6.	IJM	5
7.	NPSC	34
8.	IMLU	1
9.	FIDA	3
10.	IG'S OFFICE	32
11.	DCI	1
12.	DIG KPS	2
13.	OTHER/INDIVIDUALS	595
	TOTAL	950



The biggest number of complaints was presented to the Unit through self-acknowledged correspondences or by way of walk-in as is depicted on the above table. IPOA referrals were the second bigger component of complaints received at the Unit followed by NPSC and IG's Office in that order respectively.

4.7 ANALYSIS

1. Police inaction is the most prevalent kind of misconduct committed by the police which is at 47% followed by police harassment at 27%. The rest of the categories are way back below 10%. This means that police officers at the station are-:
 - a) Either reluctant to provide services or,
 - b) Lack resources to provide assistance or,
 - c) Lack a motivating factor to ignite an action.

NB. It is a fact that most of the inactions are meted against those who are vulnerable in the society and those who cannot provide a motivation in terms of bribes to the police concerned.

4.8 CASES RECEIVED PER COUNTY IN 2018

S/NO.	COUNTY/ CATEGORY	ABUSE OF OFFICE	POLICE NEGLECTANCE	APPEALS	ABUSE OF POWER	ASSAULT	OBSTRUCTION OF JUSTICE	SEXUAL HARRASSMENT	POLICE HARRASSMENT	CORRUPTION	DEATH IN POLICE CUSTODY	PECUNIARY EMBARASSME NT	POLICE INACTON	OTHERS	TOTAL
1.	MOMBASA	1	0	2	0	1	0	0	5	1	0	0	10	0	20
2.	KWALE	0	1	0	0	0	0	0	2	0	0	0	1	0	4
3.	KILIFI	0	2	0	3	0	0	0	4	0	0	0	6	0	15
4.	TANA RIVER	0	0	0	0	0	0	0	0	0	0	0	1	1	2
5.	LAMU	1	0	0	0	0	0	0	2	0	0	0	2	2	7
6.	TAITA TAVETA	0	0	1	0	0	0	0	1	0	0	0	0	0	2
7.	GARISSA	0	0	0	1	0	0	0	1	0	0	0	1	1	4
8.	WAJI	0	0	0	0	1	1	0	2	0	0	0	0	1	5
9.	MANDERA	0	0	0	2	1	0	1	1	0	0	0	2	0	7
10.	MARSABET	0	0	0	0	0	0	0	1	0	0	0	1	0	2
11.	ISTIOLO	0	0	0	1	1	0	0	2	0	0	0	3	0	7
12.	MERU	1	0	0	2	0	0	0	8	1	1	1	14	2	30
13.	THARAKA NITHI	0	0	0	0	0	0	0	4	0	0	0	4	0	8
14.	EMBU	1	0	0	0	0	0	0	0	1	0	0	6	0	8
15.	KITUI	0	0	0	1	0	0	0	6	0	0	0	11	0	18
16.	MACHAKOS	0	0	1	2	0	0	0	10	0	0	0	26	1	40
17.	MAKUENI	1	0	0	1	2	0	0	2	0	0	0	9	0	15
18.	NYANDARUA	0	0	0	0	0	0	0	3	1	0	0	3	1	8
19.	NYERI	2	0	1	0	0	0	0	2	2	0	0	7	2	16
20.	KIRINYAGA	0	0	0	0	0	0	0	0	2	0	0	9	1	12
21.	MURANGA	0	0	0	3	1	0	0	3	0	0	0	13	0	20
22.	KIAMBU	2	1	0	6	0	1	0	26	1	0	0	31	0	68
23.	TURKANA	0	0	0	0	0	0	1	1	0	0	0	2	0	4
24.	WEST-POKOT	0	0	0	0	0	0	0	2	0	0	0	1	1	4
25.	SAMBURU	0	0	0	0	0	0	0	0	0	0	0	1	0	1
26.	TRANSNZOIA	0	2	1	0	1	0	0	3	0	1	0	5	0	13
27.	UASINGISHU	0	1	2	1	1	1	0	4	3	0	1	12	0	26
28.	E/MARAKWET	0	0	0	0	0	0	0	0	0	0	0	2	0	2
29.	NANDI	0	0	0	1	1	0	0	2	0	0	0	3	0	7
30.	BARINGO	1	0	0	0	0	0	0	0	0	0	0	3	0	4
31.	LAIKIPIA	1	0	0	1	0	0	0	3	0	0	0	3	0	8
32.	NAKURU	0	2	0	1	0	0	0	5	2	0	0	13	0	22
33.	NAROK	0	0	0	2	0	0	0	5	0	0	1	3	1	12
34.	KAJIADO	1	0	0	1	0	0	0	6	0	0	0	14	3	25
35.	KERICHO	2	1	0	2	1	0	0	2	0	0	0	4	1	13
36.	BOMET	0	0	0	1	0	1	0	0	0	0	0	2	0	4
37.	KAKAMEGA	0	1	0	0	0	0	0	1	1	0	0	8	1	12
38.	VIHIGA	1	0	0	1	0	0	0	1	0	0	0	7	0	10
39.	BUNGOMA	1	0	0	1	0	0	0	0	0	0	0	5	1	8
40.	BUSIA	0	0	0	1	0	0	0	0	1	0	0	2	1	5
41.	SIAYA	0	0	0	1	2	0	0	2	0	0	0	6	0	11
42.	KISUMU	1	0	0	0	0	0	0	3	1	0	0	6	0	11
43.	HOMABAY	0	0	0	0	0	0	0	1	0	0	0	4	0	5
44.	MIGORI	0	0	0	0	1	0	0	1	0	0	0	1	0	3
45.	KISII	0	1	1	1	1	0	0	1	0	0	1	2	0	8
46.	NYAMIRA	0	0	0	0	0	0	0	2	1	0	0	2	1	6
47.	NAIROBI	18	0	18	30	11	1	0	118	8	1	1	191	11	408
	TOTAL	37	11	28	67	25	6	2	257	28	3	5	446	35	950

4.8.1 ANALYSIS

From the above data of 2018, Nairobi remains the County with most complaints received amounting to 408. This translates to 43.053% of all complaints received. This is followed by Kiambu County at 7.158%, Machakos-4.21%, Meru-3.158% and Kajiado at 2.631%. Samburu

County had the least number of complaints received at 1case followed by Taita Taveta, Tana River, Marsabet and Elgeyo/Marakwet, each having lodged 2 complaints.

General analysis reveals the following-:

1. The number of complaints received is directly proportional to the proximity of the County to the Unit's Headquarters. Counties like Turkana, Tana River, West Pokot, Migori, Samburu, Garissa, Marsabet, Kwale, Lamu e.t.c which are far away from Nairobi had less than 10 complaints received, while Counties like Nairobi, Kiambu, Kajjido, Nakuru, Machakos and Kitui which are close to the Unit's Headquarters registered quite a good number of complaints.
2. Larger cosmopolitan counties, reported more complaints. A large number of complaints were received from Nairobi, Kiambu, Mombasa, Uasin Gishu, Nakuru, Kajjido, Machakos and Meru.
3. Counties which are considered most urbanized registered many complaints than the less urbanized. Counties like Nairobi, Kiambu, Mombasa, Nakuru, Machakos and Uasin Gishu which are considered most urbanized registered more complaints than counties like Marsabet, Turkana, Mandera, Elgeyo Marakwet, Baringo and West Pokot which are less urbanized.
4. It was also evident that most urbanized counties have more police stations because of high population. The scenario may have led to increased interaction between the public and the police thus leading to increase in complaints.
5. Commands that have weak supervision and management appear to attract more complaints. This could be attributed to weak supervision of junior officers, mentorship, guidance, counselling, coaching and training especially.

CHAPTER 5: HUMAN CAPITAL MANAGEMENT AND TRAINING

5.1 Introduction

The function of Human Capital Management (HRM) in IAU takes on a strategic approach to the effective management of staff which enables them to effectively execute their mandate. It is designed to maximize staff performance towards achieving the Unit's strategic objectives. In the period under review, the Human Capital Management Section strived to enhance capacity of the staff through the following;

- i. Securing of an approved establishment for the Unit
- ii. Absorption and induction of additional staff
- iii. Promotions
- iv. Skills development courses – both for individual staff and groups

5.1.1 Securing of approved establishment for the Unit

The Unit has since inception strived to build capacity in terms of strength in order to discharge its functions effectively. It also needed to comply with the legal provisions that stipulate devolution of its services to the Counties. This could only be possible with adequate strength to cover the expanded ground. The Unit therefore received official approved establishment of 1168 staff from the Inspector General.

5.1.2 Absorption of additional staff

- i. In July 2018, the Unit recruited 11 ICT officers who were deployed to the newly developed Anonymous Reporting Information System (ARIS).
- ii. In October 2018, the Unit absorbed additional 28 members of staff who had initially been successfully interviewed back in 2013 but not deployed due to lack of adequate space.

The strength of the Unit was therefore increased from 55 to 83 officers. The new officers were accordingly inducted to become accustomed with the operations of the Unit. Now that the Unit has separate premises and adequate space, plans are on course to recruit 150 additional staff as part of the gradual increase in capacity until the approved establishment is realized.

5.1.3 Promotions

In the year under review, the Unit managed to take 12 officers of various ranks to train for promotion courses in NPS Campuses as shown in the table below;

No of officers	Ranks	Course	NPC Campus	Expected rank after training
5	Chief Inspectors	Higher Training Course	NPC Main Campus Kiganjo	Assistant Superintendent of Police
3	Inspectors	Subordinate Officers to Inspectorate	NPC Main Campus Kiganjo	Inspectors of Police
1	Inspector	Middle Management Course	APTC/KSG	Chief Inspector
4	Corporals	Potential Sergeants Course	NPS B Campus (GSU) Embakasi	Police Sergeants
1	Constable	Potential NCOs Course	NPS Main Campus	Police Corporal

5.1.4 Skills development courses

The Unit espouses skills development as a key element in the enhancement of competency and professionalism. The mandate of IAU demands that its staff have an edge over the rest of the police in terms of skills and knowledge to be able to effectively oversight them. To this effect the Unit was able to partner with various sponsors to train staff in groups or individually in the period under review as shown below;

Partner/ Sponsor	Course Title	Venue	Dates	Duration	Number of officers trained
US Embassy	Executive Policy Development Symposium and Ant-Corruption and Model Law	Roswell, New Mexico, USA	January 2018	4 Weeks	3
US Embassy	Advanced Interviewing for Law Enforcement Investigations Course	International Law Enforcement Academy (ILEA), Gaborone, Botswana.	February 2018	1 week	3
International Justice Mission (IJM)	Special Investigations Training	Maanzoni Lodge, Machakos,	9 th – 13 th July 2018	1 Week	15

		Kenya			
GOK/Egypt exchange program	Human rights and protection of Women's rights	Egyptian Police Academy in Cairo Egypt	15 th Dec 2018 – 10 th January 2019	3 weeks	1
International Justice Mission (IJM)	Special Investigations Training	Maanzoni Lodge, Machakos, Kenya	16 th – 20 th July 2018	1 week	16
GOK/China exchange program	Seminar on Police management for Kenya	Zhejiang Police College in Hangzhou, China	May 2018	3 weeks	1
Government of India/Kenya Exchange Program	Role of Forensic in Combating Terrorism	Gujarat Forensic Science University	27 th Aug– 7 th September 2018	2 weeks	1



The first group together with the facilitators and the Chief Guest Mr. Charlton Murithi, EBS,OGW, ndc (K)



The second group together with the facilitators and the Chief Guest Mr. Gitahi Kanyeki, OGW Deputy Director, IAU

5.2 Areas Identified for Improvement

In as much as IAU has made great strides in the area of training, there is still need to identify, introduce and or streamline a few more areas to perfect the operations of the Unit. These may include and not limited to the following;

- i. Career Progression
- ii. Benchmarking
- iii. Development of Curriculum

5.2.1 Career Progression

The development of career progression for the NPS by the National Police Service Commission cannot be gainsaid. However, the same may need to adequately accommodate the interests of the Unit as opposed to its current provisions. The document barely addresses the specific unique career progression needs of the Unit thus cause for the Unit to prepare a concept paper suggesting areas of consideration. The interests of the Unit in this view have been lumped together with other Services without regard to the fact that officers of the Unit are drawn from various services. There is therefore need to harmonize career progression criteria for members of

the Unit. This would only be possible if the Career Progression document addresses the said interests separately.

5.2.2 Benchmarking

For us at IAU, Benchmarking should be a way of discovering what is the best performance being achieved by institutions engaged in the same services as ours. This may place us in a vantage position to learn more in terms of best practices and use the information to identify gaps in order to achieve a competitive advantage. So far the Unit has not had the opportunity to benchmark to gain the advantages that comes with it. Main impediment has been lack of resources to support this course.

5.2.3 Development of Training Curriculum

The unique mandate of IAU calls for specialized training needs that may not be addressed by the general training curriculum available for the NPS. There is need to develop customized curriculum for IAU staff to cater for basic and specialized training needs that would enhance and harmonize their diverse investigative abilities.

5.3 Sensitization Forums

One of the strategies that the Unit adopted in 2018 in order to create awareness of the Units operations was field sensitization workshops. Sensitizing officers is a crucial step towards inculcating the right attitude in them towards becoming professional officers who are efficient and effective in their work.

These forums also provided platform to clarify issues to the officers in the field and also to share policing experiences.

5.3.1 Target Group:

The sensitization forums in 2018 targeted police officers from all the Services as well as members of the public.

The Objectives of the workshop were as follows: -

- i. To sensitize field officers on Police accountability mechanisms including the Internal Affairs Unit (IAU) and the Independent Policing Oversight Authority (IPOA).
- ii. To sensitize the participants on the Mandate and Functions of the National Police Service Commission.
- iii. Serve as a monitoring and evaluation exercise on the impact of the earlier sensitizations done for officers.

- iv. Sensitize officers on Ethics and Integrity issues.
- v. To update officers on key reform matters.
- vi. To provide a platform to share policing experiences, strategies to overcome challenges as well as achievements made in the NPS reforms agenda.

In 2018, Rift Valley, Western and North Eastern regions were sensitized.



IAU officer during a sensitization workshop

Below is a table showing the specific Counties visited and the numbers sensitized: -

County	Date workshop held	Attendance	Total
Kajiado	6 th April 2018	104 officers and 7 civilians	111
Nakuru	9 th April 2018	114 officers and 12 civilians	126
Nandi	10 th April 2018	101 officers and 10 civilians	111
Kericho	11 th April 2018	104 officers and 10 civilians	114
Bomet	12 th April 2018	102 officers and 8 civilians	110
Narok	13 th April 2018	100 officers and 10 civilians	110
Samburu	9 th April 2018	95 officers and 2 civilians	97
Baringo	10 th April 2018	92 officers and 4 civilians	96
Elgeyo Marakwet	11 th April 2018	100 officers and 6 civilians	106
Laikipia	13 th April 2018	100 officers and 6 civilians	106
Turkana	9 th April 2018	100 officers and 10 civilians	110
West Pokot	12 th April 2018	103 officers and 8 civilians	111
Transzoia	12 th April 2018	100 officers and 10 civilians	110
Uasin Gishu	13 th April 2018	102 officers and 8 civilians	110

Total number of those sensitized is 1528 persons comprising of 1429 officers and 99 members of the public/local community.

5.4 Agricultural Shows

The Agricultural Shows provided an important platform for the Unit to sensitize members of the public and field officers on Police accountability mechanisms. It served as a monitoring and evaluation exercise on the impact of earlier sensitizations done by the Unit. It also provided an opportunity to share the Units achievements and to update officers and members of the public on key reform matters and how to channel complaints against Police misconduct.

5.5 UNODC Community Outreach Meetings

In 2018 UNODC funded outreach meetings for the Police and the respective communities that they served. As an important player in Police oversight, the Unit participated in these outreach programs. The forums brought together police officers in identified police stations, the press and members of various communities. In Nairobi, this was undertaken in Pangani, Shauri Moyo and Eastleigh areas. In Mombasa, Likoni and Changamwe participated in the project. The meetings had a huge impact in opening up dialogues between the Police and the public. This signified the importance of building trust leading to better working relations between the communities and police.

On 21st June, 2018 a meeting bringing together Police officers from Kenya and Zanzibar provided an opportunity for Police Officers from both countries to learn from each other's good practices and also deliberate on areas of strategic engagement.

5.6 Conclusion

IAU is yet to adequately explore Media public engagements as part of its outreach programs. There have however been efforts to engage members of public through radio talk shows and so far we have, on few occasions, been invited to Royal Media for talk shows on two vernacular radio stations.

CHAPTER SIX: POLICY FRAMEWORK AND RELATED ACTIVITIES

6.1 Retreat

The Internal Affairs Unit Staff Retreat was held successfully on 12th January, 2018 at the Utalii Hotel. This was a forum for the officers to evaluate their work and the kind of challenges they face and how to cope with the same. It was also a great opportunity for the IAU officers to briefly interact with the Inspector General and other invited senior officers.



IAU Retreat – January 2018

6.2 Relocation of Internal Affairs Unit

The Internal Affairs Unit is required by law to operate from separate premises not the Police premises. The IAU offices at KCB Towers 16th to 19th floors were commissioned by the Cabinet Secretary Dr. Fred Matiang'i on 9th November 2018

By complying with the law, it is believed that complainants who may fear visiting the mainstream police institutions to seek redress whenever they are dissatisfied with our services will be encouraged to lodge their complaints.

6.3 ARIS Validation

The establishment of a web – based Anonymous Reporting and Information Gathering System to be based at the Internal Affairs Unit was sponsored by the United Nations Office on Drugs and Crime (UNODC) and Transparency International.

The system facilitates a secure and confidential medium of reporting various incidences such as corruption as well as other information reports from members of the public. This System has further complemented UNODC’s ongoing pilot Project on Countering Violent Extremism through Anti-Corruption in Eastern Africa, where members of the public in its pilot Counties of Nairobi and Mombasa were sensitized on the effects of corruption within the police and the need to report such incidents to the Internal Affairs Unit.

ARIS has five (5) channels through which complaints are lodged

- i. Short messages (SMS) - 40683
- ii. USSD *683#
- iii. Mobile App
- iv. Toll free line – 0800721230
- v. Web form

This system facilitates a secure and confidential medium of reporting unlawful incidents involving police officers such as corruption as well as other complaints.



Director IAU, during validation workshop of IAU Operations Manual and ARIS

6.4 Operations Manual

The development of IAU Operations Manual is a project that began way back in September 2014 when the Unit was still at inception. Subsequent years prior to the validation saw the Manual undergo various enhancements, modifications and changes through expert input and advice. It was therefore a milestone as the Manual was finally validated to provide members of the Unit with guidelines on how to undertake their work in line with the functions of the Unit.

The validation exercise was held at the Fairmont-Norfolk Hotel in Nairobi on 26th July 2018 starting at 9 am.

Attendants were drawn from various stakeholders, including the Services and Director and friends of the Unit. The attendants were and not limited to NPS, Jamii Thabiti, UNODC, TI – Kenya, US Embassy, ODPP, IPOA, IJM, Witness Protection Agency EACC, NPSC, CAJ, the State Law Office, Usalama Reforms Forum, among others.



Participants at the IAU Operations manual and ARIS validation workshop

CHAPTER 7: INTERNAL AFFAIRS UNIT STRATEGIC PARTNERSHIPS

7.1 US Embassy

The development of IAU Operations Manual and ARIS was made possible through kind sponsorship by various stakeholders. The *US Embassy* was involved in the initial ground-breaking process of developing the Manual through its Technical Advisor, Mr Christopher Machell.

7.2 JAMII THABITI

Jamii Thabiti then came on board through Dr Otieno who was instrumental both as a sponsor and an expert. *Jamii Thabiti* was further crucial in facilitating retreats and meetings during the drafting of the Operations Manual as well as printing the same.

7.3 UNODC

Under the on-going pilot project on Countering Extremism through Anti-corruption in Eastern African, the UNODC came on board to support the development of ARIS to enable members of the public to report corruption incidents involving police officers, anonymously. UNODC also catered for the expenses for training of system users from the IAU and also procured a venue for the final validation of the Manual and ARIS, at the Fairmont-Norfolk Hotel.

7.4 Transparency International – Kenya

The organization supported ARIS project through provision of the Server and Toll Free line as well as internet.

7.5 IMLU

Supported the retreat to draft the 2018 annual report

7.6 KNCHR

KNCHR is among the Unit's Complaints Referral partners.

7.7 IJM

Supported a training at Maanzoni for IAU

7.8 Monthly meetings between IPOA, IAU and NPSC

7.9 Regular meetings between IAU and NPS complaints Directorates



A courtesy visit to IPOA board by the Inspector General and IAU officers

7.9.1 Visitors to IAU Offices in 2018

- | | |
|----------------------|-------------------------|
| 1) Dr. Fred Matiangi | CS MOICNG |
| 2) Joseph K. Boinnet | IG NPS |
| 3) Robert Mugo | Director ICT |
| 4) Kirsten Madison | Department of State USA |
| 5) Scott Danaher | US Embassy |
| 6) Roselyn Linguli | US Embassy |
| 7) Holly Mackey | Department of State USA |
| 8) Reha Yurdakul | IBM CTO |
| 9) Mustansir Yaqub | IBM East Africa |
| 10) Margaret Mwaura | IBM Security |
| 11) Hilda Muthoni | IBM Analytics |
| 12) Rashid Hamid | Saitama-KISN Japan |
| 13) Ileri Kamwende | RCIO Nairobi |
| 14) Kiama Peter | IMLU |

8.0 Challenges faced by IAU in 2018

The Unit faced a few challenges in the course of 2018 that affected its optimum capacity:-

1. Logistical problems, especially Transport.
2. Staff shortage – (The Unit got additional Staff later in 2018).
3. Delay in giving feedback to the Unit on referred cases.
4. Budgetary constraints – this hindered most of the Operational activities in the Unit.
5. Lack of Integrated Complaints Management System. The Unit is still analogue in its records maintenance and management thus tracking cases expeditiously remains a challenge.
6. Office Space and compliance to Regulation 87(7) of the NPS Act 2011 which was later solved by relocation to KCB Towers – Upper Hill in November 2018.

8.1 Conclusion

Transformation of the National Police Service is the most effective way of ensuring Professionalism in the Service. Internal Affairs Unit among other key players remains central in achieving the aspired reforms. The mandate of the Unit places it at a vantage position to help steer the Service to International Standards as espoused in the NPS Vision statement.

The Unit has explicitly recommended to the Inspector General of the National Police Service, intended corrective actions that would help improve Policing and related activities pursued by the Police.

The year 2018 has been a turning point in the improvement of the operations of the Unit which saw deployment of additional Personnel absorbed into the Unit to bolster investigations and man the ARIS. The Unit also achieved its long awaited relocation outside the National Police Service establishment.

The foregoing notwithstanding, the Unit is geared towards realizing improvement in its operations and subsequently creating a ripple effect towards a more professional National Police Service.



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