

SPECIAL ISSUE



THE KENYA GAZETTE

Published by Authority of the Republic of Kenya

(Registered as a Newspaper at the G.P.O.)

Vol. CXXIV–No. 281

NAIROBI, 21st December, 2022

Price Sh. 60

GAZETTE NOTICE No. 15792

**THE NATIONAL TASKFORCE ON IMPROVEMENT OF THE
TERMS AND CONDITIONS OF SERVICE AND OTHER
REFORMS FOR MEMBERS OF THE NATIONAL POLICE
SERVICE AND KENYA PRISONS SERVICE**

APPOINTMENT

WHEREAS perennial welfare challenges continue to compromise the efficacy and ability of the National Police Service and Kenya Prisons Service to effectively deliver on their solemn mandate;

WHEREAS the Administration has instituted reforms to steer the nation towards an autonomous, accountable, and responsive National Police Service;

WHEREAS the ongoing reforms build on past efforts aimed at tooling and retooling of our security organs, as Kenya seeks to make our security organs more capable of addressing the security challenges that the country faces;

WHEREAS the imperative of strengthening the security sector remains a national priority and the primary means of surmounting the emerging and dynamic security challenges we face; and

WHEREAS there is a compelling public interest in institutionalizing welfare reforms of our internal security organs whilst also fostering the citizen-facing service elements of the National Police Service whose pace of reform matches public expectations:

NOW therefore, I, William Samoei Ruto, President and Commander-in-Chief of the Kenya Defence Forces, in exercise of the powers conferred on the Head of State and Government by the Constitution and the Laws of the Republic of Kenya, do hereby:

(a) Establish a Taskforce on improvement of the terms and conditions of service and other reforms for members of the National Police Service and the Kenya Prisons Service.

(b) The Taskforce shall comprise of–

Chief Justice (Rtd.) David Kenani Maraga – *Chairperson*

Carole Kariuki – *Vice Chairperson*

Members

Moffat Muriithi Kangi,
John Ole Moyaki,
Ibrahim Jillo Guyo,
Richard Kirundi,

Elizabeth Mueni,
Roseline Odede,
Joash Odhiambo Dache,
Doreen Muthaura,
Albert Mwenda,
Terry Chebet Maina,
Hassan Sheikh Mohamed,
Capt. (Rtd.) Simiyu Werunga (Dr.),
Mutuma Ruteere (Dr.),
Anne Ireri,
Stephen Kayongo,
Jafaar Mohamed,
Sammy Chepkwony,
Khadija Mire.

Joint Secretaries:-

Omwanza Ombati,
Joy Mdivo Masinde,
Rosemary Kamau.

1. The objectives of the Taskforce are to–

- (a) Identify the legal, policy, administrative, institutional and operational constraints on effective service delivery by the National Police Service (hereafter, NPS) and the Kenya Prisons Service (hereafter, KPS);
- (b) Identify and recommend legal, policy, administrative, institutional and operational reforms in the NPS and KPS for effective service delivery;
- (c) Review and recommend improvement of the terms and conditions of service;
- (d) Review and recommend improvement of matters relating to welfare of officers in all cadres of the NPS and KPS and all other matters incidental to the optimal service delivery by the NPS and KPS.
- (e) Review and recommend on any other matter incidental to improved terms and conditions of service and other reforms in the NPS and KPS.

2. The Terms of Reference of the Taskforce are to–

On welfare of members of the NPS and KPS;

- (a) Examine the existing legislative, policy, institutional, administrative and operational structures, systems and strategies and recommend comprehensive reforms in the NPS and KPS;
- (b) Examine the extent of the uptake of the recommendations of previous Task Forces, including but not limited to the John Mutony, (2002–2003), the Philip Ransley (2009) and the Titus Naikuni (2010–2012) Task Forces;
- (c) Review the human capital management and development policies with a view of examining and reviewing standards and practices in recruitment, deployment, transfers, training, career progression, performance based and competitive promotions, reward, exit, and post-exit management; and recommend implementation of changes that enhance morale, meritocracy and professionalism in the NPS and KPS;
- (d) Consider recommendations of the Salaries and Remuneration Commission, National Police Service Commission, Kenya National Commission on Human Rights, Independent Policing Oversight Authority and any other recommendation on NPS and KPS welfare or reforms by any state organ;
- (e) Recommend review of remuneration of members of the NPS and KPS and consideration of new and applicable allowances to the NPS and KPS to enhance professionalism, efficiency and effectiveness of the NPS and KPS;
- (f) Assess the adequacy or otherwise of the current medical scheme for the NPS and KPS and recommend comprehensive reform or revision of the same with a view of improving it;
- (g) Assess and recommend the establishment of funds or schemes to cater for loss of life or injuries in the line of duty, terminal illness including mental health illness and possible legal and administrative framework to cater for NPS and KPS officers' dependants;
- (h) Assess and recommend improvement of working and living conditions of members of the NPS and KPS;
- (i) Assess the adequacy or otherwise of the current housing policy for members of the NPS and KPS and where appropriate, recommend review of the same including recommendation for a housing mortgage for officers;
- (j) Examine all capacity building measures including training curriculum, syllabus, continuous development trainings, reward measures and recommend reforms including incorporation of incentives for Police and prison officers especially the lower cadres to address professionalism, motivation and retention;
- (k) Consider the integration or otherwise of constitutional human rights and fundamental freedoms in the training and curriculum for NPS and KPS officers, including application of international instruments ratified by the State;
- (l) Assess issues of gender mainstreaming, sexual harassment, gender-based violence, establishment of gender desks, psychological support, guidance and counselling at station level and any other recommendation to improve mental wellbeing of the NPS and KPS;
- (m) Assess, consider, review and recommend the nature, quality and standard of the uniform for NPS and KPS officers as well as that of prisoners/inmates;

On technical and operational capability of the NPS and KPS

- (n) Assess, review tooling, equipping, logistical and technological capacity of the NPS and recommend changes necessary to sustain modern security management, disaster management, conflicts and early warning, rapid response systems and joint operational preparedness strategy;
- (o) Assess adequacy, sufficiency or otherwise of NPS tools, equipment, gear, communication and surveillance measures including use of drones and make appropriate recommendation including modernization and embracing technology in policing;

- (p) Assess the necessity of adopting and operationalizing ICT usage in all NPS and KPS operations including adoption of digital occurrence books, body cameras, vehicles cameras, smart and intelligent surveillance equipment, among others, consistent with the Constitution;
 - (q) Assess and recommend general reforms and improvement of NPS and KPS premises, including titling of all NPS and KPS land, progressive adoption and building of modern police stations that comply with international best practices and standards;
 - (r) Assess and consider the administration of the forensic laboratory with a view to ensuring more independence in its operations and decision making and expand its usage by multiple agencies within the criminal justice system;
 - (s) Assess and propose the review of reporting command, governance and accountability framework within the NPS and KPS;
 - (t) Assess the implication on command and good order of NPS following the restructuring/merger of the Administration Police Service and Kenya Police Service;
 - (u) Assess and recommend establishment of clear guidelines on formation of specialized units within the NPS;
 - (v) Assess and consider opportunities and platforms for benchmarking on regional and international standards and exchange programmes with a view to modernizing policing and correctional services;
 - (w) Assess the legal and administrative framework to operationalize community policing with a view of embracing all-inclusive measures to combat crime;
 - (x) Undertake a comprehensive audit of legal framework to assess its consistencies and adequacy in executing the constitutional and statutory mandate of the NPS and KPS;
 - (y) Identify and propose any legislative and policy review, including review of standing orders, necessary to give effect to the recommendations of the Task Force; and
 - (z) Make any other recommendation(s) incidental to the improvement of terms and conditions of service for members of NPS and KPS.
3. In the performance of its tasks, the Task Force shall regulate its own procedure and, may:
- (a) Co-opt any person(s) as it may consider necessary or expedient for the proper performance of its functions;
 - (b) Hold public hearings including pre-hearings;
 - (c) In exceptional circumstances and when necessary, hold hearings or receive information *in camera*;
 - (d) Record all its hearings on Hansard or any other manner embracing technology;
 - (e) Where appropriate administer oaths or affirmation, or take statements;
 - (f) Hold meetings, forums or consultations as it may deem necessary in such places and at such times as it may consider necessary for the proper discharge of its mandate;
 - (g) Consider reports of past or ongoing initiatives towards enhancing the legal, policy and institutional framework on NPS and KPS reforms and welfare;
 - (h) Review official reports, policy, legislative or any other document related to the Task Force mandate;
 - (i) Carry out or cause to be carried out such studies or research as may be necessary to assist the Task Force in the discharge of its mandate;
 - (j) Where appropriate, ensure the protection and safety of participants;
 - (k) Provide a conducive environment for hearings or interviews;

- (l) Engage experts as may be necessary for the execution of its mandate;
- (m) Review and compile background information and data on the subject matter;
- (n) Invite stakeholders, keys informants and experts to appear before the Task Force;
- (o) Seek production of any document or record relevant to the Task Force mandate;
- (p) Question any person and require from him/her the disclosure of relevant information, in respect to the matters under consideration;
- (q) Receive written memoranda or information from professional bodies, public officers and the public;
- (r) Take all steps necessary, to prevent the disclosure of any information that would be injurious to a participant, NPS or KPS;
- (s) Establish committees or sub-committees to expedite the discharge of its tasks; and
- (t) Adopt any other procedures and methods that it may consider expedient for the proper conduct of its business and to sit at any time or place that it may decide.

4. In furtherance of the objectives and purpose of the Taskforce, all State entities are directed to afford the Taskforce all necessary support and cooperation.

5. The Taskforce shall, as much as possible, engage relevant non-state institutions including international and local partners, community-based organizations, social service entities, and faith-based institutions, among others.

6. The deliverables of the Taskforce are—

(a) A Task Force Report; and

(b) An Implementation Matrix.

7. The term of the Taskforce is a period of ninety (90) days with effect from the date of this notice.

8. The Secretariat of the Taskforce shall be at the Ministry of Interior and National Administration.

9. The Secretariat address shall be:

Ministry of Interior and National Administration
P.O. Box 30510–00100
Nairobi

Dated the 21st December, 2022.

WILLIAM SAMOEI RUTO,
President.