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POLICE OVERSIGHT BOARD

IT IS notified for the general information of the public that the Minister of State for Provincial Administration and Internal Security has established a Board to be known as the Police Oversight Board.

1. The Board shall be a semi-autonomous Body answerable to the State through the Minister and with its headquarters established in Nairobi.

2. Functions of the Board.

The objects and functions of the Board shall be—

- (1) (i) to receive and evaluate complaints—
 - (a) from the Public against the Police;
 - (b) from the police officers against their colleagues; which have not been attended to or adequately addressed by the Police.
 - (ii) to hear and determine the complaints before it;
 - (iii) to monitor and review the handling of complaints—
 - (a) from members of the public against the Police.
 - (b) from the police officers against their colleagues.
 - (vi) to recommend to both the Commissioner of Police and the Administration Police Commandant, the appropriate action to be taken or remedial measures aimed at resolving the complaints.
- (2) Develop a sectoral National Action Plan and a Co-ordinating Framework to promote, monitor and evaluate the effective implementation of discipline within the Police Force.
- (3) Prepare quarterly reports to the Minister responsible for matters relating to "Internal Security" making proposals and recommendations for the improvement of the Police Force services, performance and welfare.
- (4) Prepare annual estimates to provide for the Board's expenditure.

(5) In consultation with the Commissioner of Police and the Administration Police Commandant, address any other issues relating to the Police Force as necessary.

3. Operations:

- (i) The Board shall have power to regulate its own procedures in discharge of its duties and shall be guided by the principles of equity, sensitivity, human rights and natural justice.
- (ii) The business of the Board shall be conducted through Board meetings.
- (iii) The meetings of the Board shall be held not less than once in every quarter.
- (iv) The quorum of any meeting for the purposes of conducting any business other than to appoint a temporary chairman shall be five (5) excluding the Chairman.

4. The Board shall have power to summon and examine witnesses and to call for production of any appropriate evidence for its consideration.

5. The Board shall establish its own secretariat.

6. The Board.

The Police Oversight Board shall consist of—

(a) (i) Chairman—Rt. Rev. Phillip A. S. Anyollo

(ii) Members:

Brigadier John F. Waweru,
Dr. Pius Akavanga Kigamwa,
Mrs. Alice Kagunda,
Dr. Julius Kipng'etich,
Ms. Jean Njeri Kamau,
Mr. Ahmednasir A. Yussuf,
Mr. James Mageria,
Major S. M. Muia,
Mr. Peter Otieno Raburu.

(iii) Secretary.

Director of Complaints at Police Headquarters and the Administration Police Complaints Desk Officer shall be Joint Secretaries of the Board.

(A) The Board shall not co-opt any other member.

(c) Terms of Office.

- (i) The Chairperson and members of the Board shall hold office for a period of three years and shall be eligible for re-appointment for a further term of three years.
- (ii) The Chairpersons or member of the Board may resign by a written resignation under his hand addressed to the Minister.
- (iii) A resignation shall take effect upon being received by the Minister.

7. Termination of Office.

The appointment of the Chairperson and of any member of the Board may be terminated by the Minister if the person—

- (i) is incompetent;
- (ii) is unable to perform the functions of his office by reason of a mental or physical infirmity;

(iii) if convicted of an offence under the Penal Code or the Public Officer Ethics Act; or

(iv) is adjudged bankrupt;

(v) is absent from three consecutive meetings without proper cause;

(vi) engages in active politics.

8. The costs incurred by the Board including the payments of salaries, allowances and other charges in respect of the members and the staff of the Board shall be defrayed from the voted funds of the Ministry.

Dated the 4th September, 2008.

GEORGE SAITOTI,

*Minister of State for
Provincial Administration and Internal Security.*