



ICTJ



IPOA



21st April 2015

JOINT PRESS STATEMENT ON POST MONITORING OF POLICE RECRUITMENT EXERCISE

Introduction

The Kenya National Commission on Human Rights, The Usalama Forum, Federation of Women Lawyers in Kenya (FIDA-Kenya), Constitution and Reform Education Consortium (CRECO), Independent Policing Oversight Authority (IPOA), International Centre for Transitional Justice (ICTJ) and Peace - Net consolidated efforts and resources towards ensuring that the process adhered to the requirements of Articles 10, 243 and 244 of the Constitution, the National Police Service Act 2011 and the National Police Service Commission (Recruitment and Appointment) Regulation 2015.

This recruitment follows the nullification of the 2014 recruitment exercise by the High Court following complaints of massive corruption, mal – administration and failure to follow the due process which have had a long term effect of eroding public confidence in the National Police Service and which in effect has affected Security Sector Reforms in the Country.

In conducting this monitoring exercise, we aim at strengthening and reinforcing efforts by the National Police Service towards instilling its key values of accountability, transparency, professionalism and that would ultimately lead to the realization of Security Sector Reforms in the Country.

While we acknowledge the commitment of the National Police Service Commission in ensuring that the 2015 selection exercise reflects the requirements mentioned above the, we the undersigned, having conducted the monitoring in over 100 recruitment centers countrywide wish to raise key concerns that continue to jeopardize the process and warrants attention by the National Police Service Commission and other stakeholders;

1. We note with concern the illegal and late addition of recruitment centers by the Inspector General on Saturday 18th April 2015 just two days to the exercise. While the reason for

carrying out this was not availed to the public, we are concerned that the late additions served to confuse the public as well as reduced the available chances in the respective recruitment centers as the available slots within the centers were equally shared amongst these regions. Further, the transfer of certain recruitment centers such as Kisumu Police division headquarters which was moved to Lions high school yesterday without prior notice in any published material served to confuse the public and the recruits more on the actual day of the recruitment noting that the new venue was about 2kms away.

2. The National Police Service Commission (recruitment and appointment) regulations 12 (4-13) provides for a two – tier process for the recruitment exercise which was ignored by the NPSC yet would have been vital for the transparency of the process. The first tier, which is held on a separate day involves the receipt of applications from the applicants after which the NPSC prepares a short list of the applicants who would then be invited for the physical, aptitude and medical assessment and the verification of the documents.

The shortlisted candidates' names are then published and member of the public to send their complaints and comments as concerns the suitability of the candidates. The second tier, done on another day is where the shortlisted candidates are now invited to attend the physical aptitude, medical assessment and verification of documents.

We remain concerned that the NPSC, despite the previous setback continues to flaunt stipulated laws. Such actions continue water down effort aimed at professionalizing the National Police Service that is characterized by among other factors, integrity.

3. We note with concern the ethnic profiling in certain notorious centres such as Gilgil, NYS and Mwanagaza who publicly announced preferred ethnic communities and their numbers to be recruited from the centres. In Gilgil for example, candidates were informed that the centre was only recruiting members from the Kikuyu community. At the NYS, slots were pre allocated to certain ethnic communities before even the tests began, same applied to Mwangaza primary in Embakasi. We demand for an independent audit of the process in these centres based on the numerous complaints from these centres and the particular officers concerned should be held to account for their actions if found to have breached the necessary laid down procedures.
4. The National Police Service Commission had repeatedly assured the 2014 recruits whose recruitments were nullified that they would be accorded equal opportunity with other recruits during this recruitment process. However, take note with some of the recruitment panels such as in Mvita Recruitment centre where the 2014 recruits were informed that they would not be considered for this round of recruitment as their case is still in court. This lead to rejection of 18 candidates who had participated in the 2014 exercise. The Mombasa county police commander confirmed that by the time of our intervention it was late and there is nothing he could do amidst his admission that their rejection was unwarranted.
5. We note with concern that some of the officers who participated in the previous nullified exercise were still accorded an opportunity to serve in this exercise and thus provided

with an opportunity to further dampening the credibility of the process with candidates. This issue was raised by the members of the public that it provided these officers with an opportunity to pay the “debts” owed to the 2014 recruits. In certain areas, some of the officers were just transferred to different locations where they had not served before.

6. We question the transparency principle adopted by the NPSC that could have been flaunted due to non-observance of our key concern 2. While centers announced the number of successful candidates, their names and identities remain unknown. This is further compounded by the denial of access to the 2014 list by the undersigned partners thus casting a lot of doubt on the credibility of this process. Additionally, some centers did not declare the number of slots allocated to their centers, actions that provide an opportunity for manipulation of the final list.
7. In many of the recruiting centers, the Administration Police Service completed the exercise before the Kenya Police Service. We question the reasoning behind having two factions of the same force recruit separately to serve as one yet the National Police Service Act is very clear on having one Service. Further, the recruitment guidelines does not in any area provide for this separate recruitment for the two factions within the NPS. We urge the NPSC to re look this strategy as they further seek ways of enhancing cohesive security teams in the country.
8. In other areas such as Bondo, candidates had been asked to pay for the tests but intervention by this team disallowed that provision and the exercise continued seamlessly.
9. The Constitution, the National Police Service Act and the National Police Service Commission Recruitment guidelines provides for the two third gender rule within the National Police Service recruitment and within the National Police Service establishment. However, from our preliminary observations, this recruitment process falls far behind in achieving this gender rule should statistics in our possession be a reflection of the results in the centres we did not monitor. This is worrying.
10. The regulation provides for the establishment of complaints desks at each centre where candidates can raise issues, the same were not available in a majority of places and candidates were left to complain through the mainstream media and social media channels. Further, for the cases where complaints existed, the process of handling them was too slow such that by the time a complaint was raised, the recruitment process had gone so far such that the complainant would not catch up and just gave up the whole process.
11. There was lack of clarity in the requirements for the recruitment with specific calls for the Kenya Certificate of Secondary Examination. It was not stipulated in the advertisement that the candidates would be required to have the certificates as opposed to the results slips which all communicate the same information. This inconvenienced many of the candidates some of whom were turned away despite meeting all the qualifications for the recruitment.

Recommendations

1. That the NPSC institutes investigations into Mvita recruitment centre, NYS headquarters Gilgil and Amagoro that discriminated the 2014 candidates despite clarifications through their published notice.
2. That the NPSC publishes the list of the 'successful candidates' prior to their entry to the training schools for verification by the public since the same was flaunted.
3. That the NPSC, in considering the next phase, makes the complaints desks functional and separates the same from the registration desks.
4. That the NPSC strictly adheres to the recruitment guidelines for accountability and transparency.
5. That the NPSC provides clear and consistent guidelines on the requirements of candidates to avoid double standards.
6. That the NPSC consider actions that could promote affirmative action to ensure more women are recruited into the service.

In conclusion, we continue to implore on the government, NPS and NPSC to strive for the highest level of professionalism within the security guided by observance of the varied laws in order to ensure compliance with local and international standards of policing. The failure to set and observe such mechanisms continues to be the plague that eats into good policing and further the non-observance of the rule of law by all.

End://....