



INTERNAL AFFAIRS UNIT
NATIONAL POLICE SERVICE



Performance Report 2019

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The report is a result of the tireless efforts of all IAU Officers. Particular thanks go to the Unit's Performance Report Working Group led by Mr. Koome Mutea SP, Ms. Joyce Kanda SP, Ms. Judith Otsembo ASP, CI George Mwangi, CI Elly Odiembo, IP Honarata Nganyi and IP Kennedy Tuti among others. The research on police complaints statistics and data was assisted by Ms. Jacintah Mumbi Kimeu. We thank Jacqueline Mbogo and James Ndung'u for their leadership and technical feedback as well as Linda Omanyia and C A. Otieno, for coordination and technical facilitation of the process. All participating staff are thanked wholeheartedly for enabling the report to be enriched with their knowledge and experience.

The contents of the publication remain the sole responsibility of the Internal Affairs Unit, National Police Service and do not necessarily reflect the views of the REINVENT Programme, Tetra Tech International Development or the UK Government Department for International Development (DFID).

¹ Reducing Insecurity and Violent Extremism in Northern and Coastal Regions of Kenya (REINVENT) is a five-year programme (2018-2023), funded by UKaid from the British people. REINVENT is a commitment of the UK-Kenya Security Compact. The programme aims to improve security and stability in 18 counties across four regions to enable investment, inclusive growth and equitable service delivery. The programme is led by Tetra Tech International Development and delivered in partnership with the Royal United Services Institute (RUSI) and the Danish Demining Group (DDG).



Foreword

Internal Affairs Unit (IAU), which is an internal accountability institution, provides the Police Service with an opportunity to manage complaints professionally and ensure that uniform standards of discipline are observed and maintained. I am pleased that the new Unit, is gradually proving its worth by addressing police complaints by the public and members of the Service.

This year (2020) the National Police Service (NPS) began to implement changes to the way it works. It embarked on a critical stretch of its transformation journey that is aimed at reorganizing and integrating the Service. Police accountability is at the heart of these changes. It refers to our system of checks and balances aimed at ensuring that Police officers carry out their duties professionally and are held responsible if they fail to do so. It is meant to uphold police integrity and deter misconduct and restore or enhance public confidence in policing.

This report provides an overview of the work of IAU in the year 2019. It gives NPS an opportunity to evaluate, celebrate achievements and improve on areas identified as challenges. NPS strives to ensure that allegations and complaints against police misconduct, unprofessionalism, inaction and similar malpractices are properly investigated and that appropriate steps are taken against those who fail to observe required standards in their conduct and work.

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

A handwritten signature in blue ink, appearing to read 'Hilary N. Mutyambai', with a long horizontal stroke extending to the right.

Hilary N. Mutyambai, MGH, nsc (AU)
Inspector General,
NATIONAL POLICE SERVICE



Director's Message

The IAU goal is to have a professional Police Service that is responsive and accountable to the people of Kenya. It receives complaints against police officers through traditional channels which include, face-to-face encounters, letters, emails, phone calls and Anonymous Reporting Information System (ARIS). It also receives complaints referred to it from other institutions.

During the year under review, the Unit achieved expeditious resolution of complaints, staff recruitment and training, putting in place policy guidelines, and operationalization of ARIS. We look forward to continuously improve and perform our work expeditiously and efficiently, in full regard to the law, and in compliance with all procedures for fairness. We strive to improve handling of complaints by having in place an Integrated Case Management System.

Improving our logistical capacity is very important. In the foreseeable future we believe that at least twenty vehicles will meet the immediate needs of the Unit including fully decentralizing our services. We are working hand in hand with Kenya Police Service, Administration Police Service, Directorate of Criminal Investigations and National Police Service Commission to create a vibrant and citizen friendly Unit that will win confidence of members of the Service and public at large.

I wish to recognize our partnership with the donor communities and civil society. These include the US Embassy, UKaid through the REINVENT Programme, UNODC, Transparency International, International Justice Mission and Independent Medico-Legal Unit amongst others. These organizations have become instrumental not only for the Unit but for the entire National Police Service reforms process. Their contribution and support as far as our work is concerned is immense and is a major boost to the overall Police transformation agenda.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Mohamed I. Amin, MBS, OGW ndc (K)
Director Internal Affairs Unit
NATIONAL POLICE SERVICE

IAU Senior Management Team

	Name	Designation
1.	Mr. Mohamed I. Amin, MBS, OGW, 'ndc' (K)	Director IAU
2.	Mr. Gitahi Kanyeki, OGW, HSC	Deputy Director IAU
3.	Mr. Philip Chirchir, SSP	Head of Operations
4.	Ms. Mildred Odima, SSP	Head of Human Capital
5.	Ms. Esther Nganga, SSP	Head of Legal Services
6.	Mr. Juma Mashua, SSP	Team Leader
7.	Mr. Wilhelm Kimutai, SP	Ag. Chief Investigator
8.	Ms. Joyce Kanda, SP	Incharge Logistics
9.	Mr. Koome Mutea, SP	Team Leader
10.	Mr. Kyalo Muviti, SP	Incharge Coast Region
11.	Ms. Judith Otsembo, ASP	Head of Complaints Management
12.	Mr. Andrew Wanjama, ASP	Incharge R/Valley Region
13.	Ms. Betty Jeruiyot, ASP	Incharge Central Region
14.	Mr. Joshua Ayub Sakuti, ASP	Incharge Western Region
15.	Ms. Catherine Kagwiria, ASP	Team Leader

Abbreviations

APP	Application
APS	Administration Police Service
ARIS	Anonymous Reporting Information System
ASP	Assistant superintendent of Police
CAJ	Commission on Administrative Justice
CGHU	Cutchi Gujarati Hindu Union
CI	Chief Inspector
CS	Cabinet Secretary
DCI	Directorate of Criminal Investigations
DFID	Department for International Development
EACC	Ethics and Anti-Corruption commission
HON.	Honorable
HR	Human Resource
IAU	Internal Affairs Unit
IG	Inspector General of Police
IJM	International Justice Mission
IMLU	Independent Medico- Legal Unit
IP	Inspector
IPOA	Independent Policing Oversight Authority
JKUAT	Jomo Kenyatta University of Agriculture and Technology
KHRC	Kenya Human Rights Commission
KNCHR	Kenya National Commission on Human Rights
KPS	Kenya Police Service
MP	Member of Parliament
NGO	Non-Governmental Organization
NIS	National Intelligence Service
NPS	National Police Service
NPSC	National Police Service Commission
OCS	Officer Commanding Station
ODPP	Office of Director of Public Prosecutions
PUI	Pending Under Investigations
SCCIO	Sub-County Criminal Investigations Officer
SCPC	Sub-County Police Commander
SP	Superintendent of Police
SSP	Senior Superintendent of Police
TI	Transparency International
US	United States
UK	United Kingdom
UNODC	United Nations Office On Drugs and Crime
USSD	Unstructured Supplementary Service Data

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Executive Summary

The Internal Affairs Unit is established under section 87 of the National Police Service Act No. 11A of 2011. Its main function is to receive and investigate complaints against police from members of the Service and/or public. When a complaint is received, it must be recorded and dealt with according to the Kenyan Constitution, relevant laws, policies and guidelines.

The number of complaints received in 2019 increased compared to 2018. The Unit received 1139 complaints in 2019, which reflected 20% more than the complaints received in 2018. 77% of complainants were men, 18% women while 5% by institutions or persons acting on behalf of individuals. Where known, (80%) of the complainants were aged between 18 and 35 years while (20%) were aged 40 years and above.

Nairobi region had 483 (42.4%) of all the reported complaints, Rift Valley region had 161(14.1%), Central region had 138 (12.1%), Eastern Region 135 (11.9%) while the other four regions (Western, Nyanza, Coast, and North Eastern) recorded 222 (19.5%) complaints.

Of the reported complaints, 493 (42.3%) were about police inaction while 266 (23.4%) related to police harassment. These two categories accounted for 66% of all complaints made against police officers. A total of 301 (26%) were recommended for preliminary inquiries whereas 119 (16.3%) were investigated. 198 complaints were finalized in 2019.

Although the complaints varied widely from Service to Service, region to region and county to county, it was difficult to draw any specific national conclusions on several aspects of the police complaints system. As the Unit continues to present its annual performance report, statistics about complaints received and information regarding its accomplishments, it will as well begin assessing effectiveness of the entire police complaints system beyond statistics and data.

Despite the achievements made in 2019, the Unit faced challenges including: decentralization of its services to the county levels; staff capacity and skills development; complaint management information system, and managing complainants' expectations across the board. It has since initiated a number of interventions geared towards addressing the challenges.

In accordance with the law, the Unit recommended to the Inspector General and the National Police Service Commission disciplinary measures to be taken against various police officers following complaints and investigations outcomes. Some of the cases have been highlighted in this report.

The Unit continued to work with various stakeholders including IPOA, ODPP, KPS, APS, DCI, CAJ, KNCHR, NPSC, IJM, DFID, US Embassy, Tetra Tech International Development (REINVENT- Programme), UNODC, TI-Kenya and IMLU amongst othersto effectively achieve its mandate.

Part I: Introduction

Background

The Internal Affairs Unit is established under Section 87(1) of the National Police Service Act No. 11A of 2011. Its main function is to receive and investigate complaints against police from members of the Service and/or members of the public.

This document presents figures on complaints received, recorded and investigated in 2019. The complaints by members of the public and police officers, were allegations of misconduct against police officers as provided under section 87(2) and (3) of the National Police Service Act No. 11A 2011.

When a complaint is received, it must be recorded and dealt with according to the Kenyan Constitution, relevant laws, policies and guidelines. The data referred to in this document has been recorded on Complaint Registers and Forms which were reviewed to produce this report.

The Unit Structure

The Unit is headed by a Director who is responsible to the Inspector-General (IG) for its effective and efficient administration, operations, training and internal oversight. The Deputy Director comes second in its command structure.

Members of the Unit are accountable to the Director and not subject to control, direction or command of the Kenya Police Service (KPS), Administration Police Service (APS) or the Directorate of Criminal Investigations (DCI).

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

1. **Complaints Section**– tasked with receiving, registering and processing all complaints within the Unit.
2. **Legal Section** – advises the Unit on legal matters, analyses complaints and evaluates whether they fall within the mandate. This section also scrutinizes all investigation files to ensure they meet the standards required.
3. **Investigations Section** –forms the critical part of the Unit and is tasked with investigating all reported complaints.
4. **Professional Standards Section**– tasked with promoting uniform standards of discipline and good order in the National Police Service.
5. **Finance and Administration Section** – deals with financial and administrative matters of the Unit and comprises of other sub-sections that provide support services.

Channels for receiving complaints

Complaints are made to the Unit through the following channels:

- a) Visiting IAU Offices or Police Stations
- b) Letters P.O Box, 1880 – 00200 Nairobi.
- c) Email address: iau@nationalpolice.go.ke
- d) Twitter: @NPSOfficial-KE
- e) ARIS (USSD Coding *683# SMS 40683, Toll Free Line 0800721230, Mobile App ARIS,
- f) Website: www.iau.go.ke
- g) Cellphone: +254 798474619
- h) WhatsApp 0758729917

The Unit's Performance

In execution of its mandate, the Unit employed the following activities: receiving and investigating complaints against police including torture, cruelty, degrading and inhuman treatment or punishment; promoting uniform standards of discipline and good order in the Service and keep records of the facts of any complaint or investigation made to it.

Complaint Management

The National Police Service Act No. 11A of 2011 mandates the Unit to investigate misconduct and hear complaints against Police Officers:

- i. From members of the Service and the public;
- ii. At the direction of a senior officer;
- iii. On its own initiative;
- iv. On the direction of the Inspector-General;
- v. At the request of the Independent Policing Oversight Authority; and
- vi. Where necessary, investigate and recommend appropriate action in respect of any officer found engaging in any unlawful conduct as per the Act.

The above is achieved through analysing all received complaints.

Part II: Complaints Statistics

Complaints Received

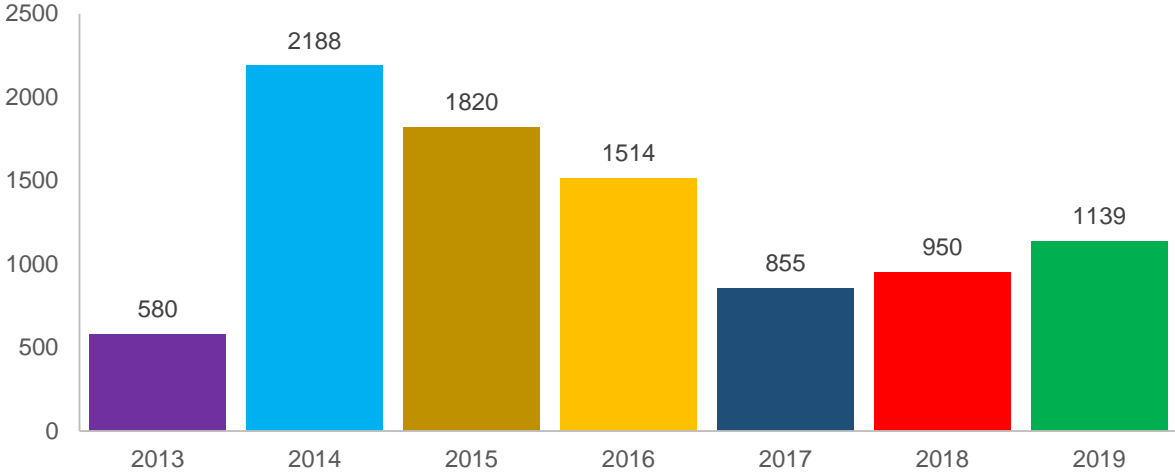
The number of complaints received increased by 20% in 2019 as compared to 2018 (table1 and figure1). These complaints were received through walk-ins, letters, telephone calls, emails and social media communication from individuals, police officers, state actors and non-state actors among others. During the reporting period, the Unit piloted the Anonymous Reporting Information System (ARIS) and a total of 529 complaints were received through this channel. Details of ARIS piloting are presented in Part IV of this report.

Table 1: Complaints Received in 2013 – 2019

Year	2013	2014	2015	2016	2017	2018	2019
Complaints	580	2188	1820	1514	855	950	1139

Sources: NPS/IAU

Figure 1: Complaints Received in 2013 – 2019



Sources: NPS/IAU

Complaints Received Per Service

925 (81%) complaints were against the Kenya Police Service officers. Most of these complaints were against officers deployed at Police Stations, Post levels and those performing traffic duties.

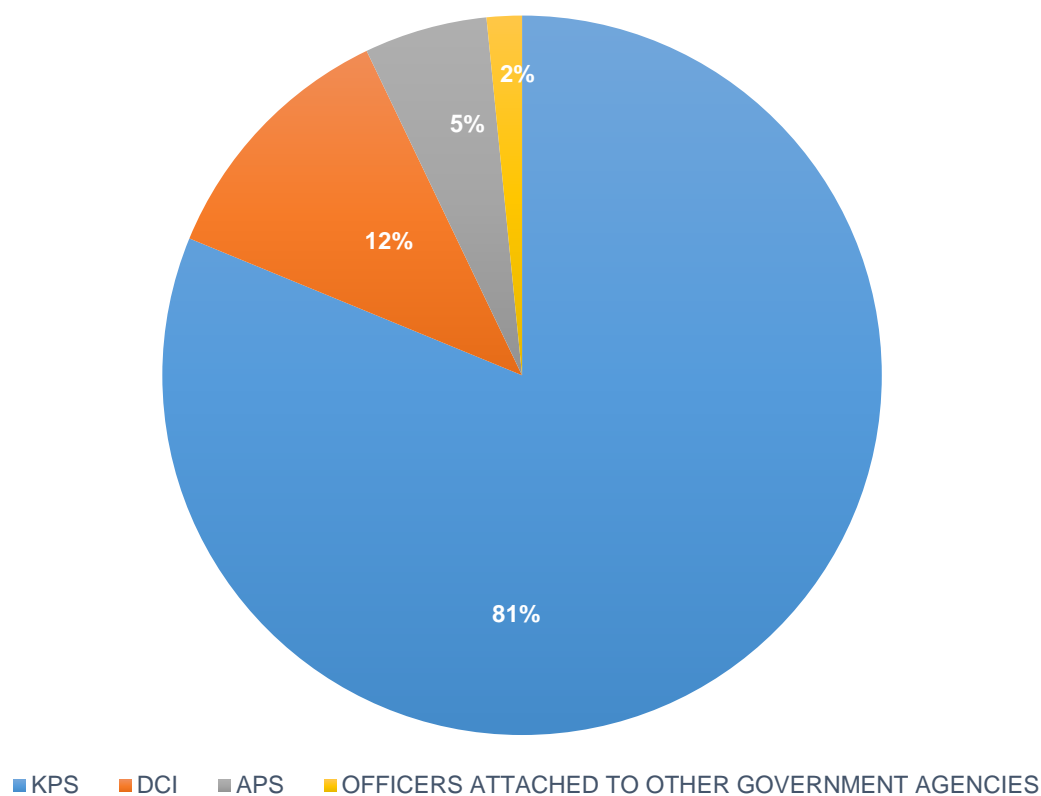
133 (12%) complaints were against officers from the Directorate of Criminal Investigations. There were 63 (5%) complaints against officers from the Administration Police Service and 18 (2%) complaints against police officers attached to various government agencies from across the Service (table 2 & figure 2).

Table 2: Complaints Received Against Police Officers Per Service and Police Officers Attached to Government Agencies

Service/Directorate (Including Govt Attachments)	No. of Complaints	% of the total
Kenya Police Service (KPS)	925	81%
Administration Police Service (APS)	133	12%
Directorate of Criminal Investigations (DCI)	63	5%
Officers attached to Government Agencies	18	2%

Sources: NPS/IAU

Figure 2: Complaints Received Against Police Officers Per Service and Police Officers Attached to Government Agencies



Sources: NPS/IAU

Complaints Received Per Region

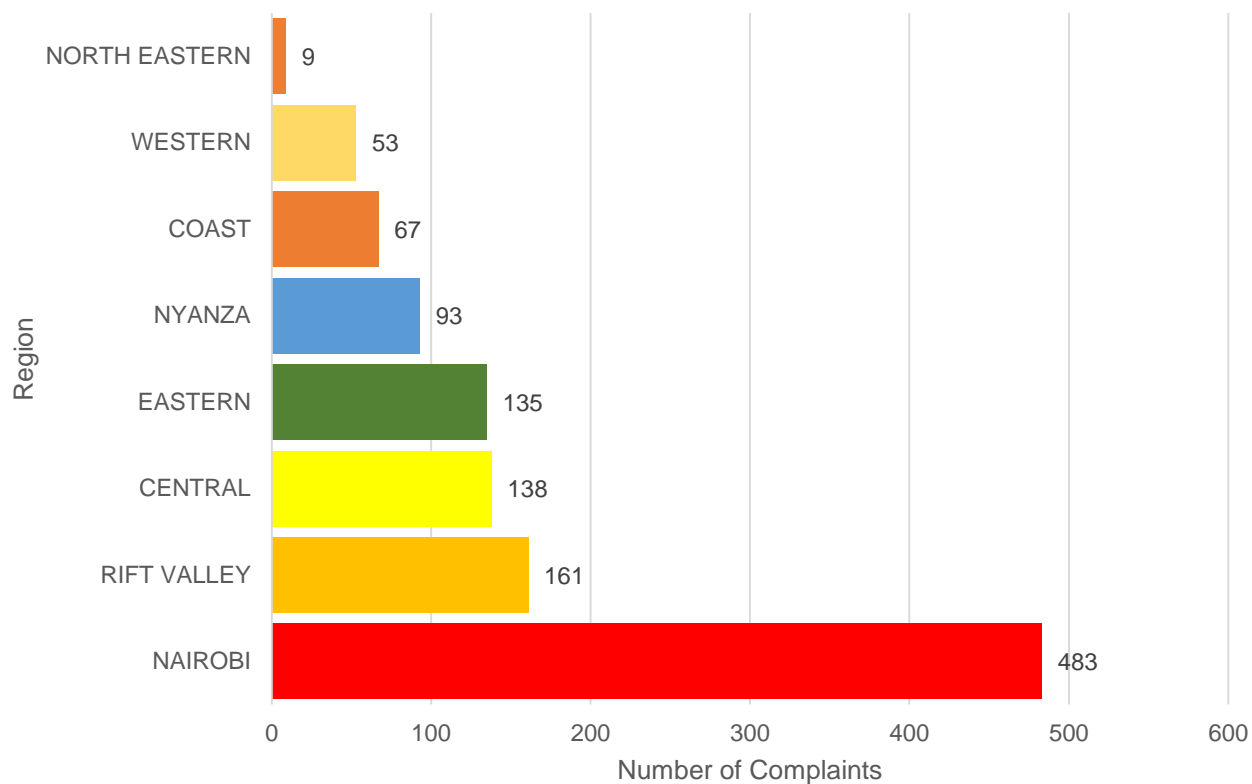
Nairobi region reported the highest number of complaints with 483 (42.4%) followed by Rift Valley at 161 (14.1%). Central and Eastern Regions came third and fourth reporting 138 (12.1%) and 135(11.9%) complaints respectively. The other four regions (Western, Nyanza, Coast, and North Eastern) collectively reported 222 (19.5%) (table 3 & figure 3).

Table 3: Complaints Recorded Per Region

Region	Nairobi	R/Valley	Central	Eastern	Nyanza	Coast	Western	N/Eastern
Complaints	483	161	138	135	93	67	53	9
Percentages	42.4%	14.1%	12.1%	11.9%	8.2%	5.9%	4.7%	0.8%

Sources: NPS/IAU

Figure 3: Complaints Received Per Region



Sources: NPS/IAU

Complaints Received Per County

Across the regions, densely populated counties including Nairobi, Kiambu, Mombasa, Nakuru, Machakos and Uasin Gishu reported more complaints than less populated counties including Marsabit, Turkana, Mandera, Elgeyo Marakwet, Baringo and West Pokot (table 4).

Table 3: Complaints Recorded Per County

County	Complaints	County	Complaints	County	Complaints
Mombasa	34	Taraka Nithi	2	Samburu	1
Kwale	4	Embu	14	Trans Nzoia	11
Kilifi	10	Kitui	14	UasinGishu	19
Tana River	7	Machakos	47	Elgeyo Marakwet	0
Lamu	5	Makueni	15	Nandi	4
T/Taveta	7	Nyandarua	10	Baringo	3
Garissa	4	Nyeri	16	Laikipia	13
Wajir	4	Kirinyaga	5	Nakuru	36
Mandera	1	Muranga	7	Narok	13
Marsabit	10	Kiambu	100	Kajiado	41
Isiolo	9	Turkana	6	Kericho	3
Meru	24	West-Pokot	1	Bomet	10
Kakamega	15	Siaya	9	Kisii	23
Vihiga	11	Kisumu	32	Nyamira	4
Bungoma	17	Homa Bay	15	Nairobi	483
Busia	10	Migori	10		
Total Complaints Received (47 Counties)					1,139

Sources: NPS/IAU

Sources of Complaints

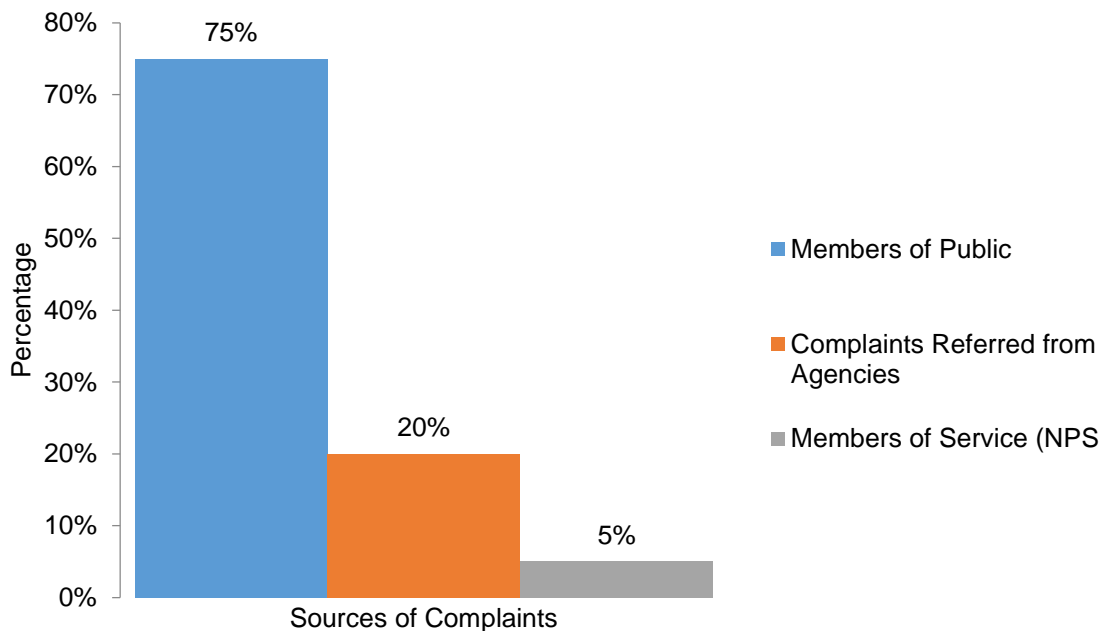
As earlier indicated, a total of 1,139 complaints against police officers were received in 2019. They originated from three (3) main categories as tabulated below.

Table 5: Sources of Complaints

Source of Complaint(s)	Complaints Received	% (Percentage)
Members of Public	854	75%
Complaints Referred from Agencies	227	20%
Members of Service (NPS)	58	5%

Sources: NPS/IAU

Figure 4: Sources of Complaints



Sources: NPS/IAU

Complaints Referred from Agencies

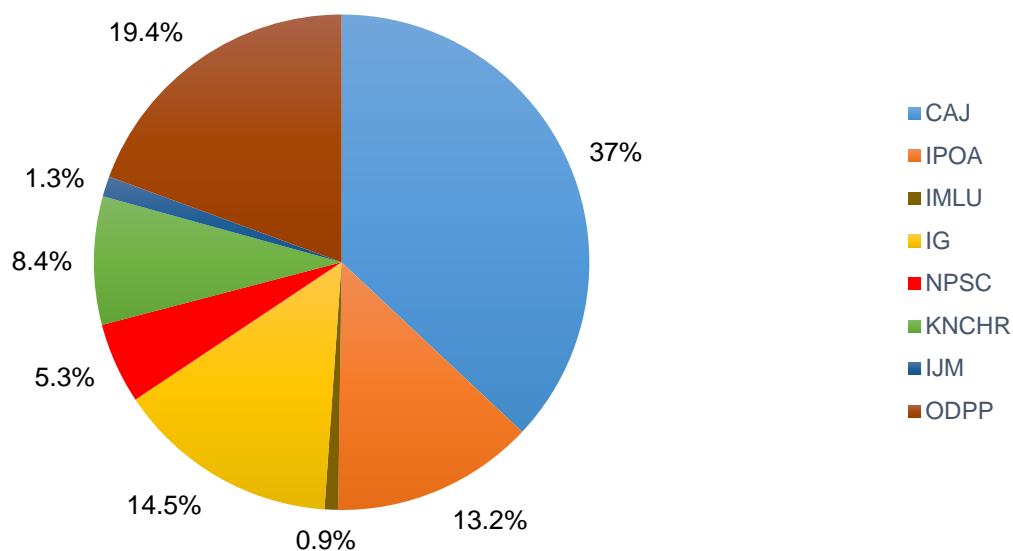
227 complaints originated from eight (8) agencies (table 6 & figure 5).

Table 6: Complaints Referred from other Agencies

Agency	Complaints	Agency	Complaints	Agency	Complaints
CAJ	84	IPOA	30	IMLU	2
ODPP	44	KNCHR	19	IJM	3
IG's Office	33	NPSC	12		

Sources: NPS/IAU

Figure 5: Complaints Referred from other Agencies



Sources: NPS/IAU

Profile of Complainants

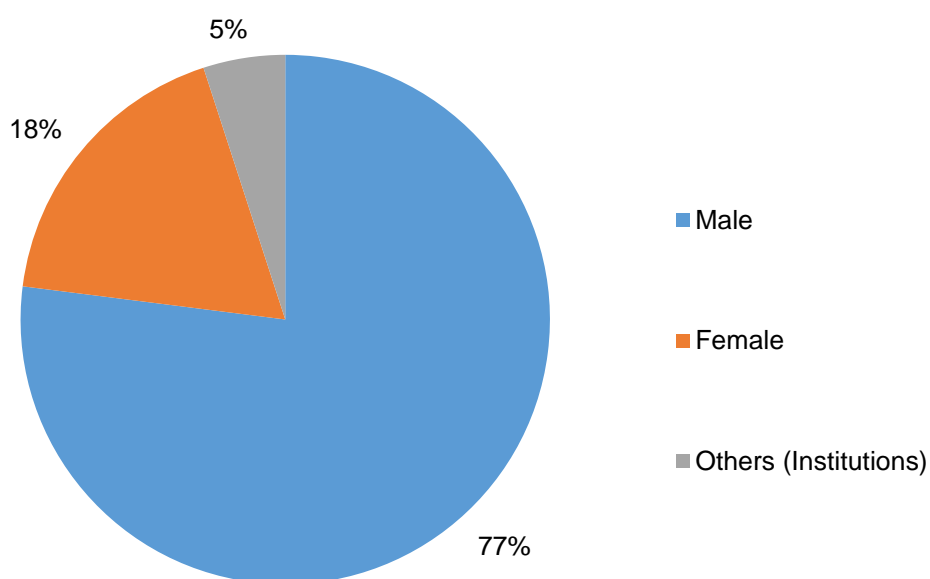
Of the 854 complaints received from members of public, 658 were by male complainants, 154 were by female while 38 were by institutions or persons acting on behalf of individuals. Where known, (80%) of complainants were aged between 18 and 35 years while (20%) were 40 years of age and above (table 7 & figure 6).

Table 7: Profile of Complainants

Gender	No. of Complaints	(%)
Male	658	77%
Female	154	18%
Others((Institutions or persons acting on behalf of individuals)	38	5%

Sources: NPS/IAU

Figure 6: Profile of Complainant



Sources: NPS/IAU

Nature of Complaints Received

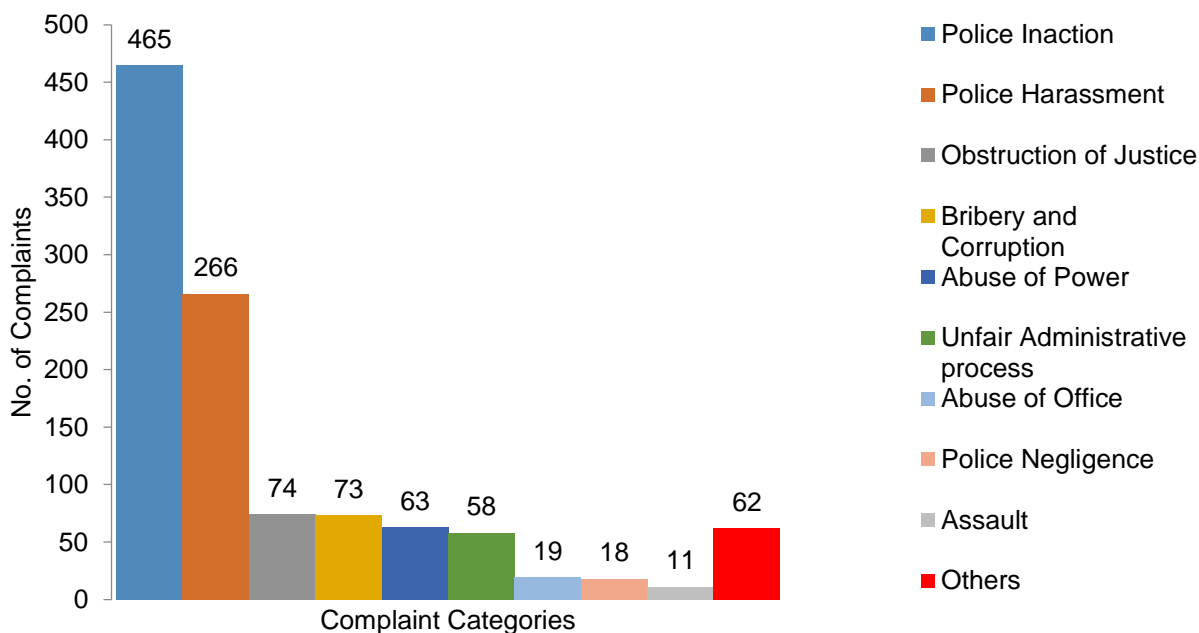
A complaint may include one or more alleged offences. Each complaint is recorded against one of the underlisted ten (10) complaints: In 2019, the number of complaints recorded increased across all cadres. 493 complaints related to Police Inaction and 266 were about Police Harassment. These two sets accounted for 67% of all complaints recorded. The other 8 categories accounted for 33% (table 8 & figure 7).

Table 8: Nature of Complaints

Complaint Category	No. of Complaints	(%)
Police Inaction	493	43.3%
Police Harassment	266	23.4%
Obstruction of Justice	74	6.5%
Bribery and Corruption	73	6.4%
Abuse of Power	63	5.5%
Unfair Administrative process	58	5.1%
Abuse of Office	19	1.7%
Police Negligence	18	1.6%
Assault	11	1.0%
Others	64	5.6%
Total	1,139	100%

Sources: NPS/IAU

Figure 7: Nature of Complaints



Sources: NPS/IAU

Complaints Processing

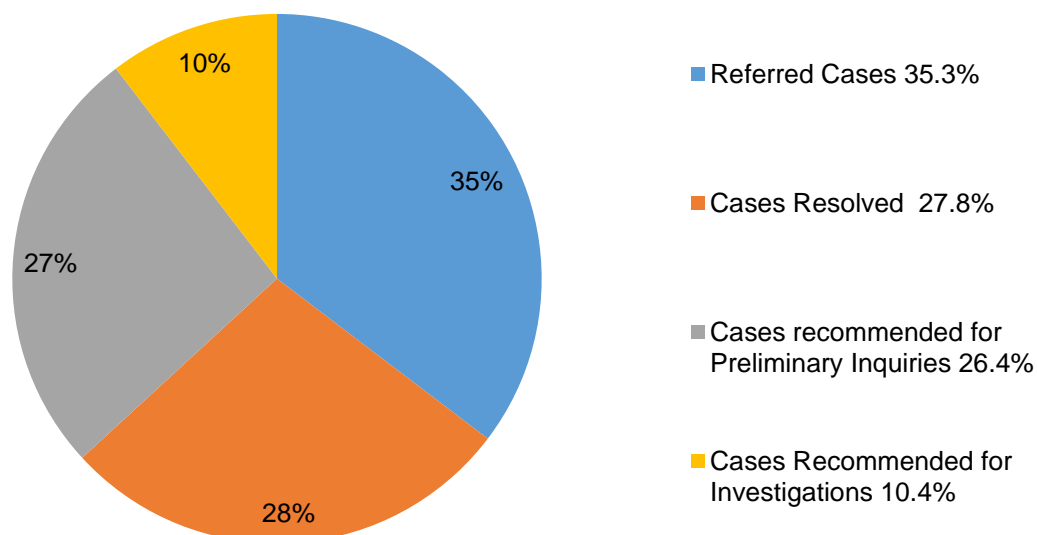
The complaints received were all processed through recommendations from the Complaint Assessment Committee: 301(26.4%) complaints were recommended for preliminary inquiries; 119 (10.4%) complaints were recommended for investigations, 317(27.8%) cases resolved while 402 (35.3%) complaints were referred for action by the respective Services including the DCI (table 9 & figure 8).

Table 9: Complaint Processing

Nature of Processing	No. of Complaints	(%)
Referred Cases	402	35.3
Cases Resolved	317	27.8
Cases Recommended for Preliminary Inquiries	301	26.4
Cases Recommended for Investigations	119	10.4
Total	1,139	100

Sources: NPS/IAU

Figure 8: Complaint Processing



Sources: NPS/IAU

Complaints Referred

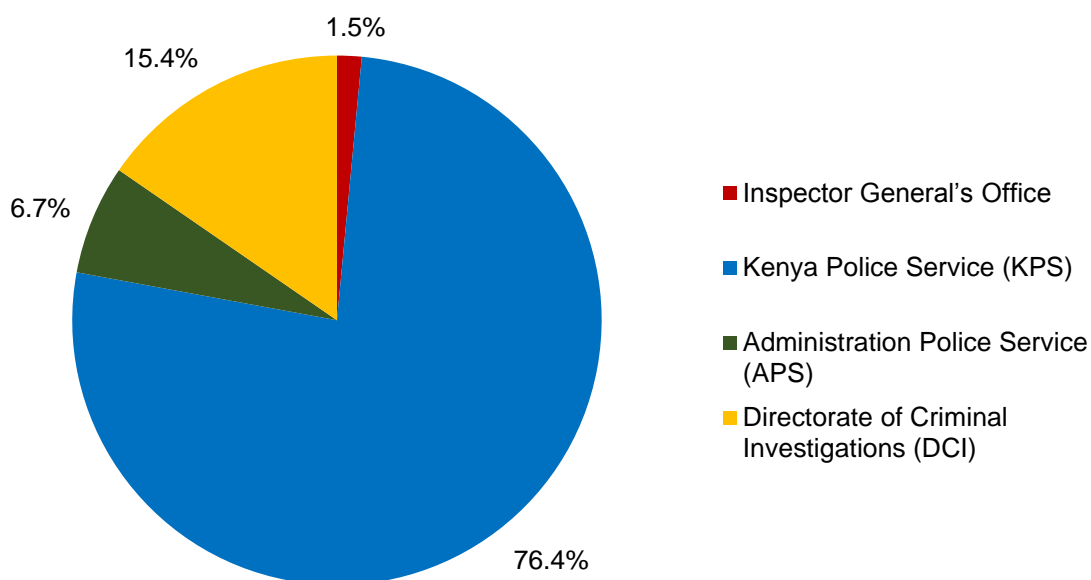
Less serious complaints against police officers are usually referred to respective Services including DCI to be resolved locally. Of the 1139 complaints received, 402 were referred and 317 were resolved. 307 complaints were referred to KPS, 62 to DCI, 27 to APS and 6 were submitted to the Office of the Inspector General for direction (table 10 & figure 9).

Table 10: Complaints Referred to Services

ReferralEntity	No. of Complaints	(%)
Inspector General's Office	6	1.5%
Kenya Police Service (KPS)	307	76.4%
Administration Police Service (APS)	27	6.7%
Directorate of Criminal Investigations (DCI)	62	15.4%
Totals	402	100%

Sources: NPS/IAU

Figure 9: Complaints Referred to Services



Sources: NPS/IAU

Status of Complaints Investigated

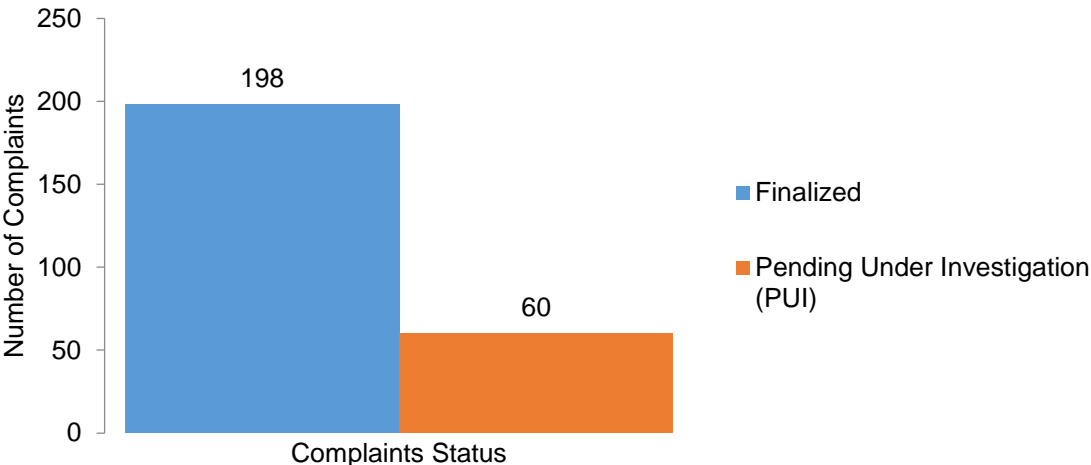
A complaint is considered finalized when all actions relating to it are completed. Of the 420 complaints recommended for either preliminary inquiries or investigations, 198 (47%) were finalized while 222 (53%) were pending under investigations (table 11 & figure 10).

Table 11: Status of Complaints Investigated

Status of Complaints	No. of Complaints	(%)
Finalized Complaints	198	47%
Pending Under Investigations (PUI)	222	53%
Cummulative Totals	420	100%

Sources: NPS/IAU

Figure 10: Status of Complaints Investigated



Sources: NPS/IAU

Part III: Discussion

The 2019 complaints varied widely from Service to Service, region to region and county to county. This made it difficult to draw any specific national conclusions on several aspects of the police complaints system. An increase or decrease in any particular statistic is not necessarily a ‘good’ or a ‘bad’ indication. As the Unit continues to present its annual performance report, statistics about complaints received as well as information regarding its accomplishments, it also needs to start assessing the effectiveness of the police complaints system. This will include:

- i. Complainant experience and satisfaction;
- ii. Time taken to finalize complaint;
- iii. Public confidence in the complaint system;
- iv. Profile of Police Stations Complained against;
- v. Profile of police officers complained against;
- vi. Complaint referral mechanism, accountability and transparency;
- vii. Resolution of less serious complaints at the Police Station;
- viii. Implementation of policy recommendations.

Part IV: Other Engagements

Piloting Anonymous Reporting Information System (ARIS)

The Unit piloted Anonymous Reporting Information System (ARIS) as one of the channels for receiving complaints. The system is a web-based platform that allows for secure and confidential reporting by members of public as well as police officers. It also enables monitoring and tracking of reported cases and generate reports.

The ARIS consists of Toll-Free number (0800721230); Short code (40683) and USSD code (*683#) that members of the public or police officers can use to report any form of police misconduct. There is also an online form that can be accessed via the website (www.iau.go.ke) and ARIS NPS mobile phone App available on Google Play Store.

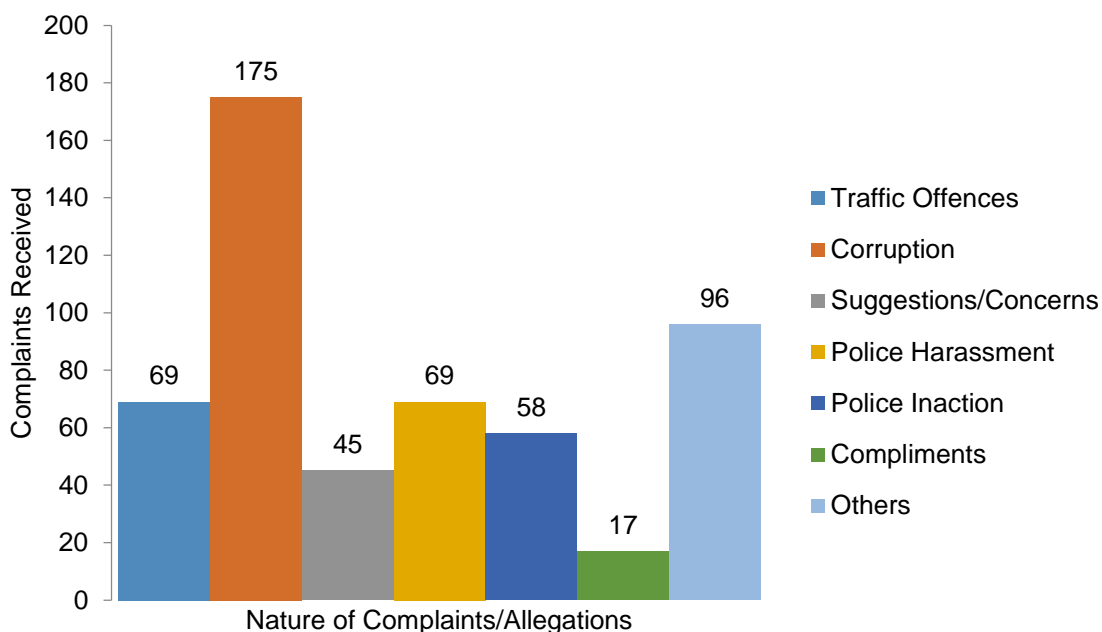
A total of 529 cases were received through ARIS channel. Complaints recorded through ARIS channel included traffic offences, corruption, police harassment, police inaction, assault, illicit brew, criminal gangs, robbery and administrative issues within the Service (table 12).

Table 12: Number of Cases Received Via ARIS channel

Nature of Complaint/Allegations	Number of Complaints/Allegations Recieved
Traffic offences	69
Corruption	175
Suggestions/Concerns	45
Police Harassment	69
Police Inaction	58
Compliments	17
Others	96

NPS-ARIS Pilot 201

Figure 11: Complaints Received Via ARIS channel



Sources: IAU – NPSARIS Pilot 2019

Policy Development

The Unit continued to contribute to the National Police Service policy and legal development. In 2019, it benefited from training sponsored by the US Embassy for the development of joint curriculum with Independent Policing Oversight Authority. It also participated in the development of National Police Service Human Resource Information System meant to enhance service delivery.

Training and Capacity Development

The Unit took its officers to National Police College Campuses and partnered with various donors and sponsors to support staff training in senior management, leadership, senior supervisory courses, and retirement management. Overall, a total of 25 staff received skills development courses both in groups and as individuals in 2019. In addition, the US Embassy through International Narcotics and Law Enforcement Agency (INL) Nairobi Office, organized for training for IAU and IPOA staff on ToT program. It also participated in the development of National Police Service Human Resource Information System meant to enhance service delivery. Other training and capacity development courses that the Unit staff undertook during the period under review include: Basic Intelligence Course that was coordinated by National Intelligence Academy (NIS), Human Resource Pension Management Course by NPSC, Special Investigation Course by IMLU and Training of Trainers by US Embassy among others.



Picture 2: Trauma Informed and Resilience Training Session at IAU Offices

Outreach and Sensitization

The Unit held forums as a key strategy towards reaching out to the stakeholders. It visited some National Police College Campuses to lecture students during their scheduled courses. The

Campuses included National Police College - Kiganjo Campus, Embakasi “B” Campus and Senior Staff College Loresho Campus.



Picture 3: Sensitization Meeting at National Police College Embakasi 'B' Campus



Picture 4: Sensitization Meeting at National Police College Embakasi “B’ Campus

Recruitment and Staffing

The Unit recruits its staff from National Police service. It made an internal advertisement for 150 positions in 2019. However, the positions were later reduced to 65 due to the re-organization that was taking place within the National Police Service. Out of the 65 successful candidates, 44 reported and underwent Basic Induction Program and have been deployed. Plans are underway to have the remaining 21 officers report for deployment. With the additional staff, the strength of the Unit increased from 80 to 124 officers in 2019.

Partnership and Collaboration

The Unit strengthened its partnership and collaboration with external stakeholders. It worked closely with UNODC, International Justice Mission, Amnesty International and Kenya National Commission on Human Rights in training and providing capacity development for its staff. It also participated in forums and sensitization organized within social justice centers by IJM and ODPP. The Unit also engages with the following partners in executing its mandate; IPOA, , KPS, APS, DCI, CAJ, NPSC, DFID, US Embassy, Tetra Tech International Development (REINVENT- Programme), TI-Kenya and IMLU amongst others.



Picture 3: Deputy Director IAU, Mr. Gitahi Kanyeki (right) with visiting Director of Nigeria Complaint Response Team, Mr. Markus Ishaku Basiran.

Part V: Challenges, Achievements and Lessons Learnt

Challenges

Table 13: Challenges

	Challenge	Recommendations
1.	Institutionalization of complaint management information system	<ul style="list-style-type: none"> Enhance complaints handling infrastructure Digitize complaints processes Develop complaint management information system Enhance follow up mechanisms
2.	Low Staff capacity and skills	<ul style="list-style-type: none"> Enhance staff capacity Recruit more specialized officers in different fields to help the Unit achieve its mandate
3.	Follow up mechanism of the Unit's recommendations	<ul style="list-style-type: none"> Pursue legislative and policy review to facilitate enforcement mechanism
4.	Access to Unit's services at the County level	<ul style="list-style-type: none"> Decentralize services to all counties as stipulated in the NPS Act
5.	Lack of special human resource policy arrangements that responds to the uniqueness of IAU officers in the service	<ul style="list-style-type: none"> Develop and implement performance based reward management framework. Improve tools and equipment to enable staff realize their full potential. Formulate a customized HR policies including entry and exit strategies for IAU staff
6.	Lack of awareness of IAU functions and mandates across the services	<ul style="list-style-type: none"> Enhance sensitization programs to police officers and the Public.
7.	Managing customers' expectations	<ul style="list-style-type: none"> Create more public awareness Explain to the customers what the Unit can do and cannot do about their complaints

Achievements

During the period under review, the Unit improved its performance in complaints management and investigations and realized several achievements that include:

i. Complaints resolution

The Unit promoted uniform standards of discipline and good order as per the Act by expeditiously resolving 198 complaints.

ii. Staff recruitment

An additional 44 officers joined the Unit, underwent the basic induction program and were deployed. This boosted the Unit's staff capacity from 80 to 124 officers.

iii. Logistical Improvement

The Unit received additional 4 vehicles to enhance mobility.

iv. More complaints received.

The number of complaints received by the Unit in 2019 grew by 20%, from 950 to 1139.

Lessons learned

The year under review has indicated that:

- Citizens have a role to play in holding police to account for their actions;
- To succeed, the Unit needs support from the police and the public;
- There is need for public awareness and sensitization on police complaints system to promote and foster good relations with members of the public.
- Police officers need enhanced professional training and support as they go about their work.
- Need for compliance with Constitutional standards of Human Rights and fundamental freedoms.

Part VI: Conclusion and Recommendations

In its efforts to fulfil its mandate, the Unit continues to develop police complaints handling process in accordance with the written law. It will use this report and data herein to measure progress and evaluate the effectiveness of police complaints system in general. The report has indicated core issues that have implications on police. As the Unit embarks on implementing changes in its operations based on past experiences and views of stakeholders, there is need to focus more on customer care and improved investigation processes.

- Complaint handling** – The unit will endeavor to build public confidence through an improved complaint management system.
- Access to police complaints system** – The Unit will ensure that the complaint management system is user-friendly and easily accessible up to the station and post level.
- Improving disciplinary process** – it is important that investigations by the Unit should make a difference and that police officers are properly held to account if misconduct is identified. The Unit will participate on the changes to the disciplinary process to introduce greater transparency and accountability.
- Customer satisfaction and public confidence survey** – the Unit will conduct customer satisfaction and public confidence survey in the police complaints system to inform its work going forward.
- Communication** - the Unit will improve communication to publicize its work and its successes. It will listen to its customers and stakeholders; learns from what they are saying; and exploit the opportunities communication offers to secure and maintain public confidence in the police complaints system.

Finally, the Unit should conduct a baseline survey to access the perception of Kenyans about the working of police complaints system and the factors affecting police complaints management and process. Such a study will provide more additional information on status, nature, extent, quality, effectiveness, efficiency and challenges of police complaints management system.

Annex 1: National Police Complaints Table

COUNTY	ABUSE OF OFFICE	ABUSE OF POWER	POLICE ASSAULT	UNFAIR ADMINISTRATIVE PROCESS	CORRUPTION	POLICE NEGLIGENCE	POLICE HARASSMENT	POLICE INACTION	ONSTRUCTION OF JUSTICE	OTHERS	TOTAL
MOMBASA	0	3	1	1	4	2	4	12	3	4	34
KWALE	0	1	0	0	0	0	0	3	0	0	4
KILIFI	0	0	0	0	1	0	3	4	1	1	10
TANA RIVER	0	0	0	2	0	0	2	3	0	0	7
TAITA TAVETA	0	0	0	0	3	0	1	3	0	0	7
LAMU	1	1	0	0	0	0	2	1	0	0	5
MACHAKOS	1	2	0	1	4	3	11	23	2	0	47
MAKUENI	0	2	0	2	1	1	4	4	0	1	15
KITUI	0	1	0	1	1	1	1	7	1	1	14
GARISSA	0	1	0	0	1	0	1	1	0	0	4
MANDERA	0	0	0	0	0	0	0	1	0	0	1
WAJIR	0	0	0	1	0	0	0	3	0	0	4
KIAMBU	0	7	2	0	6	1	21	48	10	5	100
MURANGA	1	0	0	1	0	0	2	3	0	0	7
KIRINYAGA	0	0	0	0	0	0	1	4	0	0	5
LAIKIPIA	1	1	0	0	1	0	1	8	0	1	13
NAKURU	0	1	0	4	3	0	13	14	1	0	36
KERICHO	0	0	0	1	0	0	1	1	0	0	3
HOMABAY	0	2	1	1	0	1	1	9	0	0	15
KISII	0	0	1	1	0	0	4	15	1	1	23
NYAMIRA	0	0	1	0	0	0	0	2	1	0	4
MIGORI	0	1	0	1	1	0	4	1	1	1	10
KISUMU	0	1	0	0	1	2	4	22	2	0	32
SIAYA	0	0	0	0	1	0	1	5	2	0	9
VIHIGA	1	2	0	0	2	0	1	4	1	0	11
KAKAMEGA	0	0	1	0	0	0	2	9	0	3	15
BUNGOMA	0	0	0	2	0	0	4	3	3	5	17
BUSIA	0	1	0	0	1	0	4	4	0	0	10
UASIN GISHU	0	5	0	0	0	0	4	8	0	2	19
BARINGO	0	0	0	0	1	0	0	1	1	0	3
WEST POKOT	0	0	0	0	0	0	0	1	0	0	1
TURKANA	0	0	0	1	1	0	2	2	0	0	6
ISIOLO	1	1	0	0	0	0	3	3	1	0	9
MARSABIT	0	0	0	0	0	0	3	5	1	1	10
MERU	3	1	0	0	2	0	6	9	1	2	24
THARAKA NITHI	0	0	0	0	0	0	0	2	0	0	2
EMBU	0	0	0	3	1	0	2	7	0	1	14
NYANDARUA	0	1	0	1	0	0	2	4	2	0	10
NYERI	0	0	0	0	1	0	6	9	0	0	16
SAMBURU	0	0	0	0	0	0	0	0	1	0	1

TRANS NZOIA	1	2	0	1	0	1	2	4	0	0	11
ELGEYO											
MARAKWET	0	0	0	0	0	0	0	0	0	0	0
NANDI	0	0	0	0	0	0	0	3	1	0	4
NAROK	1	0	0	0	0	0	2	7	2	1	13
BOMET	0	1	0	1	1	1	2	3	1	0	10
KAJIADO	1	4	0	2	3	0	11	18	2	0	41
NAIROBI	7	21	4	30	32	5	128	190	32	34	483
TOTAL	19	63	11	58	73	18	266	493	74	64	1139

Annex 2: Highlights of Complaints in 2019

	COMPLAINT	COMMENT/STATUS
1.	Complaint against Police Officers at Juja Police Station for using excessive force to quell riots at JKUAT. The action by officers instigated public outcry prompting Inspector General to direct the Unit to conduct inquiry into the said allegations.	The matter was successfully investigated and resultant inquiry file sent to the IGP for action.
2.	Complaint against IP Samson Longopito of SCCIO's Office Karen for leaking a matter pending investigation to the press (KahawaTungu online publication). The complaint was filed at the station by former Chief of Defence Forces Gen. Samson Mwathethe.	The Inspector General approved findings and recommendations from The Unit. Administrative action has since been taken against the officer.
3.	Complaint Against Senior Police Officers at Magarini Sub-County, i.e Mr. Gerald Barasa(SSP), Mr. Boaz Obeto(SP) and CI Justus Kiboi, for cover-up and protecting two police officers who llegendly shot and seriously injured a member of public. The matter was brought to the attention of the CS Interior and IG by Hon. Michael Kingi, MP for Magarini Constituency.	The Inspector General approved administravie action against Senior Officers. However, on the direction of the ODPP, No. 118482 PC Titus Okello who was the main suspect in the shooting is to be charged before a court of law for causing grievous bodily harm to Mr. Juma Bahati Shanga.
4.	Complaint against Cpl Lemayan Medoti, formerly based at Jogoo house for obtaining money from several Police Officers under pretense that he could assist them join National Intelligence Services(NIS) and Traffic department.	The case was successfully investigated and resultant file containing findings and recommendations was approved by the IG. It is worth noting that the accused officer was interdicted pending outcome of NPSC resolution.
5.	Complaint against former SCCIO Kabete, Mr.Francis Wanjau(SSP), Cpl Julius Oguma and PC Charles Macharia and PC Samwel Khuvulo for obstructing EACC officers from carrying out their lawful duties. The matter was filed by EACC through IG's office.	The complaint was finalized after recommendations on administrative action against the officers were approved by the Inspector General.
6.	Complaint against Ruiru Sub- County Police Commander, Mr. Stanley Mutungi for assaulting junior officers, namely; PC Laumo Onyango and PC Titus Nthige	Administrative action against Mr. Mutungi was initiated by the NPSC upon the recommendation of the Unit.
7.	Complaint against Commandant NPS Airwing, Col. (rtd) Rodgers Mbithi for condoning acts of corruption and bribery, abuse of office, tribalism and intimidation of junior police officers.	The complaint was successfully investigated and resultant file containing findings and recommendations sent to IGP for action.
8.	Complaint against Lamu County Police Commander, Perminus Muchangi Nyaga for failure to stem insecurity within Lamu County. This was after one Police Constable murdered by people suspected to be drug dealers.	The relevant inquiry file containing findings and recommendations was submitted to Inspector General for action.
9.	Complaint against Senior AP officers at Jogoo House for harassment, intimidations and unfair administrative action by Ex. AP Apollo Kioria. The matter was also exptensively published in both print and electornic media.	Recommendations on administrative action was approved by the Inspector General. DIG, APS was also required to implement part the recommendations.
10.	Complaint by Dr. Aruasa, CEO Moi Teaching and Referral Hospital against Cpl Hussein Abdi of	The matter was finalized after Inspector General approved recommendations on administrative

	Kondele Police Station for attempting to extract blood samples from a suspect within the hospital without following due procedures and also issuing threats to hospital staff.	action against the officer.
11.	Complaint by general duty officers at Kitengela Police Station against DCI Officers, namely; Sgt Jacob Kathurima, Sgt Oscar Mutinda, Cpl Julius Mongare and PC(dr) Spencer Musyoka for defying lawful orders to stop at a police road block erected within Kitengela town and threatening Senior KPS Officers.	The complaint was investigated on the direction of Inspector General of Police following outcry from General Duty officers that DCI officers were exhibiting blatant impunity and aiding suspected criminals to escape justice. The matter was successfully investigated and resultant file was submitted to the IG for action.
12.	Complaint by Hindu Community(CGHU) against SCPC Gigiri, Mr. Richard Mugwai, OCS Parklands, CI Moses Shikuku and IP Mary Nderitu for failing to take action and giving undue protection to a suspect reported at Parklands Police Station for rape, Misuse of firearm and Threats to kill.	The case was finalized whereby the Inspector General approved recommendations on administrative actions against the officers complained against.
13.	Complaint against CI Julius Kimutus on allegations of colluding with Hon. T.B Nyangena of Kiambu Law Courts to detain a suspect at the police station after having been sentenced to six months imprisonment.	The matter was successfully investigated. Resultant file containing findings and recommendations was submitted to IG for action.
14.	Complaint by Cpl Kelvin Njue of Shauri Moyo Police Station against P.A to the DIG, KPS on allegations of abuse of power and threats of demotion.	The matter was finalized and the relevant file was further submitted to DIG, KPS to implement part of the recommendations.
15.	Complaint by Ms. Alice Akinyi of Kibera on behalf of a 6 yr old child, Kesley Wangui who was defiled at Langata Baracks against CI Bossmack Njuguna former OCS Langata, IP Everline Lwangasi, OC Crime Langata and Sgt Sarah Ndombi for failing to implement directive from the ODPP	The Inspector General approved recommendations on administrative action against the three officers after they were found to have violated part of Eighth Schedule 1 of the NPS Act.



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