Overview of Police Accountability Mechanisms

LEGISLATIINE

National Assembly

- Approve IGP candidates.
- Monitor policing; recieve reports; raise questions; initiate parliamentary inquiries.
- Approve the Police budget.
- Select committees for policing matters.

Executive Branch

- President oversees Ministers.
- Cabinet Secretary responsible for police services: can give a policy direction to the IGP in writing; receives reports on policing and implementation.

County Assembly

 Receive quarterly reports from County Policing Authority; raise questions.

Judiciary

 Decide on cases of police misconduct brought by Department of Public Prosecutions or individual party for compensation.

Director of Public Prosecutions

- Prosecute cases of police criminal conduct. Take recommendations for prosecution from IPOA.
- If decide not to prosecute must provide reasons. IPOA can also apply to court for enforcement.

National Police Service

Inspector-General of Police

- Reports to Cabinet Secretary.
- Oversees and audits police operations and functions.
- Issue Service Standing Orders.
- Advise the Government on policing matters and services.
- Establish, equip and devolve the services of the Internal Affairs Unit.
- Cooperate with and implement IPOA recommendations, including those related to compensation.

Deputy Inspector-Generals

- Oversee policing operations.
- Provide systems to ensure transparency and accountability.
- Ensure all stations able to receive complaints.
- Ensure complaints about police misconduct reported to IPOA.

Internal Affairs Unit

- Recieves and investigates complaints of police misconduct; also investigates if directed by IGP, IPOA, or at own initiative; keeps a record of all complaints; promotes uniform standards of discipline and good order in the Service.
 - After investigation, makes recommendation for action. Police Service can reprimand or suspend member directly. If other discipline is recommended, then refer to NPS Commission.
 - Must report to and cooperate with IPOA, Commission, Coroners Service, Firearms Licensing Officer.

National Police Service Commission

- Manages and implements professional standards, training, human resources & discipline of the NPS.
- Conducts disciplinary hearing of matters referred to by Police or IPOA.
- Reports and make recommendations to Government on standards of policing. Report on implementation of recommendations. Can require IGP to respond.
- Annual report to National Assembly & published publicly.

Independent Policing Oversight Authority

- Investigates complaints police misconduct, or at own initiative. Investigates all deaths and serious injuries caused by police action, or in police custody.
- Make recommendations for appropriate action: prosecu tion, disciplinary action, compensation, change to Police practices.
- Monitors, reviews and audits the investigations of the Internal Affairs Unit. Can take over IAU investigations.
- Reviews patterns of misconduct.
- Keeps a record of all the complaints lodged.
- Inspects police premises & detention facilities, and can make binding recommendations.

Performance report to Cabinet Secretary and National Assembly every 6 months: includes all recommendations made & responses. Can publicize when DPP and IGP fail to implement recommendations.

Annual Report: to Cabinet Secretary and National Assembly.

Other Commissions

- Ethics and Anti-Corruption Commission: Investigate complaints about corruption.
- Kenya National Commission on Human Rights: Investigate complaints regarding violations of human rights.
- Gender and Equality Commission: monitor gender equality and investigate complaints violations.
 Commission on Administrative Justice (Ombudsman): investigate complaints of misuse of office, unethical conduct, breach of integrity, maladministration etc.
- All Commissions will forward complaints of police misconduct to the IPOA for the IPOA records.

County Policing Authorities and Community Policing Committees

County Policing Authories:

 Ensure accountability Police
 Provide financial oversight
 Ensure complaince to policing standards
 Monitor community policing. CPAs and Community Policing Committees are part of community policing, which is about improving transparency and accountability of the Service to the community.

Civil society

■ Non-government organisations ■ Public ■ Community groups ■ Academics ■ Religious groups Civil society can monitor the work of the police and make complaints or suggestions to IPOA, IAU and other Commissions.







