



INTERNAL AFFAIRS UNIT



ANNUAL PERFORMANCE REPORT 2022

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ABBREVIATIONS AND ACRONYMS

APS	Administration Police Service
ARIS	Anonymous Reporting Information System
ASP	Assistant Superintendent of Police
CAJ	Commission on Administrative Justice
CBS	Chief of the Order of the Burning Spear
CI	Chief Inspector
CP	Commissioner of Police
CPC	County Police Commander
CRIB	Criminal Research & Intelligence Bureau
DCI	Directorate of Criminal Investigations
DIG	Deputy Inspector General
EACC	Ethics and Anti-Corruption Commission
EBS	Elder of the Order of the Burning Spear
GIZ	German Agency for International Cooperation
GSU	General Service Unit
HR	Human Resource
HSC	Head of State Commendation
IAU	Internal Affairs Unit
IG	Inspector General
IJM	International Justice Mission
IMLU	Independent Medico- Legal Unit
IP	Inspector of Police
IPOA	Independent Policing Oversight Authority
KNCHR	Kenya National Commission on Human Rights
KPS	Kenya Police Service
KRA	Kenya Revenue Authority
KSG	Kenya School of Government
MBS	Moran of the Order of the Burning Spear
NFPA	No Further Police Action
NGO	Non-Governmental Organization
NPS	National Police Service
NPSC	National Police Service Commission
NPSSSC	National Police Service Senior Staff College



ODPP	Office of Director of Public Prosecutions
OGW	Order of the Grand Warrior
ORP	Orderly Room Proceedings
PUI	Pending Under Investigations
SP	Superintendent of Police
SSO	Service Standing Orders
SSP	Senior Superintendent of Police
SSU	Special Service Unit
TI	Transparency International
UNDP	United Nations Development Programme.
UNHCR	United Nations High Commissioner for Refugees
OHCHR	Office of the High Commissioner for Human Rights
USSD	Unstructured Supplementary Service Data





MR. JAPHET N. KOOME, EBS, HSC, 'ndc'
INSPECTOR GENERAL
NATIONAL POLICE SERVICE
& President of the NPSA General Assembly

FOREWORD

The mechanisms established by our nation to protect people's rights, establish and maintain order and guarantee stability and security are usually collectively referred to as the security sector. An important actor in the security sector is the police whose functions as a minimum are to; prevent and detect crime, maintain public order and provide assistance to the public. In order to carry out these functions, the police have certain powers namely; the power to arrest and detain and the power to use force. It is precisely this monopoly on the use of force and the power to arrest and detain that place the police in a unique and sensitive position so that adequate control mechanisms are required to ensure that these powers are used in accordance with the law.

Therefore, the National Police Service is subject to a system of internal and external checks and balances. This is aimed at ensuring that police carry out their duties properly and are held responsible for any misconduct. Such a system is meant to uphold police integrity, deter misconduct and to enhance public confidence in policing. As an internal accountability system, the Internal Affairs Unit has been key in demonstrating that the Service is serious on matters police accountability.

Meanwhile, the Service continues to ensure that officers receive proper support and supervision. This guarantees that officers remain well-prepared and equipped to carry out their functions in a professional manner. In addition, we continuously undertake to provide proper working environment fit for yielding their full potential.

As we have often reiterated, the Service strives to maintain a cordial and complimentary working relationship with all players in the field of police oversight and accountability.

I now have the pleasure of presenting to you this report hoping that it avails data for scrutiny and oversight. This is good for feedback to the public as well as to the police fraternity. We hope that it will generate a conversation that may contribute to the development of new policies, procedures and instructions.

Eng. Japhet N. Koome, EBS, HSC, 'ndc' (K),
Inspector General,
NATIONAL POLICE SERVICE.



DIRECTOR'S MESSAGE



DAVID BIRECH, MBS, 'psc' (R)
DIRECTOR INTERNAL AFFAIRS UNIT
NATIONAL POLICE SERVICE

The Internal Affairs Unit is a product of Police Reforms that has remained steadfast in its endeavours to deliver on its mandate as an internal oversight mechanism within the National Police Service. Such efforts are better communicated through reports that often provide stakeholders with an opportunity to appreciate the commitments being made with the prospect of generating discussions on how best to improve Police professionalism. It is

therefore with great appreciation that I present the Unit's Annual Performance Report for the year ended 31st December, 2022 in line with Chapter 62, Order 2 of the National Police Service Standing Orders.

The year under review witnessed heightened political activities in the run-up to the August General Elections. Previous elections had been marred with violence and upheavals where Police Officers were cited and blamed for varied forms of misconducts. For this reason, IAU officers were adequately prepared to handle possible police misconduct during the electioneering period. I am glad to note that the elections were peaceful and Police Officers conducted themselves professionally.

We wish to register our gratitude to the Chairperson, National Police Service Commission, Mr. Eliud N. Kinuthia, CBS, OGW, HSC; The Inspector General of the National Police Service, Mr. Japhet N. Koome, EBS, HSC, ndc (K); the DIGs Kenya Police and Administration Police Services together with the Director, Directorate of Criminal Investigations for their continued support.

The Unit commends stakeholders and partners including the Office of the Director of Public Prosecution (ODPP), Commission on Administrative Justice (CAJ), Kenya National Commission on Human Rights (KNCHR), Independent Policing Oversight Authority (IPOA), Ethics and Anti-Corruption Commission (EACC), and Kenya Revenue Authority (KRA) for the cordial partnership and collaboration. Equally, we extend our gratitude to the German Technical Corporation (GIZ), the US Embassy, Office of the High Commissioner for Human Rights (OHCHR), the Independent Medico-Legal Unit (IMLU), and Transparency International Kenya, among others. Their unwavering support and cooperation to the Unit since its inception in 2013 to date in various aspects, such as the provision of equipment and facilitating trainings on various areas aimed at building capacity for the officers cannot go un-noticed. We further extend our gratitude to International Justice Mission (IJM) for facilitating the Unit in the preparation of this report.

The Unit will continue engaging with our clients and partners towards the realization of our mission in the National Police Service. As the immediate former Director of Reforms in the National Police Service and now the Director of Internal Affairs Unit, we continue to stress on the need for the Police Officers to remain professional and accountable as they discharge their mandate. I hope that this report will provide insight into the Unit's efforts to better the National Police Service by enhancing internal oversight.



David Birech, MBS, 'psc' (R)
Director Internal Affairs Unit
NATIONAL POLICE SERVICE



SENIOR MANAGEMENT AND SECTION HEADS

	Name	Designation
1.	Mr. David Birech, MBS, 'psc' (R)	Director
2.	Mr. Juma Mashua, OGW, CP	Deputy Director
3.	Ms. Mildred Odima, CP	Head of Human Capital Management
4.	Ms. Joyce Kanda, SSP	Head of Logistics
5.	Mr. Koome Mutea, SSP	Head of Intelligence
6.	Mr. Kyalo Muviti, SSP	Regional IAU Officer (Coast)
7.	Ms. Betty Jeruiyot, SP	Regional IAU Officer (Central)
8.	Mr. Joshua Ayub Sakuti, ASP	Regional IAU Officer (Nyanza)
9.	Mr. Andrew Wanjama, ASP	Regional IAU Officer (Rift Valley)
10.	Mr. Michael Boiyo, ASP	Head of Investigations
11.	Mr. George Nyali, ASP	Head of Training
12.	Ms. Judith Otsembo, ASP	Head of Complaints Management
13.	Mr. Julius Rotich, ASP	Team Leader
14.	Mr. Hillary Mutai, ASP	Head of Data Analysis
15.	CI George Mwangi Okal	Head of Legal Services
16.	CI Elly Odiembo	Head of ICT and ARIS
17.	IP Simon Njiru Jeremiah	Head of Corporate Communication
18.	IP Phenny Onyalo	Head of Statistics



EXECUTIVE SUMMARY

The Internal Affairs Unit is established under Section 87 of the National Police Service Act No. 11A of 2011. The Unit began operations in 2013 to perform its statutory functions. In the execution of its mandate, the Unit conducts timely and impartial investigations and submits findings and recommendations to the Inspector General of Police and the National Police Service Commission for administrative action. The Unit also forwards recommendations to the Director of Public Prosecutions for advice where investigation establishes criminal conduct. The foregoing notwithstanding, in the course of performing its mandate of investigation may also identify and highlight policy gaps and areas that need improvement in creating a conducive working environment for members of the Service.

This report is meant to inform on the performance of the Unit during the year under review. It presents an overview of its functions as stipulated in the legal and policy framework, command structure, core values, vision and mission statements of the Unit

Similarly, it presents complaints management processes and statistical analysis. To keep our readers informed of the process, we have provided them with information on how to lodge complaints with us, what is required and what to expect in the process. We have also provided a summary of our various sections and their role in the overall mandate of the Unit.

Since the inception of the Unit in 2013, we have received 11,907 cases. During the year under review, the Unit registered 899 complaints whereby 226 were processed and finalized. A comprehensive statistical expression of our work has been provided in the report to make the reader aware of complaints received based on different parameters such as location and key demographics among others.

Considering the conditions under which we operate, this report has provided information about external partners who walked with us during the year under review and the support received from them. It also highlights achievements and challenges experienced by the Unit before informing the reader about our future plans.



CHAPTER 1. INTRODUCTION

1.1 Background

The Internal Affairs Unit (*hereinafter referred to as “the Unit”*) is a Police Internal Oversight and investigative body established under Section 87 of the National Police Service Act No. 11A of 2011 with the mandate and functions listed under Section 87(2)(4) thereof. Its main function is to receive and investigate complaints against Police Officers.

The Unit is headed by a Director who is directly responsible to the Inspector General for the effective and efficient administration, operations, training and internal oversight of the Unit. The Unit shall be located in separate offices from the rest of the Service.

This report presents the Unit’s annual performance and statistics on complaints received, recorded and investigated in the year 2022. All complaints received by the Unit are recorded and dealt with according to the Service Standing Orders and IAU Operations Manual.

1.2 Functions of the Unit

The functions of the Unit are derived from the National Police Service Act and Chapter 5 of the revised Service Standing Orders (Legal Notice No 208 of 2020) as follows;

- a. Receive and investigate complaints against the Police.
- b. Promote uniform standards of discipline and good order in the Service.
- c. Keep a record of the facts of any complaint or investigation made to it.
- d. On exceptional circumstances, undertake disciplinary proceedings against any Police Officer on the direction of the Inspector General.
- e. Investigate torture and cruel, inhuman or degrading treatment or punishment suspected to have been perpetrated by a Police Officer.
- f. Investigate and recommend appropriate action in respect of any Police Officer found engaging in any unlawful conduct.



- g. Regularly report to Independent Policing Oversight Authority, Coroners, Firearms Chief Licensing Board, and the National Police Service Commission and
- h. Submit recommendations to the Inspector General, the National Police Service Commission and the Office of the Director of Public Prosecutions where an Officer is found criminally culpable.

1.3 Establishment and strength of the Unit

For effective coordination of the Unit's functions, Chapter 8 (Ranks, duties and responsibilities) of The National Police Service Standing Orders (Amendment), 2020 approved the creation of the following sections: Operations, Human Capital Management, Legal Services, Regional/County IAU office, Investigations, Complaints Management, Logistics, Intelligence and Surveillance and Corporate Communications.

As of 31st December 2022, the Unit had a total of 133 members of staff against the approved staff establishment of 1168. The Unit has four functional Regional Offices; Coast, Nyanza, Rift Valley and Central. There are plans to establish the remaining Regional Offices before embarking on the County offices.

1.4 Vision Statement

To be an efficient and effective internal policing oversight Unit that promotes professionalism and accountability in the National Police Service.

1.5 Mission Statement

To conduct thorough, timely and impartial investigations of Police misconduct.

1.6 Core Values

- Professionalism
- Accountability
- Integrity
- Transparency
- Confidentiality
- Impartiality
- Fairness
- Effectiveness
- Efficiency



CHAPTER 2. UNIT'S CAPABILITY AND CAPACITY

2.1 Operations Section

The office was established to perform the following functions:

- a) Coordination of all activities of the Unit's Sections, Regional/County offices and ensuring high-performance levels in all operational areas.
- b) Coordination and liaison with government departments, Non-governmental Organizations and other stakeholders on matters pertaining to the investigation of police misconduct.
- c) Conducting regular inspections of the Regional and County offices and preparation of reports.
- d) Provision of adequate security services for the Unit.
- e) Performance of any other function that may be assigned from time to time by the Director, Internal Affairs Unit.

2.2 Human Capital Management Section

The Human Capital Management section was established to perform the following functions:

- a) Overseeing recruitment process in the Unit,
- b) Supporting the general administration of the staff,
- c) Overseeing the training and placement of staff,
- d) Advising on human capital management policies and guidelines,
- e) Processing performance appraisal and management of staff,
- f) Presiding over appeals, promotions and discipline within the Unit
- g) Planning and coordination of human capital management activities for efficient and effective delivery of services,
- h) Managing Unit staff records
- i) Preparation of job descriptions
- j) The welfare of the officers



- k) Process retirements, resignations, removals or dismissals
- l) Coordinate police law examinations, Inspectorate Examinations and Gazetted Officer's Examinations
- m) Confirmation in appointments and
- n) Performing any other duty that they may be assigned from time to time by the Director.

Sub-sections under Human Capital Management include:

- a) **Counseling** - Responsible for taking care of the psychological needs of the IAU officers and its clients.
- b) **Records Management and Registry** - Responsible for receipt, control and maintenance of current and archived records and their storage
- c) **Training** - Responsible for identifying the training needs, coordinating training and capacity building for the Unit.
- d) **ICT** - Responsible for meeting the ICT needs of the Unit members and maintaining the ICT equipment within the Unit.

2.3 Legal Section

- a) Responsible for carrying out comprehensive analysis of evidence, which includes evaluation of evidence gathered in the course of investigations and to prepare legal briefs.
- b) Handling litigation cases and proving adequate representation of the Unit in civil and criminal court proceedings in consultation with the office of the Inspector Generals
- c) Drafting policies and regulations including drawing and renewing of contracts
- d) Providing liaison with State and Non-state agencies, Services, Directorates and other relevant agencies
- e) Preparation of annual reports in liaison with Heads of Sections of the Unit
- f) Performing any other duty that they may be assigned from time to time by the Director.



2.4 Complaints Management Section

- a) Receiving and recording all complaints made to the Unit while ensuring that each case is allocated a reference number;
- b) Supervising the operations of anonymous reporting and information system;
- c) Continuously updating the complaint management database;
- d) Compilation of statistical analysis of complaints and trends for the Inspector General, National Police Service Commission, Independent Policing Oversight Authority, Commission of Administrative Justice and field offices;
- e) Following up on cases of police misconduct with the Services and the Authority;
- f) Acknowledging complaints and maintaining feedback systems in the Unit;
- g) Giving guidance to complainants on matters of inquiries; and
- h) Performing of any other duty that may be assigned from time to time by the Director.

2.5 Investigations Section

Shall be responsible to the Director Internal Affairs Unit for: -

- i. Leading and directing investigations into complaints against police misconduct;
- ii. Providing support and guidance to all investigators in the Unit;
- iii. Assigning investigation duties to the staff and ensure timely completion of investigations;
- iv. Ensuring all investigators adhere to the investigation standards as specified in the enabling guidelines, statutory requirements and other Service policy guidelines;
- v. Undertaking joint investigation duties with Independent Policing Oversight Authority, Directorate of Criminal Investigations, Office of the Director of Public Prosecutions and other government law enforcement agencies as and when may be directed by the Director of the Internal Affairs Unit;
- vi. Liaising with the head of complaints management on compilation of statistical analysis of cases handled by the Unit;
- vii. Ensuring compliance with summonses, decisions and orders of the Unit; and



- viii. Performing of any other duty that may be assigned, from time to time, by the Director.

2.6 Logistics Section

Shall be responsible to the Director Internal Affairs Unit for—

- i. Preparation and submission of annual procurement work plan for the Unit;
- ii. Preparation and maintenance of the Unit's infrastructure and support facility;
- iii. Provision of the Unit's general stores;
- iv. Replacement and maintenance of tools and equipment;
- v. Coordination and acquisition of the Unit's stationery, manuals and pamphlets;
- vi. Provision and kitting of all staff in accordance to laid down scale of issue; and
- vii. Keeping records of the Unit's logistical requirements.
- viii. The Unit's fleet management;
- ix. Liaison with the Chief Service Armourer on the issuance of firearms to unit staff;
- x. Organize for regular range practice for the unit's staff; and
- xi. Performing of any other duty that may be assigned by the Director.

2.7 Intelligence and Surveillance Section

Shall be responsible to the Director Internal Affairs Unit for—

- i. Supervision of covert and overt investigations and reporting misconduct of members of the Service;
- ii. Developing and implementing of intelligence collection strategies;
- iii. Supervision and coordinating the use of various covert surveillance techniques;
- iv. Liaising with other agencies and government departments on matters of intelligence collection;
- v. Ensuring that special security and regulatory restrictions are adhered to in maintaining integrity of the investigations;
- vi. Supporting security programs including physical security vulnerabilities;



- vii. Provision of timely intelligence updates to the Unit;
- viii. Keeping records of intelligence data;
- ix. Offering facilitation of intelligence officers;
- x. Intelligence technical advice; and
- xi. Performing of any other duty that may be assigned by the Director.

2.8 Data Analysis Section

- a) Liaise with mobile phone service providers through DCI in requesting data/reports that are then analyzed to assist officers in their investigations.
- b) Conducts mobile phone exploitation and Geo-location services for investigators.
- c) Performs any other duty that they may be assigned from time to time by the Director.

2.9 Corporate Communication Section

Shall be responsible to the Director Internal Affairs Unit for –

- i. Developing, writing and communications materials, including press releases and social media content;
- ii. Maintaining digital media archives including photos and videos;
- iii. Managing the Unit resource center and disseminating information to the public;
- iv. Creating public awareness of Units mandates and functions through sensitization and other communications platforms;
- v. Responding to media inquiries and performing media outreach to achieve brand placement in publications;
- vi. Plan, coordinate and manage events in the Unit; and
- vii. Develop in-house journals for publishing such as magazines, annual reports, brochures, articles, newsletters, and audio-visual materials.



2.10 Regional/County IAU Offices

The Regional IAU Officers are responsible to the Director Internal Affairs Unit for: -

- i. Effective administration and operations of the County Internal Affairs staff;
- ii. Liaise with the Regional Internal Affairs Unit office on investigations concerning police misconduct;
- iii. Conduct inspection of police records and holding facilities within the county including formation and unit bases and submit a detailed report with recommendations to the Regional Internal Affairs Unit officer for onward submission to the Director Internal Affairs Unit;
- iv. Where necessary, liaise with the Office of the Director of Public Prosecutions, Independent Policing Oversight Authority, National Police Service Commission, the Services and Directorate of Criminal Investigations within their areas on matters of investigations of police misconduct;
- v. Visit areas of serious incidents of police misconduct, initiate prompt investigations and immediately submit a brief to the Director.
- vi. Preparing and submitting monthly, quarterly and annual returns which returns shall include number of complaints received during period under review and cumulative number, number of cases under investigation, and finalized, monthly expenditure and any other related matters; and
- vii. Performing of any other duty that may be assigned by the Director Internal Affairs Unit.



CHAPTER 3. STATISTICAL ANALYSIS OF COMPLAINTS AGAINST POLICE

3.1 Complaints Received

During the year under review, the Unit recorded and processed a total of 899 complaints. Of the 899 complaints, 639 were against Officers from the Kenya Police Service (KPS), 201 against Officers from the Directorate of Criminal Investigations (DCI), 48 against Officers from the Administration Police Service (APS), 1 against IAU Officer and 10 were complaints against officers from other agencies other than police.

Service	KPS	DCI	APS	IAU	OTHERS	TOTAL
No. of Cases Reported	639	201	48	1	10	899
Percentage	71.8%	22%	5%	0.1%	1.1%	100%

Table 1. Summary of complaints received

(Source: NPS/IAU, 2022)

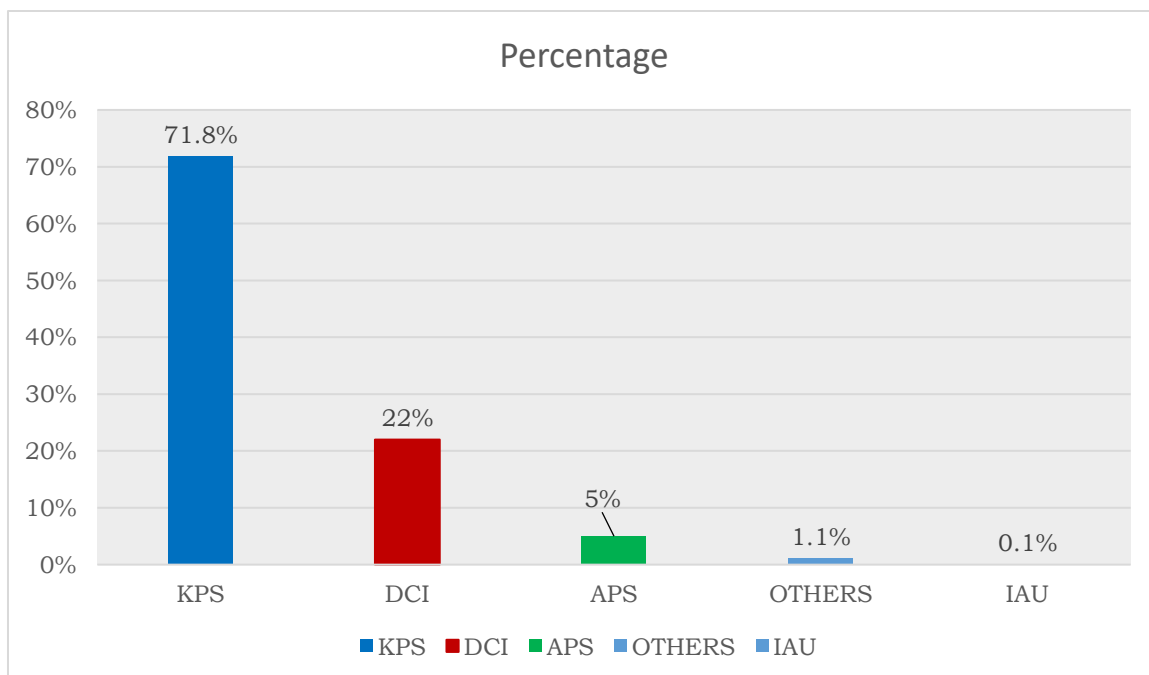


Figure 1 Complaints received in Percentage.

3.2 Nature of complaints received

Most of the complaints received involved police inaction (343) followed by harassment and intimidation (94). We also received 3 complaints of death as a result of police action as indicated in table 2.

S/NO	Category of Misconduct	Number of Complaints	Percentage
1.	Police Inaction	343	39%
2.	Harassment & Intimidations	94	11%
3.	Bribery, Corruption & Extortion	62	7%
4.	Administrative Issues (Promotion, transfers and disciplinary processes)	60	7%
5.	Obstruction of Justice	60	7%
6.	Threats to Life	47	5%
7.	Unlawful Detention	42	5%
8.	Abuse of Office	40	4%
9.	Private Matters (Marital, debts and loans)	37	4%
10.	Abuse of Power	35	3.9%
11.	Physical Assault	23	3%
12.	Theft/Robbery	14	1.6%
13.	Police Negligence in the performance of duty	14	1.6%
14.	Sexual Offences	5	0.6%
15.	Malicious Prosecutions	5	0.6%
16.	Death as a result of Police Action	3	0.3%
17.	Excessive force/Serious Injury	2	0.2%
18.	Misuse of Firearm	2	0.2%
19.	Torture & Cruel, Inhuman or Degrading Treatment or Punishment	1	0.1%
	Total	889	100%

Table 2 Allegations identified by category of misconduct

(Source: NPS/IAU, 2022)

According to table 3; 39% of complaints against police received were related to Police inaction, 11% were of Police Harassment while Administrative Issues, Corruption and Obstruction of Justice all recorded 7%. The remaining categories were below 6%. The 10 complaints against other agencies were not analyzed as they were redirected to the



respective agencies.

3.3 Complaints Received from Members of the Public and Police Officers.

Complaints reported to the Unit were mostly received from members of the public and Police Officers as shown in the table below.

Category of persons	No. Complaints recorded	Percentage
Members of the public	725	81%
Police officers	97	11%
Groups/Organizations	50	6%
Anonymous	13	1.5%
KDF Officers	3	0.4%
Prison Officer	1	0.1%
Total	889	100%

Table 3 Complaint received from members of the public and Police Officers. (Source: NPS/IAU, 2022)

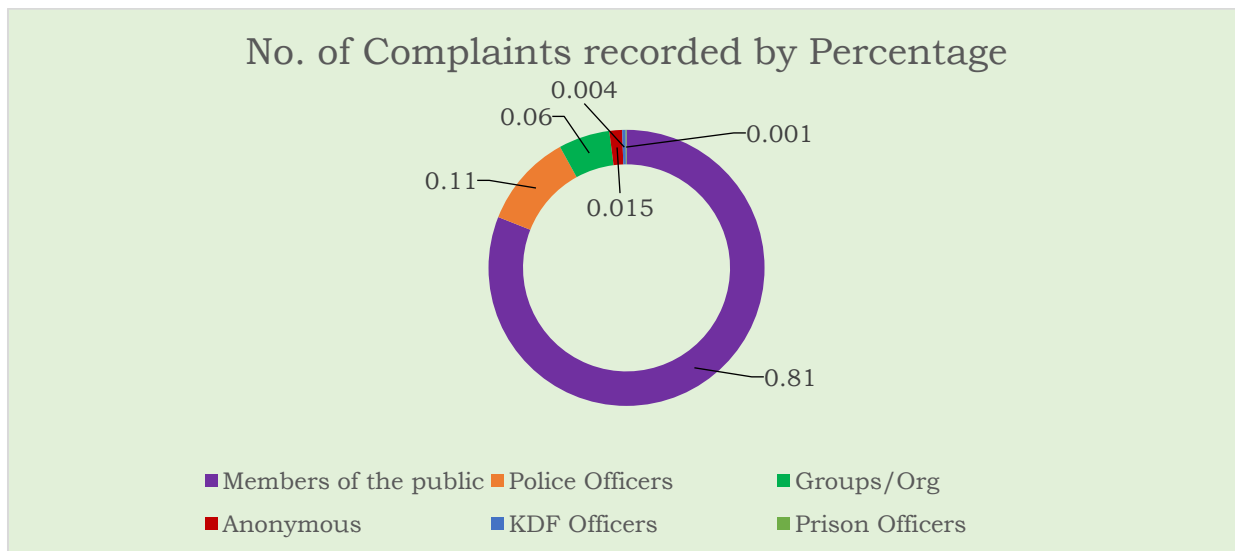


Figure 2 Complaint received from members of the public and Police Officers

Analysis in table 3 and figure 2 reveal that, out of the 889 complaints against Police that were recorded, 81% were reported by male persons, 11% were by female persons, 6% were by groups of persons or organizations and 1.5% were reported by anonymous persons. The remaining 0.5% were by KDF Officers and Prison Officer as shown in the table above.

3.4 Analysis of Complainants by Gender

Reports made to the Unit were done by male, female or anonymous persons and even



organizations.

Gender	Number of complaints	Percentages
Male	570	64%
Female	246	27%
Groups/Organizations	50	6%
Unknown/anonymous	23	3%
TOTAL	889	100%

Table 4 Analysis of the complainants by gender

(Source: NPS/IAU, 2022)

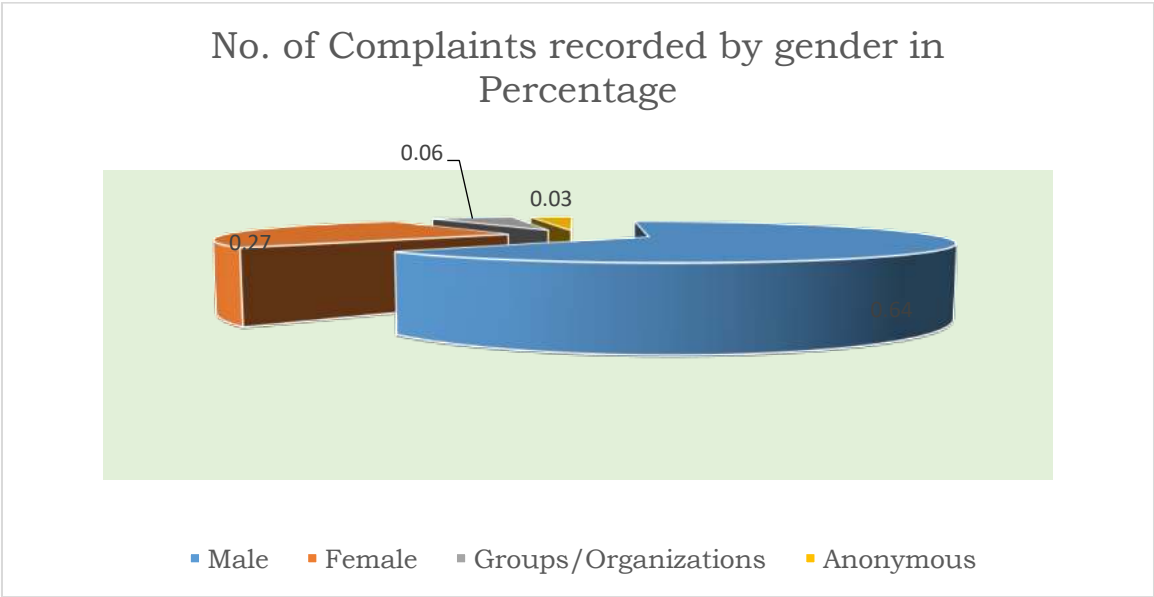


Figure 3 Complaints recorded by gender in percentage

According to the analysis above, male persons reported to the Unit 64% of the total complaints received, 27% were reported by female persons, 6% by Groups/Organizations while 3% were by anonymous persons.

3.5 Complaints Received Per Region

Complaints recorded per Region were distributed as shown below.

Region/Formation	Number of Complaints Recorded	Percentage
Nairobi	336	38%
Central	152	17%
Eastern	123	14%
Rift Valley	106	12%
Coast	59	7%
Nyanza	52	6%
Western	42	4%
N. Eastern	19	2%
Total	889	100%



Table 5 Complaints received by region

(Source: NPS/IAU, 2022)

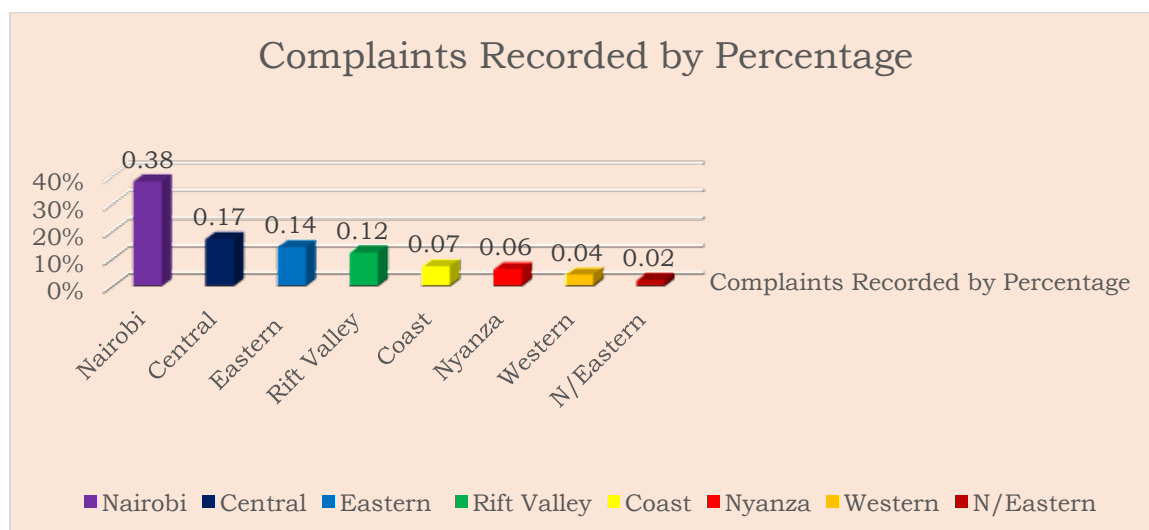


Figure 4 Complaints recorded by regions in percentage

The Analysis revealed that, Nairobi region reported the highest number of complaints at 38%, Central region was second by recording 17%, Eastern region reported 14% and R/Valley region stood at 12%. Other regions recorded below 10% as shown in the table above.

3.6 Complaints referred to the Unit by various Agencies

Out of the 889 complaints against police recorded, 120 were referred to the Unit by other partnering agencies as shown in the table below.

Origin	Number of Complaints	Percentage
ODPP	38	32%
Inspector General	35	29%
CAJ	19	16%
IPOA	12	10%
EACC	7	5%
NPSC	4	3%
KNCHR	2	2%
DIG KPS	2	2%
UNHCR	1	1%
Total	120	100%

Table 6 Complaint received from other agencies

(Source: NPS/IAU, 2022)



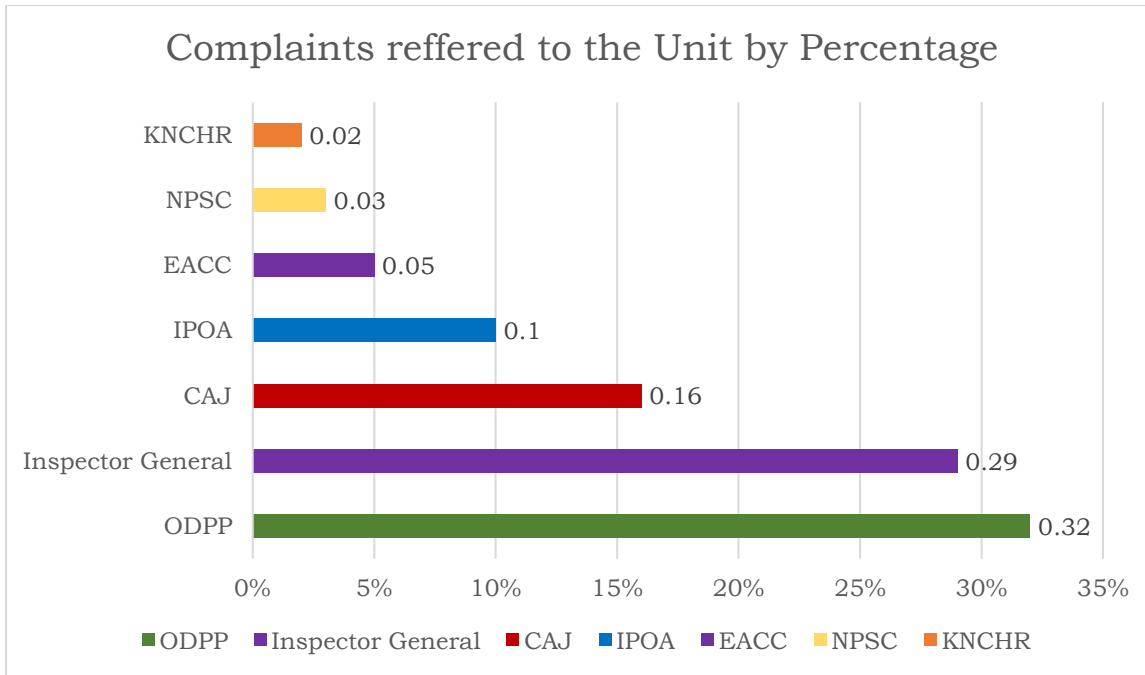


Figure 5 Complaints referred to the unit in percentage

The Statistical analysis revealed that, the ODPP referred to the Unit 32% of the complaints from agencies, Inspector General directed the Unit to investigate 29%, while 16% were referred by CAJ. The rest were as shown in the above table.

3.7 Complaints received and processed

Complaints received by the Unit during the year under review, were either referred or investigated depending on the nature of the complaint as shown in the table below.

Action taken	Number of Complaints	Percentage
Referred	566	63%
Investigated	296	33%
Resolved at the Initial Stages	32	3.5%
Insufficient information	5	0.5%
TOTALS	899	100%

Table 7 Summary of complaints received and processed (Source: NPS/IAU, 2022)

From the above table, a total of 566 complaints were referred for action and 296 complaints were investigated. The remaining 32 complaints were resolved at the initial stages whereas 5 complaints were inadmissible due to lack of sufficient information.

3.8 Complaints Referred for action

The statistics regarding where the complaints were referred for action and the subsequent feedback is as tabulated below;



Service/ Directorate	Region/Formation	Total No. of Complaints Forwarded/Referred	Status	
			Feedback received/ case closed	Pending Feedback
KPS	KPS Headquarters	22	18	4
	RPC Nairobi Region	155	31	124
	RPC Rift Valley	52	9	43
	RPC Eastern	56	14	42
	RPC Central	51	7	44
	RPC Nyanza	26	9	17
	RPC Western	19	3	16
	RPC Coast	10	1	9
	RPC NEP	10	2	8
	Railways Police Unit	2	2	0
	General Service Unit	3	2	1
	Diplomatic Police Unit	1	1	0
	KAPU	1	0	1
	Airwing	1	1	0
	Total	413	104	309
APS	APS Headquarters	13	8	5
	SGB	3	1	2
	BPU	1	1	0
	CIPU	4	2	2
	ASTU	1	1	0
	Total	22	13	9
DCI	DCI HQ	46	5	41
	RCIO Nairobi	27	4	23
	RCIO Central	19	1	18
	RCIO Rift Valley	4	0	4
	RCIO Eastern	18	4	14
	RCIO Western	6	2	4
	RCIO Nyanza	3	1	2
	RCIO Coast	5	1	4
	RCIO NEP	2	0	2
	ATPU	1	0	1
	Total	131	18	113
Grand Total		566	167	435

Table 8 Summary of complaints referred for action

(Source: NPS/IAU, 2022)

From the table above, out of the 566 complaints referred, **413** were referred to different Commands within the Kenya Police Service. 22 were referred to various Commands



and formations within Administration Police Service and 131 were referred to Commands within DCI. Of the total cases referred, 167 were resolved and closed while 435 were still pending feedback as at 31st December, 2022.

3.9 Complaints investigated during the year under review

A total of 296 complaints were assigned for investigations and their status were as shown in the table below.

Status	No. of Complaints Recorded	Percentage
Pending determination by ODPP	4	1.3%
Pending advice by IG	7	2.4%
Forwarded to DIG KPS for Administrative Action	11	3.8%
Forwarded to DCI for Administrative Action	7	2.4%
PBC	2	0.7%
Complaints Resolved/Closed NFPA	41	14%
PUI	220	74%
Withdrawn before court	2	0.7%
Taken over by IPOA	2	0.7%
Total	296	100%

Table 9 Status of investigated complaints

(Source: NPS/IAU, 2022)

As per table 9 above, of the 296 complaints assigned for investigations, 41 were closed with no further Police action (NFPA). 6 complaints were taken to court, 2 of which were withdrawn whereas 4 were still pending before court. 2 cases were taken over by IPOA, 4 cases were pending determination by the ODPP and 7 were pending direction by the IG. 11 were finalized and forwarded to DIG KPS for administrative action, 7 were finalized and forwarded to DCI for administrative action whereas 220 were still pending under investigation as at 31st December, 2022.

3.10 Status of complaints reported in 2021

During the year under review, the Unit continued to investigate complaints that were registered in 2021. As at 31st December, 2022, 9 cases were found to be pending determination by ODPP, 46 cases were recommended for disciplinary action, 370 Complaints were Resolved/Closed, 8 were pending before court, 132 were still pending under investigations and 350 which were referred to various commands within Services and DCI were still pending feedback.



Status	2021
Complaints Management Section	
Referred to Services and various Police Commanders pending feedback	350
Closed NFPA	287
Investigation Section;	
Pending at IG's Office for advice	0
Pending at ODPP	9
Forwarded to DIG's and D/DCI for administrative action	46
ADR conducted by ODPP	1
Pending Before Court	8
Withdrawn before Court by Complainant	2
Court Convictions	1
PAKA	1
Pending under investigations	132
Investigations completed and Closed	83
Total Complaints received	919

Table 10 Status of 2021 cases as at 31st December, 2022 (Source: NPS/IAU)

3.11 Complaints registered in court from 2020 to 2022

A total of 17 complaints were registered in court between the year 2020 and 2022. Withdrawn before court were 3 and conviction 1. Complaints/cases pending before court as at 31st December, 2022 were 13.

Year	Total Cases presented before Court
Complaints registered in 2020	2
Complaints registered in 2021	10
Complaints registered in 2022	4
Total	17
Withdrawn before Court for Alternative Dispute Resolution Mechanism (ADRM)	3
Convictions	1
PBC	13

Table 11 Number of complaints registered in court between 2020 and 2022 (Source: NPS/IAU, 2022)



3.12 Trend of complaints received and processed between 2013 and 2022

Table 2 and figure 2 below represent the number and trend of complaints against police received by the Unit between 2013 and 2022.

Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Complaints	580	2188	1820	1514	855	950	1139	1043	919	899

Table 12 Trend of complaints received and processed between 2013 and 2022 (Source: NPS/IAU)

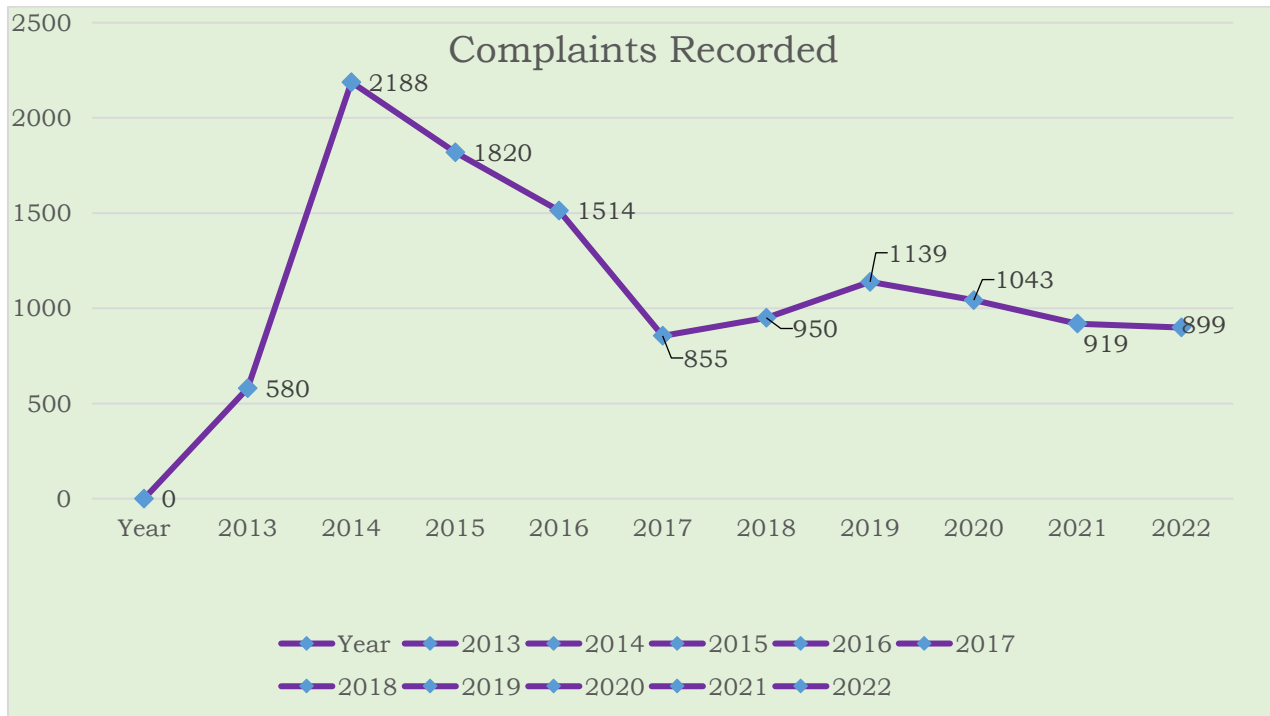


Figure 6 Trend of complaints between 2013 and 2022

CHAPTER 4. PARTNERSHIPS AND COLLABORATIONS

The Unit was able to achieve most of its objectives through partnerships and collaborations. This was largely in the areas of capacity building of officers through training, establishment of critical sections within the Unit and support for outreach programs. The partnership and collaboration included organizations such as the US Embassy in Kenya, International Justice Mission, Transparency International – Kenya, Office of the Director of Public Prosecutions, Directorate of Public Prosecutions, GIZ, Tetra-Teck International Development (REINVENT) and UNOCHR. The partnerships and collaborations made a difference in service delivery to the public and police.

The table below is a representation of some of the organizations that the Unit partnered with during the year under review;

Organisation	Area of partnership and collaboration
International Justice Mission	Sponsored and organized joint community dialogues where IAU had opportunity to engage the public on police accountability within Nairobi Region.
	Sponsored two-weeks training of 50 IAU officers on specialised investigative training at Kenya School of Government.
	Supported the establishment of IAU Psychological Counselling Centre by providing Equipment for child therapy, motivational books, coloured printer, carpet, 2 coaches and a book-shelf.
	Supported the establishment of the Unit’s resource Center by donating reading materials.
Transparency International - Kenya	Sponsored Anti-corruption dialogues for members of the service in NPS training institutions and other police commands within Nairobi where IAU was invited to engage police officers on the importance of accountability.
	Sponsored IAU to engage the public on live radio talk shows, at <i>Ghetto Radio</i> (29 th September 2022 starting

	<p>from 4 PM – 5 PM) and <i>KBC Radio Taifa</i> (19th October 2022 starting from 8 AM – 9 AM).</p> <p>Supported the development of an infotainment meant to sensitize the public on the mandate of IAU. The infotainment is pending approval from the relevant office before being shared through the Unit’s YouTube channel.</p> <p>Sponsored three-days of training for IAU officers on Elections Security Management and preparedness at the Hilton Hotel, Nairobi. This was in readiness for the August 2022 general elections.</p> <p>Sponsored the publishing of 2021 Annual Performance Report for the Unit.</p>
The US Embassy - Kenya	<p>Sponsored the development of joint IAU/IPOA training curriculum which was piloted in May 2022 in a two-weeks training for 30 officers from IAU and IPOA on Investigation and Investigative Interview Techniques.</p> <p>Supported the establishment of a Resource Center at IAU by providing bookshelves and reading materials.</p> <p>Sponsored training of the Unit’s ICT Officers on information security and networking.</p>
ODPP	<p>Participated in formulation of joint Standard Operating Procedures (SOPs) for all agencies involved in police oversight.</p> <p>Facilitated in the training of IAU officers on prosecution guided investigations.</p>
DCI	<p>Facilitated in various capacity building training of IAU officers including, Basic Fraud Investigations, Special Training for IAU Investigators and Expertise Training for IAU Investigators.</p>

IPOA	Participated in formulation of joint Standard Operating Procedures (SOPs) for all agencies involved in police oversight.
	Collaborated with the Unit in the investigation of high public interest cases.
	Partnered with IAU in the preparation of joint training curriculum for IAU/IPOA officers. The same was facilitated by the US Embassy in collaboration with INL

Table 13 Summary of activities undertaken through partnership and collaboration

The Unit is committed to upholding the cordial relationship with its partners for the interest of the public and the police.



Officials from IJM and Ag. DIAU Ms Esther Ng'ang'a inspecting the newly established counselling room at KCB Towers – IAU Head Office



Trainees at Embakasi 'B' Campus being sensitized on the importance of police accountability by IAU officers



Transparency International (Kenya) sponsored Anti-corruption dialogue for NPS officers in Nairobi Region in session at IAU Headquarters



Transparency International (Kenya) sponsored Anti-corruption dialogue for NPS officers in Nairobi Region in session at IAU Headquarters



IAU participants during Election Security Management Training workshop at the Hilton Hotel in July 2022



Officials from IJM led by the Country Director Mr Benson Shamala on a courtesy call to Ag, Director IAU, Ms Esther Ng'ang'a at KCB Towers Nairobi



IJM Country Director Mr Benson Shamala donating reading materials to Ag, Director IAU Ms Esther Ng'ang'a for the newly established Resource Centre at KCB Towers Nairobi



CHAPTER 5. ACHIEVEMENTS, CHALLENGES AND RECOMMENDATIONS

5. 1 Achievements

5.1.1 Sensitization and Media Publicity

The Unit has had public engagements through live Radio talk shows including Ghetto radio FM and KBC Radio Taifa. The Unit also conducted successful sensitizations in NPS training institutions and also participated in several community dialogues within Nairobi.

5.1.2 Training and Capacity Development

During the year under review, the Unit was able to train its staff on several courses including Election Security Management, Monitoring and Response, Complaints Management and Trial Process, Expert Training for IAU Investigators, Customer Care Service Training, Investigations and Investigative Interviews, ICT Infrastructure and Information Security training;

5.1.3 Promotions, Honors and Awards

During the performance period, several officers were promoted to various ranks and others honored with Presidential awards of OGW and HSC for their exemplary performance of duties.

5.2 Challenges

- a. Financial constraints and autonomy which continue to hamper Unit's operations and performance.
- b. Lack of Integrated Complaints management system.
- c. Lack of office space for the Regional and County Commands as stipulated in the NPS Act.
- d. Lack of sufficient and serviceable vehicles including fuel supply.
- e. Inadequate personnel. The approved establishment of the IAU is 1168 however, its current strength is 133 which is about 10% of its ideal establishment.
- f. Inadequate cooperation by some Commanders.
- g. Lack of adequate legal and policy frameworks for the Unit to follow-up on implementation of made recommendations.



- h. Inadequate ICT, office and Media equipment.
- i. Lack of gadgets and devices for intelligence collection and surveillance.
- j. Managing clients' high expectations and non-cooperation by complainants.
- k. Delays of Reports or information from Service providers and other Government Departments thus slowing investigations.
- l. Lack of equipment for Data Analysis Section.

5.3 Recommendations

Despite challenges encountered during the year under review, the Unit remained focused on delivering quality services to the public. However, the Unit is focusing on the following areas towards improving our services in the coming years. These include but not limited to: -

- i. Establishing an Integrated Complaints Management System to enable investigators to fast-track their work at all stages thereby leading to timely completion of assigned tasks.
- ii. Enhancing the capacity of the four already existing Regional Offices and devolve the IAU to the remaining four Regions. This is aimed at improving the conditions of the existing Regional Offices in Coast, Nyanza, Rift Valley and Central before embarking on devolving its services to Western, Eastern, North Eastern and Nairobi Regions.
- iii. Relocating the existing Regional Offices away from the Police Premises as stipulated in the NPS Act 2011.
- iv. Enhancing Logistical capacity to enable the Unit run its programs effectively and efficiently with keen focus on acquiring at least 21 more motor vehicles to improve mobility and service delivery. In addition, the Unit require more ICT, Communication, Data Analysis, Intelligence Collection equipment and well equipped resource center.
- v. Going forward, the Unit seeks to enhance partnership with local and international institutions for the provision of training and capacity building in areas of interest.



- vi. Improving the Legal framework on clear policies to streamline the Unit's operations as well as facilitate enforcement of its recommendations.
- vii. Enhancing Data Analysis; there is need to attach Unit's data analysts to the local mobile service providers to help in fast-tracking access to raw data from the providers.
- viii. Intelligence-led Investigations; the Unit plans to also focus on misconduct prevention strategies. It is important to note that some misconduct by Police Officers may never be reported hence perpetrators are never held to account. It is against this background that the Unit intends to put more emphasis on intelligence-led investigation and as such we will endeavor to equip our Intelligence and Surveillance section to be able to unearth misconduct before official reporting is made.
- ix. Public Education and Advocacy; the Unit intends to continuously create awareness and sensitize both members of the Service and the public through vibrant media campaigns and public dialogues.
- x. In pursuit of improved service delivery, the Unit will be seeking to identify development partners who will partner with it in sending its investigators to jurisdictions with developed internal policing oversight bodies to benchmark for best practices.
- xi. To foster and improve more interaction with its audience and get feedback as well as be more responsive to our clients, the Unit will be seeking to conduct a baseline survey across the country.
- xii. Conduct a baseline survey to ascertain Public opinion on the Unit's operations.

APPENDICES:

Appendix 1: Complaints Management Process

A complaint undergoes a six stage process when received at IAU as follows:

- i. **Receiving and Recording of complaints:** at this stage, an aggrieved person presents their complaint either in person, through a written letter, email, phone call, or filling our web form (available our website). The complainant has the option of providing their details or remaining anonymous. (*Provided de-tails are kept in confidence but complainants are advised to give factual and not malicious allegations*).
- ii. **Complaint assessment:** the complaint is analyzed to determine whether it falls within the legal mandate of the Unit.
- iii. **Preliminary/inquiry report prepared:** this report is prepared before investigation. Facts and further evidence including witness statements are gathered before a decision to proceed with the formal investigation is made. Less serious allegations may be referred to the Services and other Agencies.
- iv. **Inquiry file opened and compiled:** thorough investigation is conducted where relevant evidence is obtained, statements recorded from witnesses, and informed findings supported by facts and analysis provided.
- v. **Recommendation submitted:** Recommendations for disciplinary or any lawful action is forwarded to the Inspector General, National Police Service Commission and/or Office of Director of Public Prosecution.
- vi. **Feedback:** the complainant is updated on the outcome of our investigation and the National Police Service apprised on areas that need to be improved on as identified by the investigation.



Appendix 2: IAU Contacts and Reporting Channels

The Unit receives complaints through the following channels:

- (i) Visiting IAU Offices at Nairobi, Kisumu, Mombasa, Nakuru, Nyeri.
- (ii) Letters addressed to:
 - a) IAU Headquarters, KCB Towers, P.O. Box, 1880 – 00200 Nairobi,
 - b) IAU Kisumu office P.O. Box, 1387-40100 Kisumu,
 - c) IAU Mombasa office P.O. Box, 80602-80100 Mombasa,
 - d) IAU Nakuru office P.O. Box, 257-20100 Nakuru,
 - e) IAU Nyeri office P.O. Box, 102-10100 Nyeri.
- (iii) Email addresses:
 - a) info@iau.go.ke or internalaffairsunitkenya@gmail.com (Unit Hqrs)
 - b) kisumu@iau.go.ke or kisumuiau@gmail.com
 - c) mombasa@iau.go.ke or mombasaiau@gmail.com
 - d) nakuru@iau.go.ke or nakuruiau@gmail.com
 - e) nyeri@iau.go.ke or nyeriau@gmail.com
- (iv) Twitter: @IAU_Kenya
- (v) Mobile: 0798 474 619/0120400783
- (vi) **Anonymous Reporting Information System (ARIS):** Is a web-based system for receiving complaints against Police Officers through the following channels;
 - a) SMS: 40683
 - b) USSD: *683#
 - c) Toll-free number: 0800 721 230
 - d) Web form: www.iau.go.ke

This system provides an opportunity to report complaints anonymously for complainants who would wish to hide their identity. Whistle-blowers and complainants reporting Police misconduct have nothing to fear when interacting with IAU through this system. During the year under review, 84 complaints were received through this channel.



Appendix 3: Cases of Public interest

1. A complaint against traffic officers along Mombasa Road, Emali Town for corruption. **(Complaint pending at ODPP's Office).**
2. Inquiry into allegations of harassment and intimidation against traffic officers attached at Emali Police Station by EACC Officers. **(Disciplinary action taken against accused officer).**
3. Inquiry into a fatal shooting incident of the locals of Masimba Town, Kajiado County while holding a peaceful demonstration by GSU Officers. **(Pending Before Kajiado Law Court as Public Inquest).**
4. A complaint into allegations of negligence in the performance of duty against traffic Police Officers attached at Parklands Police Station by a Zimbabwean national who works with the UNDP, Nairobi Office. She was sexually harassed by boda boda operators along Wangari Maathai Road in full glare of the accused Officers. **(Pending Under Investigations).**
5. Inquiry into an incident involving the discharge of a tear gas canister at a public gathering being presided over by Hon. Martha Karua within Kisii County by a Police Officer. **(Disciplinary action taken against the accused officer).**
6. Inquiry into the forced disappearance and extra-judicial killings of Indian National and a Kenyan taxi driver by DCI Officers attached to SSU DCI Headquarters. **(Pending at ODPP's office).**
7. Inquiry into allegations of theft and robbery report at African Spirit Limited Company based at Thika Town by officers attached at Thika Police Station. **(Pending at ODPP's office).**
8. Inquiry into the fatal shooting of a boda boda operator by officers attached at Mawe Mbili Police Station, Ruai within Nairobi County. **(Under Public inquest.)**
9. Inquiry into a complaint lodged by an Italian national on allegations of malicious damage to property (her residence) by Police Officers based at Diani Police Station. **(Pending at ODPP's office).**
10. Complaint by a Senior Officer based at City Hall, Nairobi County against Police Officers at attached at Dandora Police Station for forgery. **(Pending before Mili-mani Law Courts).**

Appendix 4: Analyzed Statistical Report on Police Misconduct for the Year 2022 from Services

Cases of Police Misconduct that were dealt with at the Regional/ Formation level were analysed as follows;

Police Misconduct Cases by Action taken

Orderly Room Proceedings (ORP) Cases	Cases Charged Before Court	Cases Under Inquiry	Total
807	28	48	883

Cases charged before Orderly Room Proceedings by Status

Status	No. of Cases
Finalized	674
Ongoing	133
Total	806

Status of Officers Charged Before Orderly Room Proceedings

Status	No. of Cases
Officers suspended	1
Officers dismissed	5
Officers acquitted	8
Officers reprimanded	6
Officers fined	643
Officers awaiting verdict/ with cases pending	70
Total	733

Officers Charged before Court by Status

Status	No. of Cases
Convictions	5
Officers under Interdictions/Matter PBC	22
Withdrawn under Sec 204 of the CPC	1
Total	28



Cases Pending Before Court by Nature of Offence

Offence	No. of Cases
Murder C/Sec 203 as read with Sec 204 of the Penal Code	5
Corruption and Extortion	1
Robbery with Violence	2
Grievous Harm Contrary to Sec. 234 Of Penal Code	2
Assault Causing Bodily Harm C/S 251 of Penal Code	3
Possession of Narcotic Drugs C/Sec 3 as read together with section 2(A) of the Narcotics, drugs & psychotropic substance Act.	1
Desertion C/Sec 94(1) of the NPS Act No. 11 of 2011	2
Careless Driving C/Sec 49(I)T ACT	1
Attempted to injure by C/Sec 235 of the Penal Code	1
Defilement C/Sec 8(1) as read with Sec 8(2) of Sexual Offences Act	2
Threatening to Kill C/S 223 (1)	2
Total	22

Cases Pending Under Inquiry by Status

Status	No. of Cases
PUI	35
Forwarded to ODPP for advice	4
Closed by ODPP due to insufficient evidence	5
Officers served with warning letter	2
TOTAL	46



INTERNAL AFFAIRS UNIT NATIONAL POLICE SERVICE NAIROBI - KENYA

OUR CONTACTS

The Unit receives complaints through the following channels:

- Visiting IAU Offices at Nairobi, Kisumu, Mombasa, Nakuru, Nyeri.
- Letters addressed to:
- IAU Headquarters, KCB Towers, Kenya Road, Upper Hill. P.O Box, 1880-00200 Nairobi,
 - IAU Kisumu office, New Nyanza Regional Hqrs, 7th floor, wing C, Awuor Otieno Road, P.O Box, 1387 - 40100 Kisumu,
 - IAU Mombasa office, Regional Police Commanders office, Mama Ngina Drive, P.O Box, 80602-80100 Mombasa,
 - IAU Nakuru office, Regional Commissioner's office, 1st Floor, Right Wing, Club Road, P.O Box, 257-20100 Nakuru,
 - IAU Nyeri office, Regional Commissioner's office, Baden Powel ROAD, P.O Box, 102-10100 Nyeri

Email addresses.

- info@iau.go.ke or internalaffairsunitkenya@gmail.com (Unit Hqrs)
- kisumu@iau.go.ke or kisumuiau@gmail.com
- mombasa@iau.go.ke or mombasaiau@gmail.com
- nakuru@iau.go.ke or nakuruiau@gmail.com
- nyeru@iau.go.ke or nyeriuau@gmail.com
- anonymous reporting system channels.SMS: 40683
 - USSD: *683#
 - Mobile App: ARIS-NPS
 - Toll-free number: 0800 721 230
 - Web form: www.iau.go.ke
 - mobile: 0798 474 619