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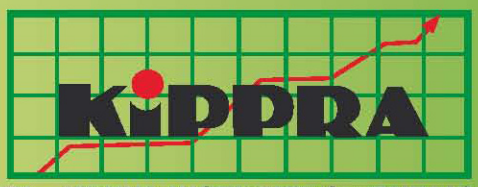

The KENYA INSTITUTE for PUBLIC POLICY RESEARCH and ANALYSIS

Policing Reforms to Enhance Security in Kenya

Douglas Kivoi

DP/237/2020

THE KENYA INSTITUTE FOR PUBLIC POLICY RESEARCH AND ANALYSIS (KIPPRA)

Policing Reforms to Enhance Security in Kenya

Douglas Kivoi

Kenya Institute for Public Policy
Research and Analysis

KIPPRA Discussion Paper No. 237
2021

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Published 2020
© Kenya Institute for Public Policy Research and Analysis
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ISBN 978 9966 817 45 7

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We are grateful to Dennis Ombuna of the Independent Policing Oversight Authority (IPOA) and former and current serving officers in the National Police Service for their invaluable support during this research.

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Abstract

Policing reforms gathered steam after the 2007/2008 post-election violence during which many Kenyans lost their lives and had their property running into millions of shillings destroyed. The Constitution of Kenya 2010 sets out a road map for an overhaul of the police structure by requiring the Government to carry out a raft of reform measures to transform the police from a police force to a police service. The Government has operationalized the National Police Service Commission, and Independent Policing Oversight Authority through various legislations whereas the National Police Service has operationalized functions of the Internal Affairs Unit as stipulated in the Constitution. Currently, plans are underway to have a single policing kit for officers involved in normal police service within communities. The Government has also rolled out medical cover for all personnel, increased budgetary provision for all policing agencies and is modernizing police infrastructure to enable them respond to the dynamic nature of security. However, challenges such as corruption, continued police impunity and lack of trust from the citizenry are impeding the success of police reforms. The National Police Service is transforming itself from a colonial political institution for repression in the early 1960s to a modern service delivery government agency that is people-centred as envisaged under the constitution of Kenya.

Abbreviations and Acronyms

AIE	Authority to Incur Expense
AP	Administration Police
APFIS	Automated Palm and Fingerprint Identification System
APSSC	Administration Police Senior Staff College
APSSTPU	Administration Police Specialized Stock Theft Prevention Unit
APTC	Administration Police Training College
APSSU	Administration Police Service Specialized Unit
BFIU	Banking Fraud Investigation Unit
CPA	County Policing Authority
CBO	Community-Based Organization
CIPU	Critical Infrastructure Protection Unit
CRO	Criminal Records Office
DCI	Directorate of Criminal Investigations
DNA	Deoxyribose Nucleic Acid
EACC	Ethics and Anti-Corruption Commission
FBO	Faith-Based Organizations
GJLOS	Governance Justice Law and Order Sector
GoK	Government of Kenya
GSU	General Service Unit
GTI	Global Terrorism Index
IAU	Internal Affairs Unit
IBEA	Imperial British East Africa
ICD	Independent Complaints Directorate
IGP	Inspector General of Police
IIAG	Ibrahim Index of African Governance
IPID	Independent Investigative Directorate
IPOA	Independent Policing Oversight Authority
KACI	Kenya Airports Criminal Investigation
KRCI	Kenya Railways Criminal Investigation
KAPU	Kenya Airports Police Unit

MTP	Medium Term Prospects
NTSA	National Transport Safety Authority
NPS	National Police Service
NPSC	National Police Service Commission
OB	Occurrence Book
OCS	Officer Commanding Station(s)
ODPP	Office of Director of Public Prosecutions
PRIC	Police Reform Implementation Committee
RDU	Rapid Deployment Unit
RBPU	Rural Border Patrol Unit
SCPC	Sub-County Police Commanders
SGB	Security of Government Buildings
TI	Transparency International
UN	United Nations
VIPPU	Very Important Person Protection Unit

Operational Terms

Proactive Policing: Policing strategies that lay focus on crime prevention.

Reactive Policing: Strategies that involve responding to crimes that is taking place or that has already taken place.

Police Impunity: Officers carrying out their duties with total disregard to existing laws and norms.

Sanction: A penalty for disobeying rule and/or law.

Deploy: Post officers to strategic places for security provision

Police Misconduct: An illegal action and/or behaviour by a police officer while on duty.

Forensics: Scientific tests and/or techniques used in connection with the detection and resolution of crime.

Oversight: Overseeing the performance and conduct of police officers to ensure they operate within the law.

Occurrence Book: A register maintained by the National Police Service in all police stations in which cases of crime and complaints are recorded as reported by citizens (complainants).

Dash Cam: A camera on board a vehicle that records and monitors actions and events around a vehicle in motion or stationary.

Circumvent: To evade/avoid/elude compliance with the law and/or laid down rules.

Public Assembly: A large congragation by citizens that attracts both large and small crowds.

Public Order Management: Protocols and policing guidelines that are adhered to by policing agencies in managing both small and large gatherings.

1. The Genesis of Police Reforms in Kenya

Although police reforms in Kenya gained traction after the disputed 2007 presidential elections that resulted in violence and lawlessness that exposed the unpreparedness of policing agencies for such events, the need for reforms in policing in Kenya needs to be contextualized under the broader theme of public sector reforms (Njuguna et al., 2013). The genesis of the current National Police Service began in 1887 when Sir William McKinnon of the Imperial British East Africa (IBEA) formed a security company to provide protection for his stores along the coastline of Kenya (Kenya Police, 2003). The security company then was known as the Kenya Police Force, which changed its name to National Police Service (NPS) under the much envisaged policing reforms. However, in 1906, the Kenya Police was officially set up by a Police Ordinance while the Administration Police was constituted by the Village Headman Ordinance (Waller, 2010). In 1911, a Police Training School was set up in Nairobi (Kenya Police, 2003). Also, to professionalize the then colonial police, the office of Inspector-General was established to unite various police units and to manage the affairs of the force in another attempt to professionalize the colonial police service. However, by 1920, the Kenya Police was only known for brutality and use of excessive force in urban settlements, especially in Nairobi, as the colonial government fought the Mau Mau insurgents (Murunga, 2009)

The colonial police force was to ensure that colonial settlers were safe from disorder emanating from Africans residing mainly in slum areas. The colonial government made another attempt in the 1950s by being a signatory to the European convention on human rights that forbids detaining people arbitrarily, which had been institutionalized by the colonial police in Kenya (CHRI, 2006). This emanated from the brutality of the then home guards and colonial police force in quelling the Mau Mau insurgents.

After Kenya gained independence in 1963, an African police force was established by an independent policing agency and National Security Council (Ghai, 2002). A constitutional amendment in 1964 saw the police become a political tool of the executive, hence watering down its independence and autonomy. After the country promulgated a new constitution in August 2010, the Kenya Police Force changed its name to the National Police Service to enable it to become a service-oriented police service and move away from being perceived as a tool for political repression and human rights violations. This saw the enactment of various laws to operationalize the National Police Service Commission (NPSC), Independent Policing Oversight Authority (IPOA), and the merger of the previously independent and separate Administration Police and Kenya Police. The Government had before August 2010 been pursuing police reforms under the Governance, Justice, Law

and Order Sector Reform Programme (GJLOS). GJLOS recognized the critical role played by the policing sector in governance, hence a need to shift gear from a reactive unit to a proactive one.

A taskforce on police reforms was etsablished in 2003 to spearhead policing reforms to enhance accountability and transparency in policing in Kenya. The taskforce proposed the enhancement of community policing in policing, improvement of police welfare and salaries, increasing the mobility of police officers to crime scenes and providing adequate housing for all police officers (World Bank, 2009). However, due to lack of a clear framework on the operationalization of community policing, communities took this noble initiative as a leeway to form vigilante groups and militias. These illegal groups started engaging in lynching of suspects hence watering down the noble initiative of community policing. According to Ruteere (2003), community policing was contested because citizens saw some police officers as colluding with criminals hence citizens were reluctant to volunteer information on crime to policing agencies for fear of being targeted by criminals (Ruteere and Pommerolle, 2003). This was partly due to the absence of a community policing policy which led to the misconception on what community policing entails. Also, according to Monjardet (2000), some police officers have a bad attitude towards the public hence legitimizing public hostility towards policing agencies. This lacuna has to be addressed for community policing to gain traction. Also, KNCHR (2008) notes that resistance to change within policing agencies is the greatest impediment to full realization of police reforms.

1.1 Introduction

Kenya is in the midst of a policing reforms programme. The reforms in policing in Kenya are geared towards realizing a safe and secure nation by improving the capacity of the police service to deliver its legal obligations to the public and make it citizens-centred, accountable, transparent and respectful of the human rights of Kenya's citizens. Crime and insecurity are major concerns for government; the Vision 2030 highlights the need for crime prevention in achieving the developmental objective of a secure society that will enhance investment opportunities for the country.

The policing reform agenda is defined both in the context of the Ransley Task Force report that made 200 recommendations for radical police reforms and by the Constitution of Kenya 2010. Police officers in Kenya are compelled by the constitution to be humane and respect the fundamental rights of citizens in the course of exercising their duties. It also has a progressive chapter on human rights, laying down policing standards that are required in protecting the lives

Box 1: The changes

The Constitution of Kenya promulgated in August 2010 called for revamping of the entire policing sector with the setting up of a people centred police service that respects the basic fundamental rights of citizens. National Assembly legislated laws to midwife the process. The major aim of the envisaged police reforms is to have a policing service that is responsive to the needs of communities and partners with citizens to ensure communities are safe. The Ransley police reforms report called for the establishment of a single police unit with one chain of command plus the formation of a civilian body to provide oversight to police conduct.

and livelihoods of citizens and communities, to add on international treaties that Kenya is a signatory to. The Government established a task force on police reforms in May 2009 headed by Judge Philip Ransley and a Police Reform Implementation Committee (PRIC) to oversee the implementation of the proposed reform agenda to overhaul the existing policing system. The reform agenda covered changes to the legal and regulatory framework, institutional structure and policies, and the modernization of the police.

Since the recommendations made by the Ransley Task Force, there has been demonstrated commitment by the Government to implement the reforms in transforming the national police from a 'force' into a 'service', by so doing seeking to transform a police culture of pervasive impunity and brutality into a more humane, transparent, responsive and proactive service provider. For example, the legal and regulatory reforms have seen the enactment of the National Police Service Act 2011, National Police Service Commission Act, 2011 and the Independent Policing Oversight Authority 2011, among other legal reforms, together addressing the duties, constitution and sanction of members of the police service.

Further, a single national police command structure for both the Administration Police (AP) and Regular Police through the National Police Service (NPS), headed by an independent Inspector-General of Police (IGP), is another move geared towards enhancing the efficiency and citizen orientation of the service. To improve the working condition for the police officers, the Government of Kenya under the Governance, Justice, Law and Order Sector (GJLOS) Reform Programme has been pursuing police reforms acknowledging that efficient and responsive policing is critical in the criminal justice system. This resulted in the formation of codes of conduct and improvements to service delivery across all policing units through shifting from a previously reactive to proactive policing approach, enhancing crime reporting procedures as a service to victims, modernizing policing through

provision of modern equipment and incorporating other technical support to promote smart policing (World Bank; 2009, CHRI; 2006).

The Police Reform Taskforce Report made a number of recommendations which resulted in the formation of:

- One policing unit that brought both the Kenya National Police and Administration Police under one chain of command.
- A National Police Service Commission (NPSC).
- The Independent Policing Oversight Authority (IPOA).
- Internal Affairs Unit (IAU).

Despite the efforts made, the reforms are yet to bear the expected level of outcomes. The mistrust between police officers and citizens still exists. When Kenya's community policing initiative was initially launched, it benefited from significant levels of public goodwill. However, the enthusiasm has since dissipated, and many communities resorted to forming vigilante groups and militias. More than ten years since the police reforms were first rolled out, a number of police officers still live in dilapidated housing units akin to informal settlements. An IPOA study conducted in 2016 revealed that 63,000 of the country's 80,000 police officers still live in poor housing.[1] Some researchers have argued for the Government to stop cramming officers together in their barracks but instead pay them a housing allowance commensurate with their duty stations. Though this scheme is being implemented, some quarters within the security sector are of the view that such a move may compromise station commanders' ability to mobilize officers during an emergency. Also, there are fears that it could impact negatively on discipline and morale within the service, though this is yet to be authoritatively established.

Since then, there have been demonstrated commitment to implement the reforms, which gathered momentum in 2010 after the enactment of a new constitution (Njuguna et al., 2013). However, there have been emerging issues that have compounded security challenges. For instance, Kenya's proximity to Somalia which does not have a stable government has seen the country have the highest terror threats in the EAC region in the annual Global Terrorism Index (GTI)

Table 1: Global Terrorism Index for EAC countries (2015-2018)

	Country	2015 GTI Score	2016 GTI Score	2017 GTI Score	2018 GTI Score	2019 GTI Score
1	Kenya	6.66	6.578	6.169	6.114	5.756
2	Uganda	4.894	4.327	4.319	3.926	3.957

1 IPOA February 2016 report on housing, not yet available online; see also http://www.nation.co.ke/news/Prioritise-police-housing-to-improve-security/-/1056/3087890/-/f9njl6z/-/index.html.

3	Rwanda	3.334	2.589	1.929	2.177	2.948
4	Tanzania	3.979	3.832	3.413	3.368	3.272
5	Burundi	3.342	5.417	5.637	5.316	5.102

Source: http://economicsandpeace.org/wp-content/uploads

0 – No terrorism threats

10- High terror threats

Emerging security threats such as terrorism, human trafficking poaching, among others, means that Kenya's security agencies ought to be prepared to handle them. Further, the momentum with community policing has waned and mistrust between police officers and citizens still exists. This study therefore reviews the reform agenda to establish the status of implementation, identify any challenges in the implementation process, and identify any gaps that may exist in coping with the emerging issues and whether such reforms have adequately addressed security challenges in Kenya.

1.1.1 Research problem

Security has been identified as enabler in Kenya's development blueprint, the Kenya Vision 2030. This is because no investor will put their resources in an insecure environment. Even though several legal instruments supporting police reforms (the Constitution of Kenya 2010, the National Police Service Act of 2011, the Independent Policing Oversight Authority, the National Police Service Commission Act, the Coroners Act 2017, Private Security Regulation Act, 2016 and Public Order Management Act, Cap 56) have been enacted, not much has changed in the policing framework in the country in terms of making it citizen friendly (Amnesty International, 2013). Enforcement of legislations governing police reforms have been slow, hence impeding the progress of reforming Kenya's National Police Service. This then begs the question as to whether the problem lies in the lack of political will or goodwill from officers serving in policing agencies, hence necessitating this research. For example, despite the vetting process having been completed and some officers removed from the service, little has changed in terms of policing since the country continues registering cases of police misconduct and violation of fundamental human rights of citizens. This concern led to the identification of institutional and legal reforms that have been implemented in Kenya, the challenges facing policing reforms in Kenya and the research has given policy recommendations to enhance policing reforms in Kenya.

1.1.2 Research objectives

The aim of the study was to examine the legal and institutional policing reforms in Kenya and the challenges it is facing with a view to making appropriate policy interventions and how the reforms have enhanced security to assist the process of implementation.

The specific objectives included:

- To examine legal and institutional policing reforms that have been implemented.
- To assess challenges facing policing reforms in Kenya.
- To provide policy recommendations towards strengthening policing reforms in Kenya.

1.1.3 Research questions

This study sought to answer the following questions:

(i) What institutional and legal reforms have been implemented in Kenya?

(ii) What are the challenges facing policing reforms in Kenya?

(iii) What are the feasible policy recommendations to enhance policing reforms?

1.1.4 Research justification

Police officers in Kenya have since independence been perceived as serving only the political class plus the affluent in the society. They have been accused of being selective in their application and enforcement of the rule of law, hence resulting in impunity. It is against this background that the Kenyan Government launched police reforms geared towards establishing a citizen friendly police institution since 2003 (Ransley, 2009). Despite the fact that police reforms are enshrined in the Constitution, available evidence pointed to persistent structural and administrative challenges. Persistent hostility between the police and members of the public was rife, accompanied by increased insecurity within Nairobi County (SRIC, 2012).

This research therefore documents police reforms in Kenya in an analytical context. This research is relevant since it has tracked and documented the various legislative and policy reforms that have been put in place, and challenges impeding the implementation of police reforms in the country. The information generated

will assist stakeholders in policy formulation and improving the efficiency of policing in Kenya.

1.1.5 Methodology

The methodology used by the research was qualitative (desk research review). The study reviewed journal papers, media articles and books published in the subject of study.

Key legal and policy documents reviewed include but not limited to: Constitution of Kenya, Independent Policing Oversight Authority Act No. 35 of 2011, National Police Service Act, No. 11(a) of 2011, National Police Service Standing Orders, National Police Service Commission Act, No. 30 of 2011, National Coroners Services Act No. 18 of 2017, Office of the Director of Public Prosecutions Act No. 2 of 2013, among other official government policy documents.

1.2 Literature Review

Police reforms in Kenya gained traction after the infamous 2007/2008 violence due to a disputed presidential election during which property worth millions of shillings was destroyed, hundreds lost their lives and many others were evicted from their homes. According to the Waki report, police officers lacked the capacity to contain the violence and in some incidences, they instigated and perpetrated the violence. Available literature indicates that police reforms in Kenya have been met with a lot of resistance, with forces of impunity and anti-change heavily fighting for retention of status quo (Amnesty International, 2013). This is because the Kenya police service was accustomed to safeguarding the interests of political leaders and those in power (Kagari, 2006). This had bred a culture of impunity, corruption and lack of accountability within the ranks of the service. In the Economic Recovery Strategy for Wealth and Employment Creation 2003-2007, the security priorities that were given focus included introduction of codes of conduct, enhancing the response of policing agencies to cases of crime, improving the work environment of police officers and setting up of civilian oversight over operations of police officers. The National Peace Accord (2008) signed after the post-election violence set the pace for policing reforms in Kenya due to the feeling that during the violence that happened after the disputed presidential election in 2007, police were not well prepared to handle the skirmishes in a professional and non-partisan way.

According to Ruteere (2003), the stall in community policing, hence police reforms, has been due to the fact that some elements within the police service

have been perceived by citizens to be colluding with criminals, thus making citizens refuse to volunteer information. Whereas in the National Police Service strategic plans there is recognition of partnerships between policing agencies and citizens in ensuring safer neighbourhoods, there is no single community policing policy that NPS has circulated amongst its rank on how to go about partnering with communities through community policing.

According to KNCHR (2008), there is some resistance to reforms in the policing sector amongst the rank and file of senior officers, thus preventing the full realization of police reforms. However, over-emphasis on reforms without paying attention to innovative ways of crime prevention and how to address challenges posed by crime is a challenge to police accountability and democracy in general (Neild, 1999). This is because police gain community trust if they succeed in fighting crime (Stodiek, 2006). Failure to provide public security undermines the legitimacy of government and encourages anarchy (Bayley, 2001). Research by Bayley (2001) showed that when communities partner with policing agencies by reporting crime and conditions that lead to crime, policing work becomes easier in public safety provision.

A community that is characterized by lack of trust between the policing agencies and citizen decrease incentives for police reforms (Nathan, 2006). Therefore, citizens contribute to holding police accountable by creating their own safety priorities and helping the police to deal with them.

Other researches have shown that police reforms are political endeavours hence political interests are fundamental for any reform initiatives within policing agencies (Rauch and Elrena, 2006). In Kenya, majority of police officers are yet to be sensitized on what police reforms entail and what their role in the envisaged reforms is (Nyambura, 2012).

Table 2: Crimes by typology handled by National Police Service

	Crime Typology	Exposition
1	Economic crimes	Banking fraud, money laundering, grand corruption, etc
2	Transborder/international crimes	Human trafficking, poaching, drug/narcotics trafficking, terrorism, arms trafficking, money laundering, cyber crimes
3	Gender-based violence	Rape, defilement, sexual assaults, indecent acts
4	Organized crimes	Criminal gangs, political thuggery
5	Traffic offences	Reckless driving, road crashes, speeding, violation of road safety rules

6	Ethnic-based violence/ Resource-based violence	Ethnic violence, cattle rustling
7	Robberies	Armed robberies, muggings, car jackings, etc
8	Petty crimes and others	Incest, drunkenness, nuisances, trespassing, disorderly conduct, environmental crimes, child neglect, assaults

Source: Compiled by author

UNHCR (2010) in its research highlighted changes in the Kenya police leadership that came with the constitution of Kenya promulgated in August 2010. When the new constitution came to play, the structure of the police leadership changed where the National Police Service command was put under the Inspector General of Police (IGP), with the formerly Administration Police Unit and regular police now under his/her command. According to Mboroki (2013), the NPS have changed the mode of operation. At the moment, a police officer must have reasonable evidence before he or she can take a person into custody as per the requirements of the new constitution. Previously the police could hold a suspect for as long as they wanted and charge him/her without evidence against the arrested person. Ngugi et al (2012) established that education is a positive factor in the advancement of policing. Educated officers have better oral and written skills, are flexible and tolerant in their interaction with citizens and register few administrative and personnel challenges.

Ndung'u (2011) opines that the communities in Kenya do not trust policing agencies and are therefore unwilling to cooperate with police officers due to their perceived corrupt nature. However, she noted that communities have started opening up and reporting cases of police misconduct to relevant police oversight bodies. Police reforms ought to focus on challenges facing the security sector in Kenya, and not just on laws and legislation.

2. Trends in Various Indicators

2.1 Legal and Regulatory Issues

Kenya is undertaking policing reforms in the police service operations. The main tenet of policing reforms is to establish a people-centred policing unit that respects the rule of law and operates within the confines of the law. Police response to the 2007 disputed presidential election protests and violence saw the formation of a police reform task force which recommended reforms within the policing agencies in Kenya. The Ransley report recommended several changes within policing agencies, including the revamping of the police to establish:

- A single Police Service that merged the Administration Police and the Kenya Police under one single chain of command;
- A Police Service Commission to manage recruitment and personnel; and
- A civilian body to provide oversight over policing in the country. The body was to be mandated to handle cases of police misconduct.

The Constitution which lays emphasis on having a citizen centred policing saw the enactment of:

- The National Police Service Act 2011
- The National Police Service Commission Act 2011
- The Independent Policing Oversight Authority 2011

The Philip Ransley report rooted for the establishment of an Independent Policing Oversight Authority, National Police Service Commission, National Coroners Service, amongst other over 200 recommendations reforms to change policing in Kenya and make it a people centred public service institution.

2.2 The Constitution of Kenya 2010

Article 243 of the Constitution of Kenya is the pillar upon which the National Police service is anchored on. This article compels policing agencies to strive towards achieving higher standards in policing and promoting transparency and accountability in policing in Kenya. The Constitution outlines the objects and functions of the National Police Service and provides its structure, command and principles. The freedom and security of all persons is guaranteed by the Constitution.

2.3 The National Police Service Act, 2011

The Constitution of Kenya and the National Police Service Act 2011 are the two pillars upon which the establishment of the NPS is anchored. The National Police Service Act 2011 merged two police units, namely: Administration Police and the Kenya Police Service into one operational unit. This is a departure from the previous formation where the police service used to be divided into two units. The Bill was passed in 2011 but operationalized in 2012 due to logistical challenges such as budgetary allocation and the recruitment of office bearers.

In merging these two policing units, the previous Police Act and Administration Police Act were repealed to form the National Police Service Act 2011. Section 9 of National Police Service Commission Act, 2011 provides that the National Police Service be headed by an independent Inspector General of Police and his/her two deputies appointed through a thorough vetting process. This means that the appointment of the Inspector General of Police was no longer a function of the Presidency. In previous policing Acts, the appointment of the Commissioner of Police and his/her removal from office was vested in the Presidency. The current Constitution of Kenya grants the Inspector General security of tenure in office and has set out clear grounds upon which he/she can be dismissed from office. The Inspector General of Police is independent since political interference is now a thing of the past in as far as promotion, discipline and enforcement of the law is concerned.

The first Inspector General of Police was appointed in December 2012 as per Article 243 of the Constitution, which established the independent office of the IGP and the two deputies and also established the basic appointment process empowering the President to make appointments to the offices with the approval of Parliament. This was an open process that involved public participation of citizens and other non-State actors. This appointment was made after Parliament passed the National Police Service Act 2011 to operationalize Article 243 of the Kenyan constitution.

2.4 Independent Policing Oversight Authority Act, 2011

The Independent Policing Oversight Authority Act 2011 was operationalized in November 2011 when the Bill was assented to by the President of Kenya. The IPOA Act 2011 established the Independent Policing Oversight Authority whose mandate was to provide oversight authority over the conduct of individual police officers in their interactions with citizens during policing. IPOA is thus tasked with monitoring and investigating any reported cases of police misconduct while on duty. IPOA also audits actions taken by the Internal Affairs Unit of the National

Police Service against police officers who abuse the law while on duty. IPOA is also mandated to keep records of all reported cases of police misconduct throughout the republic and action taken against such errant officers.

This Act also empowers IPOA officers to visit premises and detention facilities operated by the NPS to ensure that they are humane and that such facilities do not abet human rights violations. Section 5 of the IPOA Act stipulates that the functions of the Authority are to ensure that policing agencies are hekd accountable during discharge of their mandate. This is enshrined in Article 244 of the constitution, which compels policing agencies to promote and entrench professionalism, discipline, transparency and accountability. The Ransley Task Force found that complaints against police misconduct were never investigated/handled with impartially, and most of the time they were ignored and/or the complainants threatened and victimized by police officers. These findings occasioned the recommendation for the formation of a police oversight mechanism to handle cases of police misconduct, leading to the formation of the Independent Policing Oversight Authority (IPOA) through national legislation.

The success of IPOA will be a benchmark for other regional states and Africa at large. Since its formation, cases of police misconduct, brutality, misuse of fire arms and wanton human rights violations have reduced.

In the first Policing Standards and Gaps survey in Kenya in June 2018, IPOA had received a total of 10,381 cases (Table 3).

Table 3: IPOA case management – Summary of records reviewed

Cases	Number of Cases (by June 2018)
Cases classified for investigations	5,140
Cases still at initial investigation assessment	2,874
Cases under active investigations	1,476
Cases investigated and completed	790
Cases closed after preliminary investigation	491
Cases closed after legal review	76
Cases forwarded to DPP for prosecution	105
Cases referred to EACC	11
Cases referred to NPSC	6
Cases under prosecution in court	53
Convictions	3
Total number of cases received by IPOA	10,381

Source: IPOA Board end term report 2018

The existence of an Authority monitoring police actions and performance and the public's use of social media platforms to report misconduct may have led to increased compliance to the rule of law and accountability by the police, though cases of police misconduct still exist. According to the IPOA Board End of Term report of 2018, the Authority had achieved 3 convictions since 2013, out of 790 completed investigations (Table 3). This low number of convictions could be an indication that IPOA is overwhelmed by the cases of police misconduct that are reported to it due to limited number of staff they have to handle all these cases and monitor police actions in forty seven (47) counties.

2.5 The National Police Service Commission Act 2011

The setting up of the National Police Service Commission was geared towards reforming the management and governance of the National Police Service. Initially, operations of the National Police Service were under the office of the Commissioner of Police and the Office of the President. This made it vulnerable to political manipulations and compromised its impartiality. Owing to the enactment of the National Police Service Commission Act 2011, the National Police Service Commission, which is insulated from any form of manipulation and independent in its constitutional work of handling policy matters, extends this independence to the NPS which it oversees, giving rise to a significant milestone as far as policing reforms are concerned in Kenya.

Particularly, section 11(b) of the National Police Service Commission Act 2011 empowers NPSC with the responsibility of management of personnel within the NPS in adherence to the constitutional requirements of fair national representation and a minimum one third gender rule. By vesting recruitment of NPS personnel in the NPSC, corruption, nepotism and negative ethnicity, among other vices that characterized previous personnel recruitment have drastically dropped (Jonyo and Buchere, 2011). This Act also mandates the NPSC to work in partnership with the Independent Policing Oversight Authority (IPOA) in monitoring, identifying and investigating complaints made by citizens against the police. The National Police Service Commission Act 2011 also compels the NPSC to ensure better service delivery in tandem with global advances.

The NPSC was created with a view to delinking security management from the Public Service Commission (PSC). Previously, the then Commissioner of Police had absolute mandate in the recruitment and management of personnel in the entire police service. However, this anomaly was corrected, since it is risky to vest immense absolute powers in one office/institution alone and may be problematic for accountability purposes. NPSC is thus tasked with personnel management as

stipulated in article 246 of the Kenyan constitution. .

More responsibilities for the NPSC have been clearly articulated in the National Police Service Commission Act, 2011. The formation of the NPSC was to insulate policing from any form of manipulation. NPSC is mandated to ensure that there is fairness during recruitment, promotion, appointment and discipline of officers since there is an oversight body to check on the service by policing policies, rules, regulations and procedures developed by the Commission and in line with international policing standards.

It should be noted that the first Commissioners and the first NPS IG were all appointed in 2012 in a transparent process. The National Police Service Commission (NPSC) was initially tasked with recruiting top police commanders, and promotion and disciplining police personnel. The enactment of the Security Laws (amendment) Act 2014 watered down the achievements that had been made in as far insulating policing work from interference by the Executive.

2.6 National Police Service (Vetting) Regulations Bill 2011

The National Police Service Regulations vetting bill was aimed at assessing the suitability of all serving senior officers to continue serving in the National Police Service. Sections 7(2) and (3) of the National Police Service Act 2011 stipulated that all officers of the NPS would undergo vetting to ascertain their suitability to remain in the service. Those who failed the vetting due to their past misconduct were removed from the police service.

Critical to achieving the mandate of the NPSC was the institution of a vetting process of all active-duty personnel, which began in December 2013. During the initial vetting, members of the police service were scrutinized for suitability and competence to continue serving. The public was invited to give submissions on any cases of human rights' violations and abuse of office on any officer that they had witnessed. The vetting process began with Senior Commanders but was characterized by lack of full public engagement. It followed that non-State actors failed to provide NPSC with the necessary information, especially on violations required to adjudicate on the suitability or unsuitability of police officers that were being vetted. The Inspector General of Police, the two Deputy Inspectors General and the Director of Criminal Investigations were the first to be vetted. A total of 5,993 officers were vetted by the NPSC before the terms of the first cohort of commissioners expired in 2018.

Table 4: Vetting statistics

Rank	Number Vetted	Number Removed from Office
S/DCP I & II	7	3
DCP	23	2
S/ACP & ACP	190	12
SSP/SP/ASP/IAU	1467	72
Traffic Officers	2640	318
Chief Inspectors	1666	38
TOTALS	5993	445

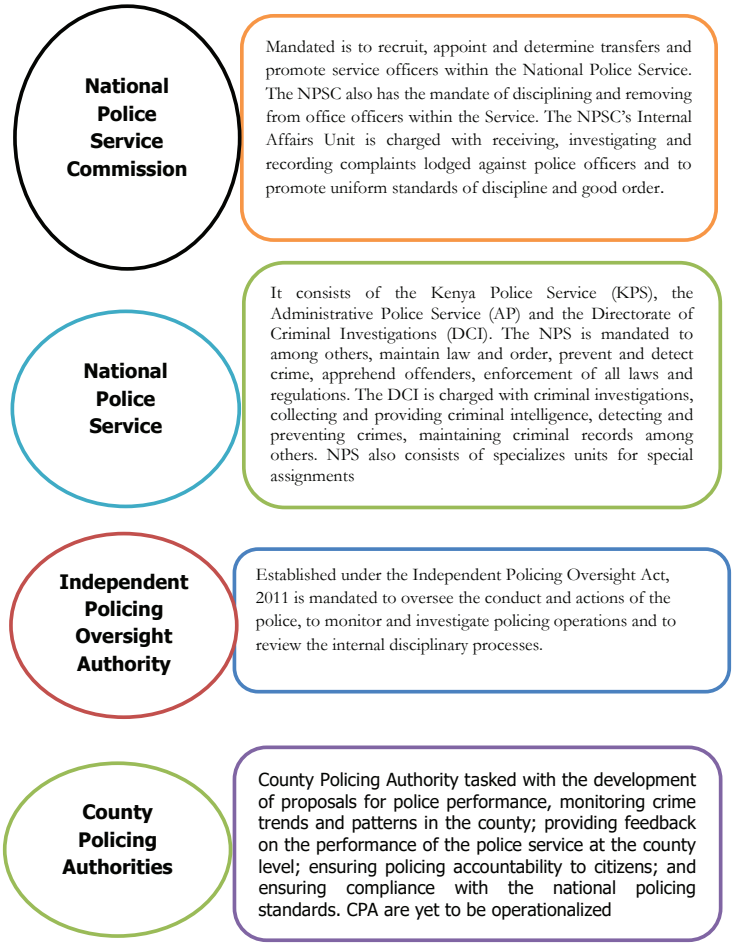
The officers who were removed from office were found liable for having abused their positions in the National Police Service. Of the seven Senior Deputy Commissioners of Police (S/DCP) who were vetted, three were deemed unfit to serve as police officers and subsequently removed from office. Out of the 23 Deputy Commissioners of Police (DCP) who were vetted, two were found unfit to hold office. Of the 1,467 officers of the ranks of Senior Superintendent of Police (SSP), Superintendent and Assistant Superintendent who were vetted, 72 officers were found unfit to continue holding office and were removed from the service. Out of the 2,640 traffic officers who were vetted, 318 were found unfit to hold office and removed from the service. NPSC based its decision on information and evidence on any serving police officer who had participated in illegal activities such as brutality, illegal arrests and detention of citizens, involvement in gender-based violence such as battery, sexual assaults; corruption and corrupt dealings; or undermining of Chapter six of the Constitution.

2.7 Independent Command Structure of the National Police Service

The Constitution provides for a structure and command of the NPS in Articles 238, 239, 243, 244 and 247 of the Constitution and the NPS Act 2011. Further, Article 245 (2) (b) stipulates that the Inspector General shall exercise independent command over policing agencies and other illegal policing functions assigned to the office. Article 245(4) & (5) provides for specific offices, circumstances and manner under which the Inspector General may receive instructions from other authorities. Independent command implies vide the NPS Act 2011 section 10 (f-h), among others, the control of the following components, namely: personnel recruitment, training, deployment and discipline accountability. One police command structure for both the Administration Police (AP) and Regular Police through the National Police Service (NPS) headed by an independent Inspector-

General of Police (IGP) was a path geared towards enhancing the efficiency of the service and lead to improved service delivery to citizens.

Figure 1: Key institutions in Kenya



The regular and Administration Police have been integrated to work independently of Government officials. In the past, Administration Police were used to working with the defunct provincial administrators. The aim of merging the regular and Administration Police into one unit is to free the police from interference from the Government and political leaders. The Waki report on the 2007/2008 post-election violence recommended the integration of the Administration Police in the Kenya Police service, creating a single police entity with a single chain of command.

Currently, police oversight in Kenya as envisioned in law is two-pronged. Policing oversight is therefore first carried out internally by the Internal Affairs Unit (IAU) and also externally by IPOA. Moreover, the NPSC which is in charge of personnel management, ought to be continuously vetting serving officers to ensure that no officer is involved in acts that are detrimental to the good of policing and communities.

2.8 Personnel Issues

The National Police Service faces shortage of staff to carry out core policing mandate, which impacts effective service delivery to the citizens. The National Police Service has a total strength of 105,551 officers, distributed as 92,412 men and 13,139 women[2] considering the Kenyan population over 48 million citizens based on the 2019 population census and current population estimates.

This shortage of officers arises from officers being assigned non-core functions. For example, findings from the Task Force on Police Reforms, there was general concern that police personnel were being assigned functions outside their core mandate. In 2009, the Task Force estimated that there were about 3,000 police officers especially APS deployed in non-core duties (Ransley, 2009). Apart from relieving police officers to do their core functions and enhance the police/population ratio, a shift in policy will create job opportunities for youths in the private security sector. This reduces the number of officers actively engaged in law enforcement and crime prevention within communities.

2.9 Modernization Programme

Kenya has since 2010 been modernizing policing through provision of modern equipment and technical support to promote smart policing. Currently, policing agencies have adopted and are utilizing the Integrated Command Control and Communications (IC3) centre and CCTV surveillance in urban streets and along major highways. Policing agencies have also embraced intelligence-led policing and officers undergoing training to stem the tide posed by the dynamic nature of crime and criminals.

The National Police Service has rolled out a digital Occurrence Book for a number of police stations to ensure that police records on crime and other incidents are not lost easily.

2 Refer to the NPS Policy framework and Strategy for reorganization and integration of the National Police Service, provision of decent housing and integration of police and prison officers with communities and neighbourhoods, 2018

In the 2017/2018 budgetary provision, the following allocations were made to enhance mobility of personnel within the country:

Table 5: Some of the 2017/2018 budgetary provisions for police mobility

	Item	Amount (Ksh)
1	Leasing of police service vehicles	Kshs 8.1 billion
2	Police and military modernization	Kshs 24.8 billion
3	Enhanced security operation	Kshs 12 billion
4	Construction and equipping of the national forensic laboratory	Kshs 0.9 billion
5	Securitizing the country's borders[3]	Kshs 2 billion

Kenya has been increasing resources dedicated to security with its budgetary due to the imminent threats from Al-Shabaab terrorists and sophisticated local criminal networks. The NPS has acquired specialized patrol vehicles for movement of personnel in border regions neighbouring lawless states such as Somalia and South Sudan.

In a nutshell, the Government of Kenya is keen to continually keep improving police infrastructure, appreciating the role communities play in keeping their communities safe, focusing on community policing and appreciating the role played by research in crime control.

The modernization of the National Police Service includes the provision for sufficient vehicles, modern weapons, armoured vehicles for special operations and revamping of the police air wing for air support services to officers during their operations. An encouraging advance that police are adopting technology is the Ksh 15 billion (US$ 150 million) National Security Surveillance, which has seen the NPS partner with other private actors to enhance security in urban areas.

The Inspector General of Police has already launched digital Occurrence Books (OBs), which will change how reported crimes are handled. Digitizing OBs ensures that all entries made are a permanent record that cannot be edited and/or deleted, thus guaranteeing transparency and accountability in police operations at the station level. The use of digital tools will eliminate manipulation of entries in the occurrence books, which hampers crime prevention. Manual record had the risk of those records being manipulated by rogue officers. Digitization of police records will go a long way in enhancing supervision of police operations in the field from the commanders' level and make every police officer more accountable towards duty. Digitizing services that are critical to service delivery to Kenyans

3 https://www2.deloitte.com/content/dam/Deloitte/ke/Documents/tax/Economic%20outlook%20ke%202017%20Final.pdf

is a Government policy whose ultimate result is a more effective, efficient and responsive police service. Under the new system, digitized OBs at police stations will enable senior officers to monitor how cases are dealt with at station level. Loss of vital evidence files in police registries will be a thing of the past when the digitization is fully implemented.

3. The Reform Process

The process of reforming the police service started before the 2007/2008 post-election crisis but it was only after the crisis and the promulgation of the new constitution that the need to accelerate the police reforms agenda was emphasized.

Previously, efforts have been made to transform policing in Kenya into a globally competitive agency. However such efforts can not be done in a vacuum unless the drivers of crime and criminal networks are also addressed. drivers of crime like unemployment, poverty, police brutality, among others ought to be prioritized as national agenda.

The 2007/2008 Commission of Inquiry into the Post-Election Violence (CIPEV) observed that police officers lacked the capacity to contain the violence and in some extreme cases they took sides and hence instigated the violence. The Waki Commission therefore recommended urgent police reforms to curtail a repeat of such levels of lawlessness.

The Philip Ransley Commission heavily used two police strategic plans; that is, the 2003 to 2007 and 2008 to 2012 plans. The Commission also did a case study on police reforms in several countries across the globe on the best policing standards and practices. The Ransley Taskforce came up with over 200 recommendations, key among them being the merger of the then two police forces, changing of the image of police from a force to a service unit, establishment of the office of the Inspector General, establishment of the NPSC, establishment of the IPOA, establishment of the IAU, review of the police training curriculum, vetting of all police officers, retraining of all police officers, change of the police ranking structure, purchase of enough operational resources and improvement of the general welfare and terms of service of police officers (Ransley, 2010). The constitution Kenyans promulgated in August 2010 adopted most of these recommendations. The Government in its quest to operationalize the Ransley taskforce report and the constitution saw the enactment of the NPS Act, the NPSC Act, and the IPOA Act. The enactment of these legislative framework acts saw the establishment of three critical institutions in policing reforms in Kenya, namely: IPOA, NPSC and IGP. These offices are critical in ensuring the independence of security institutions and cushion police work from interference.

3.1 Before the 2007/2008 Post-Elections Period

The NPS had developed a strategic plan for the period 2003-2007. The goals and objectives that were highlighted in the 2003-2007 strategic plan were the recognition of the value of promoting the rule of law, fostering partnerships with

citizens and the respect of human rights in their interactions with the citizenry. This strategic plan also appreciated the role of enhancing both individual and institutional accountability by setting up a National Police Service Commission and an independent civilian oversight body. The plan recognized that institutional unaccountability, police impunity and corruption within its ranks as being endemic to the force.

The NPS 2003-2007 strategic plan also committed the service to partial decentralization of the police force, modernization of the police as the main priority, training and retraining of officers, relinquishing auxiliary services such as driving and guarding VIPs, shielding policing from political interference, addressing the dearth of resources within the force, dismantling institutional and structural barriers to policing, among other reform activities.

The second strategic plan for the NPS ran between 2008 and 2012. It should be noted that the effect of the first strategic plan implementation on the organizational performance of the Kenya Police Service was not evaluated. Instead, the 2008-2012 review only highlighted the achievements of its predecessor and acknowledged room for improvement without focusing on the challenges and weaknesses experienced in its implementation. An evaluation of the implementation of strategic plans is key if the NPS is to make progress in its reform processes. Currently, the NPS is in the final stages of implementing the 2013-2017 strategic plan.

The 2013-2017 plan highlighted shortage of personnel, and logistic infrastructure challenges as some of the biggest impediments the service has. The 2013-2017 strategic plan cited stagnation of NPS personnel in one rank, lack of sync between the NPS and NPSC functions, inadequate budget and limited infrastructure as some of the impediments for service delivery.

3.2 The Commission of Inquiry into the Post-Election Violence

The 2007/2008 post-election violence was one of the most compelling reasons for police reforms. Police officers appeared to have been overwhelmed by the violence that broke out in most parts of the country and the response of the police was wanting. The Government then formed a commission of inquiry chaired by Justice Philip Waki. The setting up of the Commission of Inquiry into the Post-Election Violence - CIPEV (Philip Waki Report, 2008) found out that the NPS did not anticipate, prepare for, and contain the 2007/8 violence and lawlessness due to the contested presidential election.

The Waki Commission of Inquiry into the Post-Election Violence reviewed the response of policing agencies to the disputed 2007 general elections, concluding

that national security agencies had failed to respond professionally to the violence that broke out after the elections. The Waki report was of the view that the NPS personnel failed to employ pre-emptive and preventative measures, thus contributing to the lawlessness and anarchy that was witnessed. NPS personnel were sharply criticized by the Waki report for adopting a reactive approach as their main law enforcement strategy for quelling the violence that broke out after the elections.

Among some of its specific findings was that police officers totally lacked the capacity to contain the violence. The Waki report therefore called for urgent sustainable police reforms to avert recurrence of such cases, including abuses of human rights (Waki, 2008). In some extreme cases, some officers were singled out for abetting arbitrary arrests, torture and loss of lives of citizens.

3.3 The UN Special Rapporteur

The major aim of the UN Special Rapporteur was to establish causes of illegal killings and ensure that those responsible are held to account for their actions. The report pointed out cases of police officers involvement in extra-judicial killings due to the prevalence of impunity within the rank and file of policing. The report also pointed out the existence of "police killer squads" that operated with impunity under directions from senior commanders, thus strengthening the findings of the Waki Commission.

3.4 The National Taskforce on Police Reforms

The national taskforce on police reforms reviewed the then existing policies, legislative, institutional, administrative and operational frameworks with a view to flagging out existing challenges hampering efficient policing in the country. The need for a total transformation in the police force was driven by the ills in the police force, which had eroded public trust and reputation, thus the need to transform the police from a force to a community-centred service provider and make it more accountable, professional, transparent and citizen-centred in its discharge of services to the public. According to Government of Kenya (2010), such a police service will respect human rights and deliver on its obligations to the people of Kenya.

Ransley (2009) indicated that to enhance police accountability in Kenya, there should be improvement of the ability of public institutions to ensure policing agencies are accountable when discharging their mandate. The Ransley report

recommended the need for a police oversight body to weed out impunity within policing agencies.

3.5 Police Reforms Implementation Committee

The Police Reforms Implementation Committee (PRIC) 2010-2012 was tasked with coordinating, supervising and providing technical guidance during the implementation of policing reforms. The Committee released its report in June 2012, articulating the progress and status of all the reform programmes that it had introduced.

While there have been political support for implementation of police reforms, amendments to security law and policy have contributed to the watering down of early gains. The Security Laws (Amendment) Act of 2014 re-introduced executive control over the selection of the IGP, expanded the powers of police officers, and limited the rights of arrested people in some circumstances.

3.6 Police Reforms Steering Committee

The Ministry of Interior and Coordination of National Government set up the Police Reforms Steering Committee (PRSC) in 2013 to act as a compass for guiding policing reforms in Kenya. All findings flagged out by various reports on policing reforms were initiated, key among them being the vetting of serving policing agencies officers to weed out rogue elements within the service.

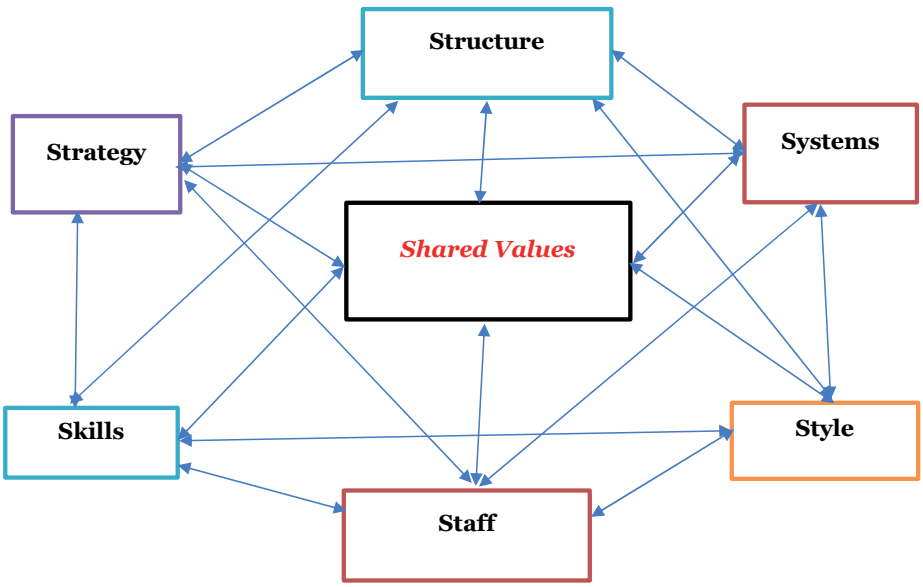
4. Conceptual Framework

This study has adopted Kut Lewin's Change theory and McKinsey 7s model as its theoretical framework. According to Kritsonis (2005), Lewin's change theory change occurs in three phases, namely: Unfreezing, Change and Refreezing.

Thus, Lewin's three-step model of change has three stages: unfreeze, move or change, and refreeze (Kurt Lewin, 1951; 1958). It provides a stepping stone upon which a wide range of literature on reforms and institutional change is anchored (Goodstein and Burke, 1995; Sapienza, 1995; Kotter, 1998; Goss et al., 1998). A key component of Kut Lewin is the recognition of the fact that change is mostly resisted within and outside the organization. This therefore requires the involvement of all key actors in the process. This is an appreciation of the fact that behavioural change within an organization is a difficult assignment, especially changing the existing police culture that this study focuses on.

In Kenya, the intensity of the reforms in the NPS involves an overhaul of the entire policing system from a repressive unprofessional institution to a modern dynamic human-centred service. The envisaged reforms rolled out so far include change of leadership, a shift in the working environment, emergence of new modes of governance and policing, the evolution of new needs and the ever dynamic nature of humanity. This therefore requires a shift in the mode of operations and service delivery within policing agencies.

Figure 2: The Mckinsey 7S model



Source: Adapted from Waterman, Peters and Phillips (1980)

There is therefore need to clearly articulate to all actors within NPS on what is being changed and why. All policing personnel from the lower ranks to the highest command ought to own the process and carry it as their responsibility. The 7S conceptual framework defines what gets reformed and relationship of various reform components in the command of the National Police Service. It should be noted that the NPS is using this model in reforming itself. The framework stipulates seven (7) areas of reforms, which are: structures, strategy, systems, skills, styles, staff and shared values. The McKinsey 7s model holds that for an organization to perform effectively, 7 elements ought to be integrated. These seven elements take account of structure, strategy, systems, skills, style, staff and shared values (Peters and Waterman, 1980). For the NPS reforms to bear fruits, these seven elements ought to be effectively aligned. Its implication to the study is that the major determinants of policing reforms in Kenya are the structure within the NPS and not necessary the capital or infrastructure. Thus, it has been used as a framework in ensuring effective implementation practices.

McKinsey 7s model was introduced by Waterman and Peters in the 1980s and has hereafter been used for strategy implementation practices. The McKinsey 7s model holds that for an organization to perform effectively, 7 elements ought to be integrated. These seven elements take account of structure, strategy, systems, skills, style, staff and shared values (Peters and Waterman, 1982).

For the organizational objectives to be attained, these seven elements ought to be effectively aligned. Human resources are, however, given more emphasis to contribute more on effectiveness of strategies as compared to the traditional mass production tangibles of capital, infrastructure and equipment (Modahl, 2000). McKinssey 7s model postulates that for effective implementation of strategies, the seven basic elements should be put in outmost consideration.

5. Institutional Reforms

When the constitution was promulgated in August 2010, it compelled Parliament to enact new laws that would facilitate the formation of new institutions to oversee the NPS. As a result, the following institutions were created. They are NPSC, NPS, Office of the Inspector General and his two deputies, IPOA, and IAU. Some of them are anchored in the Constitution while others came about as a result of various legislations enacted by Parliament.

5.1 National Police Service

Two previously independent police units (Kenya Police and Administration Police) were merged into one under a single chain of command to enhance efficiency and avoid duplication of roles. Before August 2010, the two units operated separately, each with their own chain of command. The Waki report had also recommended the merging of the two units of the Police Service to delink the Administration Police service from the defunct Provincial Administration.

Pursuant to section 10(h) of the National Police Service Act, 2011 and Chapter 1 Para 9(2) of the Service Standing Orders, the Inspector-General is required to organize the Service at the national level into formations, units and components. With regard to this, the NPS has 14 formations and units[4]:

1. Traffic Police Unit
2. Tourist Police Unit
3. Railway Police Unit
4. Presidential Escort Unit
5. Marine Police Unit
6. Kenya Airports Police Unit
7. General Service Unit
8. Diplomatic Police Unit
9. Kenya Police Dog Unit
10. Anti-Stock Theft Unit
11. Kenya Police Air Wing Unit
12. Kenya Police College
13. Kenya Police Staff Training College

4 Chapter 2, sub-section 7(1) of the service standing orders.

14. Kenya Police Service Headquarters

The Administration Police service has the 12 formations and units[5]:

1. Administration Police Service Specialized Unit (APSSU)
2. Rapid Deployment Unit (RDU)
3. Rural Border Patrol Unit (RBPU)
4. Specialized Stock Theft Prevention Unit (APSSTPU)
5. Administration Police Peace Corps Unit
6. Critical Infrastructure Protection Unit (CIPU)
7. Security of Government Buildings Unit (SGB)
8. Very Important Person Protection Unit (VIPPU)
9. Administration Police Training College (APTC)
10. Administration Police Service Air Support Unit
11. Administration Police Senior Staff College (APSSC)
12. Administration Police Service Headquarters

The Directorate of Criminal Investigation (DCI) is comprised of the following formations, units[6]:

1. Criminal Intelligence Bureau
2. National Criminal Investigation Academy
3. Anti-Terrorism Investigations Unit
4. National Central Bureau (Interpol)
5. Forensics Unit
6. Anti-narcotics
7. Investigations Bureau
8. Banking Fraud Investigation Unit (BFIU)
9. Criminal Records Office (CRO)
10. Kenya Airports Criminal Investigation (KACI)

5 Chapter 3, sub-section 7(1) of the Service Standing Orders.

6 Chapter 4, sub-section 7(1) of the service standing orders.

11. Directorate Criminal Investigation Headquarters
12. Kenya Railways Criminal Investigation (KRCI)
13. Special Crime Unit
14. Economics and Commercial Crime Unit
15. Serious Crime Unit

It should be noted that traditionally, the training and role of the Administration Police Service and Kenya Police Service have been different, making their merger difficult to operationalize ahead of harmonizing their training curriculum. As seen in Table 6, the roles of Administration Police Service and Kenya Police Service have been different.

Table 6: Traditional roles of Kenya Police Service and Administration Police Service

Kenya Police Service	Administration Police Service
Maintenance of law, order and civility	Maintain law and order
Protect life and property	Preserve peace within communities
Detect and prevent crimes and collect criminal intelligence	Ensure lives and property of communities protected
Resolve crimes	Deal with law breakers/violators
Apprehend offenders	Border control and security
Enforcement of laws, regulations and other legal rules	Protection of important government buildings
Provide services to prevent stock theft	Complement other government agencies in ensuring there is law and order in communities
Help in prosecuting offenders	Complement/supplement other government agencies/institutions in resolving conflicts and public service delivery

Source: Compiled by author

5.2 Office of the Inspector General of Police

The Office of IGP was created after the merging of the two policing units (Administration police and Kenya Police)to coordinate and oversee the operations of the National Police Service. Thus, the office of the IGP serves to oversee the functions of the NPS at the national level and give policy advice to both the national government, county governments and other institutions of governance

on matters concerning internal security. The former office of Commissioner of Police was now renamed Inspector General of Police.

5.3 Internal Affairs Unit (IAU)

Internal complaints handling procedures in the police service was provided for in previous police standing orders. However, this complaint handling mechanism had not realized its goal, according to the Ransley Taskforce Report.

Section 87 of the National Police Service Act 2011 set up the Internal Affairs Unit (IAU) taskd with internally handling cases made by and against police officers. IAU is also required to keep records of all cases it handles. IAU works closely with other arms of Government, such as the Attorney General, NPSC, National Transport Safety Authority (NTSA), Office of Director of Public Prosecutions (ODPP), Chief Firearms Licensing Office, IPOA, Chief Government Pathologist and the civil society. IAU, however, is expected to work independently without the control or direction of either Government agencies or arms. One major shortcoming with the IAU is that it operates under a cloud of mysteries as it has never communicated to complainants how their cases have been resolved other than their annual reports on the number of cases reported.

6. Policy Reforms

Key policy reforms in policing include modernizing and transforming the policing institutions, specifically (NPS, NPSC and IPOA) to become effective, efficient and citizen-centred service.

The NPS strategic plan for 2015-2018 sought to improve policing standards in the country. The strategic plan sought to eschew vices that would undermine policing in the country and embrace globally recognized policing standards. These basically are in tandem with the McKinsey 7s model. The shared values in policing are linked to reformation, training and capacity building, community-based policing and resource management. The NPS strategy, structure, system, style, staff and skills are linked to all the strategic plans implementation processes in the service. All these do not require the enactment of laws to entrench them in policing in Kenya. Indeed, the Ransley task force report identified community policing as a key asset in improving citizen police relations, and improving standards of policing in Kenya. Most of the policy reforms discussed in this section do not require legislation to be implemented; rather they are pegged on McKinsey's 7S model of structure, strategy, systems, skills, style, staff and shared values.

The following are some of the policy reforms that have been instituted in the NPS:

6.1 Service Standing Orders

The Ransley Task Force report recommended that the NPS standing orders be reviewed and the formerly two separate policing units be merged into a single unit under one chain of command. Among the new standing orders is that all operations of the Administration Police and Kenya Police service shall fall under the office of the Inspector General of Police and delegated to the two Deputy Inspectors General who will be in charge of the administration and regular police services. The Directorate of Criminal Investigations (DCI) will be coordinated by a director. Also no NPS officer will take orders from politicians, other state actors, civilians and/or non-state actors if such orders are against the law. This has made the NPS to be autonomous to avoid manipulations from external actors such as politicians.

6.2 Community Policing Strategy

The historical beginnings of colonialism pitted citizens against the police service, which was often viewed as a tool of oppression and suppression as opposed to being a government security service delivery agency. Then, police officers used to harass, intimidate and suppress the civilian population into submission. This had

poisoned the relationship between the policing agencies and citizens who viewed officers with suspicion.

There has never been cooperation between police officers and civilians in addressing issues of crime and security. The Government of Kenya through the NPS Act, 2011 mainstreamed community policing and made it part of policing. The new police training curriculum has been reviewed and now incorporates community policing in the training of new recruits. This is aimed at ensuring that all police officers own this initiative of community policing to enhance and foster a good working relationship between officers and local communities where they live and serve. Increased partnerships between the NPS and citizens will help address issues of insecurity, since citizens would be free to interact with officers without fear or intimidation.

Community policing implies a working framework between the NPS personnel and citizens by concentrating on building trust with communities and treating them as actors in crime prevention while de-escalating actions such as arbitrary arrests and unnecessary searches. Community policing is being implemented under the *Nyumba Kumi* initiative (Kenyatta, 2013). The *Nyumba Kumi* is a community policing initiative that treats communities as actors in making communities safe by partnering with policing agencies. *Nyumba Kumi* does not entail vigilantism or formation of private militias in the name of organizing security.

A sample of Community Policing Principles

- Policing is a trust-building mechanism
- Police officers are part and parcel of the community they work in and not strangers
- The police and communities work together as partners in flagging out the needs of the community
- Policing agencies, state actors and non-state actors work together as partners
- Policing tailored to meet the needs of the community and not for political expediency

6.3 Logistical Reforms and Police Mobility

Lack of adequate patrol vehicles for police officers was cited as one of the factors that hamper police response to crime. This study established that the Government continues to pay close attention to increasing mobility of NPS personnel as follows:

- A framework that identifies mobility requirements of police personnel is in place
- Between 2009 and 2015, more than 989 motor vehicles had been made

available to the NPS

- The Government leased over 1,250 motor vehicles or the NPS between 2009 and 2016
- 60 motor vehicles were rehabilitated between 2009 and 2014
- 200 motorcycles were purchased between 2009 and 2015
- A system for quality and suitability assessment of vehicle consignment at source before procurement has been operationalized
- Over 5 speed boats have been bought for use by the NPS personnel
- A maritime school has been established in Lamu
- The US Government had by the time of this study donated 4 speed boats

Some notable achievements include the provision of more vehicles for NPS personnel and the construction of more housing units in some police stations for serving officers (National Police Service, 2015).

The provision of more vehicles has reduced the time taken for police officers to respond to reports and scenes of crime. Their mobility has increased physical police presence. However, the Maritime Police Unit is still understaffed and does not have all the basic equipment for their work.

6.4 Group Life Insurance Cover

The Government in 2014 rolled out a group cover for all members of the National Police Service. This is meant to cushion NPS officers against occupational health hazards such as when officers encounter terrorists, criminal gangs, suffer injuries related to work or death while on duty, among other dangers associated with policing. Officers do not contribute to this cover. NPS officers are also covered by the NHIF scheme. This group cover was aimed at boosting the morale of officers to improve service delivery.

6.5 Increased Budgetary Allocations

The National Government has increased its financial allocation to the various institutions of governance as seen in Table 7.

Table 7: Development and recurrent allocation for NPS

Finan cial Year	2012/ 2013	2013/ 2014	2014/ 2015					2015/2016		2016/2017		2017/2018	
	Rec.	Dev.	Rec.	Dev.	Rec.	Dev.		Rec.	Dev.	Rec.	Dev.	Rec.	Dev.
	Ksh billions							Ksh billions					
IG Office	-	-	12.061	0.589	9.733	1.842	Policing services	68.7	9.5	72.2	10.3	76.3	8.4
APS	16.633	0.878	19.154	0.229	20.750	0.09							
DCI	2.943	0.631	4.281	0.403	3.071	0.572							
NPSC	0.293	-	O.331	-	0.278	-		0.5	-	0.4	-	0.4	-
IPOA	0.246	-	0254	-	0.270	-		O.4	-	0.4	-	0.6	-
Totals	20.115	1.509	36.081	1.221	34.102	2.504		-	0.4	-	0.6	-	

Source: National Treasury; Others

Recurrent expenditure allocations for operations of the offices of IG, Kenya Police Service, Administration Police Service, Directorate of Criminal Investigations, National Police Service Commission and Independent Police Oversight Authority have increased from Ksh 20.115 billion in the 2012/2013 financial year to 77.1 billion in the 2017/2018 financial year. This increase is aimed at modernizing the policing sector, which had over the years been underfunded. This increase is also partly due to the increased number of police recruits every financial year and also to enable the service deal with the ever-changing nature of crime.

Table 8 shows some of the police reforms that have been implemented and those pending:

Table 8: Select reforms that have been implemented and those pending

Implemented Reforms	Pending Reforms
Office of Inspector General instituted	NPS yet to determine the exact number of personnel required for policing in Kenya
New training curriculum has been developed	No policy developed on gender, ethnic and regional balancing
Draft Community policing policy has been developed	Cabinet Secretary yet to provide policy framework on promotion of human rights by the NPS, especially NPS premises such as cells and service stations
Hire of police for private functions institutionalized	Modern forensic laboratory not yet constructed
Vetting of police officers completed	One single policing kit for both APS and KPS not implemented

IPOA already in place to provide oversight roles	Police service associations yet to be formed
National Coroners Act 2017 passed by Parliament	The National Coroners Act passed but Coroners office yet to be established

Source: Compiled by author

7. Emerging Policy Issues

The 2007 disputed presidential election violence rekindled calls for police reforms in Kenya. The Philip Waki Commission on Post-Election Violence was given a special mandate to investigate the state of policing agencies preparedness to respond to security threats. The recommendations of the Waki Commission became the driving wheel for policing reforms in Kenya. This called for the development of policy, legal and institutional frameworks to guide the envisaged reforms.

In view of this study, reform efforts and outcomes ought to be interpreted holistically in the context of governance challenges that the Kenya faces in transformation. At the onset of the democratization and political reforms in Kenya, policing reforms were not given a serious traction, thus helping perpetuate cases of police impunity. Thus the failure to place policing reforms together with political reforms contributed immensely to a lethargic culture within the security sector in the country. Kenya has enacted critical legislations to operationalize policing reforms, but these have not been operationalized through various policies, and a number of challenges have hindered their implementation (Amnesty International, 2012).

The findings of this study agree with the Mckinsey 7s conceptual theory, which holds that for an institution to perform effectively, 7 elements ought to be looked at holistically. These elements include structure, skills in terms of personnel, style of leadership, staff, systems and shared values in an organization (Peters and Waterman, 1982). Policing requires adaptation of skills and expertise due to the dynamic nature of the work.

A number of recommendations in the Ransley report were aimed at enhancing accountability mechanisms within policing personnel to weed out corruption within its ranks and professionalize it. Of great importance is for personnel within policing agencies to develop ethical values that are in tandem with the constitution and police standing orders so as to enhance their service provision. These are some of the emerging policy issues as far as policing reforms process in Kenya are concerned:

7.1 Corruption

Corruption within the rank of the National Police Service is the greatest impediment to reforms being carried out by the government. Some traffic police officers extort bribes from motorists in blatant violation of the law[7]. Reckless motorists and public service vehicle operators violate traffic laws with impunity since they are well

7 https://www.standardmedia.co.ke/article/2001350232/gunfire-blood-as-eacc-arrests-traffic-police-officers

aware that they will bribe traffic police officers when apprehended to "buy" their freedom. It has also been argued that senior commanders in the police service, who benefit directly from corruption, are among those stalling police reforms.

Table 9: Most bribery prone government institutions in the 2017 East African Bribery Index

Rank	Sector	2017	2014
1	Police	83.3	68.0
2	Judiciary	44.0	46.7
3	Land Services	41.7	55.0
4	Civil Registration	24.5	-
5	Education Institutions	24.5	14.4

Source: https://tikenya.org/wp-content/uploads/2017/09/East-African-Bribery-Index-EABI-2017-1-1.pdf

In the East African Bribery Index 2017, the NPS was ranked among the most corrupt public institutions with a score of 83 per cent. The Judiciary and Land Services had scores of 44 per cent and 41.7 per cent, respectively. The police had an increase of 15.3 per cent while the Judiciary and Land Services shared 2.7 per cent and 13.3 per cent, respectively.

Another survey conducted by the EACC established that police stations were among the top three government institutions where bribery is prevalent (Table 10).

Table 10: Government institutions where bribery is prevalent (2018)

	Institution	**Prevalence of Corruption (%)**
1	Registrar of Persons	19.9
2	Dispensary/Public Hospitals	19.7
3	Regular Police/Police Stations	17.2
4	Chiefs office/Village Elder	16.0
5	Ministry of Lands	6.3
6	County Government Offices	4.7

Source: EACC (2018)

The Registrar of persons had a corruption prevalence rate of 19.9 per cent, public hospitals 19.7 per cent, police stations 17.2 percent whereas chiefs offices had 16.0 per cent. Police corruption is a serious security challenge in Kenya. Crime thrives in an environment where corruption is profound because criminal networks know that they can bribe their way to avoid apprehension by law enforcement agencies. The police vetting process ought to have addressed the root causes of corruption within the NPS.

7.2 Inadequate Capacity Building and Infrastructure

The Government has increased resource allocations to the NPS in terms of more patrol vehicles to ensure that their response to crime and other threats to security are swift and effective. However, more needs to be done in terms of capacity building and infrastructure. For example, this study established that the NPS does not have enough competent personnel to tackle cyber-related crimes. Similarly, the Directorate of Criminal Investigations does not have a modern forensic laboratory to gather sophisticated evidence such as DNA (and develop a DNA database) and other technical information that may help them tackle crime and criminal networks. The construction of a modern forensic laboratories for the DCI is one of the channels the NPSC and the Ministry of Interior and National Coordination needs to give serious consideration; this being a project that has previously been initiated but never fully realized. Also, some police stations have dilapidated facilities that are not fit to be used as holding centres for suspects. Most police stations have cells that lack basic amenities such as toilets and hygiene facilities. The Philip Ransley taskforce recommendations put a lot of emphasis on the need to improve policing infrastructure and work environment to make service provision humane.

7.3 Continued Police Impunity

Even though the IPOA and IAU have been set up to provide oversight over the conduct of police officers during their work, more still needs to be done especially in ensuring that officers who continue to operate with impunity are apprehended and prosecuted. For instance, traffic police officers still collect bribes from motorists on almost all major urban areas and highways[8]. Also, cases of police officers colluding with criminals to commit crimes have not been seriously addressed by the NPSC and IPOA. There have been cases reported of police brutality against citizens. For instance, during the anti-IEBC protests in between April to June 2016, an IPOA report established that police officers used excessive force against demonstrators. Several demonstrators, children and innocent bystanders were shot and injured by stray police bullets. The case of a young boy aged 6, who was shot in the back while playing in their house in Kasule, Manyatta estate in Kisumu County is one in point[9]. When police outlaw public demonstrations without any legal backing, then they are in violation of Articles 36 and 37 of the Constitution on freedom of association and of assembly, a right to demonstrate and picket. The Constitution of Kenya guarantees the right to peaceful assembly and picketing

8 https://www.nation.co.ke/news/Daring-thief-robs-traffic-police-officers-of-bribe-cash/1056-5461960-19morgz/index.html.

9 http://www.the-star.co.ke/news/2016/06/06/six-year-old-boy-shot-by-police-in-kisumu-protests_c1364168 accessed on 5th September 2016.

and the protection of children. Police officers therefore have no legal mandate to ban public protests.

The Sixth Schedule to the NPS Act clearly stipulates circumstances in which a police officer may be compelled to use force. Firstly, the NPS Act requires that non-lethal means be first employed and when this fails, the officer may use reasonable and justifiable force. It is worth noting that some of the officers deployed to quell riots do not have easily identifiable name tags and service numbers. The inability to identify officers on duty, facilitates offender anonymity in respect of offences of police misconduct.

It should be noted that there have been reported cases of police officers using excessive unwarranted force while arresting suspects in some cases using teargas canisters in residential areas[10], schools and even hospitals[11]. The Constitution accords every person the right to freedom and security of the person, which includes the right not to be treated or punished in a cruel, inhuman or degrading manner.

Some police officers arrest citizens without clearly identifying themselves and informing the individual the reason for the arrest.[12] This is in violation of the constitutional rights of citizens and an offence under the NPS Act. In extreme cases, some police officers search private homes without a court warrant.[13] Every Kenyan citizen has a right to privacy, which includes the right not to have one's home and/or residence searched without a court warrant.

7.4 Single Uniform Policing Kit/Gear

Since the country embarked on police reforms in 2008, there is a new single uniform for the three units of the police service, but majority of the officers are yet to start wearing the kit. The Administration Police, Kenya Police Service and General Service Unit (GSU) still retain their different distinct uniforms. Their vehicles are also different in colour. The difference in colour of their vehicles points to a lack of proper merging between the policing services of the three units of the police as was stipulated in the constitution and the Ransley report. Therefore, the National Police Service is yet to have a single uniform kit for the GSU, Administration Police Service and Kenya Police Service despite it having

10 https://www.capitalfm.co.ke/news/2020/03/police-teargas-defiant-residents-in-kisumus-kondele-suburb-in-day-2-of-nationwide-dusk-to-dawn-curfew.

11 https://www.hrw.org/news/2020/04/22/kenya-police-brutality-during-curfew.

12 https://www.nation.co.ke/news/Policemen-fight-court-ruling-to-pay-illegal-victims-arrest-Sh9m-/1056-5509412-mtxrcq/index.html.

13 https://www.nation.co.ke/news/Policemen-fight-court-ruling-to-pay-illegal-victims-arrest-Sh9m-/1056-5509412-mtxrcq/index.htm.

been unveiled in 2018. Officers of the Directorate of Criminal Investigations have no uniform and wear civilian clothing. The IGP office has three service flags and indication of three policing agencies each with its own clear identity. This makes it hard even for personnel from the three units to work together cohesively in service provision.

7.5 Poor Housing Conditions

More than ten years after policing reforms were initially rolled out, a number of police officers still live in dilapidated housing units akin to informal settlements. Some officers cannot stay with their families since they share existing housing units with their colleagues who may not be married. This kind of housing of police officers is likely to demotivate them and may even make them think that the proposed reforms are not bearing fruit. In January 2016, IPOA released a research report on police housing crisis in Kenya. The report showed that 63,000 out of 80,000 subordinate police officers lived in squalid and inhumane conditions due to lack of decent houses. Among the recommendations made by the report were:

- A shift from housing police in one central housing to a house allowance based scheme
- Enhanced allowances to NPS personnel to cater for their housing outside police stations
- Proposal for police personnel to stay outside their duty stations and not within
- Negotiate special mortgage schemes for police officers
- The Government to operationalize special housing for married personnel
- Develop a Housing Policy for NPS

Currently, the Government has opted out of the requirement of insisting that police officers be housed in their camps and stations and instead is paying officers house allowances to enable them rent premises out of their duty stations. This is a commendable effort and also a step towards fostering trust between police officers and citizens. However, a number of police officers still reside in squalid housing units provided within police stations.

7.6 Trust and Community Participation

Mistrust between police officers and citizens still persists. This would explain why most personnel in the NPS perceive public demonstrations as a nuisance to them

(police officers). This may also partly explain the brutality witnessed when police officers disperse protestors. The law allows citizens the right to protest as long as they notify the police of their intentions and as demonstrators, do not block roads or engage in looting.

When the community policing initiative was launched, it had the public good will. However, this enthusiasm fizzled out and some communities have since resorted to forming vigilante groups and militias. The result has been the lynching of suspects (mob injustice) by citizens as opposed to handing suspects over to police officers. Some of these vigilantes have mutated into criminal gangs extorting money from citizens under the pretext of payment for "security fee". In some cases, these gangs have hacked innocent people they suspect of engaging in crime.

Lack of trust between policing agencies and citizens was tragically evident during the 2007 disputed presidential election violence. Failure by NPS and other Government agencies to hold officers who directly or indirectly played a role in human rights violations remains the biggest impediment to police accountability in Kenya. This is because of the 1,133 reported deaths during the violence, it was estimated that over 400 met their demise as a result of police actions.

Currently the government has stopped housing majority of officers within police stations and is paying house allowance to junior officers so that they can afford housing in civilian communities. This is a step in the right direction in changing citizens perception of the police and giving them a much-needed morale booster, alongside other measures of entrenching trust. The Ransley report had recommended the entrenchment of community policing among other measures as a key step towards improving police community relations.

7.7 Use of Technology in Policing

The NPS is yet to fully embrace modern technology in policing. Though police criminal records have been computerized, most if not all police stations and outposts in Kenya are not directly linked so as to share information on security. Most police stations across the country record huge volumes of cases in the Occurrence books (OB) but they are not electronically available to other stations. This would be a huge boost to security if these cases reported in OBs were made available to select security agencies given the nature of citizens moving and resettling from one area to another due to work, opportunities, among others. Most police stations have tattered old manual files used for record keeping. Apart from the CCTV cameras installed on highways and streets of Nairobi, there is no other meaningful progress as far policing agencies embracing technology. Drivers

bluntly disregard traffic lights in Nairobi's CBD streets despite the presence of these cameras. Installing cameras and surveillance equipment is commendable but it requires to be merged with other tactics if the war on insecurity is to be won. Citizens should be able to engage policing agencies and report cases of crime without necessarily having to go physically at police stations. Also policing agencies should partner with the National Assembly to pass legislation that would allow them to tag hardcore criminals released from prison with GPS-enabled tracking devices to track their movement.

The Police Internal Affairs Unit has an anonymous crime reporting system where citizens and even police personnel can report suspected cases of police misconduct without necessarily having to appear in person at the offices.

Technology can be employed in crime analysis to collaborate the use of information technology as a means of understanding criminals, the crimes they commit, the locations of these crimes, their associations and how we can prevent these crimes in future. Primary implementation such as the use of street cameras can be made better by adopting enhancements such as body cameras for police, in-vehicle computers and dash cams, facial recognition technologies, license plate readers or even mobile fingerprint readers.

7.8 Unclear Recruitment Process

It is common knowledge that police recruitments are majorly based on the physical fitness of the recruits. Whereas it is important that potential recruits be physically fit, this criterion fails to mention the intellectual acumen and mental capacity of the recruits. This in the long run hampers the capacity of the NPS to carry out programmes such as community policing, which requires more than physical fitness and are key towards crime prevention. Police recruitment in Kenya remains shrouded in mystery with claims of malpractices during recruitment where intellectual competencies of the recruits is given a back seat.

The NPSC (Recruitment and Appointment) Regulations, 2015 are not clear on the required competencies of candidates seeking employment as police constables. Article 9 of the Act stipulates the following as the minimum qualifications for potential recruits:

- Proof of citizenship;
- Hold a Kenya National Identity Card;
- Academic qualifications to be determined by the NPSC from time to time during recruitment;

- Potential recruits be aged between 18 and 28 years old;
- Physical and medical fitness;
- Potential recruit with no criminal record.

The NPSC also highlights the need for inclusion in the recruitment and also accommodating marginalized communities during the recruitment. The National Police Service's inability to attract and secure competent personnel is therefore attributed to the influence of external interference from other actors outside the service.

Previous recruitments of police officers are alleged to be marked with incidences of widespread corruption and other malpractices. This is where the challenges affecting police service delivery begin, since there is no merit in the recruitment. It should be noted that in 2014, IPOA successfully petitioned to have the police recruitment cancelled for being marred with irregularities. The history of policing in Kenya has been flaunt with glaring tribalism, nepotism, favouritism and lack of accountability and transparency in recruitment, transfers and promotions within the NPS. The cancelled recruitment process was riddled with serious cases of malpractices, including corruption and discrimination, recruitment being undertaken in non-gazetted centres and unwarranted extension of recruitment time.

7.8.1 Involvement of some police officers in crime

There have been numerous incidences of police of getting involved in criminal activities. Between January 2019 and October 2019, there were 625 reported incidences of police involvement in criminal activities. Reported cases range from extortion, murder, robberies, defilement and drug trafficking.

In 2018, IAU received 950 complaints from the public over cases of police misconduct. Out of these, 130 complaints were fully resolved by the end of that year. In the 2018 IAU annual report, 32 serving police personnel were found to have engaged in misconduct and sanctioned. In the same report, 488 cases of police crime were reported. The officers are all from major units of the service, including the Administration Police, the Kenya Police Service and the Directorate of Criminal Investigations. The offences committed by rogue officers included soliciting bribes as low as Ksh 50 at roadblocks, hiring out police equipment to thugs and colluding with criminals in car jackings, muggings, robbery with violence, kidnapping and drug trafficking.

The Endline Household-Level Survey by IPOA indicates that incidents of police

abuse of power have risen to 46.2 per cent in 2019 from 30.4 per cent in 2013. Police commanders need to closely supervise their juniors and sanction those who operate outside the laid down procedures and abuse their offices. The Internal Affairs Unit and the DCI are tasked with investigating NPS officers, but even with the consequences, officers continue to go against the Service Standing Orders.

Some of the few key cases that IPOA had a hand in reigning in on rogue officers include one at the Ruaraka Police Station, whose commander was sentenced to death after being found guilty of killing a suspect in custody. In another case, an officer was imprisoned for 15 years following a fatal shooting in Kasarani. Two officers were also sentenced to death for fatal shootings in Kabete while a senior detective was jailed for seven years for fatally shooting a 14-year-old girl in Kwale.

The NPSC appears to have abdicated its disciplinary role to the NPS. To stem the tide of police involvement in crime, the relevant duty bearers need to revisit the tenets of the constitution All duty bearers including Ward Commanders (WC), Sub-County Police Commanders (SCPC) should emphasize on discipline in command and individual responsibility on the actions of each officer. Majority of police officers are good and law abiding. However, bad elements threaten to contaminate the entire service. Policing is a complex profession that requires officers to abide by a strict code of conduct and the rule of law because when the public loses respect and confidence in law enforcement, that is a recipe for anarchy.

7.8.2 Lack of counselling services for officers

Policing stakeholders such as the Ombudsman, Probation and After-Care Services, NPSC, NCRC, IAU and Anti-Corruption Steering Committee have highlighted lack of psychosocial support for the police officers, which negatively affects their performance. Besides the low salaries and poor housing, the police officers go through stressful and traumatic experiences in their line of duty and if not supported appropriately, they can easily break down mentally. The NPSC has rolled out plans for counselling programmes to serving officers to check the tide posed by the increasing number of officers who commit suicide.

According to Moad (2011), policing work is a very stressful profession due to the nature of the work officers handle.

There have been various incidents of utmost significance that reflect the need for psychological intervention in the Kenyan police service. Media reports have regularly recorded and reported heart-rending incidents such as a police officer shooting another or others, and at times taking their lives (Odula, 2016).

Some of the common traumatic work related stress situations could include but not limited to:

- Communities and criminals violently attacking officers while carrying out their work as was witnessed in 2012 when cattle rustlers butchered 42 police officers in Baragoi (Kariuki 2012).
- Police officers being involved in a fatal shootout with criminals.
- Police officers are first responders to horrific scenes such as road crashes, fire incidents, among others, which could impact on the psychological welfare and mental health of the officers.
- When officers arrive at scenes of crime and are torn between being humane and empathizing with traumatized victims, especially if they do not have prerequisite skills like in counselling.
- When officers have turmoils (ranging from financial challenges, marital problems, among others) in their personal lives and are still required to attend to their police work. Without proper support, personal challenges negatively impact their work and response to security challenges.
- Due to the nature of police work, most are apprehensive of their lives after retirement because of the exposures they had with criminals and their networks. As such, they live in fear of criminals infiltrating their private lives to seek revenge.

7.8.3 Weak partnership between IPOA and policing agencies

IPOA in its end of first term report 2012-2018 cited non-cooperation from NPS personnel which made it difficult for the oversight body to discharge its functions..

Other challenges the IPOA faces include but not limited to:

- Outright hostility to IPOA officers when they visit police premises.
- An insufficient legal framework that would ensure officers involved in misconduct while in line of duty.
- Failure by NPSC and NPS to implement recommendations made by State and non-State actors on how to improve policing premises.
- Challenges in the enforcement of access to information, which is key in entrenching accountability in policing.
- Breakdown in disciplinary mechanisms within NPS.
- NPS does not have an internal framework to protect whistle blowers within

its personnel.

- A low level of awareness within communities on what constitutes police misconduct.

7.8.4 Policing of protests and public assemblies

Peaceful public demonstrations are a right in Kenya, under Article 24 of the Constitution. Under the Public Order Act, a public gathering can be stopped if police have evidence that the assembly is a threat to peace. In the contested 2017 presidential election, the Kenyan police came under criticism over their use of excessive force in responding to protests in the opposition strongholds of the Nyanza region, and specifically Kisumu, Siaya, Homa Bay, Kisii and in Mathare and Kibera in Nairobi. In 2007, when disputed elections led to widespread violence across the country, the official Commission of Inquiry into Post-Election Violence (CIPEV) concluded that while there were cases of heroic action by the police, the response to the management of public demonstrations and crowd control was brutal and endangered the lives of citizens in most cases through unnecessary use of brute force.

Restraining police use of force as anticipated under the Constitution and various pieces of legislation has, however, not been as effective or successful. Some police officers see the use of brutal force as the only available way of dealing with protests. Most of these officers who handle protests and violence rarely undergo refresher courses on management of public order and policing of crowds.

NPS officers should strive to establish dialogue with the organizers regarding safety or security measures, and to create mutual understanding and reduce possible tension between protesters and policing agencies. Use of tact and patience, while consistently and evenly applying the rules, are the most important elements of dealing with the public to facilitate peaceful protest and prevent violence and loss of lives[14].

14 Chapter 51 (11) of Police Service Standing Orders.

8. Conclusion and Policy Recommendations

8.1 Conclusion

Since the era of colonialism, Kenya's police service has undergone various transformations to improve service delivery by making it citizen-friendly. This relationship between the NPS and communities has improved owing to various reforms that have been put in place. Various institutions have been set up in accordance with the Constitution. These are the National Police Service, the office of the Inspector General and his two Deputies, National Police Service Commission and the Internal Affairs Unit. The National Police Service is transforming itself from a colonial institution for repression in the early 1960s to a modern service delivery government agency that is people-centred as is enshrined in the constitution.

It should be noted that majority of the legislative reforms the Ransley report recommended have been enacted (National Police Service Act 2011, National Police Service Commission Act 2011, Independent Policing Oversight Authority 2011 and National Coroners Service Act 2017). This has resulted in the creation of office of Inspector General of Police (IGP), National Police Service Commission (NPSC) and Independent Policing Oversight Authority (IPOA). The office of the National Coroners Service is yet to be operationalized despite the Act having been passed by Parliament in 2017. Of the over 200 recommendations in the Philip Ransley Report, most of the proposed recommendations involved a change in policies and a creation of new policies. The country is yet to develop a National Policing Policy, Public Order Management Policy, and roll our comprehensive Community Policing Policy as recommended by the Ransley report, among other key policy reforms (refer to Annex 1). The biggest challenge has been lack of sufficient funding to support this reform process.

8.2 Policy Recommendations

In view of the above and seeking to add impetus to the ongoing journey of policing reforms in Kenya, this paper makes the following policy recommendations:

Sufficient budgetary provision to policing bodies: NPS, IPOA and NPSC have cited lack of sufficient resources, which has hampered training of personnel and provision of modern equipment thus hampering the envisaged reforms. These bodies should also be sufficiently resourced to carry out their mandate effectively.

Fostering transformative leadership in the police service: Transformative leadership is key towards transforming policing standards in

Kenya. Meaningful changes in policing will only happen if it is driven from within NPS.

Continued cooperation between policing bodies and non-State actors: NPS should demonstrate openness to change and involve non-State actors in policing, particularly in areas such research and partnerships for policy development.

NPSC, IPOA, IAU and the Ministry of Interior and Coordination should make it a habit to build and entrench a culture of accountability within the police service to complement external, independent oversight mechanisms from civil society groups to reduce and end the culture of impunity in the service.

The IAU should carry out comprehensive civic education on its mandate and processes aimed at both the police service and civilians. This will ensure that both parties are aware of the new unit and its mandate and will encourage people to report to the IAU in cases of police misconduct.

IAU needs to devolve its service to County level to help in professionalizing policing by ensuring that cases of police misconduct at county level are handled promptly.

The National Police Service officers should make it their habit to eschew corruption and develop best international police practices of serving citizens as opposed to soliciting for bribes from law-breakers. The Government should ensure that the EACC has sufficient operational and institutional independence to deliver on the anti-corruption mandate especially in tackling the problem of bribery within the ranks of NPS.

The National Police Service should come up with innovative ways of interacting with citizens in order to boost the low level of trust it receives from citizens. NPS should embrace social media in totality and interact with the communities it serves through these platforms. Trust cannot be built through arbitrary arrests or increased patrols.

The National Police Service should urgently establish a comprehensive training curriculum on the management and control of public demonstrations with reference to best international policing practices. The management of public gatherings course should be a core unit to all police officers. The unplanned for deployment of officers from different units such as the General Service Unit (GSU), Security of Government Building (SGB), Kenya Airport Police Unit (KAPU), Rural Border Patrol Unit (RBPU), Rapid Deployment Unit (RDU) Maritime Police Unit, Kenya Prisons Service, among other units to deal with demonstrators and riots without proper training and briefing should be minimized. The National Police Service should be carrying out intelligence

gathering on public demonstrators to single out criminal elements within the demonstrators, as opposed to using live ammunitions on peaceful demonstrators.

The NPSC and NPS should strengthen their counselling services to police officers to minimize cases of officers breaking down due to mental health given the nature of their work. NPSC should start recruiting police counsellors during their annual police recruitment exercise. Such recruits then undergo mandatory police training before being deployed in every sub-county to handle cases of mental health within the service.

The IGP and Officers-in-charge of Police Stations need to be given Authority to Incur Expenditure. This will ensure that the officers keep the stations in good hospitable conditions, and matching international standards.

There is need to have a public relations strategy to endear the police services to the public at large, who only look at policing in terms of arrests and prosecutions. This will be a major step towards boosting the morale of the police officers who in return feel appreciated by the society.

Recruitment of police officers in Kenya should not lay too much emphasis on the physical fitness of the recruits; rather it should focus on other criterion that would enable the recruits to adapt to the changing nature of policing. Physical fitness should be the last item in the recruitment process. Endurance and physical agility can be trained over time, but integrity and reasoning can hardly be taught during the police training period, which lasts for a couple of months. NPSC and NPS should formulate modern and effective recruitment policies, which could be used to govern the entire exercise.

The Inspector General of Police through the formation Commanders should sanction officers who operate outside the law and engage in acts that are detrimental to policing. The National Police Service officers ought to change their negative perceptions, conduct and attitude towards those planning and partaking in demonstrations and picketing. National Police Service officers should work with communities holding demonstrations to ensure adequate security arrangements.

NPSC should adhere to Regulations 11-15 of the Legal Notice on police recruitment, which prescribe a two-tier recruitment process to ensure that individuals with utmost qualifications are recruited into policing agencies.

NPSC, IGP, IPOA and other non-State actors should jointly work and develop a national policing policy. This was one of the recommendations of the National Task Force on Policing Reforms,

2009.

IGP should prevail upon all officers to ensure that they respect the rights of arrested persons by making the arrestees aware of their rights and also by observing the Bill of Rights enshrined in the constitution. All arrested persons ought to be told the reason/s why they are being arrested and also the arresting officers must identify themselves as stipulated in the police standing orders.

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Annex

Annex 1: Summary of some of the national taskforce on police reforms

Policy Issue	Recommendations	Requirement
Prerequisites for reform	The government should play a role in giving hope both to the public and members of the Kenya Police and the Administration Police, that things are going to improve and that better community/ police relations are essential for enhanced safety and security for every Kenyan	Policy. Continuous
Restructuring the Kenya Police Services	A merger of the Administration Police with the Kenya Police Service should not be undertaken at this stage. However, in carrying out their duties the two services must observe the principle of complementality to maximize effectiveness	Being implemented
	There should be one Police Reform Bill that should provide for the two Police Services	Legal. Already done. National Police Service Act 2011
	The proposed Police Reform Bill should include explicit provisions applicable to both police services requiring them to conduct themselves in a professional, non-partisan, and politically neutral manner	Ongoing
	The Inspector General and the Commandant General should be appointed by the President on the recommendation of the Police Service Commission after a transparent and competitive recruitment process. The Task Force regards the safety and security of Kenyans as a primary responsibility of the Executive branch of Government and should therefore be responsible for the appointments	Done. continuous
	The Inspector General and Commandant General will serve on a one five (5) year contract	Implemented
	The Service (formerly Force) Standing Orders for both police services should be developed and reviewed from time to time by the National Policing Council in consultation with the Police Service Commission	Policy. Implemented
Police Service Commission	Establishment of a Police Service Commission under the Constitution and legislation	Legal. Already Done. the National Police Service Commission Act 2011
	In the performance of its functions, the Commission should not be subject to the direction, control or supervision of any other authority or person except as is prescribed in the Police Service Commission Act	Continuous
	To enhance accountability and transparency, the Police Service Commission should submit an Annual Report to the Executive and Legislature	Continuous

	Implementation requiring an immediate amendment of the Constitution to create the Police Service Commission	Legal. Done the National Police Service Commission Act 2011
National Policing Council	Establishment of the National Police Council	Pending
	Sets out the composition of the council	Pending
	The Public Service Commission and not the Police Service Commission should be responsible for the recruitment of the independent civilian members	Pending
	Set up functions of the council to include review, rationalize and coordinate the budgeting and National Policing Plans; set and enforce unified policing standards across the country; determine and advise Police Service Commission on human resource management and development requirements among other functions	Pending
Association of Police Commissioners	Establishment of an Association of Police Commissioners	Pending
	The Association should be chaired by any of the Commissioners on an annual and rotational basis through an internal selection process	Pending
	Sets out functions of the Association of Police Commissioner to include emerging policing trends, policing strategies among other functions	Pending
Provincial Policing Authorities	Establishment of Provincial Policing Authorities (PPAs)	Pending
	The Provincial Policing Authorities should consist of 9 civilian members of good standing, representing business sector, civil society, professional bodies, and religious organizations, a third of who must be women	Pending
	The members should have been ordinarily resident in the Province for a period of not less than three years, or have for such a period been employed or owned immovable property in the Province	Pending
	Members should have no criminal record	Pending
	The members of the Authorities should be appointed by the Minister in charge of the police services, from candidates nominated by the respective professional bodies, in consultation with the Police Service Commission	Pending
	Members shall serve for a single term of three (3) years	Pending
	The functions and responsibilities of the PPAs should include monitoring trends and patterns of crime in the provinces; ensuring policing accountability to the public; and ensuring compliance with national policing standards	Pending

Restructured Kenya Police Service	The Kenya Police Force should be renamed the Kenya Police Service	Legal. Done. National Police Service Act 2011
	The head of the Kenya Police Service should be an Inspector-General at National level, assisted by a Deputy Inspector General	Done
	Provincial Police Commissioners (PPCs) should replace Provincial Police Officers (PPOs). Each PPC should have District Police Commanders, Station Commanders and such other officers as will be necessary for policing purposes, for example Police Post Commanders and Patrol Base Commanders at the lowest level. They should have operational and financial autonomy in carrying out their functions and responsibilities	County Policing Authority yet to be created
	A Directorate of Criminal Investigations (DCI) should be established which should be headed by an Assistant Inspector General. This should replace the current CID and should be devolved to provincial levels	Done
	There should be a Presidential Escort and VIP Protection Unit	Done
	A Commandant with a ranking equivalent to a Regional Commissioner of Police should head the General Service Unit (GSU)	Done
	There should be a Traffic Department which should be devolved to the provincial level	Done
	There should be a Maritime Police Unit	Done
	There should be a Kenya Police Air Wing	Done
	There should be a Kenya Police Reserve Unit	Being Restructured
	The Internal Police Complaints Department (Internal Affairs Unit) should be strengthened	Done
	The Police Service Commission in consultation with the National Police Council should determine the ranking	Done
	Provincial Police Commanders (PPCs) should have complete operational and financial autonomy from the centre. The same principle will apply in respect to Director DCI and Commandant GSU	Done
	Recruitment and deployment of the Police Commissioners should be done by the Police Service Commission (PSC) and should be on a performance contract basis. Dismissals can be initiated by the PSC or with the recommendation of the Inspector General through a panel set up by the PSC	Continuous
	Evaluation should be based on a performance-based appraisal system	Pending

	The Inspector General may form a police unit based on a security needs assessment upon consultation with the National Policing Council	Continuous
Inspector General of the Kenya Police Service	The President on the recommendation of the Police Service Commission should appoint the Inspector General and the Deputy Inspector General after a competitive recruitment process. He/she should hold office for one term of five (5) years	Done. Continuous
	Functions of the Inspector General should include: Overall Commander of the Kenya Police Service; Policing policy guidance and direction; Member of the National Police Council; Monitoring and evaluation; Audit, supervision and inspection; Research and development; Provision of internal oversight (Internal Affairs); Benchmarking against best practices	Policy. Implemented
New ranking structure for the Kenya Police Service	The following ranking structure should be adopted: Inspector General, Deputy Inspector General (one post), Assistant Inspector General, Police Commissioner, Assistant Commissioner of Police, Senior Superintendent of Police, Superintendent of Police, Chief Inspector, Inspector, Sergeant, Corporal and Constable	Policy. Implemented
Directorate of Criminal Investigations (DCI)	A Directorate of Criminal Investigations should be established which should be headed by a Director whose rank will be that of an Assistant Inspector General of Police	Legal and policy. Implemented
National Police Service Act 2011	The DCI should, among others, have the following functions: Provide criminal intelligence; undertake investigations on serious crimes including homicide, narcotics trafficking, human trafficking, money laundering, terrorism, economic crimes, piracy, organized crime, cyber crime, forensic science. Maintenance of law and order and detection and prevention of crime	Policy. Implemented
General Service Unit(GSU)	The GSU should be a paramilitary unit which is equipped by, and a mobile formation/branch of, the Kenya Police Service	Policy. Implemented
	The Unit should be headed by a Commandant whose rank should be equivalent to that of an Assistant Inspector General	Policy. Implemented

	The functions of the General Service Unit should be: Manage and deal with special operations and internal civil disorder; provide security to the President, Prime Minister, the Vice President and other Very Important Persons (VIPs); Security of State Houses and State Lodges; Anti-terrorism operations; Counter insurgency operations; Escort of:(Currencies, Arms and ammunition, Dangerous prisoners, Explosive devices), Complement other Government agencies in disaster management efforts	Policy. Implemented
General duty police	The General Duty Police should comprise the Provincial Police Commissioners (PPCs), District Commanders, Station Commanders, Post and Patrol Base Commanders and should have, amongst others, the following functions: Detection and prevention of crime; Maintenance of law and order; preservation of peace; protection of life and property; apprehension of offenders; and all other policing duties, functions, powers and privileges	Being implemented
Police officers undertaking prosecution duties	An audit should be undertaken to establish the levels of training and competence of police prosecutors	Policy. Being implemented
	Those found to be sufficiently qualified should be seconded to the Office of the Attorney General	Policy. Being implemented
	Adequate budgetary allocations should be provided to enable immediate recruitment of professional prosecutors	Policy. Being implemented
	Police prosecutors should be phased out within the next five years	Policy. Being implemented
Traffic Department	A modern traffic management system should be established, complete with micro computer accident analysis package for the management of traffic accident data	Pending
	The traffic management system and the automated number plate recognition system should be computerized and integrated. Due to the cost factor, this should only be considered in the longer term	Ongoing
	All police officers working in the Traffic Department who have no training in traffic management and operations should immediately be removed and replaced by officers with relevant training in traffic management and operations	Policy. Implemented
	The department should be reorganized so that there is a clear demarcation of functions to streamline accountability all the way from police station level up to the Traffic Commandant	Policy. Being implemented
	Roadblocks should be laid for a particular policing purpose and removed once that purpose is achieved	Policy. Implemented
	The relevant sections of the Traffic Act (Cap 403 of the Laws of Kenya) should be amended to prescribe deterrent penalties for drivers who flout traffic laws	Ongoing

Presidential and VIP Escort Unit	This Unit be renamed 'The Presidential Escort and VIP Protection Unit' as it would better describe its more expanded mandate of protection functions	Policy. Implemented
Maritime Police unit	The Maritime Police Unit should be revamped, adequately staffed with qualified personnel, equipped with modern speedboats and allocated sufficient funds	Policy. Implemented
	A complete overhaul, revamping and modernization of the Maritime Police Unit should be undertaken. There is also need for clarity and coordination between the police and other key agencies in this area such as Kenya Ports Authority, KWS and the Kenya Navy to optimize resources and personnel and to enhance security	Policy. Implemented
Kenya Police Airwing	The Government should appoint a committee of experts, including from the aviation industry, to assess the performance and viability of the Kenya Police Air Wing	Ongoing
	A consolidated Air-Wing shared by the Kenya Police, the Administration Police and the Kenya Wildlife Services should be established. The Chiefs of these organizations should discuss the modalities	Ongoing
	Provision should be made for adequate terms and conditions to attract and retain pilots and engineers of the highest possible standard	Ongoing
Kenya Police Dog Unit	It is recommended that in addition to the current functions that the unit be given mandate to breed and train dogs for commercial purposes as an income generating unit	Policy. Implemented
	It is recommended that there be established an animal unit that will incorporate the current dog unit, the mounted unit that cares for and maintains horses, to cater for any animals that the police may require in the course of their duties	Policy. Implemented
Restructuring of the Administration Police	The Administration Police should be renamed Administration Police Service	Policy. Implemented
	A Commandant General shall be the Commander/ head of the Administration Police Service, assisted by a Deputy Commandant General.	Policy. Implemented
	The Provincial and District Administration Police Commanders should be included in the Provincial Security Intelligence Committees (PSIC) and District Security Intelligence Committees (DSIC) respectively.	Policy. Implemented
	A restructuring of the Administration Police Service should take place with powers and responsibilities devolved to Provinces and Districts. The Provincial Administration Police Service Commandants should have operational and financial autonomy	Ongoing

	The highest rank at the provincial level should be Commandant of the Administration Police Service while at District level it should be a Senior Superintendent of Administration Police Service	Policy. Ongoing
	Commandants of the Administration Police Service will head the specialized units within the Administration Police Service	Policy. Implemented
	The Administration Police Service should be under general control and supervision of the Provincial Administration but will be operationally and financially independent	Ongoing
	A provision should be introduced into the Administration Police legislation providing that the police shall be impartial and objective in all manners and in particulars in all political matters and shall not accord different treatment to different persons on the basis of their political opinions. Political misuse of the police service will be criminalized	Policy. Ongoing
	Among the functions of the Administration Police Service should be the following: Support civil authority in enforcement of administrative functions and exercise of lawful duties; Provide border security; Security of government buildings, vital installations and strategic points; Anti-stock theft duties; VIP protection service as shall be determined by the National Policing Council; Compliment Administrative Officers in conflict management and peace building	Policy. Ongoing
	The President, on the advice of the Police Service Commission, should appoint the Commandant General after a competitive process. The Commandant General should serve for one five-year term	Policy. Continuous.
	Among the functions of the Commandant General should be the following: Operational commander of the Administration Police Service; Policing policy guidance and direction; Budgeting, planning and provision of logistical support; Monitoring and evaluation; Audit, supervision and inspection; Research and development; Providing internal oversight (internal affairs unit); Benchmarking against best practices and Member of the National Policing Council	Policy. Continuous.
Anti-Stock Theft Unit	The Task Force recommends the retention of the Anti-Stock Theft Unit as a dedicated unit for anti-stock theft operations	Policy. Implemented
	Since the Task Force has recommended that the Administration Police should be responsible for maintenance of law and order in the rural areas of Kenya and the patrolling of Kenya's boundaries. The Task Force further recommends that the Anti-Stock Theft Unit should be constituted as a Unit of the Administration Police	Policy. Implemented

	The Anti-Stock Theft Unit should be deployed exclusively in parts of Kenya that are prone to high levels of cattle-rustling. The Unit should not be used for ordinary police duties as appears to be the case presently	Policy. Implemented
	The crowd control duties and the horse-breeding and horse-training functions presently being performed by the Anti-Stock Theft Unit should be transferred to the General Service Unit. The police officers presently serving in the Anti-Stock Theft Unit should be re-deployed back to the General Service Unit	Policy. Implemented
Administration police ranking structure	The following ranking structure should apply to the Administration Police Service: Commandant General, Deputy Commandant General (one post), Assistant Commandant General, Commandant, Senior Superintendent, Superintendent, Chief Inspector, Inspector, Sergeant, Corporal and Constable	Policy. Implemented
Administration Police and Provincial Administration	The powers of the PSICs and DSICs should be strengthened by appropriate legislation to enable them to effectively confront the overall security needs of the area for which they are responsible	Policy. Implemented
	The appropriate Officer of the Administration Police Service should be an official member of the PSICs/DSICs. This would enable them to be part of planning the overall strategy and then be able to effectively carry out the operational duties agreed upon	Policy. Implemented
	It should be recognized that both of the Police Services are there to assist the Provincial Administration to the fullest extent possible, but as disciplined services they have a direct chain of command to their Commissioner and Commandant, respectively. Once decisions have been taken, the police should have operational independence	Policy. Implemented
	The Administration Police Service should continue to be under the general control and supervision of the Provincial Administration until such time there is a devolved government structure	Policy. Implemented

Code of Ethics	The two police services to develop clear codes of ethics and require police officers to commit themselves to, amongst others, the following: Act with fairness and carry out policing responsibilities with integrity and impartiality; Perform policing duties with diligence and a proper use of discretion; In dealings with all individuals, both inside and outside the police service, display self-control, tolerance, understanding and courtesy appropriate to the circumstance; Uphold fundamental human rights, treating every person as an individual and display respect and compassion towards them;Support all colleagues in the performance of their lawful duties and in doing so, actively oppose and draw attention to any malpractice by any person; Respect the fact that much of the information that police officers receive is confidential and may only be divulged when duty requires that to be done;Exercise force only when justified and use only the minimum amount of force necessary to effect a lawful purpose and restore peace; Act only within the law, in the understanding that a police officer has no authority to depart from due legal process and that no one may place a requirement on a police officer to do so;Use resources entrusted to individual police officers to the maximum benefit of the public; Accept individual responsibility for self-development, continually seeking to improve the way in which the police officer serves the community;Accept personal accountability for individual acts and omissions, including those that lead to conflict of interest	
The National Police Service Commission (Discipline) Regulations, 2015		
Conflict of Interest	All police officers should be obliged to declare their businesses interests to the Inspector General and Commandant General respectively as part of a process of assessing the extent of the problem,and be allowed a reasonable period to divest from businesses that conflict with their policing work.	Pending
	The authority to approve applications for engagement of police officers in trade and other business interests should be transferred from the Heads of police services to the Police Service Commission	Pending
	Police officers should be prohibited from direct or indirect involvement in the following areas of business: Public transport including taxis, Vehicle breakdown or towing services, Private Security related business and Weigh bridges	Pending
	An offence relating conflict of interests should lead to disciplinary action and even possible dismissal.	Pending

Internal Police Accountability	A unit should be established in each of the police services headed by an Assistant Commandant and a Senior Assistant Commissioner of Administration Police and Kenya Police respectively to specifically handle investigations, arrest, and prosecution of offending police officers in liaison with the Attorney General	Policy. Implemented
	The internal enforcement unit should be responsible for managing the police against police complaints with a view to either pursuing prosecution or recommending action of whatever nature against a police officer. They should also have the authority to take over complaints already being dealt with by the police when deemed appropriate.	Policy. Implemented
Establishment of an Independent Police Oversight Authority	An Independent Police Oversight Authority should be established under the Constitution and supporting legislation (Independent Police Oversight Authority Act)	Legal. Implemented. Independent Policing Oversight Authority (IPOA) Act 2011
	An immediate amendment of the constitution should be effected to enable the creation of the Independent Policing Oversight Authority (IPOA)	Legal. Implemented. Independent Policing Oversight Authority (IPOA) Act 2011
	The Independent Policing Oversight Authority should be made up of seven (7) persons as follows: Chairperson, who shall be a person qualified to be appointed a Judge of the High Court of Kenya;Six (6) other members with the knowledge and proven experience in their respective fields as follows:(Two from public administration,One with a human rights background,One from financial management, One from corporate management,One from religious leadership);No gender should exceed two thirds of the total membership provided that the Vice Chairperson should be of different gender from the Chairperson	Policy. Implemented
	Recruitment of members should be through a competitive process to be conducted by the Public Service Commission	Policy. Implemented
	Appointment of Members: The Public Service Commission should recommend to Parliament the names of successful applicants for approval. Parliament should forward the names to the President for appointment in consultation with the Prime Minister. Members should serve for one 5-year term	Policy. Implemented

	The Independent Policing Oversight Authority should, among others, have the following functions: Monitor the implementation of policy relating to police services;Monitor the standard of performance of the police service, so as to ensure that internationally accepted standards of policing are maintained;Monitor the management and use of financial and other resources of the police; Receive, initiate and investigate allegations of misconduct by the police services; Receive and investigate complaints from serving police officers; Monitor, review and audit investigations and actions taken by the police services in response to complaints against the police; Co-ordinate other institutions on issues of police oversight; Perform such other functions as may be necessary in the execution of its mandate; Review patterns of police behaviour as well as systematic functioning of the internal disciplinary complaints process	Policy. Implemented
	The Independent Policing Oversight Authority should have all powers necessary for the execution of its functions under the Constitution and legislation (The Independent Police Oversight Authority Act). These should include:Power to investigate complaints;Power to take over internal investigations into internal police conduct which are already commenced by the police where deemed appropriate;Power to demand mandatory cooperation from the police;Compelling attendance of witnesses;Power to subpoena documents; Power to obtain search warrants; Obtaining listening devices or telecommunication interception; Ensuring witness protection; Power to recommend prosecutions; Power to follow up on recommendations, in particular requiring feedback on implementation within a specified period; Power to enforce implementation of its decisions through the courts; Reporting to parliament; Power to determine its own procedure	Policy. Implemented
	Failure to co-operate with the Independent Policing Oversight Authority should be made a criminal offence	Policy. Implemented
	For purposes of accountability, the Authority should submit quarterly reports to the President, Prime Minister, Parliament and the public.	Policy. Implemented
Effective Police Communication	In order to establish effective communication between the police and members of the public, the Independent Policing Oversight Authority and the two Police Services should, amongst others, introduce the following:	Policy. Implemented

	Regular briefings by a police spokesperson at the Office of the National Police Council on behalf of both the Kenya Police Service and the Administration Police Service	Policy. Implemented
	Heads of both Police Services and IPOA should conduct regular public awareness campaigns on the complaints procedure in websites, through brochures, media talk shows, etc.	Policy. Implemented
	The information should include:How to file a complaint	Policy. Implemented
	Clearly indicate where and with whom a complaint against services or procedures and regulations may be lodged	Policy. Implemented
	Indicate a timeline for acknowledgement of the complaint once received or follow up on complaints filed	Policy. Implemented
	The category of complaints that should be filed with the police directly and those that may be taken directly to IPOA	Policy. Implemented
	What action the complainant should expect from the Police	Policy. Implemented
	The responsibility of the complainant in facilitating investigations into the complaint	Policy. Implemented
	The options open to the complainant in case one is not satisfied with the decision of the police or IPOA	Policy. Implemented
Recruitment	A moratorium should be placed on all Police recruitment for the Kenya Police and Administration Police. Any funds budgeted for recruitment for 2009/2010 Financial Year should be redirected to address some of the pressing problems currently facing both Police Services.	Policy. Implemented
	Minimum academic entry requirements should be raised to Kenya Certificate of Secondary Education (KCSE) mean grade C plain unless: In exceptional cases where a District does not meet its quota, a request shall be made to the Police Service Commission to consider a waiver on a case-by-case basis for applicants who meet all other requirements except the academic grade, provided that such applicants shall have a mean grade not lower than C-; In addition, applicants admitted under this exception clause should be required to upgrade their academic qualifications to a mean grade C plain within the one-year probationary period; The exception clause of C- should lapse after 3 years from the commencement of the implementation (end of year 2012).	Policy. Implemented
	The Police Service Commission should do recruitment of police officers while the District Security Intelligence Committees will support the PSC with the vetting of the candidates.	Policy. Implemented

	The recruitment process should involve:1st stage:(Written applications to the Police Service Commission, in response to advertised positions, with candidates indicating why they are interested in police work. Originals should be submitted through the DSIC with copies of the application directly to the Police Service Commission;Presentation of a certificate of good conduct; Two references, one of whom should be a religious leader within the applicant's community and the other a Head teacher/principal of the applicant's immediate former school; Pass written and oral in response to advertised positions entry examinations. 2nd stage:(Short listed recruits from the Districts are reviewed at Provincial level for further interview and vetting/sieving; Final selection of applicants to undergo training at KPTC/APTC on approval by the Admissions Committee of the PSC). 3rd stage:(A 15 months training programme in three phases of 9:3:3. The Board should conduct a mid-term evaluation of the trainees in each case; Final evaluation after 15 months to determine suitability for entry into the Service; Approval of final list by PSC and deployment; 1 year probationary period at the end of which the new recruit should be examined on various aspects of policing, on- the job performance and conduct. (During this period, the recruit is regarded as a Trainee Constable.); PSC gives approval for confirmation in service and rank; To encourage transparency in the recruitment exercise, names of the recruits shall be published in the newspapers and at every District headquarters.	Pending
	Even when the Police Service Commission recruits from the National Youth Service, the candidates have to meet the set standards of enlistment taking into account regional balance.	Policy. Pending
	Graduate recruitment: The same recruitment process for constable recruits should apply in the case of cadets; The duration of training should be in four phases of 9:3:3:6 21 months; Training curriculum and classes to be as that of Constable recruits to ensure understanding of basic policing skills. Emphasis in the next 9 months should be on management and leadership, research innovations; On completion of the two-year police cadet training, the Police College should award a postgraduate diploma or relevant postgraduate degree in Police Studies. In the short term, before the establishment of a Police Academy, such a programme could be run in collaboration with Kenyatta University with which the Kenya Police has indicated existing training collaboration.	Pending

	On graduation, to serve 1-year probation period as a Cadet Inspector after which the Police Service Commission appoints as an Inspector; Graduates with specializations should be exempted from basic Police training and physical requirements. However, a special induction course that is tailor- made for specialists should be developed to ensure that they fit within police work; A deliberate effort should to be made to recruit at least 10% university graduates and diploma holders into the Police Service; In order to raise policing standards, the quality of management, leadership and opportunities for career progression, the Police Services should introduce distance learning; In order to improve the quality of training and instruction, the Police Training Colleges should in addition to their instructors and trainers, engage the services of professionally qualified trainers, including those drawn from Universities and Colleges in specialized fields; Payment of salary to the recruits during their training should be reviewed together with other disciplined services.	Policy. Implemented
In Service Training	In view of the common purpose of policing that the Kenya Police and Administration Police share, the proposed Police Service Commission, should work out a standard curriculum to cover both services.	Policy. Implemented
	The proposed Police Academy should cater for both Services. Any plans to develop separate Academies for each of the two police services should be stopped.	Pending
	The Commanders Courses should be re-introduced immediately and any officers who have been deployed as Officer Commanding Station or Division (OCS/OCPD) without having undergone the Commanders course should be redeployed from station management until they successfully complete the course	Policy. Implemented
	All training facilities of both police services, including those at the Provincial levels, should be expanded and upgraded to meet the training needs of the police.	Pending
Police Deployment	All officers performing non-core functions should be retrained and redeployed to boost police visibility.	Policy. Being implemented
	Consideration should be given to the use of private security providers and the National Youth Service in non-core functions	Policy. Being Implemented
	Clear policy and criterion on secondment to parastatals and other institutions should be developed by the PSC	Policy. Being Implemented
	The deployment of police officers should be aligned to their talents, skills and specializations	Policy. Pending

Police Transfers	The Government should, as a matter of urgency, avail Kshs 196 million for Kenya Police and Ksh115 million for the Administration Police to settle all outstanding transfer allowances.	Policy. Being Implemented
	A moratorium should be placed on mass transfers and transfers should only be in exceptional cases until all problems associated with the current transfer practices are resolved.	Policy. Being Implemented
	Unless there is pressing need for transfers, they should be affected only when there are adequate budgetary provisions to pay transfer allowance.	Policy. Being Implemented
	To avoid disrupting the lives of members of the officer's family who accompany them, including children who could be in school, transfers should be effected only between the last week of November and third week of December of every year. This provision may not bar the responsible officers from effecting transfer of officers in any other months when exigencies of duty demand.	Policy. Being Implemented
	Where an officer has children attending school in the current duty station, the Department shall continue to facilitate their continued stay until the end of that school year if the officer does not wish to transfer such children in the mid year.	Pending
	The transfer of officers should as much as possible, be effected after three years as provided for in Chapter 23 Section 5 of the FSO and the Civil Service Code of regulations, unless an officer is moving on promotion or for other reasons intended to enhance police performance.	Policy. Being Implemented
	The Government should consider basic furnishing of police quarters to reduce the cost and burden of officers moving with their luggage on transfer and accommodation. The construction and furnishing should be contracted to the National Youth Service and the Prisons Department respectively. In the first phase of its implementation, the programme could be prioritized for police stations/posts and AP Outposts in hardship areas.	Pending
Promotions	The recommendations of the Promotion Boards should be audited by the Police Service Commission to restore the credibility of the Boards.	Pending
	Police ranks should be rationalized by collapsing them to a maximum of 12 clear job descriptions developed for all Ranks. The officers already serving on Ranks that will be rationalized should be redeployed but may hold the Ranks personal to themselves, subject to their suitability for retention in the Police Services.	Policy. Implemented

	The proposed Police Service Commission (PSC) should determine the number and set clear guidelines on promotion on merit to reduce the perception of bias in the promotion process.	Policy. Implemented
	The PSC should also work out a non-promotion reward scheme to recognize outstanding performance by police officers.	Policy. Implemented
	Promotions should be based on the police service staff complements as reflected in the authorized establishment, rather than being supply-driven.	Policy. Implemented
	The proposed PSC should establish the cases and causes of the alleged stagnation in both police services in its staff review with a view to rectifying any anomalies. The PSC should also develop a clear career progression path whose requirements are clearly known to all police officers.	Policy. Implemented
	PSC should interrogate the number of senior posts at the levels of Assistant Commissioners of Police/ Administration Police and above. The current police service structures appear top heavy with officers that do not have any clearly defined responsibilities.	Policy. Implemented
Police Management	All officers from the rank of Assistant Commissioner of Police/ Assistant Commissioner of Administration Police and above should be subjected to a review against a criteria (professionalism, integrity, track record, and psychological fitness) developed jointly by the Public Service Commission (PSC), the Kenya Anti Corruption Authority (KACC) and National Security Intelligence Service (NSIS)	Policy. Implemented
	The ranks below those indicated above can thereafter be progressively reviewed by the proposed Police Service Commission until all current members of the police have been cleared.	Policy. Implemented
	Those found unfit for retention should be retired from the two services, with sufficient safety nets to cushion them on exit.	Policy. Implemented
	The Government should establish an exchange programme with countries whose police services enjoy a reputation of probity and professionalism. Middle/senior level police officers who are rated highly after the suitability assessment can be sent on these programmes for one to two years to prepare them for leadership roles. The host Governments can be requested to second their officers to Kenya in equivalent positions to entrench core values in various areas of policing.	Policy. Implemented
	The structure of the Kenya Police and the Administration Police should be reviewed as it is apparent that there are too many senior positions at the top that are not proportionate with ideal policing structure.	Policy. Implemented

Police Housing	An immediate audit of incomplete housing projects to should be carried out to determine the level of completion and a programme be worked out to hand over the projects to an Inter-Departmental team comprised of the Department of Defence, Prisons Department, the National Youth Service and the Ministry of Housing	Policy. Ongoing
	The Government should utilize the expertise and technology available within the Department of Defence, Prisons Department, the National Youth Service and the Ministry of Housing to construct suitable houses for the Kenya Police and Administration Police and complete the stalled housing projects.	Policy. Ongoing
	To integrate the police within the community under the community policing programme, the Government should consider in the long term providing adequate housing allowances to enable police officers to rent accommodation within the community. With improved mobile telephony and means of transport, it should be possible to mobilize the officers at a short notice. This is with the exception of specialized security formations such as the General Service Unit	Policy. Ongoing
	A programme should be developed for the phased completion of the houses based on immediate, medium and long term. Depending on the level of completion, the Departments named above should be mandated to assist in completing houses with a focus on areas where housing conditions are worst.	Policy. Ongoing
	An audit of police houses occupied by non-police officers should be carried out. The houses should be re-possessed immediately for allocation to police personnel	Policy. Ongoing
	Government should consider furnishing police quarters especially in remote areas with basic furniture so as to minimize the level of disruption of an officer's life and ease of resettlement in the new station especially when on transfer at a short notice. The furnishing could be sourced from the Prisons Department.	Policy. Ongoing
	Government should provide adequate budgetary provisions to facilitate the acquisition of adequate housing for the Police Services	Policy. Ongoing
	Government should encourage private/public partnerships in providing housing to police officers to enhance police/public integration. Government could give concessions to property developers who dedicate a given number of housing units to police	Policy. Ongoing
	Government should continuously match the police house allowances with the prevailing market rates where housing is not provided	Policy. Ongoing

	Existing housing units and other police facilities should be maintained in accordance with existing rules and regulations of the Ministry of Housing	Policy. Ongoing
	Annual inspections of the welfare facilities should be conducted and the management and cleanliness of police canteens/ messes improved.	Policy. Ongoing
Medical and Life Insurance cover	A comprehensive medical and insurance cover that takes care of the health of the officers on account of their high-risk exposure should be introduced.	Policy. Implemented
	The Government should improve and set aside amenity wings in Government medical facilities at the Kenyatta National Hospital, Provincial and District Hospitals specifically for the medical care of the police and their families, and other public servants. In addition, the Forces Memorial Hospitals should be expanded and a wing within the existing infrastructure dedicated for the medical care of police officers.	Policy. Implemented
	The procurement of life insurance cover for the Kenya Police and Administration Police should be fast-tracked and implemented as early as January 2010.	Policy. Implemented
Leave	A deliberate programme should be put in place to assist as many police officers as possible to take their leave as provided for in the Civil Service Code of Regulations and FSO unless exigencies of duties militate against it. This should be part of a stress management programme for the police services.	Policy. Implemented
	Officers in charge of various departments and formations should be required to develop leave schedules for all the officers under them to assist them to clear leave backlogs. These schedules should be used to allocate required funding for leave allowance.	Policy. Implemented
Police Salaries and Allowances	The salary structure for the Kenya Police and Administration Police should be harmonized at all equivalent levels with that of the Armed Forces and both be revised in tandem when the reviews are due. The status quo with regard to the privileges/ provisions unique to the Armed Forces should, however, be maintained.	Policy. Implemented
	The increases should be implemented within a period of 2 years with effect from 1st July 2010 so as to maintain the intended value of the increases. The estimated cost of this adjustment is Kshs.18, 962,282,059 per annum.	Policy. Implemented

	The Government should ensure that the policy of harmonization of pay and benefits in the Public Service is institutionalized to guard against unrealistic pay levels that only serve to cause agitation in the Public Service when some sectors are favoured disproportionately over others. In this regard, the Task Force was informed that a Bill has already been prepared to entrench the Permanent Public Service Remuneration Board in the Constitution, with the mandate to determine and harmonize pay levels in the Public Service.	Policy. Implemented
Retirement and Post Exit Management	Both Police Services should establish an association for retired police officers.	Policy. Pending
	Retired police officers should have access to medical facilities dedicated to the police service.	Policy. Pending
	Retired and able police officers should be utilized in training at the Police Training Colleges and Provincial Training Centres where appropriate. They should also be used to boost the capacity of local community policing groups.	Policy. Pending
	A minimal budgetary provision should be factored in the police budget to pay a token fee to such officers.	Policy. Pending
	A formal database of all retired police officers as well as other disciplined services should be established in all Districts.	Policy. Pending
	On the death of a retired officer, the local Officer Commanding Station or Administration Police equivalent should take charge of the funeral arrangements to ensure a dignified send-off to the deceased officer. A budgetary provision should be made for this purpose.	Policy. Pending
Police chaplaincy and Spiritual Services	The chaplaincy services should be provided for in the proposed Force Standing Orders for the Administration Police and the revised Kenya Police to ensure its institutionalization in the police services.	Policy. Implemented
	In the short term, a common chaplaincy service should be considered for both police services to engender esprit de corps. The respective police services should however have liaison officers at the Police Station, District and Provincial levels for visibility, availability and effectiveness.	Policy. Pending
	In the long term, a joint or common chaplaincy services should be considered for all the disciplined Forces to take advantage of expertise and professional experience already available in the disciplined services. The details of the proposed structure should be developed in cooperation with the proposed Police Service Commission and the Armed Forces.	Policy. Being implemented

	Training colleges should consider outsourcing professional counsellors to enhance their training capacity in chaplaincy.	Policy. Being implemented
	Provision should be made for professional counsellors to debrief officers who have experienced serious trauma, and need treatment for Post Traumatic Stress Disorder (PTSD), and later to assist them as they prepare for retirement.	Policy. Being implemented
	Qualification for appointment of police officers to the chaplaincy services should be thoroughly scrutinized and standardised to ensure professionalism.	Policy. Being implemented
	There should be a budget line for chaplaincy services to ensure that it is mainstreamed in the welfare management of police officers.	Policy. Being implemented
	Chaplaincy services should be implemented at all levels for different denominations and faiths in phases to ensure visibility of the chaplaincy service.	Policy. Being implemented
Tooling, Logistical and Technological Capacity	The tooling, logistical and technological capacity of the police services should be reviewed to establish the exact needs and specification in order to bring policing to international standards. Consideration should be given to prioritizing communication and information technology and transportation.	Policy. Being implemented
	The National Policing Council should develop a 3-year National Policing Plan based on amongst others inputs from police formations from the lowest level and ensure regular audit and inspection.	Policy. Pending
	Where appropriate, a formula should be established for police establishments, stations and posts to share facilities with a view to maximising operational and financial efficiency, for example cells and holding facilities.	Policy. Being implemented
	The use of CCTV cameras as a policing component particularly in major cities and our highways should be incorporated in the National Policing Plan.	Policy. Being implemented
	Legislation should be developed to make electronic, audio-visual, computer data and photographic evidence admissible in court.	Legal and Policy. Being implemented
	The capacity of Forensic Science Service Department (FSSD) should be enhanced within the Directorate of Criminal Investigations to be staffed by civilian experts to enable the police concentrate on their core duties.	Policy. Ongoing
	A National Coroner Service should be established where the pathologists should be based.	Legal. The National Coroners Service Act 2017 enacted but office yet to be operationalized.

	Personnel with the right capacities and capabilities should be developed in the field of forensic science. However, in specialised fields such as DNA technology, consideration should be given to outsourcing.	Policy. Ongoing
	Before the development of a fully equipped central forensic science laboratory takes place, properly trained personnel should be put in place.	Policy. Ongoing
Operational Preparedness	A reform and improvement unit should be established within each police service to regularly monitor and appraise the pace of reforms and operational preparedness. The unit should submit quarterly report to the National Policing Council.	Policy. Ongoing
	An intelligence-led policing ethos should be adopted as an integral component of police operations. In addition, the criminal intelligence unit should be enhanced to coordinate the collection, analysis, production and dissemination of intelligence information to the relevant police units for action	Policy. continuous
	The police services should become an integral part of the initiative by the Ministry of Immigration and Registration of Persons and other stakeholders to develop an Integrated Population Registration System (IPRS).	Policy. continuous
	The capacities of the specialized units dealing with sophisticated crimes should be enhanced and others should be created where none exist. All these should fall under the Directorate of Criminal Investigations.	Policy. continuous
	In view of the increased levels of sophisticated organized crime both by domestic criminal group as well as international criminal networks, it has become necessary for a highly specialized, well resources dedicated unit to be established to combat the crime. In establishing this unit the best experts nationally and internationally should be involved.	Policy. continuous
	It is urgent that outstanding bills and laws relating to anti-terrorism, money laundering and other economic crimes, organized crime, cyber crime and human trafficking be finalised and enacted.	Policy. continuous
	The incorporation of civilian staff component as an integral part of police forces should be encouraged.	Policy. continuous
	The capacity of the National Crime Research centre should be significantly enhancement with a view to providing regular high-quality research in support of policing. The National Crime Research Centre should conduct an annual crime survey, which should inform the National Policing Plan.	Policy. continuous
	There should be strict adherence to the provisions of the Police Act (cap 84) and FSO on the use of firearms. District Security Intelligence Committees should monitor the allocation of firearms to Kenya Police Reserve in rural areas.	Policy. continuous

Disaster Preparedness and Conflict Management	The Government should fast track the development of the National Disaster Management Policy and the legal framework to provide for a structured coordination in the response and management of disasters, including allocating specific roles and functions to the police, military, and other relevant Government agencies, civil society organizations, international humanitarian organizations, and United Nations agencies, among others.	Policy. continuous
	The police should be provided with basic equipment, skills, tools and kits necessary for first line responses to emergencies before the specialists get to disaster scenes. In particular, police radio system/ communication system should always be in good working condition.	Policy. continuous
	The teaching of conflict prevention and resolution skills should be enhanced at all Police Training Colleges for effective police engagement in the community. In addition, there should be regular refresher courses on disaster management for police personnel at all levels.	Policy. continuous
	A code of conduct should be developed for police personnel for strict observance during any disaster situation.	Policy. Pending
	The policy on Peace Building and Conflict Management for the effective engagement of the Police Services in conflict early warning systems and effective collaboration with other stakeholders should be fast-tracked.	Policy. continuous
	The capacity of police officers in peace building and conflict management skills should be enhanced to enable them to respond effectively to communal conflicts where necessary before they get out of control.	Policy. continuous
	Develop and implement a programme for public awareness and sensitization on disaster management should be developed and implemented.	Policy. continuous
Community Policing	The completion of the National Policy on Community Policing be fast-tracked.	Pending

	The National Policy on Community Policing should, among other things, address the following issues: Full involvement of the community in the development and implementation of the policy; Re-engineering a major paradigm shift in the relationship between the police and members of the community; Clearly defined role in community policing of other key stakeholders such as the relevant Ministries in the criminal justice system, the Ministries of Finance, Local Government, Education, Youth Affairs, schools, religious groups, and the civil society; Development of an effective community policing target setting formula and feedback mechanisms;Motivation of citizens in community policing and sustainability of community policing programmes; Mobilization of resources to facilitate and support community policing programmes;Efficient coordination and management structure cascaded from the national level to the neighbourhoods to give strategic leadership and direction to the community policing programme; Mainstreaming community policing in the national security architecture; Reporting mechanism to the National Policing Council, the Independent Policing Oversight Authority, the Minister responsible for internal security	Pending
	Community policing should be anchored in a legal framework	Pending
Private Security Services	With regard to the 2004 draft Private Security Regulation Bill, the national security and policing policies should recognize the private security industry as a key player and partner in security, with clearly defined roles and responsibilities of private security guards in such issues as arrest and detention of suspects and the extent to which such powers would differ from those of the police and private citizens	Legal. Private Security Regulation Act, 2016 passed currently being operationalized
	In addition, the policing policy should require private security providers to operate within the national values, principles and morals required of policing in a democratic country; set professional standards including training; and a code of conduct.	Policy. Being operationalized
	The draft Bill should be comprehensively reviewed and discussed with the stakeholders for ownership before being passed into law as a matter of priority.	Policy. Being operationalized

	In addition to ensuring that private security officers respect core democratic values and aspirations that Kenyans expect from policing, the legislation should: Clearly identify the functions of the private security providers, such as crime scene guarding and cordon duties, cash escort, security checks, VIP Protection, guard duties; Ensure a credible institution for licensing private security personnel and optimal regulation of the industry;Provide for the licensing of private security personnel including inhouse after comprehensive background checks; Require the taking of insurance cover, training of guards to specified standards, and setting of vehicle and uniform standards to avoid confusion; Provide for the promulgation, adherence and enforcement of a code of conduct; Specify the weapons, if any that private sector firms can use; Establish a transparent and reliable mechanism to deal with complaints against private security providers	Policy. Being operationalized
	The proposed Police Reforms Implementation Commission should prioritize this comprehensive review, stakeholder discussion, and enactment of the legislation	Policy. Being operationalized
	The private security agencies should be regulated by law to provide among other things for vetting a record of the agencies, a data bank for its personnel and the relationships between the agencies and the security networks in the country. It should further provide for regulation of their conduct and the consequences of breaches.	Policy. Being operationalized
National Security Policy	The Task Force therefore recommends that the Ministers responsible for Internal Security and Defense should immediately set up stakeholder committees to start the process of developing a national security policy, and legislation, starting with the draft prepared by the NSIS.	Pending
National Policing Policy	The Task Force recommends that the proposed National Policing Council spearheads the immediate development of a National Policing Policy alongside the development of the National Security Policy.	Pending

Legislation	New legislation will require to be enacted and existing legislation will require review, amendment or repeal to accommodate the recommendations. Legislation will be required to provide for the Police Service Commission, Independent Policing Oversight Authority, Private Security Services Providers and Police Reforms Implementation Commission. The Police Act and the Administration Police Act will require to be reviewed, updated and modernized to provide, among other things for: The Kenya Police Service; The Administration Police Service; The roles and functions of the Inspector General and the Commandant General; Review the Police Service Standing Orders and development the Administration Police Service Standing Orders	National Police Service Act 2011, Independent Policing Oversight Authority (IPOA) Act 2011 and the National Police Service Commission Act 2011 and Private Security Regulation Act enacted
Police Reform Implementation Commission	Formation of a Police Reform Implementation Commission through legislation	Legislation. Pending
	The functions of the Commission shall be to coordinate, monitor and supervise the implementation of the reforms recommended by the Task Force.	Pending
	The Commission shall have all powers necessary for the execution of its functions under the Constitution	Pending
	The Commission should submit progress reports to the Minister responsible for the Police, Prime Minister, HE the President, Parliament and the Public on a quarterly basis	Pending

ISBN 978 9966 817 45 7

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