

# **Policing The Police: Safeguarding Transparency and Merit in Kenya's Recruitment Process**

A Comprehensive Advocacy Report on Independent Observation, Legal Frameworks, and Lessons from Court Challenges

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## Disclaimer

This publication was prepared by Human Rights Agenda (HURIA) as part of its advocacy brief series. The contents of this publication are the sole responsibility of HURIA and do not necessarily reflect the views, analysis or policies of any of its funding partners.

# Acronyms and Abbreviations

- CAJ** – Commission on Administrative Justice (Office of the Ombudsman)
- CSO** – Civil Society Organization
- DCI** – Directorate of Criminal Investigations
- EIA** – Equal Opportunity and Inclusion Assessment
- FGD** – Focus Group Discussion
- GoK** – Government of Kenya
- GPS** – Global Positioning System (used in recruitment monitoring)
- HRD** – Human Rights Defender
- HURIA** – Human Rights Agenda
- ICPAK** – Institute of Certified Public Accountants of Kenya
- ICT** – Information and Communication Technology
- IG** – Inspector-General of the National Police Service
- IPOA** – Independent Policing Oversight Authority
- JSC** – Judicial Service Commission
- KEELRC** – Kenya Employment & Labour Relations Court
- KLR** – Kenya Law Reports
- KNCHR** – Kenya National Commission on Human Rights
- NGO** – Non-Governmental Organization
- NPS** – National Police Service
- NPSC** – National Police Service Commission
- NPSC Regulations, 2015** – National Police Service Commission (Recruitment and Appointment) Regulations, 2015
- NYS** – National Youth Service
- P/CVE** – Prevention / Countering Violent Extremism
- PRIC** – Police Reforms Implementation Committee
- PEP** – Police Education Programme
- POT** – Physical Observation Test (height, weight, and basic physical requirements)
- POTA** – Prevention of Terrorism Act
- PSC** – Public Service Commission
- SOP** – Standard Operating Procedure

# Glossary of Key Terms

<b>Term</b>	<b>Definition</b>
<b>Accredited Observer</b>	A neutral individual or organisation formally authorised by the NPSC to monitor the recruitment process for transparency and compliance.
<b>Applicant</b>	A person who submits an application to join the National Police Service as a police constable or through other entry pathways.
<b>Aptitude Test</b>	An assessment of a candidate's cognitive abilities, reasoning, and problem-solving skills relevant to policing duties.
<b>Cadet Entry Scheme</b>	A recruitment pathway for degree-holders who join the Service for leadership training and development.
<b>Civil Society Organisation (CSO)</b>	A non-state, non-profit body promoting public interest, human rights oversight, and governance monitoring.
<b>Commission (NPSC)</b>	The National Police Service Commission—constitutionally mandated to recruit, appoint, promote, and discipline police officers.
<b>Constitutional Values</b>	National principles such as accountability, equity, transparency, respect for human rights, and public participation guiding all public processes.
<b>Diversity Requirements</b>	Legal obligations to ensure recruitment reflects Kenya's ethnic, regional, gender, and minority representation.
<b>Due Diligence</b>	The process of verifying candidate information to confirm suitability, accuracy, and integrity.
<b>Employment Vetting</b>	Integrity screening to assess whether a candidate meets ethical and professional standards required for police service.
<b>Establishment</b>	The official number of staff positions approved for the National Police Service.
<b>Ethnic and Regional Balancing</b>	Requirements ensuring fair representation of different ethnic groups and counties in the police service.
<b>Inspector-General (IG)</b>	The senior-most police officer who may receive delegated recruitment responsibilities from the NPSC.
<b>Integrity Oath</b>	A formal pledge taken by panel members and observers committing to honesty and impartiality during recruitment.

<b>Term</b>	<b>Definition</b>
Medical Assessment	Health and physical fitness evaluations determining a candidate's suitability for police duties.
Merit-Based Recruitment	A principle ensuring recruitment decisions rely on qualifications, skills, and integrity—not corruption or favoritism.
National Police Service (NPS)	Kenya's national law enforcement institution comprising the Kenya Police Service and the Administration Police Service.
National Police Service Commission (NPSC)	The constitutional body responsible for recruitment, promotions, transfers, and discipline of police officers.
Observer Report	A document produced by observers detailing findings, irregularities, and recommendations from the recruitment process.
Physical Assessment	Tests evaluating physical fitness, strength, and endurance of candidates.
Public Participation	Constitutional requirement ensuring communities and civil society engage in the recruitment oversight process.
Recruitment Panel	A body appointed by NPSC to conduct the physical, medical, and aptitude assessments at recruitment centres.
Shortlisting	Selection of applicants who meet basic qualifications to proceed to the next stage of assessment.
Solicitation	Illegal request or offer of bribes, gifts, or favours in exchange for recruitment opportunities.
Transparency	Ensuring openness and accountability so that recruitment can be independently verified.
Verification of Documents	The process of checking the authenticity of academic certificates, IDs, and credentials.
Vacancy	An unfilled position within the National Police Service that the recruitment seeks to fill.

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HURIA also recognises the critical role played by oversight and legal institutions, including the Independent Policing Oversight Authority (IPOA), the Kenya National Commission on Human Rights (KNCHR), and the Commission on Administrative Justice (CAJ), whose jurisprudence, reports, and independent investigations provided essential context and comparative insights for this analysis. We further acknowledge the important contributions of Kenya's courts, whose rulings continue to shape the legal standards governing police recruitment and administrative justice.

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To all who walked this journey with us: **Asanteni sana.**

Your contributions bring Kenya closer to a policing system rooted in dignity, justice, and public trust.

# Preface

Since 2016, Human Rights Agenda (HURIA) has been at the forefront of efforts to transform policing at Kenya's Coast; a region long affected by strained police–community relations, recurring allegations of misconduct, extra-judicial killings, and deep-seated mistrust. In this challenging context, HURIA has championed a rights-based, people-centred approach to policing that foregrounds accountability, community ownership, and innovation as the foundation for sustainable security. Over nearly a decade, and with steadfast support from development partners, HURIA has designed and implemented initiatives that have strengthened police service delivery while empowering communities to speak out, demand accountability, and engage meaningfully in crime prevention and public safety.

HURIA's decision to observe police recruitment is not incidental; it is grounded in years of working to shift policing culture from one defined by opacity and coercion to one that is democratic, inclusive, and anchored in constitutional values. Recruitment is the gateway into the police service, and therefore the first—and most decisive—moment at which integrity, professionalism, and human rights commitments must be embedded. The same communities that bear the everyday consequences of policing also have the greatest stake in ensuring that the process through which new officers are selected is transparent, lawful, and merit-based. For HURIA, monitoring the 2025 recruitment exercise builds directly on a long trajectory of strengthening trust between citizens and the police and advancing accountability in the security sector.

Over the years, HURIA has introduced flagship innovations that have become reference points for effective community policing and participatory accountability. The SEMA Clinics created unprecedented spaces where citizens could speak, report violations, and engage police leaders without fear. Carbonated Occurrence Book (OB) systems strengthened transparency at the station level by enabling

real-time tracking of cases. Toll-free legal aid lines ensured that individuals facing arrest, violence, or rights violations could quickly access legal assistance and redress. Police Open Days and Jukwaa za Usalama forums provided accessible platforms for dialogue, trust-building, and joint problem-solving. HURIA's boda boda reform initiatives helped organise riders into associations and SACCOs, contributing to safer roads, stronger livelihoods, and improved police–community relations. Even simple WhatsApp policing groups created real-time avenues for reporting incidents and accelerating police responsiveness. Together, these innovations—locally generated, context-sensitive, and community-driven—demonstrated that policing can be both effective and humane when built in partnership with those it serves.

Through these initiatives, HURIA has learned crucial lessons that continue to shape its approach. Community ownership is essential for sustainability; indeed, many Community Policing Forums (CPFs) and Community Policing Committees (CPCs) remain active long after project cycles end. Collaboration with oversight institutions, chiefs, elders, women's leaders, and county officials is not optional—it is indispensable to bridging institutional gaps. Simple, user-friendly tools often succeed where complex systems fail, especially in environments where resources, information, or trust are limited. Yet systemic challenges remain. Frequent transfers, weak prosecutions, endemic corruption, political interference, and inconsistent implementation of reforms continue to erode public confidence and undermine even the most promising interventions. These persistent problems illustrate why continuous, evidence-based advocacy such as monitoring police recruitment is vital.

HURIA's policing journey affirms that democratic, rights-based, and people-centred policing is not only necessary but entirely achievable in Kenya. With strategic donor investment, community empowerment, and

practical innovations, it is possible to rebuild public trust, reduce insecurity, and cultivate a policing culture grounded in service rather than force. As this report demonstrates, however, the quality of policing begins long before an officer dons the uniform; it begins at the recruitment gate. Ensuring that recruitment is transparent, inclusive, and compliant with the law is central to the broader transformation of Kenya's security sector.

As HURIA looks ahead, it remains committed to scaling these innovations, deepening gender-responsive and community-sensitive policing, and strengthening linkages between policing reforms and broader justice sector transformation. By continuing to work alongside communities, oversight bodies, and state institutions, HURIA will keep advancing its mission: to promote human rights, strengthen accountability, and contribute to a safer, more just, and more democratic Kenya.



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# Executive Summary

The 2025 police constable recruitment exercise once again revealed a persistent and troubling pattern of non-compliance with constitutional standards, statutory procedures, and judicial directives governing public recruitment. Despite more than a decade of judicial scrutiny, repeated court declarations of irregularity, and extensive monitoring by independent constitutional commissions, the same systemic weaknesses identified in previous recruitment cycles resurfaced with striking consistency.

The November 2025 recruitment conducted only three days after the High Court lifted conservatory orders was marked by procedural improvisation, weak accountability safeguards, and significant deviations from the National Police Service Commission (NPSC) Regulations, 2015. Field observations across Kwale, Kilifi, and Mombasa counties confirm that the failures highlighted in past petitions and oversight reports remain largely unaddressed. Even in the presence of well-trained observers, the process revealed systemic deficiencies that undermine fairness, transparency, and public trust in the National Police Service (NPS).

# 21

## Recruitment Centres

Total centres designated across three Coast counties

# 10

## Centres Observed

HURIA deployed trained observers achieving 47.6% coverage

# 2.4%

## National Sample

Of 416 centres nationwide, representing credible regional analysis

## Regional Coverage

Across the three Coast counties, a total of **21 recruitment centres** were designated by the National Police Service Commission (NPSC). HURIA deployed trained observers to **10 of these centres**, achieving **47.6% coverage** of all recruitment points in the region. This represents a strategically significant sample that spans diverse contexts urban, peri-urban, and rural allowing for credible comparative analysis and identification of recurring systemic patterns.

## National Context

Measured against the **416 centres nationwide**, HURIA's sample constitutes **2.4% of the national recruitment footprint**, a proportion consistent with the organisation's mandate, resource configuration, and longstanding focus on coastal policing reforms. While not exhaustive, this level of coverage is methodologically sound: it captures nearly half of all centres in the target counties and includes locations with varied administrative capacities, population densities, and historical records of recruitment-related complaints. These characteristics substantially enhance the representativeness and analytical depth of the dataset.

## Critical Failures in Transparency

### Missing Shortlists

Central among the recurring issues was the continued failure to publish mandatory shortlists and centre-specific vacancy allocations. Courts and constitutional commissions have repeatedly underscored the importance of these documents for ensuring merit-based recruitment, yet the 2025 exercise reproduced this long-standing opacity.

### Withheld Vacancy Data

In nearly all centres, candidates and observers were left without access to the legal shortlist, and vacancy numbers were withheld, altered mid-process, or announced verbally without supporting documentation. This mirrors irregularities identified in several landmark judicial decisions, including earlier High Court judgments that invalidated entire recruitment drives due to the absence of verifiable public records.

### Systemic Opacity

**Systemic Opacity**The 2025 exercise reproduced long-standing failures to publish mandatory centre-specific vacancy allocations, despite explicit judicial directives requiring verifiable public records for accountability.

## Improvised Documentation and Financial Burdens

### 1 System Abandonment

Centres abandoned the official online system without formal authorization or documented justification.

Another persistent non-compliance pattern involved the use of improvised documentation and non-standard forms. Despite prior judicial admonitions against ad hoc recruitment tools, centres widely abandoned the online system and instead used Inspector-General-issued forms that contradicted the NPSC's own prescribed procedures. Observers confirmed that candidates were forced to print documents at their own cost, violating explicit regulations prohibiting financial burdens on applicants. This exact issue has been raised repeatedly by IPOA, CAJ, and KNCHR, who have warned that undocumented procedural alterations create openings for abuse and corruption.

### 2 Contradictory Forms

Inspector-General-issued forms were introduced that directly contradicted NPSC's prescribed procedures

### 3 Illegal Cost Burden

Candidates were forced to print documents at their own cost, violating explicit regulations prohibiting financial burdens on applicants.

## Panel Composition Failures Enable Academic Fraud

Panel composition failures particularly the systemic absence of Education Officers re-emerged as a defining irregularity, even though their absence has been consistently criticised in both litigation and independent reports. This year, the gap directly contributed to academic fraud, including a documented incident involving forged certificates at the Vigurungani/Kinango recruitment centre. Independent observers have historically noted that the absence of technical experts not only undermines the authenticity of academic vetting but also exposes panels to manipulation and undue influence. The 2025 recruitment confirmed the persistence of this risk.

0

### Education Officers Present

At most observed centres despite regulatory requirements

1

### Documented Fraud Case

Forged certificates at Vigurungani / Kinango centre

## Collapsed Integrity Safeguards

### Oath Administration Failure

The Oath of Integrity, emphasized by courts and oversight bodies as a critical governance tool, was administered in only 2 of 10 observed centres. The majority of panels proceeded without taking the oath.

### Corruption Indicators

Gaps in integrity safeguards coincided with renewed allegations of bribery, the presence of brokers near recruitment grounds, and suspicious interactions involving panel members.

### Disqualification Reversals

Apparent attempts to reintroduce disqualified candidates were observed, demonstrating how weak safeguards enable manipulation of the recruitment process.

Integrity safeguards also remained weak. The **Oath of Integrity**, which both courts and oversight bodies have emphasised as a critical governance tool, was administered in only two of the observed centres. The majority of panels proceeded without taking the oath, eliminating a key procedural guarantee and replicating a problem flagged consistently by IPOA and KNCHR in earlier recruitment cycles.

Predictably, the gaps in integrity safeguards coincided with renewed allegations of bribery, the presence of brokers near recruitment grounds, suspicious interactions involving panel members, and apparent attempts to reintroduce disqualified candidates.

## Unconstitutional Ethnic-Based Exclusion

### Constitutional Violation

The Oath of Integrity, emphasized by courts and oversight bodies as a critical governance tool, was administered in only 2 of 10 observed centres. The majority of panels proceeded without taking the oath.

### Judicial Precedent Ignored

Gaps in integrity safeguards coincided with renewed allegations of bribery, the presence of brokers near recruitment grounds, and suspicious interactions involving panel members.

### Institutional Failure

Apparent attempts to reintroduce disqualified candidates were observed, demonstrating how weak safeguards enable manipulation of the recruitment process.

The issue of **ethnic-based exclusion**, which has been repeatedly chastised by the judiciary and human rights institutions, also resurfaced in 2025. At Vigurungani, candidates were explicitly removed because members of their ethnic group “were too many” a practice that violates Article 27 of the Constitution and has been consistently condemned as unconstitutional. Despite clear

judicial pronouncements prohibiting such discrimination, the practice recurred openly and without corrective intervention, demonstrating the NPSC’s failure to internalise and enforce constitutional norms.



Candidates were explicitly removed because members of their ethnic group were too many



## Absent Complaints and Redress Mechanisms

### No Administrative Justice

Centres offered no complaint desks, no registers, and no formal avenues for appeal despite years of recommendations from CAJ and KNCHR urging NPSC to institutionalize administrative justice protocols in recruitment. The absence of credible complaints and redress mechanisms persisted across all observed centres, leaving candidates with no recourse when facing arbitrary decisions or procedural irregularities. No designated complaint desks or officers. No complaint registers or documentation systems. No formal appeal procedures communicated to candidates. No oversight of decision-making processes.

### Undocumented Decision Reversals

The Msambweni case exemplifies the dangers of absent accountability mechanisms. A successful candidate’s selection was reversed without documentation, explanation, or opportunity for appeal.

Courts have repeatedly ruled that recruitment decisions must be accompanied by clear reasons and proper documentation, yet this principle remains unimplemented. The ability to alter decisions arbitrarily, without record or justification, fundamentally undermines the rule of law in public recruitment.

The **absence of credible complaints and redress mechanisms** also persisted. Centres offered no complaint desks, no registers, and no formal avenues for appeal despite years of recommendations from CAJ and KNCHR urging NPSC to institutionalise administrative justice protocols in recruitment. Instances such as the undocumented reversal of a successful candidate in Msambweni highlight how easily decisions can be altered without accountability. Courts have repeatedly ruled that recruitment decisions must be accompanied by clear reasons, yet this principle remains unimplemented.



## Chronic Documentation and Record-Keeping Failures



### Centres with Public Results

No observed centre produced publicly accessible written results



### Formal Disqualification Records

No centres maintained verifiable disqualification documentation



### Auditable Recruitment Returns

No centres produced verifiable recruitment returns for oversight

Finally, **documentation and record-keeping weaknesses** remain chronic and uncorrected. No observed centre produced publicly accessible written results, formal disqualification records, or verifiable recruitment returns. This is a direct repeat of findings from prior independent reports and judicial rulings, all of which have warned that undocumented processes cannot withstand legal scrutiny or public audit.

## Urgent Need for Structural Reform

### Systemic Disconnect

A persistent gap exists between constitutional and judicial expectations governing police recruitment and actual practice on the ground, unchanged despite a decade of oversight.

### Legal Vulnerability

Without decisive institutional action, the police recruitment process will remain vulnerable to legal challenge, public mistrust, and persistent allegations of corruption and discrimination.

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4

### Repeated Non-Compliance

The continued recurrence of long-standing irregularities—missing shortlists, absent Education Officers, ethnic discrimination, weak integrity safeguards—demonstrates institutional failure to implement reforms.

### Reform Imperative

Structural reform within the NPSC's planning, oversight, and enforcement mechanisms is urgently needed to align practice with constitutional standards and restore public confidence.

Taken together, this pattern of repeated non-compliance demonstrates a systemic disconnect between the constitutional and judicial expectations governing police recruitment and the actual practice on the ground. The 2025 exercise, though exhibiting isolated examples of good practice including unrestricted observer access, professional medical evaluations, and affirmative consideration for orphans, fell short of the transparency, fairness, and procedural rigor required by law.

The continued recurrence of long-standing irregularities highlights the urgent need for structural reform within the NPSC's planning, oversight, and enforcement mechanisms. Without decisive institutional action, the police recruitment process will remain vulnerable to legal challenge, public mistrust, and persistent allegations of corruption and discrimination.

This report proposes a set of strategic reforms to strengthen integrity, fairness, and professionalism in the National Police Service (NPS) recruitment process. The recommendations are grounded in direct field observations across the Coast region and aligned with constitutional standards, judicial guidance, and international best practices.

**First,** the NPS should adopt context-sensitive height and weight standards that reflect Kenya's regional and ethnic diversity. Current uniform thresholds disproportionately exclude communities—particularly in coastal counties—whose natural body profiles differ from national averages. Contextualized standards would enhance equity and broaden the recruitment pool.

**Second,** recruitment should transition from an overemphasis on physical fitness to a competency-based model that evaluates integrity, psychological readiness, emotional intelligence, and decision-making capacity. This shift is critical for cultivating an ethical, professional, and community-responsive police service.

**Third,** community participation must be strengthened through community-centred recruitment models. Community policing committees and localized structures should be involved in oversight and background checks to enhance transparency, ensure local representation, and reduce the selection of outsiders at the expense of local applicants.

**Fourth,** outdated colonial-era recruitment standards should be modernized. Revised criteria must emphasize human rights awareness, critical thinking, communication, conflict resolution, and digital literacy to meet the demands of contemporary policing.

**Fifth,** the NPS should invest in modern infrastructure and digital tools for recruitment. Standardized equipment, digital registration, automated scoring, and secure data systems would reduce human error, curb manipulation, and increase efficiency and public confidence in the process.

**Sixth,** an independent complaints desk should be established at every recruitment centre. Staffed by non-NPS personnel, the desk would receive and document grievances transparently and strengthen accountability.

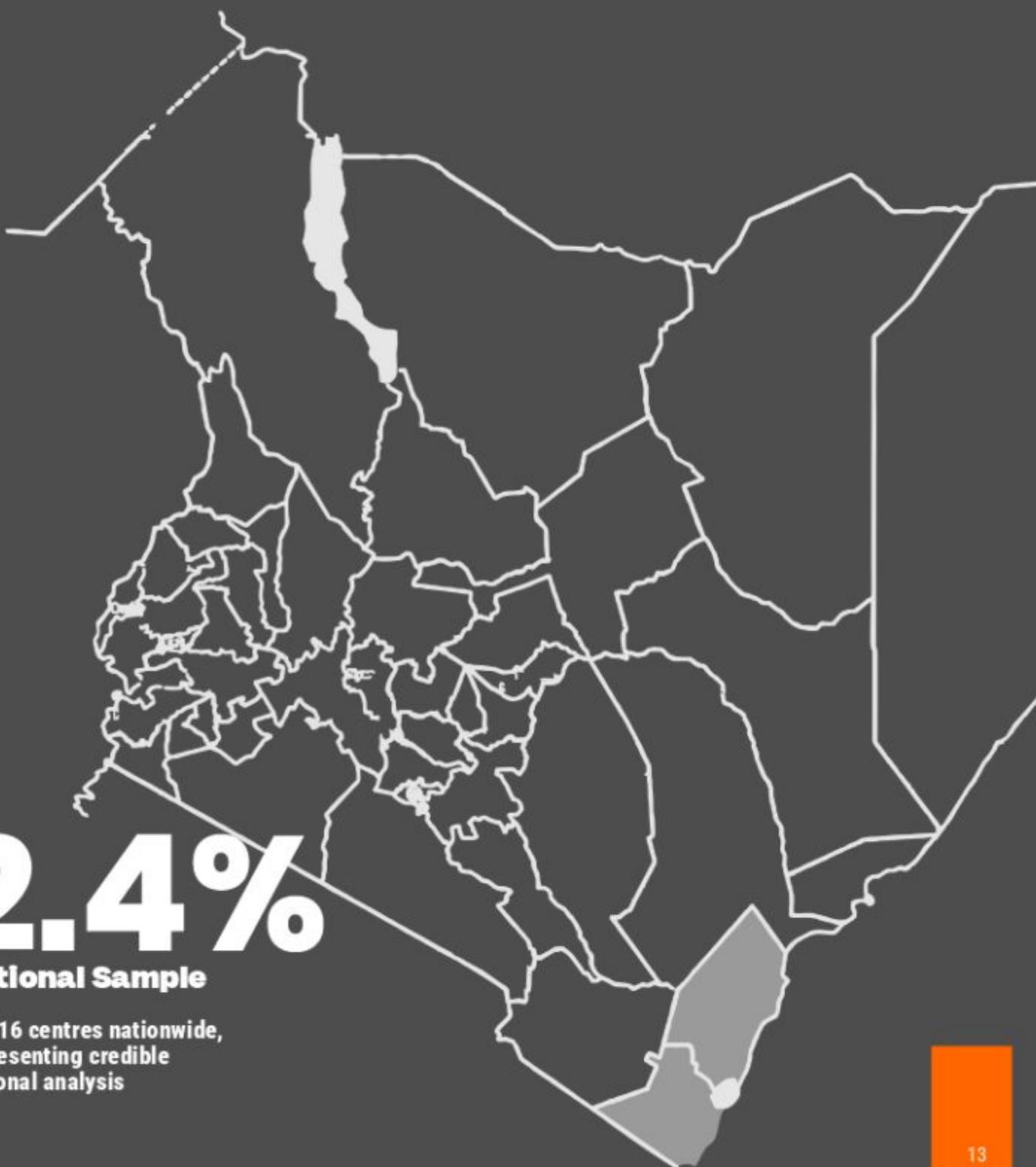
**Seventh,** the medical examination process should be streamlined by requiring pre-recruitment screening at accredited government facilities. Presenting verified medical reports on recruitment day would reduce congestion, enhance transparency, and offer candidates a fair chance to contest disputed results.

**Eighth,** the NPS should reopen or extend recruitment in centres that fail to meet quotas, rather than returning empty slots to headquarters—a practice that often fuels perceptions of corruption. Localized mini-recruitments would protect regional equity and maintain public trust.

**Ninth,** the NPS should routinely publish disaggregated recruitment statistics, including applicant numbers, disqualification reasons, gender representation, and inclusion of persons with disabilities. Public access to such data is vital for transparency and evidence-based reform.

**Tenth,** pre-recruitment support programmes should be introduced in areas that consistently attract few or underprepared candidates. These programmes—featuring career guidance and basic preparation—would help overcome structural barriers and build a diverse candidate pipeline.

**Finally,** the NPS and NPSC must ensure the formal accreditation of independent observers as required by law. Although observers were allowed into centres during the recent exercise, they were not formally accredited. Non-accreditation exposes observers to interference, creates inconsistency in access, undermines transparency, and weakens the credibility of oversight findings. A clear and public accreditation process is essential to safeguarding the integrity of future recruitment cycles.



**2.4%**

**National Sample**

Of 416 centres nationwide,  
representing credible  
regional analysis



# 1

## Introduction

Police recruitment plays a foundational role in shaping the integrity, professionalism, and public credibility of the National Police Service (NPS). In Kenya, the recruitment of police constables is not merely a technical human resource exercise; it is an entry point into a security institution that wields significant power and influence in citizens' daily lives. The values embedded at this earliest stage—transparency, fairness, merit, and respect for the rule of law—ultimately determine whether the police service functions as a protector of rights or a source of insecurity. Despite repeated reform efforts, persistent challenges continue to undermine recruitment integrity, pointing to structural weaknesses that require urgent and sustained attention.

This report, *Policing the Police: Safeguarding Transparency and Merit in Kenya's Recruitment Process*, presents the findings of HURIA's independent observation of the 2025 police constable recruitment exercise conducted across Kwale, Mombasa, and Kilifi counties. Drawing on field observations, legal analysis, historical reform trends, past judicial interventions, and evidence from oversight bodies, the report provides a comprehensive and multi-layered assessment of recurring gaps in recruitment practice—and the implications for human rights and governance.

## 1.1

### Background to Police Recruitment in Kenya

Police recruitment in Kenya has long been the subject of public concern, judicial scrutiny, and institutional reform. Beginning in the late 1990s and intensifying after the 2007–2008 post-election violence, national debates highlighted deep-seated problems within the police service, including corruption, politicisation, low professionalism, and widespread abuses of power. These concerns prompted major inquiries and reform commissions—most notably the Waki Commission (2008), the Ransley Task Force (2009), the IPOA and KNCHR oversight frameworks (from 2011), and more recently the Maraga Taskforce (2023). Consistently, these bodies identified recruitment as a critical fault line shaping the quality and culture of policing.

The 2010 Constitution sought to transform the police into a service grounded in accountability, human rights, and professionalism. To achieve this, the National Police Service Commission (NPSC) was mandated to conduct transparent, merit-based recruitment guided by national values, human rights standards, and clear regulations. Central to this framework are the NPSC Act, the National Police Service Act, and the NPSC (Recruitment and Appointment) Regulations (2015), which specify the processes for shortlisting, verification of credentials, integrity vetting, complaints handling, and documentation.

Despite this robust legal and institutional architecture, recruitment exercises have repeatedly been marred by irregularities. Courts nullified the 2014 recruitment due to widespread malpractice, and the 2015 Court of Appeal decision further clarified the limits of delegated authority in recruitment. Oversight institutions including IPOA, CAJ, and KNCHR have issued multiple reports documenting persistent issues such as bribery, discrimination, opaque

selections, weak documentation, and inconsistent application of procedures.

The 2025 recruitment exercise, observed by HURIA, demonstrates that these problems remain deeply entrenched. While some centres showed improved organisation and compliance, systemic gaps including lack of transparency, integrity weaknesses, irregular panel composition, inadequate verification processes, and absence of complaints mechanisms continue to undermine public trust in the recruitment process and the broader police reform agenda.

## 1.2

### Purpose and Scope of the Report

The purpose of this report is to provide a comprehensive analysis of the integrity, transparency, and compliance of the 2025 police constable recruitment process in Kenya, with a primary focus on Kwale, Mombasa, and Kilifi counties. The report aims to:

- **Document and assess** the recruitment practices observed during the 2025 exercise.
- **Measure compliance** with constitutional provisions, statutory requirements, and NPSC regulations.
- **Identify systemic weaknesses** that continue to undermine fair and merit-based recruitment.
- **Highlight recurrent issues** that have persisted despite past judicial rulings, oversight investigations, and reform recommendations.
- **Present evidence-based recommendations** to strengthen transparency, integrity, and accountability in future recruitment cycles.

- **Support advocacy efforts** to align policing institutions with constitutional values and human rights standards.

The report covers the full recruitment cycle as observed by field monitors—including applicant registration, eligibility screening, physical and medical testing, panel composition, integrity safeguards, complaints handling, and final selection announcements. It also integrates analysis from past litigation, independent reports, taskforce findings, and comparative human rights standards.

While the study focuses on three coastal counties, the findings have national relevance, as the patterns documented mirror those identified across multiple past recruitment cycles throughout the country.

## 1.3

### Structure of the Report

This report is organised into ten major sections to guide the reader through the legal context, historical trends, field findings, and proposed reforms:

- **Section 1: Introduction** – Provides the background, purpose, and structure of the report.
- **Section 2: Methodology and Limitations** – Describes the data collection methods, observer deployment, tools used, and study constraints.
- **Section 3: Legal and Policy Framework** – Outlines the constitutional, statutory, and regulatory foundations governing police recruitment.
- **Section 4: Historical and Structural Overview of Police Reforms** – Examines reform trajectories, past taskforce findings, and persistent structural gaps.
- **Section 5: Litigation and Accountability** – Analyses key court cases and jurisprudence

influencing recruitment standards.

- **Section 6: Field Observation Findings** – Presents detailed observations from the 2025 recruitment cycle across various centres.
- **Section 7: Cross-Cutting Observations** – Synthesises systemic patterns and recurring challenges.
- **Section 8: Lessons from Past Recruitment Cycles** – Compares 2025 findings with historical trends to highlight persistent weaknesses.

- **Section 9: Synthesis and Way Forward** – Offers an integrated analysis and proposes a new recruitment paradigm.
- **Section 10: Recommendations** – Provides actionable reform proposals for NPSC, oversight bodies, policymakers, and civil society.
- **Annexes** – Include observation tools, case-law digests, centre lists, and reference materials.

# 2

## Methodology and Limitations

This report is based on a multi-layered methodology that combines structured field observation, rigorous legal and policy analysis, and triangulation with authoritative judicial and oversight reports. The approach was designed to capture both the observable conduct of the November 2025 police constable recruitment exercise at centre level and the broader institutional, legal, and historical context in which the process occurred. Through a systematic human rights and administrative justice monitoring framework, HURIA sought to ensure factual accuracy, analytical depth, and contextual reliability across Kwale, Mombasa, and Kilifi counties.

HURIA deployed trained observers to selected recruitment centres across the three counties,

monitoring the entire recruitment chain from pre-exercise preparations and registration through identity and academic verification, physical and medical assessments, complaint-handling procedures, documentation practices, and the announcement of final results. Observers recorded compliance and deviations as they occurred, including suspicious conduct, unexplained slot adjustments, integrity breaches, operational strengths, and contextual factors that shaped the credibility of each centre. These field observations form the empirical foundation of this report and are synthesised into a consolidated analytical assessment.

**Importantly, the three Coast counties collectively hosted 21 recruitment centres, and HURIA successfully deployed observers to 10 of these locations. This represents 47.6% coverage of all centres in the region, providing a strong basis for comparative analysis and identification of systemic patterns across the Coast. Against the 416 recruitment centres nationwide, the observation sample constitutes 2.4% of the total consistent with HURIA's geographic mandate, logistical footprint, and focus on coastal policing reforms. This level of coverage, while not exhaustive, is methodologically significant: it**

**captures nearly half of all centres in the target counties and includes diverse settings urban, peri-urban, and rural thereby enhancing the representativeness of the sample. The inclusion of centres with varied administrative capacities, population densities, and histories of recruitment-related complaints further strengthens the reliability of findings. Consequently, the dataset provides a sufficiently robust evidence base for credible regional conclusions while contributing contextually grounded insights to national conversations on police recruitment transparency and integrity.**

## 2.1

### Field Observation Framework

The field observation framework was grounded in established human rights monitoring principles and aligned with constitutional, statutory, and regulatory standards governing police recruitment. Observers were guided by constitutional requirements on transparency, equality, integrity, human dignity, and fair administrative action; by the provisions of the National Police Service Act and the NPSC Act; and by the procedural obligations set out in the NPSC (Recruitment and Appointment) Regulations of 2015.

The framework examined the recruitment process across four critical stages. The preparatory phase assessed the publication of notices, readiness of venues, and proper constitution of recruitment panels. The screening stage focused on the verification of identity documents, academic certificates, and the administration of integrity declarations. The physical and medical testing stage examined both procedural consistency and the professionalism of assessments. Finally, the decision-making stage evaluated the transparency of selection criteria, the visibility

and completeness of records, and the presence of credible complaint mechanisms. By covering multiple centres across three counties, the framework allowed for comparative analysis and

## 2.2

### Training and Deployment of Observers

Prior to deployment, observers underwent intensive training on recruitment laws, ethical standards, investigative techniques, and objective documentation. Training covered the legal and regulatory foundations of police recruitment, common risk areas such as corruption, discrimination, coercion, and procedural manipulation, and practical skills in structured note-taking, evidence handling, and conflict-sensitive engagement. Observers were trained in the use of checklists, integrity assessment tools, narrative logs, and complaint-tracking templates to ensure consistency across centres. Each observation team was led by a designated lead observer responsible for coordinating data collection, validating findings, and ensuring quality control throughout the recruitment day.

## 2.3

### Development of Observation Tools

To guide real-time and systematic data collection, HURIA developed specialised observation instruments tailored to the unique administrative and procedural characteristics of police recruitment. These tools were informed by the 2015 NPSC regulations, lessons from past court rulings on recruitment irregularities, best practices in administrative justice, and HURIA's monitoring experience from earlier exercises.

The toolset included centre opening and preparedness checklists, applicant screening templates, physical and medical testing assessment forms, integrity risk-monitoring tools, structured interview templates, and complaints and redress trackers. A narrative observation log captured qualitative incidents, informal interactions, and deviations not easily captured through structured tools. All instruments were piloted and refined to enhance clarity, consistency, and reliability before deployment.

## 2.4

### Integration of Judicial and Oversight Reports

A defining feature of this methodology is the integration of comparative legal and institutional analysis. HURIA examined jurisprudence from major recruitment-related petitions including High Court decisions from 2014, the Court of Appeal ruling of 2015, and the Employment and Labour Relations Court judgment lifting conservatory orders in 2025. These decisions provided legal benchmarks on transparency, the limits of delegation, procedural fairness, documentation standards, and integrity obligations.

To further contextualise field observations, HURIA reviewed monitoring reports from oversight institutions such as IPOA, CAJ, and KNCHR, as well as findings from major reform bodies including the Ransley Task Force and the Maraga Taskforce on Police Reforms. These sources helped identify recurrent systemic challenges, validate field-level findings, and highlight areas where past recommendations remained unimplemented. The triangulation of field evidence with judicial and oversight analyses enriched the study by situating observed irregularities within long-standing structural and institutional patterns.

## 2.5

### Limited of the Study

Despite its comprehensive design, the study faced several limitations that shaped the scope and depth of the assessment. While the recruitment targeted numerous centres across the three counties, HURIA was only able to deploy observers to a selected number due to resource constraints and the short notice following the lifting of court orders. The sudden resumption of recruitment, announced only three days after the conservatory orders were lifted, compressed preparation timelines for both observers and communities, affected mobilisation, and limited preliminary reconnaissance of centres.

Observers encountered restricted access in some locations, particularly during medical assessments and internal panel deliberations, resulting in unavoidable information gaps. Many centres did not publish written shortlists, vacancy allocations, or final results, constraining the ability to conduct post-exercise verification and limiting retrospective auditability. Environmental and managerial conditions—including overcrowding, poor layout, lack of designated observer space, and abrupt procedural shifts—also reduced observers' visibility of key stages. In some cases, panel members engaged in side consultations or adjusted eligibility decisions outside public view, further limiting transparency.

Triangulation with oversight and judicial reports strengthened the analysis, but the absence of comprehensive official data from the NPSC hindered deeper cross-checking of centre-level outcomes and the consistency of final selections across counties. Incidents of bribery, interference, or discrimination often occurred covertly, making independent corroboration difficult despite credible applicant accounts.

Nevertheless, the methodological rigour, consistency of patterns across centres, and alignment with past oversight and judicial findings ensure that the conclusions of this report remain robust, representative, and grounded in verifiable evidence.

# 3

## Legal and Policy Framework for Police Recruitment in Kenya

The recruitment of police officers in Kenya is governed by a comprehensive legal and institutional framework designed to promote professionalism, meritocracy, equity, and constitutional values within the National Police Service (NPS). This framework is anchored in the Constitution of Kenya, which establishes the National Police Service as a disciplined and civilian-led security institution, and is operationalised through the National Police Service Act, the National Police Service Commission Act, and the National Police Service Commission (Recruitment and Appointment) Regulations of 2015.

At the heart of this framework lies the **National Police Service Commission (NPSC)**, established under Article 246 of the Constitution. The NPSC is mandated to recruit and appoint persons to hold or act in offices within the Service, confirm appointments, determine promotions, and exercise disciplinary control over police officers. This mandate is elaborated under section 10 of the *National Police Service Commission Act*, which authorises the Commission to develop and keep under review human resource policies, including recruitment procedures for the Service. It further empowers the Commission to formulate clear procedures and standards to ensure fairness, transparency, and adherence to constitutional requirements during recruitment .

Complementing the Commission's mandate, the *National Police Service Act* provides structural and operational guidelines for the Service, including the requirement that recruitment reflects Kenya's diversity. Section 5 of the Act specifically obligates the Service to uphold gender equity and ensure ethnic and regional balance in all appointments, thereby translating constitutional principles of equality and inclusivity into practice. This embeds recruitment within a broader commitment to public trust, national cohesion, and integrity in policing .

The detailed procedures for police recruitment are set out in the *National Police Service Commission (Recruitment and Appointment) Regulations, 2015*. These Regulations provide the practical framework through which the NPSC carries out recruitment. They emphasise transparency, merit, integrity, and public participation as foundational standards. Regulation 3 clarifies that the Commission is responsible for all recruitment into the Service, though it may delegate recruitment of officers below the rank of Superintendent to the Inspector-General, subject to strict supervision and written authority. Even where delegation occurs, the Commission retains full responsibility for oversight and accountability in the recruitment process .

The Regulations also categorise pathways for entry into the police service—namely as police constables, cadets, specialists, or civilian staff—each governed by specific requirements. Basic eligibility criteria for constable recruitment are set out under Regulation 9. These include Kenyan citizenship, possession of a national identity card, attainment of educational qualifications as determined by the Commission, age limits (18–28 years for KCSE holders and up to 30 years for university graduates), physical and medical fitness, and an absence of criminal records or pending charges. These criteria place integrity and suitability at the centre of police recruitment, while protecting the public from unfit appointments .

A key aspect of the framework is the insistence on fairness and equity. Regulation 10 requires that recruitment must reflect Kenya's ethnic, regional, and gender diversity. The Commission must therefore consider census data, existing Service composition, and the need to include marginalised groups when determining recruitment quotas across the country. This requirement ensures that the police service mirrors the nation's demographic character and enhances its legitimacy in the eyes of local communities.

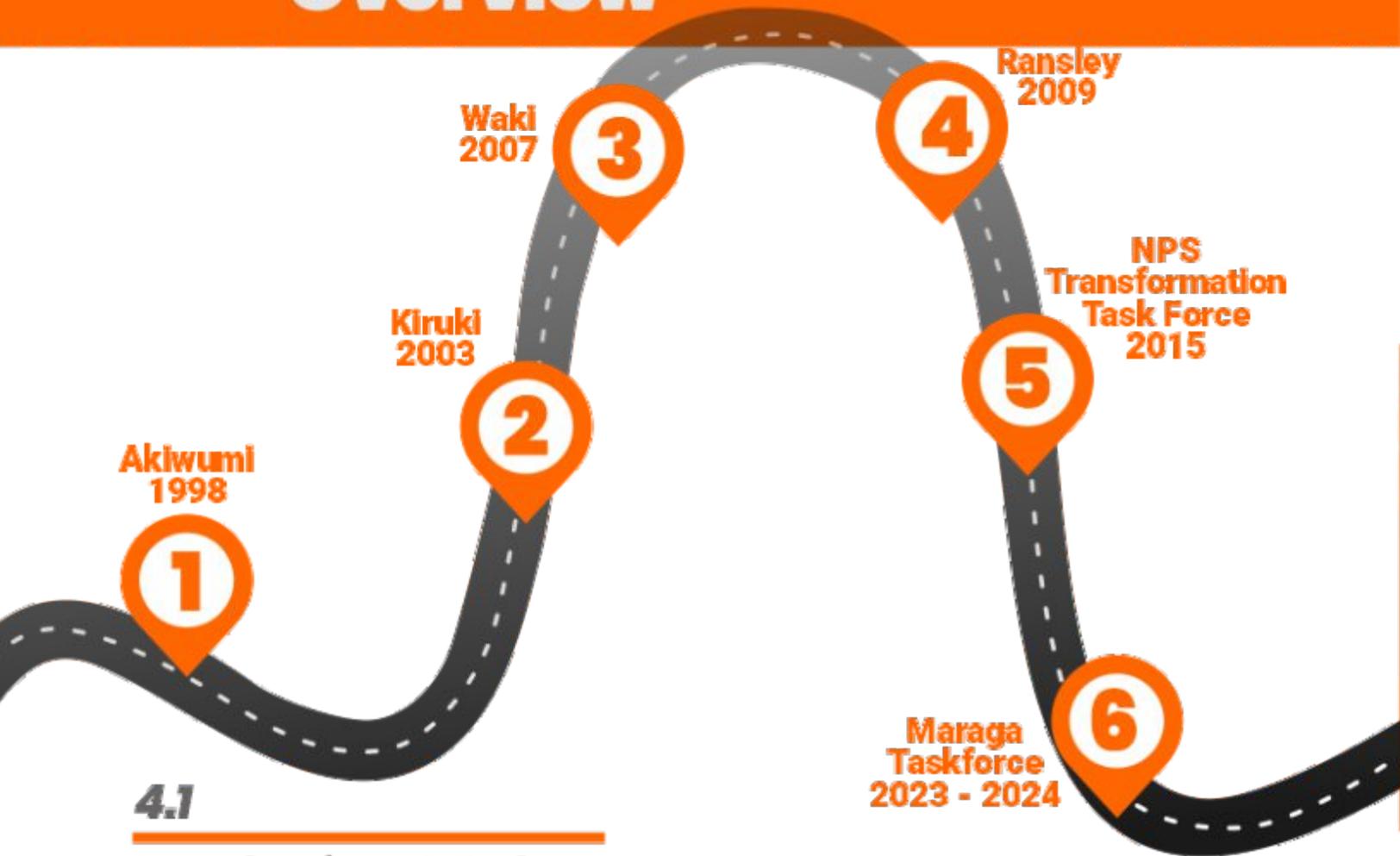
Transparency is further reinforced through strict rules on advertising and public participation. Under Regulation 11 and 12, all vacancies must be advertised in at least two newspapers of national circulation, with clear guidance on qualifications, application procedures, and deadlines. Applications must be free of charge, and any solicitation of bribes is expressly prohibited, constituting both a disciplinary and criminal offence. The Commission then prepares and publishes a shortlist of applicants, invites public comments or complaints, and communicates reporting logistics to candidates undergoing physical, medical, and aptitude assessments. These layered transparency measures help safeguard recruitment from corruption, nepotism, or political influence .

To operationalise recruitment at the local level, the Regulations establish recruitment panels composed of senior police officers, medical officers, education officers, and other designated representatives. These panels are responsible for conducting assessments and verifying documents but must operate in accordance with strict ethical and procedural guidelines. They are also held accountable both individually and collectively for any irregularities arising from their conduct. The involvement of accredited observers and community stakeholders adds an additional layer of oversight, reinforcing public confidence in the process .

The final stage of recruitment involves the compilation of results, communication to successful candidates, and issuance of admission letters to training institutions. Candidates who fail to report to training within the stipulated timeframe are replaced with applicants from the same gender and ethnic group, maintaining the demographic balance required by law. Once admitted, recruits undertake formal training in institutions established or approved under the National Police Service Act, thereby ensuring that the legal framework links recruitment directly to professional formation and readiness for service.

In sum, Kenya's legal framework for police recruitment is designed to professionalise the police service by embedding constitutional values, ensuring transparent and merit-based processes, and promoting national cohesion through equitable representation. By placing the National Police Service Commission at the centre of recruitment and by regulating each step with precision the framework seeks to foster a competent, accountable, and trusted police service capable of upholding the rule of law and safeguarding public safety.

# 4 Police Reforms in Kenya: Historical and Structural Overview



## 4.1

### Introduction: A Reform Agenda Shaped by Crisis and Demand

Police reform in Kenya has unfolded through recurring cycles of public outcry, political transition, investigative commissions, and judicial intervention. From the late 1990s to the present, persistent concerns regarding police brutality, corruption, opaque command structures, recruitment irregularities, and weak oversight have placed policing at the heart of national governance and human rights discourse. Over the years, a series of task forces and commissions—including the 1998 Akiwumi

Commission, the 2003 Kiruki Commission, the 2007 Waki Commission, the 2009 Ransley Task Force, the 2015 National Police Service Transformation Task Force, and most recently, the 2023–2024 National Taskforce on Police and Prisons Reforms (Maraga Taskforce) have consistently diagnosed deep-seated structural failures within the police service. While each examined a broad range of institutional weaknesses, the issue of recruitment repeatedly emerged as one of the most persistent and consequential fault lines.

## 4.2

### Recurring Themes Across Task Forces

Although each reform body operated within its unique political context, they consistently identified a common set of structural challenges. Across reports, politicisation of the police was cited as a critical barrier to professionalism, with political actors exerting undue influence on operations, promotions, and recruitment outcomes. Oversight mechanisms were repeatedly described as weak, compromised, or insufficiently resourced, undermining accountability. Many task forces highlighted

chronic resource starvation—manifested in poor working conditions, inadequate equipment, and underfunded training institutions—as a major impediment to effective policing. Fragmented command structures further complicated accountability, while entrenched corruption, particularly during recruitment, eroded public trust and institutional integrity. Underpinning these challenges was an operational culture often characterised as hostile to human rights, reinforcing the need for comprehensive and sustained reform.

## What the Task Forces Specifically Observed About Police Recruitment

## 4.3

### The Ransley Task Force (2009): Recruitment as the Engine of Corruption

The Ransley Task Force, established in the aftermath of the 2007–2008 post-election violence, provided the first comprehensive review of police reforms in two decades. It identified recruitment as a central driver of institutional corruption. According to the task force, bribery and favouritism were rampant, and

the recruitment process was widely perceived as a cash-driven exercise in which ability to pay often determined success. Political interference was frequent, with local politicians reportedly manipulating or influencing recruitment lists to favour preferred candidates. The task force found that the recruitment criteria were unclear, medical and fitness tests were inconsistently administered, and overall results were vulnerable to manipulation. Weak vetting mechanisms allowed unqualified candidates including individuals with criminal histories—to enter the service.

In response, the Ransley Task Force recommended far-reaching reforms. It proposed centralising recruitment under an independent police service board, publishing clear and standardised minimum qualifications, digitising all recruitment records for transparency and traceability, and conducting independent audits following each recruitment cycle to detect irregularities and enhance accountability.

## 4.4

### **PRIC and IPOA Reviews (2011–2014): A System in Perpetual Crisis**

Following the Ransley process, the Police Reforms Implementation Committee (PRIC) and the Independent Policing Oversight Authority (IPOA) conducted multiple monitoring exercises between 2011 and 2014. Their findings revealed a system still beset by structural failures. Recruitment drives were frequently cancelled due to widespread malpractice, including mass cheating, falsified results, impersonation during physical and academic tests, and other integrity breaches. IPOA also faced significant capacity constraints and was unable to maintain effective nationwide oversight across all recruitment centres. Despite the reforms envisioned in earlier reports, bribery and other forms of corruption remained deeply embedded in the recruitment process.

To address these persistent challenges, PRIC and IPOA recommended introducing CCTV and biometric verification in all recruitment centres to improve transparency and reduce impersonation. They also called for real-time monitoring by IPOA and other independent observers, alongside decentralised but standardised testing centres to ensure uniformity and reduce opportunities for manipulation.

## 4.5

### **The Maraga Taskforce (2023–2024): Old Problems, New Urgency**

The most recent reform effort, led by the Maraga Taskforce, underscored the urgency of addressing longstanding recruitment failures in light of escalating public concerns about police professionalism and integrity. The taskforce reported a severe decline in the quality of recruits, attributing this deterioration to entrenched political and financial interference. It highlighted the emergence of sophisticated recruitment cartels involving police officers, chiefs, and local brokers who facilitated entry into the service in exchange for payments. The taskforce also criticised the overreliance on KCSE grades as the primary selection criterion, noting that this narrow approach neglected crucial psychological, ethical, and community-based assessments. Additionally, the recruitment process was faulted for producing inequitable regional and ethnic distribution.

The Maraga Taskforce called for a complete overhaul of recruitment and selection procedures. It recommended establishing an Independent Police Recruitment and Training Board, introducing rigorous ethics and psychological assessments administered by external experts, and publishing recruitment outcomes including reasons for acceptance or rejection to improve transparency and public confidence.

# 5 Litigation, Accountability, And Lessons From Court Challenges To Police Recruitment In Kenya

## 5.1

### Introduction: Courts as Corrective Mechanisms

Police recruitment in Kenya has long been shaped by cycles of public outcry, administrative failure, and constitutional litigation. As one of the most visible points of interaction between citizens and the state, recruitment profoundly influences the legitimacy and professionalism of the National Police Service (NPS). When conducted fairly and transparently, it strengthens public trust; when marred by corruption or discrimination, it erodes legitimacy and compromises the quality of future officers.

Over the past decade, the courts have emerged as a central corrective mechanism, addressing grievances lodged by civil society organisations, IPOA, affected applicants, and public interest litigants. Their interventions have exposed deep-seated structural weaknesses in recruitment and produced jurisprudence that continues to shape debates on reform. The 2014 Police Recruitment Petitions, the 2015 *Attorney General & Others v IPOA* appeal, and the far-reaching 2025 *Mwau v Inspector General & Others* decision collectively demonstrate the judiciary's role in enforcing constitutional standards of fairness, transparency, and accountability.

#### 2014 High Court Ruling

Nullified recruitment results in 36 centres after finding the exercise unconstitutional and riddled with irregularities. Reprimanded NPSC for failing to uphold transparency, fairness, and meritocracy. Established that disqualifying pregnant women constitutes gender-based discrimination.

#### 2025 ELRC Judgment

Delivered two transformative clarifications: recruitment is an employment-related process, giving applicants the right to challenge unfair practices; and NPSC—not the IG—holds exclusive constitutional authority over recruitment, resolving years of institutional ambiguity.

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2

3

#### 2015 Court of Appeal

Confirmed that significant irregularities had occurred and upheld IPOA's right to challenge constitutional violations. Clarified that while IPOA cannot supervise NPSC, it can petition the courts to challenge unconstitutional conduct and protect the public interest.

## 5.2

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# Key Observations from Court Petitions

### 5.2.1

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## Lack of Transparency and Procedural Fairness

Across multiple petitions, the courts consistently identified the absence of procedural fairness. Applicants were often rejected without written explanation, and core standards—such as medical and fitness criteria, height and weight requirements, and academic qualifications—were applied inconsistently across recruitment centres. The process lacked functional complaint mechanisms, leaving candidates with no administrative recourse besides litigation. Judges repeatedly emphasised that fairness requires clear, public, and predictable criteria to guard against arbitrariness and abuse.

### 5.2.2

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## Constitutional Violations

Many petitioners argued that recruitment practices violated key constitutional provisions, including the prohibition against discrimination under Article 27, the right to fair administrative action under Article 47, and the values of public service under Article 232. The courts agreed, stressing that recruitment is a public administrative function that must adhere to merit-based and rights-respecting standards. Where procedures were opaque or inconsistently applied, the courts found violations of these constitutional obligations.

### 5.2.3

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## Evidence of Corruption and Abuse of Power

Judicial findings revealed widespread corruption and undue political influence. Some applicants were compelled to pay bribes; “ghost” names were added to recruitment lists after selection; and officers manipulated results at the direction of senior commanders or local politicians. In several instances, courts annulled recruitment results entirely or ordered fresh nationwide exercises. These findings underscored systemic integrity failures that extended beyond isolated misconduct.

### 5.2.5

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## Accountability Gaps in IPOA and NPSC

The petitions also highlighted significant oversight failures. NPSC was criticised for ineffective supervision of recruitment processes, while IPOA struggled to monitor the hundreds of recruitment centres due to capacity constraints. Inadequate documentation further hindered audits and accountability. These gaps frequently formed the basis for court orders mandating institutional reforms.

## 5.3

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# Constitutional Issues at the Heart of the Disputes

### 5.3.1

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## Unlawful Delegation of Recruitment Authority

A major issue in the 2014 and 2015 cases concerned NPSC's delegation of recruitment functions to sub-county commissioners officers outside the police structure and therefore not legally eligible to exercise NPSC's powers. The High Court found this delegation unconstitutional, rendering the recruitment structurally defective regardless of individual acts of malpractice. This decision provided a foundational constitutional principle: sensitive state powers cannot be informally delegated to politically aligned administrative officers.

### 5.3.2

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## Systemic Integrity Failures

The courts found that the irregularities in the 2014 exercise were not isolated incidents but evidence of systemic failures. Bribery, pre-selection of candidates, manipulation of scores, exclusion of qualified applicants, and variations in procedures between centres violated Articles 10, 27, and 73, which demand transparency, equality, and merit in public service appointments. These failures undermined public confidence in policing and justified judicial intervention.

### 5.3.3

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## Discrimination Against Pregnant Women

One of the most troubling practices exposed was the disqualification of pregnant women. The courts held that pregnancy is not a valid ground for exclusion and that such disqualification constitutes gender-based discrimination. They emphasised that recruitment can accommodate pregnancy through deferred training or health planning, reinforcing the centrality of gender equality in police recruitment.

### 5.3.4

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## IPOA's Role and the Boundaries of Oversight

In the 2015 appeal, NPSC argued that IPOA had exceeded its mandate by challenging recruitment decisions. The Court of Appeal clarified that while IPOA cannot supervise NPSC, it can petition the courts to challenge unconstitutional conduct and protect the public interest. This clarification preserved NPSC's independence while ensuring continued external accountability over recruitment.

## 5.3.5

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### **Who Has the Power to Recruit? The 2025 Clarification**

In the 2015 appeal, NPSC argued that IPOA had exceeded its mandate by challenging recruitment decisions. The Court of Appeal clarified that while IPOA cannot supervise NPSC, it can petition the courts to challenge unconstitutional conduct and protect the public interest. This clarification preserved NPSC's independence while ensuring continued external accountability over recruitment.

## 5.4

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### **What the Courts Ultimately Decided**

#### 5.4.1

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##### **The 2014 High Court Ruling**

The High Court nullified recruitment results in 36 centres after finding the exercise unconstitutional and riddled with irregularities. It reprimanded NPSC for failing to uphold transparency, fairness, and meritocracy, and emphasised that lawful recruitment must adhere to constitutional standards.

#### 5.4.2

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##### **The 2015 Court of Appeal Decision Court Ruling**

The Court of Appeal confirmed that significant irregularities had occurred and upheld IPOA's right to challenge constitutional violations. While acknowledging that IPOA cannot supervise NPSC, the court reaffirmed judicial oversight as a critical safeguard against abuse of power.

## 5.4.3

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### **The 2025 Employment and Labour Relations Court Judgment**

The 2025 judgment delivered two transformative clarifications. First, recruitment is an employment-related process, giving applicants the right to challenge unfair practices. Second, NPSC not the IG holds exclusive constitutional authority over recruitment, resolving years of institutional ambiguity and strengthening accountability mechanisms.

## 5.5

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### **Recommendations Emerging from Court Judgments**

Across the three major decisions, the courts offered consistent guidance on how to safeguard integrity in recruitment. They stressed the need for comprehensive documentation at every stage, including written explanations to unsuccessful candidates and access to individual results. Recruitment criteria must be applied consistently nationwide, with deliberate attention to equitable regional and gender representation. Complaints and appeals mechanisms should be independent, time-bound, and capable of enforcing corrective action. Oversight by NPSC and IPOA should be strengthened through joint monitoring, the participation of independent observers, and public reporting. Finally, officers who engage in bribery, manipulation, or unlawful interference must face disciplinary and criminal sanctions, alongside accountability measures for external political actors.

## 5.6

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# Persistent Challenges Despite Judicial Guidance

Despite clear judicial direction, several challenges continue to undermine recruitment. Corruption remains widespread, driven by local patronage networks. Recruitment guidelines are inconsistently applied, creating openings for manipulation. Weak administrative complaint systems force many applicants to seek redress through the courts. Gender and human rights protections remain unevenly enforced. Institutional mistrust between NPSC, the IG, and oversight bodies persists, even after judicial clarification of roles. These challenges illustrate the need for deeper reforms beyond litigation.

## Conclusion

The jurisprudence surrounding police recruitment in Kenya reflects a system in transition—caught between constitutional ideals and entrenched institutional weaknesses. The courts have played a vital role in exposing irregularities, defining legal boundaries, and protecting constitutional rights. Their decisions reaffirm that recruitment must be transparent, fair, merit-based, and subject to independent oversight. Yet meaningful reform requires more than judicial intervention. It demands political will, institutional discipline, and active civil society monitoring. As Kenya continues to build a more accountable and professional police service, the lessons derived from these cases offer a crucial roadmap for developing recruitment processes that uphold both public trust and constitutional integrity.

# Key Field Observation Findings



# 6

## Field Observation

### Findings: Legal and Procedural Assessment of The 2025 Recruitment of Police Constables in Kenya

#### Introduction and background

The 2025 exercise unfolded under unusual constraints. Recruitment had been halted by conservatory court orders and resumed only after these orders were lifted on 14 November, merely three days before the scheduled date. This abrupt timeline not only limited outreach to potential applicants but also contributed to visible confusion at several centres. Panels were forced to improvise, often deviating from statutory requirements and relying on locally determined procedures instead of uniform guidance from the NPSC.

The November 2025 recruitment exercise for police constables presented a complex picture of procedural openness in some locations and serious legal and administrative deficiencies in others. Although several recruitment centres demonstrated commendable transparency by allowing unfettered access to observers and by conducting meticulous document verification, these positive aspects were overshadowed by widespread inconsistencies that undermined the integrity of the process.

The exercise was marred by the absence of fundamental safeguards such as pre-published shortlists and formal vacancy allocations. Panels were inconsistently constituted, often lacking Education Officers who are required to validate academic credentials. In several centres, slot allocations changed without explanation, and verbal-only announcements replaced the legally mandated written publication of results. At the same time, field observers documented incidents of potential

bribery, irregular candidate substitutions, forged certificates, and even ethnic-based exclusions. These practices significantly undermined the credibility of the recruitment process and contravened constitutional and statutory principles of fairness, equality, and transparency.

Despite these concerns, several centres demonstrated what compliant recruitment could look like. Kisauni's public disclosure of centre allocations, the presence of competent medical officers across all centres, dignified treatment of candidates, affirmative consideration for orphans and children of fallen officers, and unrestricted observer access all point to areas of positive institutional culture. Yet, the broader structural weaknesses observed across counties reveal systemic gaps within the National Police Service Commission's oversight mechanisms that must be urgently addressed.

## 6.1

### Transparency and Legal Compliance

One of the most significant deviations from the legal framework was the near-universal failure to publish vacancy allocations or pre-qualified shortlists. In most centres, the number of available slots was either withheld, announced inconsistently, or adjusted during the day. At Kwale Baraza Park, for example, the allocation dropped from 21 to 17 slots without any explanation. Vigurungani experienced even more drastic fluctuations, shifting from 15 to 13 and eventually to 11 slots, accompanied by an openly discriminatory statement that “Kamba and Giriama were many.” This justification is not only procedurally irregular but also discriminatory under Article 27 of the Constitution.

Only Kisauni adhered to the transparency requirements by publicly announcing its allocation at both the county and subcounty levels. This transparency enabled meaningful public scrutiny and is an example of proper compliance with Regulations 10 and 12.

Compounding the lack of vacancy disclosure was the absence of the mandatory shortlist of vetted applicants. Candidates across all centres arrived without any mechanism for verifying whether they had been properly vetted or whether walk-ins were participating. This practice eliminated a key safeguard against fraud, political influence, and unqualified applicants.

Furthermore, successful candidates were not published in any centre. Instead, panels verbally announced names without issuing written lists or displaying them publicly, making it impossible to audit selections or lodge informed appeals. This contravenes Regulation 10(3)(j) and violates the constitutional right to access information.

Procedural confusion was exacerbated by the sudden abandonment of the online application system. Nearly all centres shifted to hard-copy forms issued by the Office of the Inspector-General—forms not aligned with NPSC standards. Many candidates had to print documents at Huduma Centres, incurring indirect costs despite the Regulations' prohibition against imposing any financial burden on applicants.

## 6.2

### Integrity and Anti-Corruption Safeguards

Integrity controls were applied unevenly. The Oath of Integrity a fundamental safeguard intended to affirm impartiality was only administered at Msambweni and Vigurungani. In all other centres, panel members proceeded without taking the oath, thereby undermining the formal ethical framework set out in the NPSC Regulations.

Observers encountered several indicators of bribery and manipulation. Brokers loitered near recruitment venues, officers engaged in suspicious phone conversations, and community members at various centres openly speculated about the influence of corrupt networks. At Msambweni, a parent approached an officer with a paper bearing a candidate's name, suggesting an attempt at interference. These incidents, though sometimes subtle, point to an environment vulnerable to corruption.

Integrity concerns also surfaced in eligibility manipulation. At Likoni, a candidate initially disqualified for failing to meet height requirements was later allowed to continue without explanation. At Msambweni, candidates who had failed the height test managed to re-enter the qualified group because officers failed to check the ink markings meant to prevent re-entry. These inconsistencies significantly erode

trust in the fairness of the assessment process.

The most serious integrity breach involved forged academic documents. At Kinango, a former NYS candidate submitted two different high school certificates. The second, which attempted to meet the minimum grade requirement, was confirmed as forged, leading to his arrest. This incident demonstrates the risks created by the absence of professionally trained Education Officers.

## 6.3

### Panel Composition and Capacity

Across all centres, panels lacked Education Officers the professionals mandated to authenticate academic qualifications. Police officers and administrative staff unfamiliar with examination systems performed these tasks instead, creating opportunities for errors and manipulation. The absence of Education Officers fundamentally undermined the validity of academic verification and violated Regulation 12(3).

Conflicts of interest were also apparent. In several centres, officers appeared to be serving in areas where they had strong personal ties, raising the possibility of preferential treatment or local pressure. Such deployments are inconsistent with the impartiality requirements of the Leadership and Integrity Act.

Panels across counties also demonstrated significant procedural uncertainty. Members repeatedly consulted one another about basic steps such as the order of screenings, the handling of NYS slots, and the treatment of borderline cases. This reflected inadequate standardised training and inconsistent guidance from NPSC headquarters.

## 6.4

### Centre-Level Operational Observations

Operational strength varied greatly across centres. Some locations demonstrated well-organised setups. Kikambala offered a clean, open-air layout with clearly demarcated spaces for panels, observers, and candidates. Changanwe managed its flow efficiently and even extended consideration to candidates who had forgotten original documents. Msambweni stood out with its on-site ambulance, while Mvita ensured first-aid support and unrestricted observer visibility.

Conversely, several centres exhibited worrying operational weaknesses. Vigurungani's layout was disorganised, making it difficult to verify whether candidates belonged to the designated subcounty. Rabai lacked on-site medical facilities, forcing candidates to seek external medical checks. Likoni failed to provide toilets or a complaint desk and applied eligibility criteria inconsistently. Baraza Park allowed unauthorised individuals into verification areas, compromising procedural integrity.

## 6.5

### **Physical Fitness and Medical Testing**

Physical testing also varied markedly. Kisauni provided an exemplary model by conducting open, transparent, and consistent fitness assessments. Msambweni adopted an effective system of marking candidates with ink after height checks, although officers later failed to enforce this control consistently.

Elsewhere, irregularities undermined fairness. In Likoni, a disqualified candidate was inexplicably permitted to re-enter the process, raising doubts about impartiality and integrity. Recruitment at several centres concluded late in the evening, giving the impression of hurried decision-making that may have compromised accuracy.

Medical examinations were consistently conducted by qualified medical personnel, but no centre provided candidates with feedback on medical outcomes, leaving many uncertain about the reasons for their disqualification.

## 6.6

### **Gender Balance, Diversity, and Inclusion**

Gender and diversity outcomes varied considerably. At Kikambala, the final selections fell significantly short of the two-thirds gender requirement under Articles 27 and 232. Other centres achieved better gender ratios, although the lack of a national strategy resulted in inconsistent implementation.

Several centres exhibited commendable inclusion of vulnerable applicants. Likoni offered priority to orphans and children of fallen officers. Vigurungani publicly announced the selection of an orphan at the outset, and Changamwe admitted ten orphans who did not meet height requirements, demonstrating

compassionate and community-sensitive decision-making. However, these practices were not carried out uniformly across centres, nor were they documented, increasing the risk of arbitrary or selectively applied affirmative action.

The most troubling diversity issue occurred at Vigurungani, where two candidates were removed because members of their ethnic community were deemed “too many.” Without documented diversity quotas or transparent allocation criteria, such decisions constitute ethnic discrimination and violate constitutional protections.

## 6.7

### **Complaints, Administrative Justice, and Redress**

A significant weakness across the recruitment exercise was the absence of formal complaint-handling systems. While Kikambala and Kisauni informed candidates of their complaint rights during pre-exercise briefings, most centres including Likoni, Mvita, Msambweni, and Baraza Park provided no such guidance.

Although candidates generally felt free to raise complaints without intimidation, every centre lacked a structured complaint desk or a complaint register. Complaints were handled verbally, without documentation or escalation. This practice violates Article 47 on fair administrative action. In Msambweni, one of the clearest violations occurred when a candidate who had been publicly announced as successful was later removed from the list without explanation or a written decision. Such opaque reversals undermine both fairness and the auditability of the process.

## 6.8

### **Documentation and Record-Keeping**

Documentation weaknesses permeated the entire exercise. Centres kept no formal registers of complaints or disqualifications, and panels did not provide written explanations for decisions. Recruitment returns were inaccessible to observers, leaving uncertainty about whether replacements and affirmative admissions were properly recorded. With no final written results displayed or published, the recruitment lacks a verifiable evidence trail. These documentation gaps profoundly undermine the legal validity of the exercise.

### **Conclusions**

The 2025 recruitment exercise displayed clear examples of good practice but was fundamentally undermined by widespread legal, administrative, and procedural deficiencies. Without shortlists, written publication of results, proper panel constitution, or robust documentation, the credibility of the recruitment remains doubtful. Instances such as ethnic-based exclusions, forged academic certificates, unexplained slot changes, reversed decisions without documentation, and visible bribery indicators demonstrate serious threats to fairness, meritocracy, and institutional integrity.

Unless the NPSC undertakes immediate corrective measures, future recruitment cycles will remain equally susceptible to irregularities, compromising public trust in the National Police Service.

### **Recommendations**

To restore integrity and public confidence in future recruitment exercises, the NPSC should prioritise the publication of complete vacancy allocations and the restoration of shortlisting procedures. Education Officers must be deployed to every centre to ensure credible academic verification. Panels should be trained uniformly and required to take the Oath of Integrity. Gender and diversity policies must be implemented in a systematic and transparent manner, and a formal complaint-handling system needs to be institutionalised with proper documentation and escalation mechanisms.

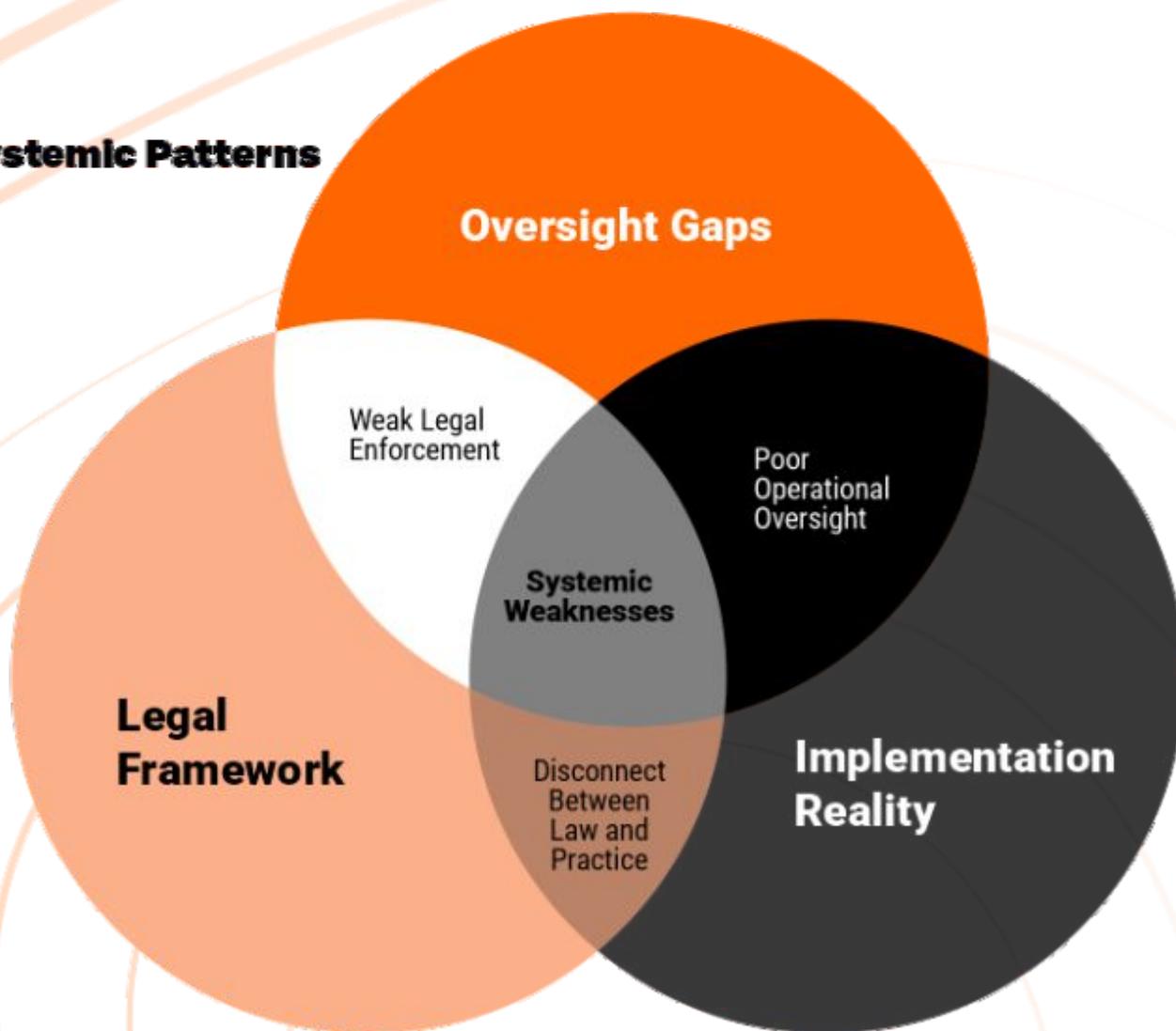
Additionally, the NPSC should strengthen anti-corruption safeguards through improved oversight, surveillance, and independent review mechanisms. Officers should no longer be deployed to recruit within their home sub-counties to mitigate conflicts of interest. Civil society and oversight agencies should intensify their advocacy for accountability by requesting allocation schedules, reviewing panel returns, and considering strategic litigation where clear breaches such as ethnic discrimination or failure to publish mandatory documents have occurred.

# 7 Cross-Cutting Observations

Across all three counties, the exercise was characterised by procedural inconsistency, inadequate training, and insufficient standardisation. The absence of Education Officers, combined with shifting slot allocations and informal complaint handling, exacerbated public mistrust. Similarly, the abandonment of online applications without corresponding procedural guidance created confusion and eliminated crucial transparency safeguards. Gender and diversity measures were applied unevenly, while documentation remained universally weak.

These systemic weaknesses reflect deeper institutional challenges within the NPSC's planning, oversight, and enforcement structures and call for urgent procedural reforms.

## Systemic Patterns



## 7.1

### Systemic Weaknesses Across Counties

Across Kwale, Mombasa, and Kilifi counties, observers noted recurrent weaknesses that were not limited to specific locations or individuals but instead reflected a systemic pattern. The most striking of these weaknesses was the inconsistent application of the NPSC Recruitment Regulations of 2015, particularly in relation to transparency, documentation, and procedural clarity. In several centres, the recruitment panels relied on improvised procedures, with little evidence of pre-planning or standardisation. The absence of Education Officers was widespread, which in turn created vulnerabilities in the verification of academic credentials. Screening processes varied significantly between centres, and some panels took shortcuts that compromised the integrity of the process.

Integrity safeguards were applied unevenly. The Oath of Integrity—intended to deter bribery and undue influence—was administered in only a minority of centres. In some locations, panel members demonstrated genuine commitment to fairness, but in others, subtle interference, whispered consultations, and the movement of candidates outside formal procedures pointed to vulnerabilities that could easily be exploited. Documentation practices were particularly weak. Many centres lacked written records of shortlists, slot allocations, or final scores, relying instead on verbal announcements that could not be independently verified. These systemic weaknesses, present across counties, indicate structural challenges within the design and oversight of recruitment, rather than isolated errors or localised mismanagement.

## 7.2

### Recurrence of Issues Identified by Courts and Commissions

Almost all the weaknesses documented in the 2025 exercise mirror issues previously identified by Kenyan courts, constitutional commissions, and national reform taskforces. Judgments from the High Court and Court of Appeal in 2014 and 2015 warned against opaque decision-making, inconsistent panel composition, and unlawful delegation of recruitment functions—yet these challenges resurfaced in the 2025 cycle. The Employment and Labour Relations Court's 2025 ruling emphasised the need for clarity in the delegation of authority, but several centres still operated with poorly defined roles and unclear lines of responsibility.

Oversight institutions such as IPOA, KNCHR, and the Commission on Administrative Justice have for years highlighted irregularities including bribery, discrimination, poor documentation, and the absence of functioning complaints mechanisms. These same patterns were evident in the present exercise. The Maraga Taskforce, which examined police reforms more broadly, identified recruitment as a persistent fault line, warning that without radical restructuring, the process would continue to undermine the quality of policing. The 2025 observations confirm that many past recommendations remain unimplemented, underscoring a troubling continuity of malpractice and institutional inertia.

## 7.3

### Discrepancies Between Law and Implementation

One of the clearest findings from the 2025 recruitment is the sharp discrepancy between the legal framework governing police recruitment and the realities of practice on the ground. Kenya's constitutional and statutory framework is robust, detailed, and anchored in principles of transparency, fairness, merit, integrity, and inclusivity. The NPSC Regulations of 2015 provide explicit guidance on every stage of the recruitment cycle, from the publication of notices to the documentation of final results. However, the implementation of these requirements remains inconsistent and often deficient.

At many centres, officials did not display mandatory information such as slot allocations, shortlists, or the identity of panel members. In practice, this deprived applicants of the ability to understand or verify the criteria used in their assessment. Similarly, while the law requires unbiased and verifiable documentation, many recruitment centres relied on handwritten notes, incomplete records, or unwritten criteria. The legal mandate for a functioning complaints mechanism was rarely met, and in several cases, applicants were dismissed without explanation or an opportunity to contest the decision. These gaps reveal not only operational weaknesses but also a deeper problem of institutional culture, where compliance is treated as optional rather than obligatory. The result is a process that, while legally well-defined, remains procedurally unpredictable and vulnerable to abuse.

## 7.4

### Implications for Public Trust and Police Professionalism

The cumulative effect of inconsistent implementation, recurrent malpractice, and procedural opacity is a significant erosion of public trust in the police recruitment process and, by extension, in the police service itself. Recruitment is the public's first point of interaction with the institution, and when the process appears unfair, selective, or corruptible, it signals deeper systemic dysfunction. Communities observe who is recruited, whose sons and daughters are turned away without explanation, and whose influence appears to override merit. Each perceived injustice reinforces the belief that the police service does not operate on principles of fairness, equality, or professionalism.

For the police service, the consequences are even more profound. A recruitment system vulnerable to manipulation creates conditions where unsuitable, underqualified, or compromised individuals enter the police ranks. This weakens professionalism, undermines discipline, and diminishes adherence to human rights norms. It also frustrates reform efforts by allowing unethical practices to replicate generation after generation within the service. Ultimately, the persistence of opaque recruitment practices compromises the legitimacy, competence, and moral authority of the entire policing institution.

The 2025 recruitment exercise demonstrates that Kenya continues to struggle with aligning practice to principle. Unless systemic reforms are implemented, the legitimacy crisis surrounding police recruitment will continue to undermine public confidence and impede the development of a truly professional, accountable, and community-responsive police service.

# Police Recruitment Process - Flowchart



# 8

## Independent Observers' Analysis, Lessons, and Recommendations From Past Police Recruitment Cycles

### 1 Introduction

Police recruitment in Kenya is a pivotal governance exercise that deeply shapes the quality, professionalism, and legitimacy of the National Police Service (NPS). Each recruitment cycle determines not only who enters the Service, but also the values, competencies, and ethical orientations introduced at the very point of entry. For this reason, recruitment forms a critical foundation of the broader police reform agenda envisioned under the Constitution of Kenya (2010) and the National Police Service Commission (NPSC) Act.

Over the past decade, the Kenya National Commission on Human Rights (KNCHR) and the Commission on Administrative Justice (CAJ) have independently monitored police recruitment exercises—most prominently in 2016, 2017, and 2022. Their findings provide vital insights into the degree to which the process adheres to legal frameworks, promotes gender equality, protects human rights, and embodies principles of transparency, fairness, and public accountability. This chapter integrates observations from these monitoring cycles into a consolidated analysis that supports ongoing oversight, advocacy, reform dialogue, and policy development.

### 2 General Observations Across Recruitment Cycles

#### 8.1

#### Positive Developments

Despite longstanding concerns, observers documented several improvements across recruitment years. Many centres opened on time and demonstrated reasonable cooperation with monitoring teams and oversight institutions. Centres that hosted a strong presence of multi-agency oversight—such as IPOA, NPSC, NIS, CAJ, and KNCHR—tended to conduct the exercise in a more organised, transparent, and rights-sensitive manner.

The 2022 cycle, in particular, showed signs of enhanced emergency preparedness. Some centres provided ambulances, first-aid tents, and medical personnel to support applicants during physically demanding tests. Others offered drinking water and used public address systems to manage crowds more effectively. Although these improvements were not uniform, they indicate an evolving institutional awareness of health and safety obligations.

Early signs of gender responsiveness were also evident. While inconsistently applied, some centres created separate testing areas for female applicants or adapted physical requirements to acknowledge physiological differences. Such measures, though modest, suggest a foundation on which more comprehensive gender-responsive standards can be built.

## 8.2

### Persistent Shortcomings

Despite areas of progress, significant systemic gaps persisted. Chief among these was the opacity surrounding the final selection stage. Observers were routinely denied access to this decisive phase, creating an environment ripe for potential malpractice, manipulation, and political interference. This lack of transparency undermines public confidence and weakens the legitimacy of the recruitment exercise.

Infrastructural and logistical deficiencies also remained common. Many centres lacked adequate shade, drinking water, sanitation facilities, and resting areas—conditions that compromised applicants' dignity and disproportionately affected women, people with disabilities, and those from marginalised regions. These challenges reflect broader governance and resource allocation shortcomings that continue to hinder effective recruitment.

## 8.3

### Compliance with Legal and Policy Frameworks

#### Non-Adherence to the Two-Tier Recruitment Process

Monitoring reports from 2016 and 2017 revealed widespread disregard for the two-tier recruitment process mandated under the NPSC Recruitment and Appointment Regulations (2015). Instead of shortlisting candidates, publishing the shortlist for public scrutiny, and allowing time for objections, recruitment teams compressed all stages into a single day. This practice effectively eliminated opportunities for transparency, public participation, and accountability.

#### Irregular Administrative Practices

Administrative inconsistencies were pervasive across all monitoring cycles. Physical tests were administered differently from one centre to another, and medical examinations often took place in unsuitable environments such as overcrowded classrooms, makeshift tents, or open grounds. Medical assessment standards varied widely, and selection criteria were frequently unclear or undisclosed. Such irregularities resulted in uneven treatment of applicants and raised concerns about the overall fairness and integrity of the process.

## Weak Complaints and Accountability Mechanisms

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While some centres established complaints desks, few had functional systems for receiving, investigating, or resolving grievances. Complaints that were recorded rarely resulted in public communication on outcomes or disciplinary actions. This lack of accountability contradicts Regulation 13(4), which requires both individual and collective responsibility among panel members. The absence of credible complaints-handling mechanisms further erodes public trust in the recruitment process.

### 8.4

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## Gender Equality and Inclusion

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Gender disparities remained pronounced across all monitored cycles. In 2016, women represented just 8.6 percent of successful recruits. By 2017, several centres selected only one or two women despite strong female turnout. The 2022 cycle showed modest improvements, but substantial structural barriers persisted.

These barriers included stringent height and physical fitness requirements that disproportionately excluded women, inadequate privacy during medical examinations, poor sanitation facilities, and gender-insensitive physical tests. These cumulative challenges reveal deeply embedded inequalities and underscore the need for clear, institutionalised gender-responsive recruitment standards.

### 8.5

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## Human Rights and Safety Concerns

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Human rights concerns were consistently documented. Physically demanding assessments—especially long-distance runs—frequently resulted in injuries, fainting, or even fatalities. Emergency preparedness varied significantly, with some centres lacking ambulances, first-aid supplies, or adequately trained medical staff. Medical examinations conducted in makeshift environments often compromised applicants' privacy and dignity.

These incidents highlight the absence of standardised safety protocols aligned with constitutional principles of human dignity, equality, and bodily integrity. Future recruitment exercises must embed robust safeguards to prevent avoidable harm.

### 8.6

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## Barriers to Effective Independent Observation

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Independent observers encountered numerous obstacles that impeded effective monitoring. Despite formal accreditation, some were denied entry to recruitment venues, restricted in their movement, or excluded from final selection stages. In extreme cases, monitors reported intimidation or threats of arrest.

Such interference violates Regulation 14(11), which recognises observer reports as part of the official recruitment record. More importantly, it casts doubt on the credibility of decisions made behind closed doors and undermines the transparency essential to democratic oversight.

## 8.7

### Key Lessons Learned

Several lessons emerge from the cumulative findings. Legal standards alone do not guarantee compliance; active enforcement is essential. Transparency is fundamental to public confidence, and opaque final selection processes severely erode legitimacy. Gender inclusion must be institutionalised rather than left to local discretion. Safety, dignity, and human rights must guide all physical and medical assessments. Effective oversight is indispensable, and any interference with observers is a direct threat to accountability. Finally, recruitment sets the tone for police professionalism; flaws at this entry stage reverberate throughout the policing system.

### Ongoing Challenges

Persistent challenges continue to undermine recruitment integrity. These include non-compliance with regulations, opaque decision-making in final selection stages, weak complaints-handling mechanisms, entrenched gender bias, and inconsistent operational standards. Logistical and infrastructural shortcomings remain widespread, and political interference continues to taint the process. The absence of sanctions for misconduct further enables impunity, while safety risks during physical tests point to inadequate preparation and oversight.

### Insights for Reform

The combined analysis suggests several priorities for reform. Recruitment reforms must be treated as a central component of broader police transformation efforts. Standardisation and transparency are essential to fairness and to minimising opportunities for malpractice. Gender equity must be embedded in institutional policy rather than applied inconsistently across centres. Oversight mechanisms should be strengthened, protected, and properly resourced. Accountability must be consistently enforced among panel members. Finally, recruitment should evaluate more than physical fitness, emphasising integrity, psychological suitability, and commitment to professional policing values.

### Recommendations

#### Strengthening Compliance and Legal Enforcement

The NPSC should fully implement the two-tier recruitment process by publishing shortlisted candidates and providing time for public vetting. Sanctions must be applied to officials who breach regulations or obstruct observers. Standardised selection criteria and scoring tools should be developed and made publicly available.

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## **Enhancing Oversight and Transparency**

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Accredited observers should have unrestricted access to all stages of recruitment. Centres should install CCTV or adopt other secure digital recording systems to document final selection proceedings. Post-recruitment transparency reports should detail complaints received, investigations conducted, and disciplinary actions taken.

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## **Gender Equality and Inclusion**

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Minimum quotas for female recruits should be considered, and gender-sensitive physical and medical tests should be standardised. Recruitment sites must provide adequate sanitation, rest areas, and private examination spaces to ensure dignity and fairness for female applicants.

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## **Improving Safety, Health, and Dignity**

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Physical fitness tests must be standardised to reduce risk. Every centre should have adequate emergency medical infrastructure, including ambulances and qualified personnel. Makeshift environments for medical examinations should be eliminated in favour of proper clinical spaces.

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## **Strengthening Institutional Accountability**

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Both individual and collective responsibility among recruitment panel members should be strictly enforced. A centralised digital recruitment management system would improve transparency and record-keeping. Recruitment procedures should be periodically reviewed to ensure alignment with human rights standards and emerging best practices.

# 9

## Accreditation Of Independent Observers In Police Recruitment And Its Importance For Civil Society

The integrity of police recruitment in Kenya is safeguarded not only through internal controls within the National Police Service Commission (NPSC) but also through the participation of **independent observers**, whose presence introduces transparency, accountability, and public confidence into the process. The *National Police Service Commission (Recruitment and Appointment) Regulations, 2015* expressly incorporate observers into the recruitment architecture, recognising their centrality in ensuring a fair, credible, and corruption-free exercise.

Under Regulation 10, the NPSC is mandated to ensure that the recruitment process is transparent, equitable, and reflective of Kenya's diversity. To strengthen this commitment, the Commission is required to **"accredit observers to participate in the second phase of the recruitment exercise"**. This provision institutionalises the role of independent actors—often drawn from civil society, professional bodies, human rights organisations, faith-based groups, and community representatives—ensuring they have lawful access to recruitment centres and processes.

The framework goes further to impose ethical obligations on observers. Regulation 13(6)(b) requires that **all accredited observers take an oath of integrity** before participating in any recruitment activity. This step formalises their role, emphasising that observers are not passive bystanders but integrity actors bound by professional and ethical standards. Their

presence is therefore not symbolic; it is structurally embedded in the recruitment cycle as a safeguard against malpractice.

Independent observers are permitted to witness key stages of the recruitment process, including the verification of documents, physical and medical assessments, and the compilation of successful candidates. Regulation 13(5) also obligates recruitment panels to **consider issues raised by members of the public on the day of assessment**. Observers help to convey such concerns and ensure they are addressed in real time. Their role acts as a bridge between the public and the Commission, particularly in areas where trust in policing institutions has been historically low.

For civil society actors, the importance of observation cannot be overstated. First, independent observation serves as a **tool of accountability**. Police recruitment in Kenya has, in the past, been marred by allegations of bribery, nepotism, political interference, and exclusion of marginalised communities. By being physically present at recruitment centres, civil society observers help deter corrupt practices such as soliciting bribes an offence explicitly prohibited under Regulation 8, which bars charging any fees or offering favours for recruitment. Their oversight ensures that the legal criteria for eligibility relating to age, education, integrity, and fitness are applied consistently and fairly.

Second, civil society observation enhances

**public trust** in the policing system. The legitimacy of the police service begins at the point of entry. When communities see that recruitment is open, transparent, and monitored by neutral actors, they are more likely to have confidence in the officers who emerge from the process. This is particularly important in regions that have experienced historical tensions or where the police have been perceived as biased or unrepresentative. Observers help to confirm that the Commission's constitutional obligation to respect ethnic, gender, and regional balance is being honoured in practice.

Third, civil society brings an element of **human rights protection** into the recruitment environment. Observers are able to identify discriminatory practices, inappropriate treatment of candidates, or deviations from legal procedures. Their presence helps ensure that the recruitment process upholds dignity, fairness, and equality—values central to both policing and constitutional governance.

Fourth, and perhaps most importantly, accredited observers strengthen **institutional learning**. By providing feedback, documenting irregularities, and making recommendations, civil society organisations help the NPSC refine future recruitment cycles. Their reports can highlight systemic issues, such as accessibility challenges, procedural gaps, or the need for better public communication, ultimately helping to improve the institutional credibility and effectiveness of police recruitment.

In sum, the accreditation of independent observers especially from civil society is a deliberate and strategic safeguard built into Kenya's police recruitment legal framework. It affirms that recruitment is not merely an administrative function but a national governance process that must be transparent, inclusive, and publicly accountable. By observing and documenting the process, civil

society actors help protect the integrity of the National Police Service from the very start, contributing to the creation of a professional, legitimate, and trusted policing institution that reflects the values and diversity of the Kenyan people.

# 10

## Synthesis And Way Forward – Towards A New Recruitment Paradigm

### Introduction

Chapters 1 and 2 illustrate a central truth: police recruitment reform in Kenya is not merely an administrative or technical concern—it is the foundation upon which the entire policing system rests. Recruitment shapes who enters the service, how they are trained, and ultimately how they interact with the public. When the recruitment process is compromised by corruption, political interference, or weak oversight, those deficiencies are absorbed into the institution itself. The quality of policing cannot exceed the quality of the individuals selected to serve. It follows, therefore, that transforming recruitment is indispensable to strengthening governance, safeguarding human rights, and restoring public trust in the security sector.

### The Central Lessons from History and Jurisprudence

#### Lesson 1: Recruitment Determines Institutional Culture

Insights from successive reform processes—from the Ransley Task Force to the Maraga-led commissions—demonstrate that the nature of recruitment decisively shapes the culture of the police service. When recruitment is corrupt, the service inevitably becomes populated with officers who normalise bribery and misconduct. When recruitment is politicised, the institution becomes vulnerable to patronage networks and the manipulation of security actors for political ends. Similarly, when the process admits poorly qualified or unprepared candidates, the system produces officers who are ill-equipped to enforce the law, respect rights, or handle the complexities of modern policing. In essence, the recruitment gate determines the ethical, professional, and operational character of the entire institution.

## **Lesson 2:** Legal and Institutional Safeguards Must Be Enforced, Not Just Written

Kenya has gradually developed a comprehensive legal architecture meant to guarantee fairness and meritocracy in police recruitment, including the IPOA Act, the National Police Service Commission Act, and the Fair Administrative Action Act. However, jurisprudence and practical experience confirm that the existence of strong laws does not automatically translate into compliance. The persistent gap between the written safeguards and their enforcement has allowed nepotism, bribery, discrimination, and operational incompetence to thrive. As long as legal frameworks remain under-implemented, recruitment will continue to be a site of manipulation, exclusion, and abuse of power.

## **Lesson 3:** Courts Are Corrective, Not Preventive

Litigation has played an important role in exposing irregularities and compelling compliance with constitutional standards. Court interventions have repeatedly pushed the NPSC and NPS to adhere to principles of fairness, transparency, and non-discrimination. Yet jurisprudence also underscores a crucial limitation: courts respond after violations occur. They cannot substitute for a prevention-oriented recruitment system that detects and stops irregularities before they affect thousands of applicants. Sustainable reform demands mechanisms that prevent illegality rather than relying on periodic judicial correction.

## **What a Reformed Recruitment System Should Look Like**

A modern, credible, and rights-respecting recruitment system must incorporate structural, technological, and accountability-focused reforms.

### **Independent Oversight and Monitoring**

Recruitment should be monitored by an autonomous oversight mechanism that is institutionally and operationally separate from the National Police Service. Such a body would observe, document, audit, and publicly report on the process, helping to insulate recruitment from internal bias, political interference, and corruption.

### **Digitization and Anti-Corruption Safeguards**

Technology must be leveraged to minimise human discretion and eliminate opportunities for manipulation. This includes shifting applications to an online platform, incorporating biometric verification to prevent impersonation, deploying CCTV monitoring at recruitment centres to deter malpractice, and creating public dashboards that display real-time data on applicants, selections, and regional distributions. Digitisation strengthens integrity, traceability, and evidence-based accountability.

### **Modern Candidate Assessment**

A reformed system must evaluate candidates holistically, moving beyond basic physical tests and academic thresholds. Psychological evaluations, ethical aptitude assessments, structured community references, and background checks conducted by independent bodies are essential for identifying candidates with integrity, emotional stability, and a genuine commitment to public service. These forms of assessment align Kenya with global standards for modern policing.

## **Transparency and Public Accountability**

The legitimacy of recruitment hinges on openness. Selection criteria should be published in advance, applicants should receive written feedback explaining outcomes, and the complaints and appeals process must be accessible, independent, and timely. Transparency prevents secrecy from becoming a cover for discrimination or bribery.

## **Enforcement of Sanctions**

Even the strongest system fails without credible consequences for wrongdoing. Officers and civilians who influence recruitment through bribery, nepotism, or interference must face administrative action, criminal prosecution, and public disclosure of investigative findings. Without enforcement, reforms remain symbolic and malpractice becomes cost-free.

## **Conclusion: A Moment for Transformative Change**

Kenya stands at a defining juncture in its police reform journey. Time and again, task forces have identified the same systemic failures, courts have adjudicated the same illegalities, and communities have suffered the same consequences. Unless recruitment is transformed, broader police reforms will remain superficial, producing cosmetic rather than structural change. The country now requires a recruitment model that is transparent, merit-based, technologically enabled, community-centred, and monitored by independent oversight. Such a model is not simply desirable—it is essential for building a police service that embodies professionalism, constitutionalism, and public trust. Ultimately, only by fixing recruitment can Kenya finally fix policing.

# 11

# Recommendations

A credible, transparent, and merit-based police recruitment process is essential to the transformation of Kenya's policing culture and to the consolidation of constitutional governance. The findings of this report reveal persistent and systemic shortcomings that have endured despite a strong legal framework, repeated judicial interventions, and extensive oversight efforts. To address these challenges, this section outlines comprehensive recommendations for strengthening compliance, enhancing integrity, promoting inclusion, modernising procedures, and ensuring accountability. The recommendations are framed with a view toward long-term institutional reform and sustainable adherence to human rights standards.

## 11.1 Strengthening Compliance and Transparency

A fundamental transformation of police recruitment requires sustained commitment to legal and procedural compliance. The National Police Service Commission (NPSC) should ensure rigorous adherence to the Constitution, the NPSC Act, and the 2015 Recruitment Regulations by enforcing the mandatory publication of shortlists, slot allocations, and final results well in advance of recruitment day.

Compliance must extend to the standardisation of procedures across all recruitment centres, eliminating the regional disparities currently observed. Clear communication of criteria, transparent and predictable processes, and the consistent presence of all mandated institutional representatives will help restore public confidence and reduce opportunities for manipulation. The Commission should also invest in regular pre-recruitment briefings for recruitment panels to reinforce legal obligations, clarify procedures, and create uniformity across counties.

## 11.2 Enhancing Oversight and Integrity Safeguards

The integrity of the recruitment process depends on effective oversight mechanisms capable of deterring corruption and ensuring accountability. Strengthening these safeguards requires a more structured role for independent observers, including civil society organisations and statutory oversight bodies such as the Independent Policing Oversight Authority (IPOA), the Commission on Administrative Justice (CAJ), and the Kenya National Commission on Human Rights (KNCHR). Observers should have unhindered access to every stage of the process, including screening, physical testing,

medical examinations, and final deliberations. Integrity vetting must be centralised and consistently applied, supported by mandatory administration of the Oath of Integrity at all centres. Recruitment panels should maintain written records of decisions, document reasons for exclusion, and preserve logs of complaints raised by applicants. A secure and independently managed reporting channel for integrity violations would further deter bribery, interference, and undue influence.

### 11.3

## Gender-Responsive and Inclusive Recruitment

An inclusive police service begins with an inclusive recruitment process. The NPSC must take deliberate steps to ensure gender-responsive procedures, particularly in the design and administration of physical fitness tests, which should be standardised, scientifically validated, and sensitive to gender differences without compromising merit. Recruitment should actively promote the participation of women, persons with disabilities, and members of minority and marginalised communities, in line with Article 27 of the Constitution and the values of fair representation under Article 232. This inclusive approach requires proactive public communication, targeted outreach in underrepresented areas, and clear measures to prevent discrimination whether based on gender, ethnicity, religion, region, or socio-economic status. Where exclusion occurs, recruitment panels should record and justify such decisions to ensure transparency and guard against bias.

### 11.4

## Human Rights-Centred Physical and Medical Testing

Respect for human dignity should guide all aspects of physical and medical testing. Tests must be conducted by certified professionals, using standardised criteria that are publicly available and consistently applied. Applicants must be treated with respect and protected from degrading or arbitrary practices, and all examinations should be conducted in secure, private, and hygienic environments that safeguard confidentiality. Where applicants are disqualified on medical grounds, the reasons should be clearly communicated, and individuals should be given the opportunity to seek clarification or lodge an appeal. A human rights-centred approach also requires the elimination of ad hoc or improvised testing methods and the establishment of clear guidelines that balance operational needs with the rights of applicants. Ensuring fairness and transparency in this stage reduces grievances and enhances the legitimacy of the recruitment process.

### 11.5

## Digitization and Record Management

Modernising the recruitment process through digitisation is essential for transparency, efficiency, and accountability. The NPSC should transition to a fully digital recruitment system that allows for online applications, biometric verification of candidates, automated scoring, and secure archiving of documents. Digitised systems minimise human discretion, reduce opportunities for tampering, and create verifiable audit trails that can be easily reviewed by oversight bodies.

## 11.6

### Accountability and Enforcement Measures

Sustainable reform depends on credible accountability systems that deter violations and reinforce lawful conduct. The NPSC must establish clear consequences for officers who breach recruitment regulations, whether through bribery, discrimination, manipulation of results, or obstruction of independent observers. These consequences should include administrative sanctions, disciplinary action, and, where applicable, criminal prosecution. Oversight bodies such as IPOA, CAJ, and KNCHR should have explicit mandates to audit recruitment exercises, investigate complaints, and publish findings in a timely manner. To enhance accountability, the NPSC should institutionalise post-recruitment reviews at national and county levels, documenting lessons learned and addressing systemic weaknesses before subsequent recruitment cycles. Parliament and relevant committees should also exercise greater oversight, ensuring that the Commission's compliance with constitutional and statutory requirements is consistently monitored. Ultimately, accountability measures must be predictable, enforced without fear or favour, and visible to the public to restore confidence in the process.

### 1 Adopt Context-Sensitive Height and Weight Standards

The National Police Service (NPS) should adopt context-sensitive height and weight standards that reflect Kenya's regional and ethnic diversity. Uniform national thresholds disproportionately disadvantage communities whose natural anthropometric profiles differ from the national average, such as shorter-statured populations in coastal counties. Tailoring standards to regional realities would promote fairness and ensure that deserving candidates are not excluded due to biological variations beyond their control.

### 2 Shift to Competency-Based Recruitment Approaches

Recruitment procedures should move beyond the current overemphasis on physical fitness and instead adopt a holistic, competency-based model. The NPS must integrate assessments that evaluate integrity, psychological fitness, emotional intelligence, and decision-making and problem-solving abilities. These competencies are essential for modern policing and ensure that recruits are ethically grounded, mentally prepared, and professionally competent.

### 3 Strengthen Community Participation and Community-Centred Recruitment Models

Community involvement should be strengthened through structured participation in recruitment oversight and candidate screening. Community policing committees and local structures should play a meaningful role in monitoring recruitment and conducting localized integrity checks. This approach enhances transparency, promotes local representation, reduces the selection of candidates from outside the area, and builds public trust in the recruitment process.

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## **Modernize and Replace Outdated Colonial-Era Recruitment Standards**

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The NPS should update outdated recruitment criteria that no longer align with contemporary policing needs. Revised standards should prioritize human rights awareness, critical thinking, strong communication skills, conflict resolution abilities, and digital literacy. Modernizing these standards ensures that officers are equipped with the competencies required to navigate complex security environments.

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## **Invest in Modern Recruitment Infrastructure and Digital Tools**

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Investment in modern recruitment infrastructure is essential to reducing errors and enhancing credibility. Recruitment centres should be equipped with standardized tools for physical assessments, digital registration and scoring systems, and secure data storage mechanisms. Digitizing key processes minimizes human error, curbs opportunities for manipulation, and improves efficiency

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## **Establish Independent Complaints Desks at All Recruitment Centres**

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To strengthen accountability, the NPS should establish an independent and well-publicized complaints desk at each recruitment centre. This desk should be staffed by a non-NPS officer and mandated to receive grievances, document them transparently, and produce centre-specific reports. An independent mechanism builds confidence in the process and ensures impartial handling of concerns raised by candidates or observers.

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## **Streamline Medical Examinations Through Pre-Recruitment Screening**

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Medical examinations should be streamlined through a pre-recruitment screening model. Candidates should obtain medical checks at accredited public facilities before recruitment day and present certified results during registration. This reduces delays, minimizes congestion, lowers operational costs, and ensures that candidates receive timely and transparent feedback regarding disqualification, including opportunities to contest disputed results.

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## **Reopen or Extend Recruitment in Centres That Fail to Meet Quotas**

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When recruitment centres fail to meet their quotas, the NPS should reopen or extend the recruitment period instead of returning empty slots to headquarters—a practice that often triggers suspicions of corruption. Localized mini-recruitments preserve regional fairness, ensure equitable opportunity allocation, and reinforce public confidence in the recruitment system.

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## **Publish Disaggregated Recruitment Statistics for Transparency and Accountability**

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9

The NPS should publish disaggregated data for each recruitment cycle, including the number of applicants per county, shortlisted and disqualified candidates, reasons for disqualification, gender representation, and inclusion of persons with disabilities. Public availability of this data strengthens transparency, supports evidence-based reforms, and empowers civil society and oversight agencies to monitor compliance and equity.

## Introduce Pre-Recruitment Support Programs in Underperforming Areas

Targeted pre-recruitment support programs should be introduced in areas that consistently attract few or underprepared candidates. These initiatives should include career awareness sessions, guidance on recruitment requirements, and basic preparation for physical and competency expectations. Such support addresses recurring barriers—particularly restrictive height and weight standards—while building a qualified and diverse pool of future applicants.

## Ensure Formal Accreditation of Independent Observers as Required by Law

The NPS and the National Police Service Commission should ensure full compliance with legal requirements on the accreditation of independent observers. During the recent recruitment exercise, observers were admitted but not formally accredited, undermining transparency and weakening the integrity of external oversight. Proper accreditation provides legal recognition, clarifies observers' roles and access rights, protects them from obstruction or arbitrary exclusion, and enhances the credibility of their findings. Failure to accredit observers risks inconsistency in access, increased interference, diminished transparency, and erosion of public trust. Establishing a clear, standardized, and timely accreditation process—and publishing the list of accredited organizations before recruitment day—would significantly strengthen accountability in future exercises.

## Annexes

### Annex I:

Case-Law Digest on Police Recruitment Jurisprudence

### Annex II:

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### Annex III:

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# ANNEX I

## Case-law Annex On Police Recruitment Jurisprudence In Kenya

This annex provides a consolidated reference to key judicial decisions that have shaped the legal framework, standards, and accountability mechanisms governing police recruitment in Kenya. It summarises the facts, issues, holdings, reasoning, and significance of each case for ease of reference by researchers, policymakers, civil society organisations, and oversight institutions.

### 1. Police Recruitment Petitions (2014)

**Court:** High Court of Kenya

**Year:** 2014

**Nature:** Consolidated petitions challenging the nationwide recruitment exercise of 14 July 2014.

#### 1.1 Facts

The national police recruitment of July 2014 was marred by widespread allegations of bribery, nepotism, tribal bias, pre-selection of candidates, and discriminatory exclusion of pregnant women. Petitioners and IPOA challenged the legality of the process, arguing that the National Police Service Commission (NPSC) unlawfully delegated recruitment functions to sub-county commissioners and violated constitutional principles.

#### 1.2 Legal Issues

1. Whether NPSC lawfully delegated recruitment powers to sub-county commissioners.
2. Whether the recruitment process complied with constitutional values and standards.
3. Whether exclusion of pregnant women constituted gender discrimination.
4. Whether recruitment results should be nullified.

#### 1.3 Holding

- Delegation was **unlawful** because it was not in writing and was made to entities outside the police structure.
- Recruitment suffered pervasive irregularities and violated Articles 10, 27, and 73.
- Disqualifying pregnant women amounted to unconstitutional discrimination.
- Recruitment in 36 centres was **nullified**.

#### 1.4 Significance

This decision established key constitutional benchmarks for transparency, fairness, merit, and gender equality in recruitment. It affirmed that recruitment processes must comply strictly with both statutory and constitutional norms.

### 2. Attorney General & 2 Others v IPOA & Another (2015)

**Court:** Court of Appeal

**Year:** 2015

**Nature:** Appeal against the 2014 High Court decision.

#### 2.1 Facts

The Attorney General, NPSC, and the IG appealed against the High Court's findings on unlawful delegation and irregularities, arguing that IPOA lacked authority to challenge NPSC's recruitment and that the High Court overstepped.

## 2.2 Legal Issues

1. Whether IPOA had locus standi to bring the petition.
2. Whether IPOA has supervisory authority over NPSC.
3. Whether the High Court correctly found that the recruitment was irregular.

## 2.3 Holding

- IPOA has standing to petition under Articles 22, 258, and 9, but **does not supervise** NPSC.
- The Court upheld that irregularities occurred.
- The appeal was dismissed; parties bore their own costs.

## 2.4 Significance

This case clarified the boundaries between independence and accountability within policing institutions. IPOA was affirmed as a legitimate actor in challenging unconstitutional conduct, strengthening oversight and public interest litigation related to policing.

## 3. Mwau v Inspector General & Others (2025)

**Court:** Employment and Labour Relations Court (ELRC)

**Year:** 2025

**Nature:** Constitutional and labour-related petition challenging the IG's role in recruitment.

### 3.1 Facts

A dispute emerged regarding the proper constitutional authority to recruit police officers. The petitioner argued that the Inspector General had encroached on recruitment functions reserved for NPSC, creating institutional conflict and confusion.

### 3.2 Legal Issues

1. Whether recruitment is an employment matter under ELRC jurisdiction.
2. Whether NPSC or the IG holds constitutional authority to recruit.
3. Whether applicants for police recruitment have enforceable rights under labour and administrative law.

### 3.3 Holding

- Recruitment is an employment function, giving ELRC jurisdiction.
- NPSC holds **exclusive** constitutional authority to recruit under Article 246.
- The IG's operational independence under Article 245 does not include recruitment.
- Applicants have enforceable rights against unfair or unlawful recruitment processes.

### 3.4 Significance

This judgment settled a long-standing institutional conflict between NPSC and the IG. It clarified the constitutional structure of the police service, strengthened applicants' rights, and reaffirmed NPSC's primacy in recruitment.

## 4. Cross-Cutting Jurisprudential Themes

Across these cases, several themes emerge:

### 4.1 Constitutional Supremacy in Recruitment

Courts have emphasised that recruitment must be conducted in line with constitutional values, particularly transparency, fairness, meritocracy, and non-discrimination.

#### **4.2 Limits of Delegation**

NPSC must adhere strictly to statutory requirements when delegating authority. Informal or unlawful delegation undermines accountability and invites corruption.

#### **4.3 Gender Equality as a Binding Standard**

The exclusion of pregnant women was found to be unconstitutional, placing gender-responsive policing firmly within Kenya's legal standards.

#### **4.4 Institutional Role Clarity**

The 2026 decision provides long-needed clarity on the separation of powers between NPSC and the IG, preventing overlap and conflict during recruitment.

#### **4.5 Judicial Oversight and Access to Justice**

Courts have consistently protected the right of individuals, oversight bodies, and the public to challenge irregularities in recruitment, ensuring external accountability for policing institutions.

### **5. Implications for Monitoring and Reform**

The case law establishes a clear legal framework that CSOs, oversight bodies, and policymakers can use to:

- -Develop monitoring tools for future recruitment exercises.
- -Advocate for lawful delegation and standardised recruitment guidelines.
- -Support gender-sensitive recruitment policies.
- -Challenge misconduct or irregularities through public interest litigation.
- -Promote institutional alignment between NPSC, IG, and IPOA.

These decisions provide a solid jurisprudential backbone for transforming recruitment into a rights-based, transparent, and accountable process in Kenya.

# ANNEX II

## Observation Tools and Checklists

### Comprehensive Monitoring & Observation Tool for Police Recruitment

*(For Accredited Civil Society Observers – HURLA)*

#### Introduction

This tool is designed for accredited civil society observers to systematically monitor the recruitment of police constables in line with the National Police Service Commission (Recruitment and Appointment) Regulations, 2015. It provides a structured checklist covering all critical areas of the process: from advertisement and recruitment centre setup, to diversity, complaint handling, and accountability of recruitment panels.

Observers should use it to document compliance and note irregularities objectively.

#### Section 1: Advertisements & Publication of Candidates

##### Observation Questions:

1. Were vacancies advertised in at least two national newspapers?  Yes  No
2. Did the advertisement state:
  - Number of national vacancies?  Yes  No
  - Breakdown per county/sub-county centre?  Yes  No
  - Eligibility criteria (age, education, fitness, criminal record)?  Yes  No
  - Application procedure/timeliness?  Yes  No
  - That applications are free of charge?  Yes  No
3. Was the shortlist (or vacancies) published before recruitment day?  Yes  No
4. Was it published in newspapers, NPSC website, or local noticeboards?  Yes  No
5. Were final successful candidates published with county/centre distribution?  Yes  No
6. Were there discrepancies or substitutions between shortlist and final list?  Yes  No

##### Observer Notes:

#### Section 4: Complaint Mechanism

##### Observation Questions:

1. Was there a visible process for complaints at the centre?  Yes  No
2. Was a complaint log register maintained?  Yes  No
3. Were candidates informed of their right to complain?  Yes  No
4. Were complaints recorded and acted upon immediately?  Yes  No
5. Were unresolved complaints forwarded to NPSC?  Yes  No
6. Could candidates/public complain without intimidation?  Yes  No

##### Observer Notes:

#### Section 5: Gender, Regional & Ethnic Representation

##### Observation Questions:

1. Was the two-thirds gender principle respected?  Yes  No
2. Were women fairly represented in attendance and selection?  Yes  No
3. Were slot allocations per county/sub-county made public?  Yes  No
4. Were selections reflective of sub-county allocations (no "imported" candidates)?  Yes  No
5. Were marginalized minority groups included?  Yes  No
6. Was there evidence of overrepresentation of certain ethnic groups?  Yes  No

##### Observer Notes:

#### Section 6: Replacement of Candidates

##### Observation Questions:

1. Were replacements drawn from the official shortlisted reserve?  Yes  No
2. Were replacements of the same gender, ethnic, and regional group?  Yes  No
3. Were dropout/disqualification cases recorded formally?  Yes  No
4. Was the replacement documented in panel returns?  Yes  No

##### Observer Notes:

#### Section 2: Recruitment Centre Setup & Time Management

##### Observation Questions:

1. Was the recruitment conducted at the advertised location?  Yes  No
2. Was the panel properly constituted (Chair, Medical Officer, Education Officer, 2 Inspectors)?  Yes  No
3. Were observers and media allowed access?  Yes  No
4. Did the recruitment start at the advertised time (usually 8:00 AM)?  Yes  No
5. If delayed:
  - Was the reason announced publicly?  Yes  No
  - Was it recorded in the log?  Yes  No
  - Was the schedule adjusted transparently?  Yes  No
6. Was the exercise completed the same day?  Yes  No
7. If adjourned:
  - Was a new date/time announced clearly?  Yes  No
  - Was NPSC notified?  Yes  No

##### Observer Notes:

#### Section 3: Recruitment Panel Functions & Accountability

##### Observation Questions:

1. Did all panel members take the Oath of Integrity?  Yes  No
2. Did the panel verify original documents and retain copies?  Yes  No
3. Were physical fitness tests fair and transparent?  Yes  No
4. Were medical exams conducted by the appointed Medical Officer?  Yes  No
5. Were eligibility criteria applied consistently?  Yes  No
6. Was gender balance observed in selections?  Yes  No
7. Were marginalized minority groups considered?  Yes  No
8. Did the panel record complaints in an official log?  Yes  No
9. Did the panel prepare recruitment returns (lists, results, complaints, observer reports)?  Yes  No
10. Were there signs of bribery, favoritism, or substitution of names?  Yes  No

##### Observer Notes:

#### Section 7: Integrity & Risks to Watch

- Was there evidence of bribery, favoritism, or solicitation of money?
- Were forged academic/medical documents detected and recorded?
- Were observers restricted from accessing any stage of recruitment?
- Were there attempts to substitute successful candidates with others?
- Were candidates or public intimidated during complaints or objections?

##### Observer Notes:

#### Final Section: Observer Summary

- General compliance with Regulations:  High  Moderate  Low
- Major irregularities observed: \_\_\_\_\_
- Key recommendations for NPSC and stakeholders: \_\_\_\_\_

Observer Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_



KISumu  
T: 020 231 9001  
PUBLIC SUPPORT HOTLINE  
07700 540 252

QAM  
T: 020 231 9000  
PUBLIC SUPPORT HOTLINE  
07700 540 254

OLD TOWN  
T: 020 231 9006  
PUBLIC SUPPORT HOTLINE  
07700 540 252

KRANNO  
T: 020 231 9007  
PUBLIC SUPPORT HOTLINE  
07700 540 253

[huria.ngo](http://huria.ngo)

## Police Recruitment Complaint Form

(For Candidates / Public / Observers)

### Recruitment Details

Recruitment Exercise:	
County:	
Constituency/Sub-County:	
Recruitment Centre:	
Date:	

### Section A: Complainant Information

Full Name:	
ID/Passport Number	
Contact (Phone/Email):	

Relationship to Recruitment (tick one):

- Candidate       Parent/Guardian       Observer       Public Citizen

### Section B: Complaint Details

1. Nature of Complaint (tick all that apply):

- Unfair Disqualification  
 Bribery / Corruption  
 Nepotism / Favoritism  
 Lack of Transparency  
 Gender/Regional/Ethnic Discrimination  
 Other (please specify): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## Annex III:

### The Explainer of Recruitment of Police Constables in Kenya



## Explainer:

### Recruitment of Police Constables in Kenya

(Based on the National Police Service Commission Recruitment & Appointment Regulations, 2015)

#### 1. Advertisements & Publication of Candidates' Names

- Vacancies must be advertised in **at least two national newspapers**.
- Advertisements must indicate:
  - *Total vacancies.*
  - *County/sub-county breakdown.*
  - *Eligibility criteria.*
  - *Application timelines.*
  - *Statement that applications are free of charge.*
- **Shortlisted candidates** (at least three times the number of available slots per centre) must be published before the recruitment exercise.
- **Final successful candidates** must be published with county/centre breakdowns.
- NPSC must prepare and submit a **recruitment report to Parliament within 60 days**, which includes names, slot distribution, and complaints received.

#### 2. Recruitment Centre Setup & Operations

- Each **sub-county** serves as a recruitment centre. Venues are often schools, stadiums, or open fields.
- **Panel Composition:**
  - Superintendent (Chair).
  - Education Officer.
  - Medical Officer.
  - Two Inspectors (Secretaries).
- **Observers & Media:** Accredited observers and media are permitted to monitor.
- **Commencement:** Recruitment must begin at the advertised time (e.g., 8:00 AM).
- **Closure:** Recruitment must conclude the same day. If delays occur, the reasons must be announced, recorded, and new dates formally communicated.

#### 3. Recruitment Panel Roles & Accountability

- Each panel member must take an **Oath of Integrity**.
- Responsibilities include:
  - Verifying original documents.
  - Conducting physical and medical fitness tests.
  - Ensuring eligibility criteria are consistently applied.
  - Respecting gender balance and diversity.
  - Recording and forwarding complaints to NPSC.
  - Preparing recruitment returns within five days.
- NPSC has the power to annul results if irregularities or malpractice are confirmed.

#### 4. Complaint Mechanism

- Complaints can be made by candidates, observers, or the public.
- At each recruitment centre:
  - A **complaint register** must be maintained.
  - Candidates should be informed of their right to lodge complaints.
  - Complaints must be addressed immediately where possible.
  - All unresolved complaints must be forwarded to NPSC.
- NPSC investigates and can annul recruitment outcomes in cases of malpractice.
- Complaints and outcomes must be summarized in the official **NPSC 60-day recruitment report to Parliament**.

#### 5. Gender, Regional & Ethnic Representation

- Recruitment must reflect Kenya's diversity.
- **Gender Balance:** The "two-thirds gender rule" applies – at least one-third of recruits must be women.
- **Regional Balance:** Slots distributed by county/sub-county, proportionate to population.
- **Ethnic Representation:** Based on Kenya National Bureau of Statistics (KNBS) census data and NCIC records to correct over/under-representation.
- **Marginalized Groups:** Inclusion of marginalized and minority groups is a legal requirement.

#### 6. Replacement of Candidates

- Replacements occur when candidates drop out, fail to report, or are disqualified.
- Replacements must be:
  - Drawn from the **shortlisted reserve list**.
  - From the same gender, ethnic, and regional group as the candidate being replaced.
- All replacements must be documented in official panel returns.

#### 7. Integrity Risks Observers Should Watch

- Bribery or solicitation of money.
- Forged academic or medical documents.
- Bias in shortlisting or selection.
- Substitution of successful candidates with unqualified individuals.
- Failure to record or act on complaints.
- Restrictions on observers or public access to the recruitment process.

## Annex IV:

### List of Recruitment Centres Observed

County	S/No	Sub County	Recruitment Centre
Mombasa	1	Kisauni	Kisauni Sub County Police Hqrts
	3	Mombasa	Msa (Mvita Grounds)
	4.	Changamwe	Changamwe (Changamwe Oil Refineries)
	6	Likoni	Likoni Approved Grounds
Kwale	7	Matuga	Matuga Baraza Park (Kwale)
	9	Msambweni	Msambweni Stadium
	10	Kinango	Vurungani Stadium
Kilifi	14	Kilifi South	Kikambala DCC's Office
	17	Rabai	Rabai Mkapuni Open Grounds

#### Quick Facts on Recruitment Regulations

1. **Submission of recruitment report to Parliament (Regulation 27 of NPSC on Recruitment & Appointment Regulations 2015)**

*The Commission shall, within sixty days after the conclusion of the recruitment exercise, prepare a report of the recruitment exercise and submit that report to Parliament within sixty days of the conclusion of the recruitment exercise.*

2. The Regulations **does not set a fixed interval (like annually, every 2 years, etc.)** for recruitment cycles.

Instead, they tie recruitment to:

- **Annual review of establishment and strength** of the Service (Regulation 6 of NPSC on Recruitment & Appointment Regulations 2015; *“The Inspector-General shall, on an annual basis, carry out a review of the Service’s establishment and strength and shall submit the recommendations to the Commission.”*)
- Recruitment is then undertaken **“when it is necessary”** and subject to **availability of vacancies** (Regulation 7 of NPSC on Recruitment & Appointment Regulations 2015)

3. **Other Key Provisions on Recruitment**

A structured summary of what the Regulations say about recruitment:

- **Responsibility (Reg. 3):**  
The NPSC is responsible for all recruitment. It can delegate to the Inspector General for ranks below Superintendent, but only with written approval and oversight.
- **Recruitment categories (Reg. 4):**  
Constables, cadet entry (higher ranks), specialists, and civilian staff.
- **Balance (Reg. 5):**  
Must reflect gender, regional, and ethnic diversity per the Constitution.
- **Entry (Reg. 7 & 9):**  
Entry only when necessary, and subject to vacancies. Candidates must be Kenyan, have ID, meet education standards, be 18–28 (30 for graduates), medically fit, and free of criminal records.
- **Process (Regs. 10–16):**
  - i. NPSC sets distribution of recruits across centres with fairness in gender/ethnicity.
  - ii. Advertisements must run in at least two national newspapers. Closing date 7 days after advert.
  - iii. Recruitment panels include senior officers, education officer, medical officer, etc.
  - iv. Physical fitness, medicals, and document verification are compulsory.
  - v. Complaints from the public must be addressed on the day.
  - vi. Successful candidates must be double the number of required recruits before final selection.
- **Integrity (Reg. 18):**  
All involved take an oath; bribery or solicitation is prohibited (Reg. 8).
- **Oversight (Reg. 21):**  
NPSC can annul results of a centre or the whole exercise if irregularities are found, and can recommend prosecutions.

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