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THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – FOURTH SESSION (2020)

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND
NATIONAL SECURITY

REPORT ON:

INSPECTION TOUR OF POLICE STATIONS IN NAIROBI AND
KAJADO COUNTIES TO ASSESS THEIR PREPAREDNESS IN THE
MANAGEMENT OF COVID 19

Directorate of Committee Services,
The National Assembly,
Parliament Buildings,
NAIROBI.

June, 2020


THE NATIONAL ASSEMBLY
PAPERS LAID

DATE: 25 JUN 2020

DAY:

THURSDAY

TABLED
BY:

Hon. Waciuma KABINGA, MP
MEMBER, DC-ADMIN. & M.

CLERK-AT
THE-TABLE:

M. WANGICHE MW

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LIST OF ABBREVIATIONS AND ACRONYMS

COVID 19	-	Corona Virus Disease 2019
DCI	-	Directorate of Criminal Investigation
IPOA	-	Independent Police Oversight Authority
OB	-	Occurrence Book
OCS	-	Officer Commanding Station
SCPC (OCPD)	-	Sub County Police Commander
SCCIO (DCIO)	-	Sub County Criminal Investigation Officer

LIST OF ANNEXURES

- Annexure 1:** Minutes of Committee sittings on consideration and adoption of report.
- Annexure 2:** Signed list of Members who attended the sitting during which the Committee considered and adopted the report

CHAIRPERSON'S FOREWORD

COVID 19 is a new respiratory illness that is highly contagious amongst human beings. The disease is spread through handshake or contact with droplets produced by coughing persons suffering from the disease or coming into contact with surfaces touched by persons suffering from the disease.

The disease was first reported in Wuhan Province in the People's Republic of China in December, 2019 and rapidly spread to other countries worldwide where millions of people have tested positive and thousands died. Kenya recorded its first COVID 19 positive case on 13th March, 2020 and as at 22nd June, 2020 had recorded four thousand seven hundred thirty-eight (4738) cases with one hundred and twenty-three (123) deaths.

Standing Order 216(e) mandates Departmental Committees to investigate and inquire into all matters relating to Ministries and departments that they oversight as they may deem fit or as referred to them by the House. Pursuant to this provision, the Committee undertook a tour of police stations in Nairobi and Kajiado counties to assess their preparedness in the management of COVID 19 pandemic.

The Committee's resolution to undertake the tour was informed by the fact that the police service played an important role in the management of COVID 19. This was by enforcing curfew orders, accompanying the Emergency Response Teams to evacuate COVID 19 suspects to government holding facilities and arresting law offenders some of whom would be COVID 19 infected. The role played by the service exposed officers to infection and it was therefore important that they are well equipped and protected medically while on duty.

The tour was undertaken on 28th April, 1st, 5th and 7th May, 2020 during which the Committee toured eighteen (18) police stations namely; Pangani, Muthaiga, Gigiri, Runda, Kasarani, Central, Parklands, Spring Valley, Muthangari, Kileleshewa, Kamukunji, Shauri Moyo, Industrial Area, Embakasi, Kilimani, Langata, Ongata Rongai and Karen.

I take this opportunity to thank and commend the Committee Members for their resilience, endurance and commitment to duty which made the inspection tour successful. May I also on behalf of the Committee express gratitude to Offices of the Speaker and Clerk of the National Assembly for providing leadership and direction. Finally I wish to express the Committee's appreciation to its secretariat

for exemplary performance in the provision of technical and logistical support services.

On behalf of the Departmental Committee on Administration and National Security and pursuant to the provisions of Standing Order 199 (6), it is my privilege and duty to present to the House a report of the Committee on the tour of police stations to assess their preparedness in the management of COVID 19 pandemic.

HON. PAUL KOINANGE, M.P.
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON
ADMINISTRATION AND NATIONAL SECURITY

EXECUTIVE SUMMARY

Pursuant to the provisions of Standing Order 216(e) the Departmental Committee on Administration and National Security toured selected police stations in Nairobi and Kajiado counties to assess their preparedness in the management of COVID 19. It is in the public domain that the disease has no specific cure and had killed thousands of people worldwide with millions testing positive. Kenya was among the affected countries.

As at the time of compiling this report, Kenya had recorded four thousand seven hundred thirty-eight (4738) cases with one hundred and twenty-three (123) deaths. The important role played by the police in curfew order enforcement and accompanying the Emergency Response Teams to evacuate COVID 19 suspects exposed police officers to contracting the disease and made the Committee undertake the tour to assess how prepared the police service was in undertaking these crucial tasks.

During the tour, the Committee inspected the various stations' facilities and held meetings with OCSs and OCPDs in the company of officers of different ranks attached to the respective stations. Having considered submissions received from the Stations and having made observations during the tour, the Committee was concerned that police officers were exposed to contracting COVID 19 because of congestion in offices thereby not adhering to social distancing amongst other reasons. The Committee recommends as follows-

- (i) The Ministry of Interior and Co-ordination of National Government should as a medium or long term measure take appropriate action to ensure adequate office spacing for police officers countrywide;**
- (ii) The Ministry of Interior and Co-ordination of National Government should as a matter of urgency take appropriate action to ensure adequate supply of COVID 19 prevention requisite working tools, kits, equipment and materials to police stations countrywide;**
- (iii) The Ministry of Interior and Co-ordination of National Government should, during this time of COVID 19 Pandemic, institute interim measures to ensure adherence to social distancing in police stations pending implementation of the medium or long term measures;**
- (iv) The Inspector-General of Police should during this time of COVID 19 pandemic ensure cash bail for bailable offence suspects is**

expeditiously processed and where suspects must be detained, social distancing is observed in cells and suspects are provided with personal protective gear;

- (v) The Ministry of Interior and Co-ordination of National Government should as a matter of urgency ensure due process of law applies in the determination of the fate of aliens being held at Industrial Area Police Station for inordinately long.**
- (vi) The Inspector-General of Police should issue a directive to police stations to ensure that whenever they come across COVID 19 suspects, they should not detain them in cells but immediately call the Emergency Response Team to transfer them to government holding and treatment facilities;**
- (vii) The Inspector-General of Police should take necessary action to ensure that all police stations are sensitized to be fully conversant with government regulations, guidelines and procedures on COVID 19 management for their own safety.**
- (viii) The Committee recommends that the Ministry of Health should declare the police service to be on the frontline in the management of COVID 19 and pay officers special allowances for work being done.**

The report was unanimously adopted by the Committee at its sitting of Monday, 22nd June, 2020 at 2.30 pm.

PART 1

1.0 PREFACE

1.1 Mandate of the Committee

1. The Departmental Committee on Administration and National Security derives its mandate from the provisions of Standing Order No. 216(5) which provides for the functions of Departmental Committees as follows-
 - (a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
 - (b) study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;*
 - (c) study and review all legislation referred to it;*
 - (d) study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
 - (e) investigate and enquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;*
 - (f) vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)*
 - (g) examine treaties, agreements and conventions;*
 - (h) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
 - (i) consider reports of Commissions and Independent Offices submitted to the House pursuant to provisions of Article 254 of the Constitution; and*
 - (j) examine any questions raised by Members on a matter within its mandate.*

2. The Second Schedule of the Standing Orders on Departmental Committees further outlines the Subjects of the Committee, as follows-

- (i) National security;
- (ii) Police services
- (iii) Home affairs;
- (iv) Public administration;
- (v) Public service;
- (vi) Prisons;
- (vii) Immigration;
- (viii) Management of natural disasters; and
- (ix) Community service orders.

1.2 Committee Membership

3. The Committee was constituted on Thursday, 14th December, 2017 and comprises the following Honourable Members-

Chairperson

Hon. Paul Karuga Koinange, MP
Kiambaa Constituency

Jubilee Party

Hon. Wamunyinyi, Athanas Wafula, MP
Kanduyi Constituency
Ford Kenya Party

Hon. (Dr.) Tecla Tum, MP
Nandi County
Jubilee Party

Hon. Kaluma, George Peter Joseph, MP
Homa Bay Town Constituency
ODM Party

Hon. Josphat Kabinga, MP
Mwea Constituency
Jubilee Party

Hon. (Dr.) Makali Mulu, MP
Kitui Central Constituency
Wiper Party

Hon. Nimrod Mbai, MP
Kitui East Constituency
Jubilee Party

Hon. Theuri George, MP
Embakasi West Constituency
Jubilee Party

Hon. Ngunjiri Wambugu, MP
Nyeri Town Constituency
Jubilee Party

Hon. Joshua Aduma Owuor, MP
Nyakach Constituency
ODM Party

Hon. Abdi Shurie Omar, MP
Balambala Constituency
Jubilee Party

Hon. Capt. (Rtd) Didmus Barasa, MP
Kimilili Constituency
Jubilee Party

Hon. Halima Mucheke, MP
Nominated Member
Jubilee Party

Hon. Col. (Rtd) Geoffrey King'ang'i, MP
Mbeere South Constituency
Jubilee Party

Hon. Oku Kaunya, MP
Teso North Constituency
ANC Party

Hon. Arbelle, Marselino Malimo, MP
Laisamis Constituency
Jubilee Party

Hon. Ahmed Kolosh, MP
Wajir West Constituency
Jubilee Party

Hon. Peter Masara, MP
Suna West Constituency
Independent MP

1.2. Committee Secretariat

4. The Committee's secretariat comprises the following staff –

Mr. George Gazemba, ACI Arb, CPM
Principal Clerk Assistant

Mr. Joshua Ondari
Clerk Assistant

Brigitta Mati
Legal Counsel

Edson Odhimbo
Fiscal Analyst

Josphat Bundotich
Serjeant-at-Arms

Eva Kaare
Serjeant-at-Arms

Yakub Ahmed
Media Officer

Rodgers Kilungya
Audio Recording Officer

5. Minutes of the Committee sittings on consideration and adoption of report on the tour are attached to the report as *annexure 1*.

PART 2

2.0 INTRODUCTION

6. COVID 19 is a new respiratory illness that is highly contagious amongst human beings of all races and age. The disease is transmitted through handshake or contact with droplets produced by coughing persons already infected. The disease is further transmitted through coming into contact with surfaces which infected persons have been in physical contact with and left the viruses there.
7. The disease has no specific cure and has so far killed hundreds of thousands of people worldwide as scientists across the globe work round the clock to discover medical cure. The most vulnerable to the disease are those who have chronic ailments like cancer, diabetes and high blood pressure. The disease causes severe symptoms like fever, coughing, headache, body aches and difficulty in breathing.
8. The disease is preventable through –
 - (i) Keeping social distance of at least 1.5 to 2.0 metres from persons being interacted with;
 - (ii) Avoiding handshakes, hugging, kissing or any other form of physical contact involving the face or hands; and
 - (iii) Frequently washing hands for at least 20 seconds with running water and soap or alcohol based hand sanitizer.
9. The first COVID 19 case was reported in Wuhan Province of the Peoples' Republic of China on 31st December, 2019 and went on to kill thousands in the country before spreading to other parts of the world where millions have tested positive and thousands died as a result. No continent was spared.
10. The first COVID 19 case in Kenya was reported on 13th March, 2020 through a press conference by H.E. Uhuru Kenyatta, President of the Republic of Kenya and Commander in Chief of the Defense Forces. In his address, the President announced several measures to prevent the spread of the disease.
11. The role played by the police service in the management of COVID 19 include, curfew enforcement, arresting curfew order offenders some of whom may be COVID 19 positive and accompanying the Emergency Response Teams to homes and other places to evacuate COVID 19 suspects and also carry out

contact tracing. The Committee was concerned that in the course of discharge of duty, police officers stood high chances of getting into contact with COVID 19 suspects thereby contracting the disease and the ripple effect would be bad for the country.

12. There were also numerous complaints about harassment of members of the public by the police as they were implementing curfew orders, complaints were also leveled against the police in the mainstream and social media alleging that police officers manning road blocks were allowing members of the public go outside the designated lockdown areas after being bribed.
13. Against this backdrop, the Committee was convinced that the police service played an important role in the management of COVID 19 pandemic and resolved to undertake inspection tours to selected police stations in Nairobi and Kajiado Counties to assess how prepared the service was. It was in the best interest of the Committee and the entire country that the police service is well facilitated to perform its functions well.

PART 3

3.0. TOUR OF POLICE STATIONS

3.1 Introduction

14. The Committee toured eighteen (18) Police stations out of which seventeen (17) are within Nairobi County and one (1) within Kajiado County. During the tour, the Committee interacted with OCSs and OCPDs in some instances accompanied by other officers attached to the respective police stations. They were co-operative and shared information freely. A synopsis of submissions from officers at the various police stations is as hereby presented.

3.2 Pangani Police Station

15. The Committee toured the station on 28th April, 2020 from 10.00 am. On arrival, the Committee was received by the OCS, Mr. William Kosgei. After a brief inspection tour of the station facilities, a meeting was held in an open space within the main station building during which the Committee was informed as follows-
- (i) The Station has three hundred and twelve (312) police officers out of which seventy-four (74) are involved in curfew enforcement duties from 7.00 p.m. to 5.00 a.m. daily. The curfew enforcement teams comprise both genders and are always in uniform while on duty;
 - (ii) The Station was not allocated additional resources to enable it effectively play its role in the management of COVID 19. Officers undertaking curfew enforcement duties use personal protective gear donated by friends and well-wishers or purchased from own pockets as the Station had not received any from the Government of Kenya;
 - (iii) The Station has one thermometer gun for checking temperatures of all persons entering it including suspects to ensure that they are not COVID 19 infected;
 - (iv) The Station was avoiding unnecessary arrests in order to decongest cells during the COVID 19 pandemic to avoid spread of the disease. Nonetheless, those arrested for flouting the curfew order are recorded in OB, released on cash bail and immediately transferred to government quarantine centres. The process of release on cash bail is usually fast but sometimes delayed by suspects' failure to raise cash bail in time;

- (v) Police cells are cleaned twice daily while the Station is fumigated twice a week by the County Government's Health Department. The fumigation frequency is not enough and should be enhanced to at least four (4) times a week;
- (vi) The Station has inadequate office space with several officers including seniors sharing offices and some temporary structures being used as office space;
- (vii) The Station adheres to social distancing in order to prevent the transmission of COVID 19 amongst police officers and members of the public visiting the Station for services;
- (viii) The Station does not have enough motor vehicles to meet its transport needs. The situation had even been worsened by the COVID 19 pandemic where social distancing has to be observed even in vehicles;
- (ix) The Station had not received complaint against any of its officers for professional misconduct during curfew order enforcement duties.

3.3 Muthaiga Police Station

16. The Committee toured the station on 28th of April, 2020 from 11.00 am. On arrival, the Committee was received by the OCS, Chief Inspector, John Ihugo and a team of officers attached to the Station. After a brief inspection of the station facilities, a meeting was held in a church within the Station compound where the Committee was informed as follows-
 - (i) The Station has one hundred and sixty (160) police officers out of whom twenty-six (26) take part in curfew enforcement duties from 7.00 pm to 6 a.m. daily, with six (6) assigned to patrol Muthaiga area and twenty (20), a section of the Mathare area. All officers on duty are in full uniform except those from the DCI who operate in civilian clothing. While constituting teams to undertake curfew enforcement and other duties, the Station ensures that the teams are gender balanced;
 - (ii) The Station does not have a COVID 19 holding facility. No COVID 19 case had been reported at the Station and should it be reported, the Station would transfer the suspect to the nearest government COVID 19 holding and treatment facility;

- (iii) Social distancing is observed at the Station to prevent transmission of COVID 19 amongst police officers and visitors;
- (iv) The Station does not have enough motor vehicles to meet its transport needs.
- (v) The Station had arrested six (6) curfew order offenders as at the time of the visit. The six (6) were recorded in OB, released on cash bail and immediately transferred to government quarantine centres. The duration of the process of processing and release on cash bail is usually fast but sometimes delayed by suspects who need more time to raise cash for bail.
- (vi) The Station is fumigated once a week by the County Government's Health Services Department. According to the Station, sanitization should be daily for it to be effective;
- (vii) The Station had not received enough resources from the Government of Kenya to enable it play its role effectively in the management of COVID 19. The Station acknowledged once receiving twenty (20) masks against an establishment of one hundred and sixty (160). As a result, officers undertaking curfew enforcement duties use personal protective gear donated by well-wishers or purchased from own pockets;
- (viii) The Station had not received any complaint against any of its officers for misconduct while on curfew enforcement duties as at the time of visit by the Committee.

3.4 Gigiri Police Station

17. The Committee toured the Station on 28th of April, 2020 from 12.30 pm. On arrival, the Committee was received by the area OCPD, Mr. Richard Muguai and OCS, Mr. Daniel Mulatyia in the company of a team of other officers attached to the Station. After a brief inspection tour of Station facilities, a meeting was held in an office where the Committee was informed as follows-

- (i) The Gigiri Police Station also serves as the Gigiri Divisional headquarters. Some of the Stations under the Division include; Runda, Nyari, Parklands and Spring Valley;

- (ii) The Station has one hundred and eleven (111) officers out of whom twenty (20) officers are assigned curfew enforcement duties from 7.00 pm to 5.00 am daily. All officers on duty are uniformed and the various teams constituted for duty are always gender balanced;
- (iii) No COVID 19 case had been reported at the Station. The Station does not have a COVID 19 holding facility but should a case be reported, it would transfer the suspect to the nearest Government of Kenya COVID 19 holding facility;
- (iv) The Station was yet to arrest any curfew order offender. Should arrest be made, the offenders would be recorded in the OB, released on cash bail and charged in court.
- (v) The Station had not received additional resources from the Government of Kenya to effectively play its role in the COVID 19 management. The Government of Kenya supplied the Station with face masks, sanitizers and bar soap sometimes back. The supplies however got depleted and had not been replenished. Consequently, the Station was using personal protective gear donated by friends and well-wishers;
- (vi) Social distancing is observed at the Station to prevent the spread of COVID 19;
- (vii) The Station had not received any complaint against any of its officers for professional misconduct during curfew enforcement duties.

3.5 Runda Police Station

18. The Committee toured the station on 28th of April, 2020 from 2.30 pm and was well received by the Station OCS, Ms. Selina Chirchir and a team of officers attached to the Station. After a brief inspection of Station facilities, a meeting was held with the OCS and team under a tree outside her office and the Committee was informed as follows-

- (i) The Station has sixty-two (62) police officers out of whom twenty (20) are assigned curfew order enforcement duties from 7.00 p.m. to 5.00 a.m. daily. The officers are in full uniform while on duty and mount about 8-9 roadblocks because of the danger posed by residents of Githongoro slum which borders Runda. While constituting teams to

undertake curfew enforcement duties and other assignments, the Station ensures the selected teams are gender balanced;

- (ii) The Station has one (1) motor vehicle which is inadequate to meet its transport needs;
- (iii) The Station does not have a COVID 19 holding facility and in case officers come across suspects, they are advised to call the COVID 19 Emergency Response Team to evacuate him to the Government of Kenya holding and treatment facilities;
- (iv) Those who breach the curfew orders are arrested and recorded in the OB, released on bail and later charged in court. This does not take long since it is not the desire of the Station to have congested cells during this COVID 19 pandemic.
- (v) The Station is fumigated by the County Government's Department of Health once a week which is not enough. Fumigation should be more frequent for it to be effective.
- (vi) The Station had not received any personal protective gear from the Government of Kenya and was using gear donated by friends and well-wishers'
- (vii) In order to prevent spread of COVID 19, the Station always observes social distancing;
- (viii) While enforcing curfew orders, police officers are exposed to contracting COVID 19 through contact with members of the public whom they are duty bound to arrest for breach of curfew orders. The police are also called upon by the COVID 19 Emergency Response Team to provide security and lead from the front during access to homes and evacuation of COVID 19 suspects to government quarantine and treatment facilities. In this regard, police officers are also on the frontline in the management of COVID 19;
- (ix) Despite police officers being on the frontline in the management of COVID 19, they were not considered for special allowances and emoluments like health workers;

- (x) The Station was not trained on COVID 19 management before officers were assigned curfew enforcement, accompanying the Emergency Response Teams to evacuate COVID 19 suspects and other duties. Lack of training exposed officers to contracting COVID 19;
- (xi) The Station had not received any complaint against any of its officers misconducting themselves while carrying out curfew enforcement duties.

3.6 Kasarani Police Station

19. The Committee toured the station on 28th of April, 2020 from 4.00 pm. On arrival, the Committee was received by the OCPD Mr. Muthuri Mwangera accompanied by other senior officers attached to the Station. A meeting was held in the Station Boardroom and tour of the facilities done thereafter. The Committee heard from the station as follows-
- (i) The Station has three hundred and twenty-two (322) officers out of whom one hundred and fifty (150) are assigned curfew order enforcement duties from 7.00 pm to 5.00 a.m. daily. Officers on duty are in full uniform. Only officers from DCI are allowed to be in civilian clothing because of nature of their duties; Out of the one hundred and fifty (150) officers assigned curfew order enforcement duties, one hundred (100) are women and fifty (50) men;
 - (ii) The Station does not have COVID 19 holding facilities and had turned cells into temporary holding facilities before transfer to the Government approved facilities. Holding in cells was however for the shortest time possible;
 - (iii) Curfew order offenders are recorded in the OB, released on cash bail and later charged in court. The process of arrest and release on cash bail should take up to thirty (30) minutes though at times offenders are unable to raise cash for bail in time making process take longer;
 - (iv) The Station had not received any complaint against any of its officers regarding the curfew order enforcement.

3.7 Central Police Station

20. The Committee toured the station on 30th of April, 2020 from 9.30 am. On arrival, the Committee was received by the OCS, Mr. Simon Kiptanui Kerich with his team of senior officers attached to the Station. A brief tour of the Station was conducted before holding a meeting in the OCS's office attended by senior officers from the Station. The Committee heard from the Station as follows-

- (i) The Station has four hundred (400) officers out of which fifty (50) officers are assigned curfew order enforcement duties from 7.00 to 5.00 am daily. All officers charged with curfew enforcement duties operate in uniform except fifteen (15) from the DCI who operate in plain clothes owing to the nature of their job;
- (ii) While constituting the various teams to enforce the curfew order, and other duties, the Station always ensures gender balance; The Station does not have much work to do on curfew order enforcement since by 8.00 pm, the Nairobi Central Business District is deserted;
- (iii) The Station does not have a COVID 19 holding facility and in case its officers come across a suspect, they call the COVID 19 Emergency Response Team to evacuate him to the Government of Kenya recommended holding and treatment facilities;
- (iv) The Station had not received any complaint for professional misconduct against any of its officers involved in curfew order enforcement duties;
- (v) In enforcing the curfew order, the Station is in some instances required to act with some human face. Considering that every Kenyan is rushing home including public service vehicles and motorcycle operators before curfew time, on some occasions, passengers have been stranded in town especially at the bus station terminal. When this happens, the Station is forced to make arrangements with SACCO matatus to transport the stranded passengers to their homes during curfew hours instead of detaining and exposing them to COVID 19 infection;
- (vi) The Station received few face masks from the Government of Kenya which upon depletion were not replenished. The government also supplied one thermometer gun which malfunctioned and was not replaced. The Station was in the circumstances using face masks,

sanitizers and other protective gear and kit donated by friends and well-wishers;

- (vii) The Station had been fumigated three (3) times only by the County Government's Public Health Department since COVID 19 pandemic was reported in Kenya on March, 2020 and measures announced by the Government to prevent spread. There was need for more regular fumigation to achieve best results;
- (viii) The Station does not have enough vehicles to meet its transport needs especially during this time of COVID 19 pandemic.
- (ix) The Station observes social distancing including during daily parades as a means for prevention of spread of COVID 19.

3.8 Parklands Police Station

21. The Committee toured the station on 30th of April, 2020 from 11.30 am. On arrival, the Committee was received by the OCS, Chief Inspector, James Murigu accompanied by a team of officers from the Station. The Committee conducted a brief tour of the station before holding a meeting with the OCS and his team of officers. The Committee heard from the Station as follows-

- (i) The Station has one hundred and fifty (150) officers out of which forty (40) are assigned curfew enforcement duties from 7.00 pm to 5.00 am daily. The officers operate in full uniform and the various teams constituted to undertake the assignment are gender balanced;
- (ii) The Station does not have a COVID 19 holding facility. In case its officers come across a suspect, they call the COVID 19 Emergency Response Team to evacuate him to the Government of Kenya recommended holding and treatment facilities;
- (iii) The Station is fumigated once a week by the County Public Health Department since COVID 19 eruption which is not enough. Fumigation should be at least thrice a week.
- (iv) The Station had not received any complaint against any of its officers professionally misconducting themselves while on curfew order enforcement duty;

- (v) The Station received some sanitizers and face masks from the Government of Kenya sometimes back which got depleted and had not been replenished. Consequently, officers were using sanitizers, face masks and other protective gear donated by friends and well-wishers or officers had to dig into their pockets to purchase some of the protective gear.

3.9 Spring Valley Police Station

22. The Committee toured the station on 30th of April, 2020 from 1.30 pm. On arrival, the Committee was received by the OCS, Chief Inspector, Simon Munyao accompanied by a team of officers from the Station. The Committee conducted a brief tour of the station then held a meeting with OCS and his team in an open area at the back of the main station building. The Committee heard from the Station as follows-

- (i) The Station has one hundred and five officers (105) out of which thirty (30) are assigned curfew order enforcement duties. Officers on curfew enforcement duties wear uniform and the various teams constituted for the assignment are gender balanced;
- (ii) Curfew order offenders are recorded in the OB, released on cash bail and later charged in court. The process from arrest, release on bail and arraignment in court for formal charges takes up to twenty-four (24) hours on the higher side;
- (iii) The Station had not received any complaint against any of its officers for professional misconduct during curfew order enforcement;
- (iv) The Station has one (1) motor vehicle which is not enough to meet its transport needs. The situation is made worse by the COVID 19 pandemic where social distancing has to be observed even in motor vehicles to prevent spread of the disease.
- (v) The Station received temperature gun, disinfectants and soap from the Government of Kenya. The supplies got depleted and had not been replenished. The Station had also not been issued with personal protective gear by the government. Consequently, officers were using supplies from well-wishers or officers had to buy from their pockets;

- (vi) The Station had been fumigated once since COVID 19 was reported in Kenya whereas fumigation is supposed to be done twice or thrice a week if spread of the disease was to be effected prevented;
- (vii) The Station observes social distancing in the prevention of spread of COVID 19.

3.10 Muthangari Police Police Station

23. The Committee toured the Station on 30th of April, 2020 from 3.00 pm. On arrival, the Committee was received by the OCS, Chief Inspector Michael Kihara with his team of officers from the Station. A brief tour of the station was conducted before holding a meeting under a tree in front of the main police station building. During the meeting, the Committee was informed as follows-

- (i) The Station has one hundred and twenty-eight officers (128) out of which forty (40) are assigned curfew order enforcement duties. Officers on curfew enforcement duties are in full uniform and the various teams constituted for the assignment are gender balanced;
- (ii) The Station had not received any complaint for misconduct by any of its officers undertaking curfew enforcement duties as the time the Committee toured;
- (iii) Though the Station received sanitizers and face-masks from the Government of Kenya, they were not enough and were not replenished on depletion. As a result, the Station was using personal protective gear and other supplies donated by well-wishers or officers had to buy from own pockets in order to keep safe while discharging their duties;
- (iv) Curfew order offenders are recorded in the OB, released on cash bail and later charged in court. The process from arrest, release on bail and arraignment in court for formal charges may take up to twenty-four (24) hours on the higher side;
- (v) The Station had been fumigated once since COVID 19 was reported in Kenya whereas fumigation is supposed to be done daily if spread of the disease was to be effectively controlled;

- (vi) The Station adhered to the social distancing requirement in the prevention of transmission of COVID 19.

3.11 Kileleshwa Police Station

24. The Committee toured the station on 30th of April, 2020 from 4.30 pm. On arrival, the Committee was received by the OCS, Chief Inspector George Mathenge Mithamo with his team of officers from the Station. The Committee conducted a brief tour of the Station then thereafter held a meeting with the OCS and his team at the Station's staff canteen. During the meeting, the Committee was informed as follows:-

- (i) The Station has one hundred and seventy-one officers (171) out of which twelve (12) are assigned curfew enforcement duties. Officers on curfew enforcement duties operate in full uniform and the various teams constituted to do the job are gender balanced;
- (ii) The Station's office space is inadequate with several officers including seniors sharing offices;
- (iii) The Station had not received any complaint against any of its officers for professional misconduct while enforcing the curfew order;
- (iv) Curfew order offenders are recorded in the OB, released on cash bail and later charged in court. The process from arrest, release on bail and arraignment in court for formal charges in court may take up to twenty-four (24) hours;
- (v) The Station received masks and sanitizers for prevention and management of COVID 19 from the Government of Kenya but the supplies got depleted and had not been replenished. As a result, officers were using supplies donated by well-wishers or had to buy from own pockets;
- (vi) The Station had been fumigated once since COVID 19 was reported in Kenya whereas fumigation is supposed to be done at least thrice a week if spread of the disease is to be effectively checked;
- (vii) The Station has one (1) motor vehicle which is not enough to meet its transport needs. The situation is made worse by the COVID 19

pandemic where social distancing has to be observed even in motor vehicles to prevent spread of the disease.

- (viii) The Station adhered to social distancing requirement in the prevention of spreading of COVID 19.

3.12 Kamukunji Police Station

25. The Committee toured the Station on 5th of May, 2020 from 10.00 am. On arrival, the Committee was received by the OCS, Chief Inspector, Samir Athman accompanied by a team of officers from the Station. The Committee conducted a brief tour of the station before holding a meeting with the OCS and his team in the OCS's office. During the meeting, the Committee was informed as follows-

- (i) The Station has three hundred officers (300) out of which one hundred and twenty (120) are assigned curfew enforcement duties. Officers on curfew enforcement duties must be in full uniform or face disciplinary action. The various teams constituted for curfew enforcement duties are usually gender balanced;
- (ii) The Station was not adequately supplied by face masks and other personal protective gear from the Government of Kenya and the gear in use by officers was donated by well-wishers or purchased by officers from their pockets;
- (iii) The Station had not received any COVID 19 related case. The Station does not have a COVID 19 holding facility and should a case be reported, the suspect would be quarantined in one of the cells pending the next course of action;
- (iv) The Station adhered to social distancing as a preventive measure for the transmission of COVID 19;
- (v) The Station has inadequate office space with several officers including seniors sharing offices and some temporary structures being used as office space;
- (vi) In case the Station arrests curfew order offenders it will record them in the OB, release them on cash bail and charge them in court. The process

from arrest, release on bail and arraignment in court for formal charges takes up to twenty-four (24) hours;

- (vii) The Station is one of the busiest by virtue of being located in an area of high population during the day because of commercial activities taking place within its area of jurisdiction. As a result, there are many criminals in the area targeting traders and shoppers and the Station is most of the time jammed with persons coming to report crime and those coming to check on those detained. The high number of people visiting the Station makes police officers vulnerable to contracting COVID 19;
- (viii) During the COVID 19 period, the Station averagely held in cells up to forty (40) suspects and remandees per week. These were serious crime offenders, the station being among those in the county that receive a high number of such suspects or criminals. The ones in cells were unable to raise cash bail or bond or were facing non-bailable offences.

3.13 Shauri Moyo Police Station

26. The Committee toured the Station on 5th of May, 2020 from 10.45 am. On arrival, the Committee was received by the OCS, Chief Inspector, Alice Chemutai accompanied by other officers from the Station. The Committee conducted a brief tour of the Station before holding a meeting in an open area outside the OCS's office. The Committee heard from the Station as follows-

- (i) The Station has two hundred and fifty Seven officers (257) out of which seventy (70) are assigned curfew enforcement duties every day from 7.00 pm to 5.00 am the following day.
- (ii) Officers enforcing curfew order operate in groups and while constituting the groups, the Station always ensures gender balance. Officers on duty must be in full police uniform except those from DCI;
- (iii) The Station had not reported any COVID 19 related case. The Station does not have a COVID 19 holding facility and should a case be reported, the suspect would be transferred to Government established centres for quarantine and treatment;
- (iv) Those arrested for violating curfew orders are recorded in the OB, released on cash bail and later charged in court. The process from arrest,

release on bail and arraignment in court for formal charges does not take long. It is the desire of the station not to detain suspects for long during this time of COVID 19 pandemic;

- (v) The Station had not received any complaint for misconduct against its officers on curfew enforcement duty;
- (vi) The water tanks, face masks and gloves supplied by the Government of Kenya were not enough and the Station was mostly using tanks and personal protective gear donated by well-wishers or officers had to buy from their own pockets;
- (vii) The Station had been fumigated thrice since COVID 19 was reported in Kenya. The last fumigation was carried out two weeks before the Committee visited on 5th May, 2020. It was important that fumigation be done at least twice a week;
- (viii) The Station has inadequate office space with several officers including seniors sharing offices and some temporary structures being used as office space;
- (ix) The Station has one (1) motor vehicle which is not enough to meet its transport needs. The situation is made worse by the COVID 19 pandemic where social distancing has to be observed even in motor vehicles to prevent spread of the disease;
- (x) The Station adheres to social distancing as a preventive measure for spread of COVID 19.

3.14 Industrial Area Police Station

27. The Station is also the Makadara Police Divisional Headquarters. The Committee toured the Station on 5th May, 2020 from 12.45 pm. On arrival, the Committee was received by the OCPD, Mr. Abdikadir Sheikh and OCS, Mr. Festus Maingi. The Committee conducted a brief tour of the station and thereafter held a meeting under a tree with the OCPD and team. The Committee heard from the Station as follows-

- (i) The Station has three hundred and fifty (350) officers out of which one hundred and fifty (150) are daily engaged in curfew order enforcement duties. While on duty, officers must be in full uniform and teams constituted to do duty are always gender balanced;
- (ii) Curfew order offenders are recorded in the OB, released on cash bail and later charged in court. The process from arrest, release on bail and arraignment in court for formal charges is not intended to take long as it is not the Station's wish to detain in cells suspects for long during this time of COVID 19 pandemic;
- (iii) The Station was however holding thirty-two (32) remandees out of which fifteen (15) were aliens arrested and charged for being in Kenya illegally. Some of the aliens had been held in the cells for close to one year without action from the Immigration Department to have their fate determined by Court;
- (iv) The Station had not received any complaint for misconduct against its officers enforcing curfew order;
- (v) The Station received from the Government of Kenya facemasks, sanitizers and water tanks towards COVID 19 prevention but the supplies were not enough. As a result the Station was using supplies from well-wishers though in some instances, officers had to buy from their own pockets;
- (vi) The Station had been fumigated thrice since COVID 19 was reported in Kenya which was not enough. The Station wished that fumigation be done at least twice a week;
- (vii) The Station had inadequate office space with several officers sharing offices and some temporary structures being used as office space.
- (viii) The Station also doesn't have enough vehicles to meet its transport needs.
- (ix) The Station adheres to social distancing as a preventive measure for spread of COVID 19.

3.15 Embakasi Police Station

28. The Station also houses the Divisional Headquarters. The Committee toured the Station on 5th May, 2020 from 3.00 pm. On arrival, the Committee was received by the outgoing OCPD Mr. Mathews Mangira and OCS, Mr. Philip Ole Nkidi. The Committee conducted a brief tour of the station and thereafter held a meeting with OCPD and his team at the Station staff canteen. The Committee was informed as follows-

- (i) The Station has four hundred and sixty nine (469) officers out of which one hundred and five (105) are engaged in curfew order enforcement duties on daily basis. While on duty, officers are in full uniform and various teams constituted to undertake the assignment are always gender balanced;
- (ii) The Station had opted not to arrest, detain and charge curfew order offenders during this time of COVID 19 pandemic as detaining them would expose the station to the infection and spread of COVID 19. Instead, the Station was engaging officers in dialogue to ensure curfew orders are adhered to;
- (iii) The Station held in cells four (4) remandees the week before the Committee visited. The four (4) were serious crime offenders who were unable to raise bail or bond;
- (iv) An officer from the Station was reported to IPOA for misconduct. The Complainant was however unable to provide particulars and his complaint was dropped;
- (v) Personal protective gear and other supplies received from the Government were inadequate and had not been replenished after depletion. As a result the Station was using supplies from well-wishers and in some instances, officers had to buy from their own pockets;
- (vi) The Station had been fumigated two weeks ago prior to the Committee's tour which was not enough. Fumigation should be done at least twice a week for best results;

- (vii) The Station has inadequate office space with several officers including seniors sharing offices and some temporary structures being used as office space;
- (viii) The Station doesn't have enough motor vehicles to meet its transport needs;
- (ix) The Station adhered to social distancing as a preventive measure for spread of COVID 19.

3.16 Kilimani Police Station

29. The Station also houses the Divisional Headquarters. The Committee toured the Station on 7th May, 2020 from 10.00 am. On arrival, the Committee was received by the OCPD Mr. Lucas Oigara and OCS, Mr. James Mwita Sarima. After a brief tour of the Station, the Committee held a meeting with OCPD and his team in a tent outside the OCPD's office. The Committee was informed as follows-

- (i) The Station has two hundred and eighty-two (282) officers out of which thirty two (32) are engaged in curfew enforcement duties on daily basis. While on duty, officers are in full uniform and various teams constituted to oversee the enforcement are always gender balanced;
- (ii) Curfew order offenders are recorded in the OB, released on cash bail and later charged in court. The process from arrest, release on bail and arraignment in court for formal charges is not intended to take long as it's not the Station's wish to detain in cells suspects for long during this time of COVID 19 pandemic;
- (iii) The Station had not received any complaint for misconduct against its officers responsible for enforcing curfew orders;
- (iv) The Station held seven (7) remandees in cells the week before the Committee visited. The seven (7) were serious crime offenders who had failed to raise bail or bond;
- (v) Personal protective gear and other supplies received from the Government were inadequate and were not replenished after depletion;

As a result, the Station was using supplies from well-wishers and in some instances, officers had to buy from their own pockets;

- (vi) The Station had been fumigated two weeks ago which was not enough. Fumigation should be done at least twice a week for best results;
- (vii) The Station has inadequate office space with several officers including seniors sharing offices and some makeshift structures being used as office space;
- (viii) The Station does not have enough motor vehicles to meet its transport needs;
- (ix) The Station was at all times adhering to social distancing as a preventive measure for spread of COVID 19.

3.17 Langata Police Station

30. The Station is also the Langata Division Police headquarters. The Committee toured the Station on 7th May, 2020 from noon. On arrival, the Committee was received by the OCPD Mr. Gregory Mutiso and OCS, Mr. Francis Gituma. After a brief tour of the Station, the Committee held a meeting with OCPD and his team in the OCPD's office. The Committee was informed as follows-
- (i) The Station has three hundred and fifty-five (355) officers out of whom sixty-nine (69) undertake curfew order enforcement duties on daily basis. While on duty, officers are in full uniform and various teams constituted to undertake the assignment are always gender balanced;
 - (ii) Personal protective gear and other supplies received from the Government were inadequate and had not been replenished after depletion. As a result the Station was using supplies from well-wishers and in some instances, officers had to buy from their own pockets;
 - (iii) The Station had been fumigated severally by the Nairobi County Government's Health Department;
 - (iv) The Station does not have enough motor vehicles to meet its daily transport needs;

- (v) Considering that there was night curfew as a result of COVID 19, crime rate in the division had drastically reduced since most of the crime is committed at night;
- (vi) The Station was at all times adhering to social distancing as a preventive measure for the spread of COVID 19.

3.18 Rongai Police Station

31. The Station is situated in Kajiado County. The Committee toured the Station on 7th May, 2020 from 2.00 pm. On arrival, the Committee was received by the OCS, Mr. Amos Shamalla. After a brief tour of the Station, the Committee held a meeting with the OCS and his team in the Station's staff canteen. The Committee was informed as follows-

- (i) The Station has one hundred and fifty (150) officers out of which seventy (70) are engaged in curfew order enforcement duties on daily basis. While on duty, officers are in full uniform and various teams constituted to oversee the enforcement are always gender balanced;
- (ii) Curfew order offenders are recorded in the OB, released on cash bail and later charged in court. The process from arrest, release on bail and charging in court does not take long since the Station does not wish to detain minor offenders for long thereby creating an environment for infection and spread of COVID 19;
- (iii) The Station had not received any complaint for misconduct against any of its officers charged with enforcing curfew orders;
- (iv) The Station held seven (7) remandees in cells the week before the Committee visited. These were serious crime offenders who had failed to raise bail or bond;
- (v) Though the Station received personal protective and other supplies towards prevention of the spread of COVID 19, the supplies were inadequate and the Station was relying on donations from well-wishers;
- (vi) The Station was adhering to social distancing as a preventive measure for spread of COVID 19;

- (vii) Personal protective gear and other supplies received from the Government were inadequate and had not been replenished after depletion. As a result the Station was using supplies from well-wishers and in some instances, officers had to buy from their own pockets;
- (viii) The Station had been fumigated two weeks ago which was not enough. Fumigation should be done at least twice a week for best results;
- (ix) The Station has inadequate office space with several officers including seniors sharing offices and some temporary structures being used as office space;
- (x) The Station does not have enough motor vehicles to meet its transport needs;
- (xi) The Station adhered to social distancing as a preventive measure for spread of COVID 19.

3.19 Karen Police Station

32. The Committee toured the Station on 7th May, 2020 from 3.30 pm. On arrival, the Committee was received by the OCS Mrs. Purity Kobia. After a tour of the Station, the Committee held a meeting with the OCS and her team in some open space in front of her office. During the meeting, the Committee was informed as follows-

- (i) The Station has one hundred and thirty (130) officers out of which sixty (60) are involved in curfew enforcement duties on daily basis. While on duty, officers are in full uniform and various teams constituted to oversee the operation are always gender balanced;
- (ii) Personal protective gear and other supplies received from the Government were not enough and had not been replenished after depletion. As a result the Station was using supplies from well-wishers and in some instances, officers had to buy from their own pockets;
- (iii) The Station had been fumigated twice by the Nairobi County's Health Department which was not enough. It should be fumigated at least thrice a week in the worst case scenario;

- (iv) The Station had the week before the Committee toured held thirty (30) remandees in cells. These were mostly serious offenders who were unable to raise cash bail;
- (v) The Station has inadequate office space with officers sharing space beyond the optimum level and some makeshift and dilapidated structures being used for office space;
- (vi) The Station adhered to social distancing as a preventive measure for spread of COVID 19.

PART 4

4.0 ANALYSIS OF SUBMISSIONS RECEIVED FROM STATIONS, OBSERVATIONS AND RECOMMENDATIONS

4.1 Introduction

33. Having received submissions from the police stations visited, the Committee hereby analyses the submissions in the context of observations made during the tour and recommends as follows on issues of concern.

4.2.1 Sanitization and fumigation of stations and use of personal protective gear

34. The Committee observed that all stations visited had thermometer guns for checking temperatures at their entrance points as well as sanitizers for cleaning hands and officers wore personal protective gear like face masks which was laudable. All stations visited had been fumigated a certain number of times varying from station to station. However, the Committee was concerned about the following-

- (i) Police officers still lacked certain advanced personal protective gear, like googles of disposable full face shield, filtering face piece respirator, medical gown, non-sterile gloves and shoe covers, which exposed them to contracting COVID 19 especially those accompanying Emergency Response Teams to evacuate suspects.
- (ii) Supply of sanitizers and personal protective gear from the Government of Kenya was inadequate across all stations visited. As a result, stations used supplies donated by well-wishers or officers had to purchase from their pockets. This was against the backdrop of the fact that an employer has the primary responsibility of ensuring that he provides his employees with all working tools, equipment and materials pertaining to the work being done;
- (iii) All stations visited had been fumigated once or a certain number of times and at long time intervals ranging weeks since COVID 19 was reported in the country whereas fumigation should be carried out even daily for best results.

35. The Committee recommends as follows:-

(i) The Ministry of Interior and Co-ordination of National Government and the Ministry of Health should as a matter of urgency take action to ensure the police service is sufficiently facilitated to perform its duties without exposure to contracting COVID 19. Towards this end-

(a) The two Ministries should ensure adequate supply of COVID 19 prevention working tools, kits, equipment and materials; most notably face masks and sanitizers to police stations countrywide;

(b) The two Ministries should ensure issuance of fumigation equipment and chemicals to police stations countrywide and train them how to fumigate so that they can be doing it on their own;

(c) The Ministry of Interior should ensure that all working tools, kits, equipment and materials to be issued to police stations countrywide towards prevention of COVID 19 are delivered to police stations through the official Kenya police structures and systems of command.

(ii) The Ministry of Interior should ensure that immediately they are issued with fumigation equipment and chemicals, police stations are fumigated at least thrice a week.

4.2.2 Inadequate office space and social distancing

36. The Committee observed that all police stations visited had inadequate office space as a result of which officers shared offices way above the optimal capacity. Senior officers, rank of Inspector and heading departments in Stations shared offices which should not be the case. The situation at Muthaiga, Pangani, Shauri Moyo, Embakasi, Kamukunji, Runda, Parklands, Spring Valley and Muthangari Stations was grave.

37. Whereas all Stations visited informed the Committee that they observed social distancing, the Committee observed that this was not the case as many officers shared offices and were sitting close to each other thereby exposing themselves to contracting and spreading COVID 19 amongst themselves and members of the public visiting stations. As on 22nd June, 2020, three (3) officers at the Kamukunji Police Station had tested positive for COVID 19

and numbers could rise after all officers at the Station are tested for the disease.

38. The Committee further observed that virtually all stations visited had one (1) vehicle for carrying out station operations. These included carrying out daily routine patrols, curfew order patrols, movement to scenes of crime, transporting suspects to courts among others. The vehicle most stations had was Toyota Land Cruiser with a passenger capacity of about fourteen (14). One (1) vehicle was inadequate to meet the various stations' transport needs. Furthermore, the vehicles owned by the stations were not suitable for use during the COVID 19 pandemic taking into account social distancing, fumigation and other requirements for the prevention of spread of the disease to be put in place before vehicles are used.
39. The Committee recommends as follows-
- (i) **The Ministry of Interior and Co-ordination of National Government should as a medium or long term measure take appropriate action to ensure adequate office space and vehicles for police officers countrywide;**
 - (ii) **The Ministry of Interior and Co-ordination of National Government should, during this time of COVID 19 pandemic, institute stern measures for adherence to social distancing in police stations.**

4.2.3 Holding of suspects and remandees in Police cells during the COVID 19 pandemic

40. The Committee heard from OCSs and OCPDs that they had refrained from detaining suspects in cells in order to prevent the spread of COVID 19 and that bail for minor offences would be expeditiously processed and the offenders released. Only serious crime offenders would be detained pending arraignment in court for formal charges and transfer to remand facilities. According to the Committee, this was in the best interest of the country to prevent the spread of COVID 19.
41. The Committee indeed observed that other than Kamukunji and Industrial Area Police Stations, there were very few suspects or remandees held in other stations. At Kamukunji, there were averagely forty (40) suspects or remandees held weekly and these were unable to raise bail or bond or had committed non-bailable offences. At Industrial Area Police Station, there were thirty-two

(32) suspects and remandees also unable to raise bail or had committed non-bailable offences. Out of the thirty-two (32), fifteen (15) were aliens facing charges for being in the country illegally. The aliens had been in cells for inordinately long, with some having been there for one (1) year without action by the Immigration Department to have their cases and fate determined.

42. The Committee noted with concern that the fifteen (15) aliens were being held in cells at Industrial Area Police Station for inordinately long which was not fair and faulted the Immigration Department's inaction for their predicament.

The Committee recommends as follows-

- (i) **The Inspector-General of Police should during this time of COVID 19 pandemic ensure cash bail for bailable offence suspects is expeditiously processed and where suspects must be detained, social distancing is observed in cells and suspects are provided with personal protective gear;**
- (ii) **The Ministry of Interior and Co-ordination of National Government should as a matter of urgency ensure due process of law applies in the determination of the fate of aliens being held at Industrial Area Police Station for inordinately long; and**
- (iii) **Courts should give affordable bail or bond terms to suspects charged before them during the time of COVID 19 pandemic in order to avoid congestion in police cells.**

4.2.4 Training of Police Officers on the management of COVID 19 pandemic

43. During, the tour, the Committee was informed by Runda Police Station, that police officers had not been trained by the relevant authorities on the proper management of COVID 19 before they were assigned curfew order enforcement and other duties. Lack of training exposed them to contracting COVID 19.
44. Most of the police stations toured informed the Committee that should they come across COVID 19 suspects, they would immediately call the Emergency Response Team to evacuate them to government holding facilities. Kamukunji and Kasarani police stations however informed the Committee that in case they come across COVID 19 suspects, they would temporarily detain them in station cells pending the next course of action.

Other stations informed the Committee that should they come across COVID 19 suspects, they would transfer them to nearest hospitals.

45. The Committee indeed observed that some police stations may not be conversant with the Government of Kenya guidelines and procedures of handling of COVID 19 suspects due to lack of training thereby being exposed to contracting the disease. The guidelines and procedures include; should the police come across suspects, they should not detain them in cells but immediately call the Government Emergency Response Team which is well equipped to transfer them to government holding and treatment facilities.
46. The Committee recommends as follows-
 - (i) **The Inspector-General of Police should issue a directive to all police stations to ensure that whenever they come across COVID 19, suspects, they should not detain them in cells but should immediately call the Emergency Response Team to transfer them to government holding facilities;**
 - (ii) **The Inspector-General of Police should immediately take necessary action to ensure that all police officers are well trained and are fully conversant with government regulations, guidelines and procedures on COVID 19 management for their own safety.**

4.2.5 Whether police officers should be paid special allowances for being on the frontline in COVID 19 management

47. The Committee observed that the National Police Service plays an important role in the management of COVID 19 as follows-
 - (i) Curfew order enforcement duties;
 - (ii) Accompanying the COVID 19 Emergency Response Teams to homes and other areas to evacuate suspects to government holding and treatment facilities;
 - (iii) Manning COVID 19 holding and other facilities;
 - (iv) Enforcing regulations and orders on public transport and health.
48. In the course of playing these roles, police officers are exposed to contracting COVID 19. Whereas public health workers had been declared to be on the frontline in the management of COVID 19 and are paid special allowances, the police service was not.

The Committee recommends that the Ministry of Health should declare the police service to be on the frontline in the management of COVID 19 and pay officers special allowances for work done.

4.2.6 Bribery at road blocks during the COVID 19 pandemic

49. The Committee observed that allegations had been made against some of the police officers on social and mainstream media to the effect of soliciting and receiving bribes at roadblocks during curfew time. When asked to shed light, officers denied the allegations.

The Committee recommends that the Inspector-General of Police should ensure that police officers maintain high levels of dignity and integrity at all times while discharging their duties.

SIGNED..........DATE.....*24th June 2020*.....

HON. PAUL KOINANGE, M.P.

**CHAIRPERSON, DEPARTMENTAL COMMITTEE ON
ADMINISTRATION AND NATIONAL SECURITY**

ANNEXURE 1

(Minutes of Committee sittings on
consideration and adoption of report)

MINUTES OF THE 33RD SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON MONDAY, 22ND JUNE, 2020 AT 2.30 PM IN MINI-CHAMBER, COUNTY HALL, PARLIAMENT BUILDINGS

PRESENT-

1. Hon. Paul Koinange, MP - *Chairperson*
2. Hon. Wafula Wamunyinyi, MP
3. Hon. Peter George Kaluma, MP
4. Hon. Dr. Makali Mulu, MP
5. Hon. Aduma Owuor, MP
6. Hon. George Theuri, MP
7. Hon. Abdi Omar Shurie, MP
8. Hon. Halima Mucheke, MP
9. Hon. Dr. Tecla Chebet Tum, MP
10. Hon. Oku Kaunya, MP
11. Hon. Nimrod Mbithuka Mbai, MP
12. Hon. Didmus Wekesa Barasa Mutua, MP

ABSENT WITH APOLOGIES

1. Hon. Ahmed Kolosh Mohamed, MP
2. Hon. Marselino Malimo Arbelle, MP
3. Hon. Peter Masara, MP
4. Hon. Josphat Kabinga Wachira, MP
5. Hon. Geoffrey King'ang'i Muturi, MP
6. Hon. Ngunjiri Wambugu, MP

IN ATTENDANCE-

COMMITTEE SECRETARIAT-

- | | | |
|--------------------------|---|------------------------------|
| 1. Mr. George Gazemba | - | Principal Clerk Assistant II |
| 2. Mr. Joshua Ondari | - | Clerk Assistant |
| 3. Mr. Josphat Bundotich | - | Serjeant-At-Arms |
| 4. Mr. Rodgers Kilyungi | - | Audio Recording Officer |
| 5. Mr. James Oloo | - | Support Staff |

MIN No. 119/2020:-

**PRELIMINARIES AND COMMUNICATION
FROM THE CHAIRPERSON**

The Chairperson officially welcomed Members to the meeting at 2.38 pm with a word of prayer.

MIN No. 120/2020:-

CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS

Minutes of the 32nd sitting held on Wednesday, 17th June 2020 were confirmed as an accurate record of deliberations of the day's deliberations having been proposed and seconded by the Hon. Dr. Tecla Chebet Tum, MP and the Hon. Peter George Kaluma, MP respectively.

MIN No. 121/2020:-

CONSIDERATION AND ADOPTION OF REPORT ON INSPECTION TOUR OF POLICE STATIONS IN NAIROBI AND KAJIADO COUNTIES TO ASSESS THEIR PREPAREDNESS IN THE MANAGEMENT OF COVID 19

The Committee considered and unanimously adopted its report on the inspection tour of police stations in Nairobi and Kajiado Counties to assess their preparedness in the management of COVID 19. The adoption of the report was proposed by Hon. Abdi Shurie, MP and seconded by Hon. Didmus Wekesa Barasa Mutua, MP.

The Committee adopted the report with the following recommendations-

- (i) The Ministry of Interior and Co-ordination of National Government and the Ministry of Health should as a matter of urgency take action to ensure the police service is sufficiently facilitated to perform its duties without exposure to contracting COVID 19;**
- (ii) The Ministry of Interior should ensure that all working tools, kits, equipment and materials to be issued to police stations countrywide towards prevention of COVID 19 are delivered to police stations through the official Kenya police structures and systems of command;**
- (iii) The Ministry of Interior should ensure that immediately they are issued with fumigation equipment and chemicals, police stations are fumigated at least thrice a week;**

- (iv) The Ministry of Interior and Co-ordination of National Government should as a medium or long term measure take appropriate action to ensure adequate office space and vehicles for police officers countrywide;**
- (v) The Ministry of Interior and Co-ordination of National Government should, during this time of COVID 19 pandemic, institute stern measures for adherence to social distancing in police stations;**
- (vi) The Inspector-General of Police should during this time of COVID 19 pandemic ensure cash bail for bailable offence suspects is expeditiously processed and where suspects must be detained, social distancing is observed in cells and suspects are provided with personal protective gear;**
- (vii) The Ministry of Interior and Co-ordination of National Government should as a matter of urgency ensure due process of law applies in the determination of the fate of aliens being held at Industrial Area Police Station for inordinately long;**
- (viii) Courts should give affordable bail or bond terms to suspects charged before them during the time of COVID 19 pandemic in order to avoid congestion in police cells.**
- (ix) The Inspector-General of Police should issue a directive to all police stations to ensure that whenever they come across COVID 19, suspects, they should not detain them in cells but should immediately call the Emergency Response Team to transfer them to government holding facilities;**
- (x) The Inspector-General of Police should immediately take necessary action to ensure that all police officers are well trained and are fully conversant with government regulations, guidelines and procedures on COVID 19 management for their own safety;**
- (xi) The Ministry of Health should declare the police service to be on the frontline in the management of COVID 19 and pay officers special allowances for work done;**

- (xii) **The Inspector-General of Police should ensure that police officers maintain high levels of dignity and integrity at all times while discharging their duties.**

MIN No. 122/2020:-

**MEETING WITH THE INSPECTOR
GENERAL OF POLICE REGARDING A
PETITION BY HON. MWAMBU MABONGA,
MP AND ETHNIC CLASHES IN NAROK
COUNTY**

The meeting did not materialize after the Inspector-General of Police failed to appear. There was no communication from his office on whether or not he would appear. Efforts by the chairperson to reach him on phone did not bear fruit.

In view of the foregoing, the Committee instructed the secretariat to reschedule the meeting for another day.

MIN No. 123/2020:-

ADJOURNMENT

The Chairperson adjourned the meeting at half-past three in the afternoon until Tuesday, 23rd June 2020 at 10.00 am.

Signed.....

Chairperson

Date.....

ANNEXURE 2

(Signed list of Members who attended the sitting during which the Committee considered and adopted the report)

REPUBLIC OF KENYA



NATIONAL ASSEMBLY



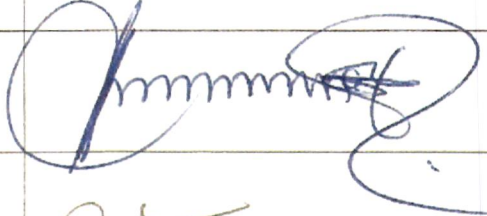

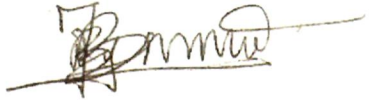





DEPARTMENTAL COMMITTEE ON ADMINISTRATION & NATIONAL SECURITY



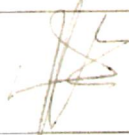


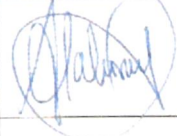

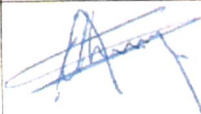

ATTENDANCE SCHEDULE


DATE: 22/06/2020 - 2-30 P.M.

VENUE: MINK CHAMBER COUNTY HALL

AGENDA: CONSIDERATION AND ADOPTION OF REPORT ON INSPECTION TOUR OF POLICE STATIONS

NO.	NAME	SIGNATURE
1.	Hon. Paul Koinange, MP - <i>Chairperson</i>	
2.	Hon. John Waluke, MP - <i>Vice Chairperson</i>	
3.	Hon. Wafula Wamunyinyi, MP	
4.	Hon. George Peter Kaluma, MP	
5.	Hon. Dr. Makali Mulu, MP	
6.	Hon. George Theuri, MP	
7.	Hon. Aduma Owuor, MP	
8.	Hon. Didmus Wekesa Barasa Mutua, MP	
9.	Hon. Geoffrey King'ang'i Muturi, MP	
10.	Hon. Marselino Malimo Arbelle, MP	

11.	Hon. Dr. Tecla Chebet Tum, MP	
12.	Hon. Josphat Kabinga Wachira, MP	
13.	Hon. Nimrod Mbithuka Mbai, MP	
14.	Hon. Ngunjiri Wambugu, MP	
15.	Hon. Abdi Omar Shurie, MP	
16.	Hon. Halima Mucheke, MP	
17.	Hon. Peter Masara, MP	
18.	Hon. Oku Kaunya, MP	
19.	Hon. Ahmed Kolosh Mohamed, MP	

Signed..........Date..... 22/06/2020

George Gazemba, ACI Arb, CPM,
Principal Clerk Assistant,
Departmental Committee on Administration and National Security.

Signed.....Date.....

Florence Atenyo-Abonyo,
Director, Committee Services.