

Specific Recommendations for the Police

- 1. A comprehensive reform of the Kenya Police Service and Administration Police be undertaken. This reform shall be initiated immediately and shall:**
 - a. Involve a complete audit of the current police management, structures, policies, practices and procedures.
 - b. Include extensive consultation with a wide variety of national and international stakeholders.
 - c. Undertake extensive and comprehensive public consultations
 - d. Include an examination and consideration of applicable international law and best practices
 - e. Include a thorough examination, review and revision of all tactics, weapons and 'Use of Force' employed by the Kenyan Police.
 - f. Explore international capacity building possibilities for policing in general with a specific focus on criminal investigations, community based policing and information collection analysis and dissemination.
 - g. Include the creation of a modern Code of Conduct
 - h. Include a complete revision of the Police Act
 - i. Incorporate a review of issues relating to the ethnic and tribal balance and deployment within the Kenya Police Service.
 - j. Include an examination of the structures of the police including the Senior Executive
 - k. Include the establishment of a Police Services Commission for the Kenya Police.
 - l. Investigate and make recommendations relating to any other areas of policing and law enforcement that are, in the opinion of the Police Reform Group (PRG), relevant to the improvement of policing services in Kenya.

2. An 'Independent Police Conduct Authority' is established with the legislative powers and authority to investigate police conduct and provide civilian oversight. Establishment will be undertaken in the following way:

- a. Enactment of an Independent Police Conduct Authority Act
- b. Involve a complete review of the current police complaints and disciplinary processes within the Kenya Police Service.
- c. Include an examination and consideration of applicable international law and best practices
- d. Report directly to parliament through the Minister responsible
- e. Work under the authority of its own Act and have sufficient powers to properly investigate all police conduct issues.
- f. The 'Authority' is to be a person qualified to be a judge of the High Court Kenya
- g. The 'Authority' is to have the power to investigate public complaints against police and 'own motion' conduct issues.
- h. Legislation will require that some, more serious policing actions 'must' be reported to the Authority i.e. allegations of corruption, deaths in custody, serious injury and police related shootings.
- i. Have the legislative power to make recommendations for change to policing policy, practices and procedures.
- j. The 'Authority' is to have retrospective powers to deal with historical serious misconduct.

3. The Administration Police is integrated into the Kenya Police Service creating a single police entity. The integration shall:

- a. Commence with the command, responsibility and accountability for every aspect of the Administration Police transferring to the Commissioner of Police with immediate effect.
- b. Effectively uncouple policing from the Provincial Administration structure.

- c. Enable a combined police organ to function in an unencumbered fashion exercising constabulary independence in performing its functions.
 - d. Ensure that all police services adopt an operational role independent of executive influence.
 - e. Ensure that a new and contemporary police entity is led by professional police officers.
- 4. All of the reforms articulated in the recommendations immediately above relating to the Police be initiated immediately and shall:**
- a. Be undertaken and completed by a panel of policing experts (Policing Reform Group - PRG) who will work completely independent of but alongside the Kenya Police Service and Administration Police.
 - b. Be comprised of a team of four experts including Kenyan and international specialists in transformational change, strategic auditing and policing.
 - c. Source the international experts from likeminded common law countries.
 - d. Have the PRG established and begin their work immediately with a mandated duration of 6 months.
 - e. Have the PRG report directly to the Minister of Justice
 - f. Furnish progress reports to the Government of Kenya and the African Union, regarding the conduct and findings of the PRG and to provide a final report within two (2) months of the end of the mandated period, unless otherwise agreed.
 - g. Ensure that the PRG identify, early in the process, appropriate 'milestones' or 'check points', at which time meaningful interim reports may also be generated.

h. Provide that the PRG be able to make interim and immediate recommendations for reform and change at any stage during the six months process.