

EXECUTIVE SUMMARY

Introduction

1. The Taskforce was set up to identify the legal, policy, administrative, institutional, and operational constraints on effective service delivery by the National Police Service (NPS), the Kenya Prisons Service (KPS) and the National Youth Service (NYS) (the Services), and to review the welfare and the terms and conditions of service for members of the three Services.
2. This Report is in five parts. Part One contains the introduction and preliminary. Part Two presents the findings and recommendations of the Taskforce touching on National Police Service. Part Three contains findings and recommendations regarding Kenya Prisons Service. Part Four presents the findings and recommendations regarding the National Youth Service. Part Five contains all the Annexures.

Interpretation of the Terms of Reference

3. In interpreting its Terms of Reference (TORs), the Taskforce was guided by the objectives that informed its establishment. Besides identifying issues, specifically, the Taskforce understood its mandate as requiring a comprehensive examination and review of the legal, policy, administrative, institutional, and operational constraints impeding effective service delivery by NPS, KPS and NYS; review of welfare and terms and conditions of service of officers of the three Services; a review of other matters incidental to their improved service delivery; and making appropriate recommendations in all these areas.
4. In a nutshell, the Taskforce understood its mandate as calling for examination and review of the various aspects that touch on welfare, terms and conditions of service, capabilities and service delivery, and to additionally identify the key levers for comprehensive change in the Services. During this review, it became clear to the Taskforce that the challenges facing the Services were not just laws, policies, institutions and processes but also leadership gaps in the Services. It also became clear that the reform recommendations stand little chance of being implemented if the leadership issues in the respective Services are not boldly addressed.
5. Indeed, for this Taskforce, it was clear that the problems identified were not new to the Services. They had been the subject of previous taskforces and committees. Though previous reforms had improved many aspects of the three institutions, there was, however, a compelling public interest in strengthening operational and welfare reforms to ensure that the members of the three Services effectively serve the public.
6. The Taskforce evaluated the challenges and realized that “service” was the sum total of all the operations and processes of the three Services. It is what these agencies are about in everything they are engaged in. Further, the Taskforce established that on most of the issues, there are legal, policy, administrative, institutional, and operational challenges. The most appropriate way to present the findings and recommendations was by isolating the issues and dealing with them separately. Consequently, the Taskforce has organized the findings and recommendations according to the areas of review as per the TORs.
7. The Taskforce held an inaugural meeting with the Cabinet Secretary, Ministry of Interior and National Administration, at which the CS outlined the Government’s vision and objectives in establishing the Taskforce.
8. Subsequently, the Taskforce embarked on its work and established four committees to guide the discharge of its mandate, namely: Legal and Policy; Welfare and Terms and Conditions; Technical and Operational Capabilities; and Management.

9. The Taskforce undertook an initial review of reports by previous taskforces, policies, legislation, and administrative instruments on NPS, KPS and NYS to establish the scope and nature of the reforms undertaken as well as the progress in their implementation.
10. In line with the TORs, the Taskforce undertook consultations with diverse stakeholders. First, the Taskforce received submissions from the leadership of NPS, KPS and NYS. Submissions were also received from the National Police Service Commission (NPSC) and the National Youth Service Council. Further, consultations were held with the leadership of various government ministries, including the Ministry of Interior and National Administration; the National Treasury; the Salaries and Remuneration Commission; relevant Parliamentary Committees; Ministries, Department and Agencies (MDAs); and other key State Organs and Institutions.
11. Subsequently, the Taskforce also held consultative meetings with representatives of all cadres of members of the respective Services across the country.
12. In line with the constitutional principle of public participation, the Taskforce undertook extensive public and stakeholder consultations in all the 47 counties. In those fora, the Taskforce also received views from a diversity of experts on various issues relevant to its mandate, the private sector, civil society organizations and faith-based groups, among others. In addition, the Taskforce conducted site visits to various offices and facilities of the Services in each of the counties.
13. To expand its public reach, the Taskforce secured a phone number and operated an email address as well as social media accounts to appraise the public of its activities and receive feedback.
14. Finally, the Taskforce presented an interim report to the appointing authority and received feedback that formed the basis for further consultations and finalisation of this Report.

FINDINGS AND RECOMMENDATIONS ON SALIENT ISSUES

15. The Taskforce established that the three Services are bedeviled with myriad challenges, foremost among them being underfunding; endemic corruption; leadership in the three Services; poor handling of human capital management and development; and other structural challenges as captured in this summary. This section provides a summary of the issues in each of the three Services and the recommendations to address the issues and challenges identified. The last section identifies the common issues that cut across the three Services and the recommendations of the Taskforce.

National Police Service

Underfunding

16. The Taskforce established that the National Police Service is the most affected by underfunding. The Service has been consistently underfunded despite having to confront enormous emerging security challenges. The review by this Taskforce takes place at a time when the operating context for the Service is drastically altered from what was obtained before. The modern socio-economic and political environment as well as rapidly changing information and communication technologies present new vulnerabilities and security challenges for the country.
17. Cattle rustling and banditry in many parts of the country, especially in the North Rift; terrorism and violent extremism; human trafficking; exploitation of new technologies to commit cybercrimes; consumption of second-generation alcohol; drug trafficking, and

drug and substance abuse have placed a significant strain on the capacities and capabilities of the NPS.

18. Within these challenges, NPS has not been properly facilitated to effectively discharge its mandate. Severe supply gaps present the NPS with serious logistical nightmares in its operations. For instance, the current monthly fuel allocation of 450 litres per vehicle, irrespective of the operational needs of different areas, or the vastness of some counties such as Marsabit and Turkana, is simply insufficient. The equipment and gear currently provided to NPS officers is grossly inadequate, hardly serviced and maintained and mostly in a poor state of repair.
19. The Police do not have adequate physical and operational infrastructural facilities at both the training colleges and at police station levels. This leaves them poorly prepared to train or effectively provide security, and maintain law and order. Besides lacking basic facilities like examination rooms for sexual violence cases, police stations detain arrested persons in dingy and crowded rooms with deplorable ablution facilities. In many places across the country, the living conditions for NPS officers are dehumanizing, thus undermining their morale and ability to deliver quality services. In some cases, NPS officers and their families live in dilapidated, congested and condemned structures which are sometimes shared.
20. The Taskforce urges the Government to adequately fund the NPS to modernize its facilities, equipment, and gear, and enhance its logistical and technological capabilities as well as provide decent housing for NPS officers in order to enable the Service discharge its mandate efficiently and effectively.

Corruption

21. The public, other stakeholders and even members of NPS stated that corruption in the Service remains endemic and is now deeply embedded in the institutional culture and psyche of NPS. Despite institutional policies and strategies specifically targeted at addressing corruption in NPS, and existence of guidelines and policies that seek to enhance integrity in critical processes such as recruitment, most police jobs are sold to those who can afford or only offered to relatives of the powerful and politically connected.
22. The Taskforce heard, from literally all 47 counties, of rampant corruption, cronyism, nepotism, favouritism, tribalism and political influence peddling during police recruitment exercises. Further reports indicated that slots were being sold for up to KSh600,000 if not more. Those who enter the NPS through political influence sustain their place in the Service by remaining loyal to those 'they know' while those who are picked on merit 'grease' their positions by granting favours to police bosses.
23. Endemic corruption also permeates other aspects of the Service's operations. Transfers, deployments, promotions, as well as procurement are riddled with corruption and favouritism, which undermines morale among NPS officers. Cases of conflict of interest that fuel corruption have been reported. These include traffic police officers owning public service vehicles and motor vehicle breakdown services, alcohol outlets, gambling outlets, and generally engaging in business and activities that compromise their impartiality and professionalism.
24. The Traffic Department of NPS came up for special mention in literally all meetings that the Taskforce held in the 47 counties and in submissions by most stakeholders. Unanimously, police roadblocks were described as corruption toll stations from where the 'loot' collected was shared up to the highest levels in the hierarchy of police

leadership. Following this widespread condemnation, the Taskforce recommends the restructuring of the current Traffic Police Unit into a new Traffic Management Unit that is well trained, leaner in numbers, and mainly reliant on technology to control and manage traffic flow in the country. The taskforce envisages the use of technology in the detection of traffic infractions, and the attendant fines becoming cashless by use of technology. While that is being done, the Taskforce recommends appropriate amendment of Section 65 of the NPS Act within six months and abolition of police roadblocks and their replacement with mobile patrol units.

The challenge of leadership

25. As stated, a point even the 2010 Ransley Taskforce also made, the NPS lacks competent leadership with strategic vision and commitment to discharge its mandate. The Taskforce established that most of the legal frameworks required for effective and professional police performance are in place but these are not adhered to due to lack of competence and lethargy to undertake the required reforms in the Service.
26. Standards of professionalism and fairness on issues such as recruitment, training, promotions, transfers, deployment and general performance of policing duties have been compromised. Based on the views received, and recommendations of past taskforces, this Taskforce attributes these competence gaps mainly on the manner of hiring the NPS leadership.
27. Article 232 of the Constitution lays down the values and principles of Public Service, which include responsive, prompt, effective, impartial, and equitable provision of services. As regards NPS, Article 239 (3) of the Constitution directs the Service to be impartial and not to “further any interest of a political party or cause; or prejudice a political interest or political cause that is legitimate under the Constitution.” As is stated in the Waki Commission and Ransley Taskforce reports, past misuse of the police for partisan political objectives has significantly eroded public trust and professionalism in the Service. Further, Article 244 requires NPS to be transparent and accountable in the discharge of its mandate and to strive for the highest standards of professionalism and discipline among its members, qualities that it sorely lacks.
28. The letter and spirit of these constitutional provisions is to have all positions, especially in the leadership cadres of the NPS, competitively filled as is the case with all recruitment into other Government institutions. Regrettably, however, that is not what is obtaining in the NPS. The Security Laws (Miscellaneous Amendment) Act of 2014 repealed the provisions of the NPS Act which provided for an open, transparent, and competitive recruitment of the Inspector-General and Deputy-Inspectors General.
29. In the circumstances, and to ascertain whether the current top leadership of the NPS has the competence, integrity, and experience required to drive the requisite reforms and achieve the vision of the Service, the Taskforce has recommended a fresh vetting by an independent panel to be appointed by the President for all officers of the rank of Senior Superintendent of Police (SSP) and above. To this end, the Taskforce urges the Cabinet Secretary for Interior and National Administration to immediately develop a bill and request Parliament to enact legislation to reinstate the constitutional requirement for the open, transparent and competitive recruitment of the Inspector-General, the Deputy-Inspectors General, and the Director of Criminal Investigations as was provided for under Sections 12, 13 and 30 of the NPS Act prior to the 2014 amendment.
30. And to enhance professionalism in NPS, the Taskforce recommends that the minimum qualifications for recruitment into the Service should be raised to grade C minus (C-) in

KCSE. However, for the marginalized areas, the Taskforce recommends the retention of Grade D+ when there are no applicants with grade C- in KCSE. After recruitment, the initial training should be extended from nine months to 12, with emphasis placed on competency-based training in line with international policing standards and introduction of a practical attachment component to the training of NPS officers.

31. To address junior officers' complaints on transfers and deployments, the Taskforce recommends the amendment of Regulation 9 (1) of the NPSC (Transfer and Deployment) Regulations to limit operational deployments to a period not exceeding six (6) months. In all other deployments, the Taskforce recommends that no person should serve in one county for a period of more than three (3) years, save for those deployed to the specialised units.
32. Regarding promotions, it is the view of the Taskforce that a professional and motivated NPS should be based on a clear career progression and advancement path that takes into consideration factors such as competence, integrity, training and relevant qualifications, skills and experience. The Taskforce established that the stagnation of junior officers in one rank, in many cases until retirement, is the source of widespread discontent and low morale in the Service. The Taskforce therefore recommends the establishment of grades of Inspector II and I and the introduction of Constable III, II, and I, and Corporal III, II, and I within the same ranks, all of which must be filled through open and competitive promotions based on merit.

Leadership of the National Police Service Commission

33. The National Police Service Commission (NPSC) is established to streamline the management of the human resource function and thus mandated to promote professionalism and accountability in NPS. In this regard, it is expected, among other things, to formulate appropriate policies on training and human capacity management and development, and also to exercise disciplinary control over NPS members and rid the Service of or at least minimise corruption, inefficiency, nepotism and general lack of professional management.
34. Regrettably, however, the NPSC leadership has acquiesced to the continued usurpation of its functions by the NPS leadership, thereby exacerbating the vices that it was established to redress. It has also generally been unable to develop policies and institute measures that would enable it to perform its constitutional and statutory obligations. In the circumstances, the Taskforce has been left with no option but to recommend that Government considers initiating a negotiated exit, or any other legally recognised modality, for the current Commissioners of NPSC.
35. Other important aspects of NPS leadership that the Taskforce has singled out and made appropriate recommendations on, include the 2018 reorganisation of the operations of the Kenya Police Service and the Administration Police Service within the National Police and the Service's Command Structure; the Police Airwing; the Coast Guard; and the role of the Internal Affairs Unit.

The role of the Cabinet Secretary in NPS

36. The major role of the Cabinet Secretary for Interior and National Administration is the formulation of appropriate policies to guide NPS. The Taskforce has, however, established from recent history that rather than restrict themselves to the development of policies, there has been systemic micro-management of the Service by previous Cabinet Secretaries that has significantly eroded the operational independence of the Service. To remedy this situation, the Taskforce has recommended that the Cabinet Secretary should

develop a Sessional Paper on policing and reforms to guide the long-term transformation of NPS and thereby take immediate and urgent steps to address the current policy and oversight gaps in the Services, such as the operationalisation of the Police Reform Unit envisaged under Section 126 (2) (b) of the NPS Act.

The Reorganisation of NPS

37. Prior to 2018, the way NPS constituent Services were organised showed clear lines of overlap and duplication of functions at all levels. There existed parallel and lateral Kenya Police Service, Administration Police Service and Directorate of Criminal Investigations commanders at all levels from regional, right down to ward and locational levels. Among the three commanders, it was not clear who headed each level, as a majority were of the same rank. This was clearly not an optimal allocation of resources because teams were operating in a disjointed manner.
38. However, the 2018 reorganisation loosely referred to as the “merger” of the Kenya Police Service and Administration Police Service meant to remedy this situation by eradicating the overlap and duplication of functions, was not properly executed and did not sit well with members of Administration Police Service. Across the country, Administration Police Service officers expressed frustration at being treated as juniors to their Kenya Police Service counterparts and felt that their issues were not given the necessary consideration and regard by the NPS leadership. The continued exclusive protective role of the Kenya Police Service over institutions considered “lucrative” such as the Central Bank and airports, is seen by Administration Police Service officers as an example of their disadvantage since under the reorganisation, the protection of these institutions should be part of their mandate.
39. Besides the disenchantment of the Administration Police Service officers, the 2018 reorganisation has led to significant escalation of crime and undermined national security. The absorption of a large fraction of the Administration Police Service officers into the Kenya Police Service and reduction of their mandate at county level to protection of critical infrastructure, ran contrary to the National Police Service Act and has significantly undermined the preventive (community-based) policing which the Administration Police Service has historically excelled in.
40. More importantly, the Kenya Police Service and the Administration Police Service are established under Article 243 of the Constitution as constituting the National Police Service. The National Police Service Act, on the other hand, spells out the detailed functions and responsibilities of the Kenya Police Service and the Administration Police Service under sections 24 and 27, respectively. Therefore, any reorganisation or restructuring of the two Services, such as the one undertaken in 2018, should be guided by the constitutional and legal framework underpinning the existence and functioning of the two Services. This was not done.
41. To remedy this situation and stem the sibling rivalry between the Kenya Police Service and Administration Police Service officers, the Taskforce has recommended the restructuring of the command and staffing in the NPS by maintaining the distinction between the three Services only up to the NPS inspectorate level; the designation of NPS Gazetted Officers as NPS officers without affiliation to any particular Service; and subjecting all Gazetted Officers to the same training and promotional standards and thereafter deploying them for duty in any of the three Services.
42. Further, the Taskforce recommends beefing up the Administration Police Service strength, and that the Inspector-General, in consultation with the Joint Service Board,

should establish formations in Administration Police Service to enable the Service effectively perform its functions as required by Sections 10 and 27 of the NPS Act.

The Police Airwing

43. The National Police Service Air Wing (NPSAW) was established in 1949 for NPS's reconnaissance operations, a critical component of police operations. In 2019, following a presidential directive, it was transferred to the National Air Support Department (NASD) headed by a Kenya Defence Forces officer. Since that transfer, NPS has had challenges in accessing and using its aircrafts, as it must now seek NASD's authority to do so. The Taskforce heard how this has hampered NPS's operations and affected its capacity in flight operations.
44. The Taskforce's attention was drawn to Gazette Notice Supplement No. 19 of February 18, 2022, reinforcing the requirement that NPSAW aircrafts be maintained and operated under the Kenya Civil Aviation Authority (KCAA) regulations. It is not clear if NASD, partially staffed with KDF officers, is regulated by the KCAA.
45. Though the idea of pooling resources for effective and economical utilization of expensive national assets like aircrafts as other countries have done is laudable, the Taskforce finds that the NPS, an independent security organ with a clear and unshared constitutional mandate to maintain internal security, cannot effectively utilise the Airwing when its operations are under, or, are controlled by another organ.
46. And while reports of poor management, technical failures to maintain and operate the Police Air Wing may have prompted the decision to transfer the management of the Airwing to NASD, appropriate measures should have been taken to address those failures as opposed to transferring the Air Wing to another agency.
47. For these reasons, the Taskforce recommends that the Police Airwing be restored to the exclusive control of NPS forthwith. However, the restored Airwing should be operated in strict adherence to KCAA standards on maintenance and airworthiness, including qualifications, training, and relevant accreditation of professionals working in NPSAW. The Taskforce urges Parliament to provide adequate resources and budgetary support for the effective and optimal operation of NPSAW. On its part, NPSC should provide competitive terms of remuneration for professionals involved in the running and maintenance of police aircraft to ensure their retention in NPSAW. Alternatively, the Taskforce recommends Lease Hire of Police Aircrafts as is the case with Police motor road transport.

The Marine Police Unit and the Kenya Coast Guard Services

48. The Marine Police Unit is established under Chapter 7 of the Service Standing Orders as a Specialised Unit under the Kenya Police Service. On November 16, 2018, the Government established the Kenya Coast Guard Service (KCGS) through the Kenya Coast Guard Service Act, 2018, to assist in coordinating a multi-agency approach to policing of Kenya's territorial waters, in line with the country's international and regional commitments. The complexity of policing in territorial waters requires a multi-agency approach and coordination, which has been achieved through KCGS. Accordingly, the Taskforce notes that the Marine Police Unit and KCGS cannot co-exist. In these circumstances, the Taskforce recommends that the IG and the Director-General, KCGS, develop structures and procedures for engagement between KCGS and the Border and Sea Operations Team (BORSOBTS) to guide multi-agency approach in the policing of Kenya's territorial waters under the KCGS.

The Internal Affairs Unit

49. To address the junior officers' complaints of being subjected to multiple disciplinary processes, the Taskforce recommends that Parliament should amend Section 87 of the NPS Act to provide for: competitive recruitment of the IAU Director; secure the tenure of the Director and clearly state the Director's mandate; decentralisation of the Unit's functions; and to expressly authorise the Internal Affairs Unit (IAU) to enforce discipline and professional standards within the NPS. The NPS Act should be further amended to focus the functions of IAU on strictly disciplinary offences and not criminal matters that fall within the purview of DCI and the Independent Policing Oversight Authority.

Kenya Prisons Service

Underfunding

50. Though some positive changes have taken place in KPS over the years, still, the Service has had an annual average funding deficit of about 40 per cent since 2008. This has affected its institutional development. Worse still, unlike the case in the NPS, there is no modernization plan in place for KPS.
51. The Service has large tracts of land that should have been utilized to ensure self-sufficiency in food supply. Prisons farms have, however, been run down owing to lack of resources as well as leadership wrangles, poor management that lacks innovation, and endemic corruption.
52. Overcrowding is a perennial problem. Prison facilities currently have capacity for 29,000 inmates but they are often forced to hold over 60,000. In some instances, insufficient ablution and sanitation facilities force inmates to use buckets in the poorly ventilated prison dormitories. Nothing can be more dehumanizing and offensive to the inmates' rights to dignity, privacy, and a clean environment. As the late President Nelson Mandela once said, "*... no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones.*"
53. In many prisons across the country, the KPS officers' living conditions are dehumanizing. As is the case with the NPS, officers in KPS and their families live in mud housing, dilapidated, congested, and in condemned structures. In some KPS stations, different families live in dormitories with each family only separated by a bedsheet curtain. Officers also live in tents or shacks that they construct for themselves. Needless to say, these conditions undermine the morale of officers in the Service and consequently affect their performance and service delivery.
54. The Taskforce urges the Government to adequately fund the KPS to modernize its facilities, tooling, equipment and gear, and enhance its logistical as well as technological capabilities, and provide decent housing for its officers to address these challenges.

Corruption in the Kenya Prisons Service

55. The Taskforce was informed that corruption deeply permeates every aspect of KPS from recruitment, promotions, deployment, transfers to procurement and issuance of stores; and that the senior leadership of the Service is largely disconnected from the daily realities of junior officers. Such are the levels of nepotism and corruption in recruitment into the KPS that several officers have had their family members employed in the Service. Some of these family members are serving together in the same station, thus creating huge command challenges. The Taskforce was informed that some prison operations are run like family affairs.

56. Widespread reports of persistent behaviour of collusion between rogue prison officers and prisoners in the running of phone scams, fraud, petty trade and drug trafficking from precincts of prisons paint a picture of a highly compromised Service that is not able to perform its core role mandate of correction and rehabilitation.
57. The Taskforce notes that while the Madoka Committee prescribed external leadership as a response to the challenges in the KPS, every Commissioner General appointed since has always encountered internal entrenched interests which they benefit from and are keen to preserve the *status quo*. As such, the challenges to the leadership manifest in the form of capture of any new leadership or resistance to progressive reform.

Leadership of the Kenya Prisons Service

58. As regards the Kenya Prisons Service (KPS), the Taskforce notes that the adoption of an “Open Door Policy” in 2001, in the hitherto closed KPS, paved the way for reforms, transparency, and critical partnerships. The Taskforce was informed, however, that corruption deeply permeates every aspect of the KPS from recruitment, promotions, deployments and transfers, to procurement and supplies of stores. Further, the senior leadership of KPS is largely disconnected from the daily realities of junior officers. The reform journey in the KPS remains incomplete because most of the issues that previous reports identified remain unaddressed. The Taskforce found it outrageous that overall, the situation remains the same as what the Madoka Committee established about 15 years ago. The issues that have been addressed, have been implemented in patchwork and a lackadaisical attitude remains a critical impediment to transformational change in the Service.
59. Low pay, poor working and living conditions, outdated tools and equipment as well as lack of support for welfare concerns, among other issues, were cited as the main causes of ineptitude and low morale.
60. Officers and other key stakeholders however lauded the efforts of the current Commissioner General in reforming the Service. Nonetheless, the problems bedeviling the KPS are systemic and structural in nature and require urgent decisive action if any meaningful changes are to take place in the Service. While the Madoka Committee prescribed external leadership as a panacea to the challenges in the KPS, especially after the internal crisis that led to the strike by staff in 2008, little has changed, as new leadership has often either been captured by entrenched internal interests keen to preserve the *status quo* or faced internal resistance.
61. To address these leadership challenges and corruption in the KPS, the Taskforce recommends a fresh vetting by an independent panel to be appointed by the President for all officers of the rank of Senior Superintendent of Prisons (SSP) and above (save for the current CGP) within 6 months of publication of this Report.
62. The Prisons Act, Section 20(1)(c), provides for the establishment of a Prisons Council that would consider all questions affecting the welfare and efficiency of the Prisons Service and provide a measure of oversight and supervision. However, this Council has never been constituted despite the recommendation by the Madoka Committee.
63. The Ministry should also restructure the Prisons Council to comprise of: a Chairperson who shall have the same qualifications as those of a Supreme Court Judge; the PS National Treasury or his or her representative; a representative of the Public Service Commission; the PS Correctional Services; and the Commissioner General of Prisons who shall be the Secretary to the Council. Further, the Cabinet Secretary should establish

a Prisons Reform Unit to ensure continuous and sustainable KPS reforms. The role of the Ministry of Interior, and the State Department for Correctional Services, should remain one of providing policy guidelines to the Service.

64. The entry requirement into the Service should be capped at a minimum grade C minus (C-) except for candidates from marginalised areas. To address the challenges around immaturity prevalent in the entrants, the minimum recruitment age should be raised from 18 to 21 years for the respective Services.
65. To be able to undertake relevant theoretical and practical training including field attachments to ensure competency in training and professionalism, the initial training for cadets should take not less than 15 months while the one for constables should not be less than 12 months.
66. As is the case with the NPS, the Taskforce established that the stagnation of the KPS junior officers in one rank, in many cases until retirement, is a source of widespread discontent and low morale in the Service. The Taskforce, therefore, recommends the establishment of grades of Inspector II and I and the introduction of Constable III, II, and I, and Corporal III, II, and I within the same ranks, all of which must be filled through open and competitive promotions process based on merit.
67. KPS officers live and work in horrendous conditions. The current housing and working conditions compromise privacy, human dignity, and are a source of low morale and disillusionment, especially among junior officers. To remedy the situation, the Taskforce recommends that the Prisons Council (to be appointed) should urgently develop a housing policy to guide matters such as affordable and sustainable construction and the equitable allocation of houses, as well as management of KPS housing units, among other factors. The management of KPS housing should be under a directorate responsible for housing in the office of the CGP, pursuant to the provisions of a KPS housing policy developed by the Service.
68. It is incomprehensible that KPS still relies on outdated laws such as the Prisons Act, 1977, the Borstal Institutions Act, 1963, and the Kenya Prisons Service Standing Orders of 1979 to run its operations. These laws are obsolete, and many of their provisions are against the spirit and text of the Constitution. The Taskforce recommends that Commissioner General of Prisons (CGP) should, within one year, in consultation with the Attorney General, oversee the complete overhaul of these laws and regulations.
69. CGP is not the Accounting Officer for the KPS. That function has remained with the Principal Secretary in charge of Correctional Services at the Ministry of Interior. This arrangement is what fuels the blame games between the KPS leadership and the Ministry of Interior over who is responsible for the Service's perennial failures and camouflages the lack of interest in undertaking comprehensive changes in the Service. To ensure financial probity and enhance service delivery, the Taskforce recommends that the CGP be designated as the Accounting Officer for the Service.

The role of the cabinet secretary in KPS

70. The major role of the Cabinet Secretary for Interior and National Administration is the formulation of appropriate policies to guide the Service. The Ministry also is in charge of the finances and planning of the Service, through the Office of the Permanent Secretary in charge of correctional services. The Taskforce has established that there is competition and conflict between the Service and the Office of the PS that ends up hurting the delivery of services. To remedy this situation, the Taskforce has recommended urgent revision of the Prisons Act to address the specific reform issues identified.

National Youth Service

Underfunding

71. NYS was initially founded to reintegrate into society, youth who were involved in the fight for independence. Besides the paramilitary training to instil discipline and patriotism for national service and support to the military in times of war and the police when needed, the major focus of the Service is to tool the youth with skills needed for development. Through vocational training and personal development programmes, NYS is tasked to equip Kenyan youth with masonry, plumbing, electrical engineering, plant operation, plant mechanics, driving, supply chain management, catering and other skills to enable them undertake enterprises and commercial activities to earn a living and contribute to national development.
72. Many Kenyans see NYS as a training programme for government employment. The Taskforce received earnest pleas from the public, and parents in particular, to set up NYS training institutions in every county to provide training opportunities for the youth. On his part, H.E. the President has urged NYS to plan its resources and capacity to facilitate the admission of at least 100,000 youth every year in order to address this need.
73. Over the years, however, NYS has faced funding challenges that have constrained the attainment of its mission and vision. Given its numbers, it will be difficult to adequately fund all its operations. The Taskforce recommends that for NYS to be self-reliant, and to discharge its mandate without relying on the national coffers, it should be granted seed funding to undertake income generating projects.

Corruption

74. It is common knowledge that the corruption scandals that rocked the National Youth Service in 2015 and 2018 resulted in the massive looting of public resources. That crisis precipitated the restructuring and transformation of NYS from a government department to a Semi-Autonomous Government Agency (SAGA) and the establishment of the NYS Council in a bid to make operations at the institution more transparent and accountable.
75. These changes have, however, not achieved the intended objective. The Taskforce heard from various cadres of staff that the poor state of NYS farms and equipment is not just a result of limited budgetary support but also the product of systemic corruption over the years.
76. With regard to qualifications and experience, the Taskforce has recommended that members of the Council should be citizens of Kenya; hold degrees from universities recognized in Kenya; have at least 10 years (15 for the Chairperson, Director-General and Deputy-Director General (Corporate) experience in their respective professions; and meet the leadership and integrity requirements in Chapter Six of the Constitution.

Leadership

77. NYS also faces leadership challenges. To secure the requisite competencies and to be self-reliant as stated, the NYS Act should be amended to provide that the chairperson and members of the NYS Council shall be recruited through a competitive process by a selection panel constituted by the President for that purpose. The other members of the Council shall be the Principal Secretary, National Treasury; the Principal Secretary of the ministry responsible for the Service; the Director-General who shall be the Secretary to the Council; the Chief of Defence Forces, and the Inspector-General of National Police Service or their representatives.

78. The management of NYS (led by the Director-General and Deputy-Directors General) will oversee the day to day running of administration and operations of the Service. In addition to the Director General, the Act should be amended to provide for two Deputy Directors General: one in charge of the technical division (paramilitary training) and the other in charge of the commercial investments and vocational training in the NYS.
79. The Act should also provide that the DG and the two Deputy-Directors-General shall be competitively recruited by the Council. The Deputy-Director General in charge of the technical division should be competitively recruited from within the Service while the Deputy Director-General in charge of corporate division should be recruited from the external open market. Save for the Director-General and Deputy-Director General (Corporate), all other officers must be recruited from among people who are or have previously undergone the NYS paramilitary training.
80. The Taskforce also recommends that NYS recruits should hold, as a minimum, a KCSE certificate and that the NYS officers be recruited from among ex-servicemen/women.
81. Servicemen and women form an integral part of NYS and are relied on to perform operational functions whenever the Service is called upon. However, the status of servicemen and women under the current law is unclear. This vagueness in the law and policy has denied servicemen and women critical facilitation and benefits such as insurance and other advantages that are ordinarily due to members of the Service. The Taskforce recommends, therefore, the amendment of the First Schedule of the Act to include Part I for the officers of the Service and Part II to expressly recognise that recruits and servicemen and women are members of the Service and provide for their ranking structure.
82. There is a historical case of stagnation of officers at lower levels in the Service. Many junior officers begin and end their career without any form progression or advancement. The Taskforce, therefore, recommends the establishment of grades of Inspector II and I and the introduction of Constable III, II, and I, and Corporal III, II, and I within the same ranks, all of which must be filled through open and competitive promotions process based on merit.
83. NYS lacks a comprehensive medical insurance scheme. Service members only access the benefits of the general statutory contribution scheme under the National Hospital Insurance Fund (NHIF). Furthermore, servicemen and women are currently not under any cover. The Taskforce recommends that the current medical scheme for the officers of NYS be expanded to include the servicemen/women. The Service should establish fully equipped dispensaries in every field unit and station to provide medical aid and enter into agreements with other disciplined Services to be allowed access to their medical facilities. The NYS should also implement a comprehensive medical cover for its members as provided for in its Strategic Plan.
84. To address the systemic challenges that affect the Service, the Taskforce has recommended several institutional and structural changes in the Service. These include: reconstitution of the NYS Council with greater focus on appropriate experience and qualifications, competitive recruitment of council members (save for those representing ministries and offices), and a change of the terms of service for council members.
85. The Taskforce has also recommended that NYS should be domiciled in the Ministry of Interior for better coordination, given its core functions, and to end the itinerant character that has plagued the Service over the years.

CROSS-CUTTING ISSUES

Salaries and Allowances

86. The remuneration and allowances payable to the members of the three Services has been one of their key grievances. The Taskforce notes that a major challenge in evaluating and determining the remuneration of the Services has been the Salaries and Remuneration Commission's use of inappropriate tools and its lack of recognition that the Services' mandate and nature of work is unique and different from that of mainstream Public Service in terms of decision-making, risks, and disruption of family life, among other factors. For those reasons, and for purposes of harmonisation of their welfare as well as terms and conditions of service, the Taskforce recommends the creation of "the Disciplined and Security Services Sector" comprising the Kenya Defence Forces (KDF), National Intelligence Service (NIS), National Police Service (NPS), Kenya Prison Service (KPS), and National Youth Service (NYS) as a separate budget sector.
87. Having considered the submissions of the National Treasury, SRC, NPSC, Kenya National Commission on Human Rights, IPOA, PSC, and the public, and considering the wage differential gaps within and between the Disciplined and Security Services, the Taskforce recommends complete harmonisation of the remuneration within the sector while maintaining the pecking order. To this end, and to harmonise it with those of the other Disciplined and Security Services, the Taskforce has recommended that the basic salary of the members of the three Services be raised by 40 per cent at the lowest constable level with a decompression ratio, based on the current salary, achieving a 3 per cent increment in basic salary at the highest rank. The new remuneration structure should be implemented in three (3) phases from 1st July, 2024.
88. For non-uniformed members of NPS, given their work environment, the Taskforce has recommended a new allowance to improve their terms and conditions of service. Given their job descriptions, roles and responsibilities, the Taskforce has not reviewed their remuneration structure as it is in line with the rest of the Public Service.
89. Allowances payable to the officers of the three Services have also been revised as stated in the Tables in the main body of this Report. To address complaints of misappropriation, the Taskforce has recommended that the payment of all allowances should be automated and promptly made directly into the officers' bank accounts. Cash payment of allowances should be prohibited.

Human Capital Management and Development

90. It is common knowledge that human resource is the most important factor of production in any organisation. Professionalisation in any organisation depends on how it handles its human resource management and development. Both are even more critical in the security agencies, which are, by their very nature, labour intensive.
91. The Taskforce has established that the three Services have not automated their HR processes, thus creating loopholes and opportunities for manipulation and corruption. Additionally, there are many instances where human resource functions are undertaken by uniformed officers who are not qualified HR professionals and end up making grave errors, even on mundane issues, to the chagrin of members of the Services.
92. To remedy this situation, the Taskforce recommends that, save for operational matters related to deployment, all other HR functions should be left to officers with the requisite HR training, experience, and competence to handle personnel matters in the Services.
93. Full digitalisation of all HR services, including the payments of allowances will ensure rapid response to the needs of all NPS officers.

Recruitment, Deployment, Transfers and Promotions

94. The Taskforce also received complaints about solicitation of bribes and/or sexual favours in exchange for deployment, transfers, training and promotions in the Services and has recommended automation of all those processes to ensure transparency and equity.
95. To stem malpractices in recruitment into the Services and promote competence, accountability and integrity, the Taskforce recommends automation of the recruitment processes, starting with online applications for the advertised positions followed by personal interviews at the recruitment centres.

Medical Insurance

96. The current medical insurance cover has been a source of great anguish, frustration, and discontent, especially among the junior officers of the NPS and KPS. The Taskforce has established that the poor transition process from the previous scheme and illegal daily capitations have contributed to the poor services that officers have and continue to receive.
97. Given the complaints, members of the two Services have voiced, the Taskforce recommends:
 - (a) The non-renewal of the 2023 medical insurance contract to ensure that any future medical insurance negotiations should ensure there is an adequate transition period to avoid disruptions;
 - (b) Any new insurer should have and provide proof of adequate, accessible, and effective accredited service providers taking into consideration the nature of the services required especially in the “forward” areas; and
 - (c) The insurance scheme should comprehensively cover mental health and the implementation of all policies related to mental and psychosocial care should be prioritised.

Forensic Laboratory

98. Forensic investigation is an expensive venture. For effective and optimal utilisation of the DCI Forensic Laboratory, the Taskforce urges Parliament to enact enabling legislation to establish an adequately funded and well-regulated National Forensic Laboratory under the DCI but open to use by other criminal justice sector institutions. A mechanism for ensuring the integrity of the processes and results of the Forensic Laboratory should be part of the regulatory framework.

Uniforms

99. The Cabinet Secretary for Defence, in consultation with the Cabinet Secretary for Interior and National Administration are urged to develop and propose legislation for the establishment of a National Uniforms Committee composed of representatives from the Disciplined and Security Services whose mandate will be to approve standards, colours and qualities of uniforms for use by each Service. This recommendation flows from the numerous complaints voiced on the quality and supply of uniforms to the members of the three Services.
100. As regards the NPS uniforms, in line with the overwhelming views of members of the public, police officers themselves, and the leadership of NPS, the Taskforce recommends that the NPS reverts to its old uniform for a period of three years, during which a process of designing a new uniform should be commenced in accordance with the

recommendations in this Report. The Committee should also address the mis-use of uniforms by the public.

Titling of Institutional Land

101. The Taskforce received complaints of encroachment on to and outright grabbing of pieces of land owned by the Services. The Taskforce recommends that the Cabinet Secretary, Ministry of Interior and National Administration should, within six months, appoint and facilitate a committee to carry out an inventory of the three Services' institutional land and ensure its titling. The relevant state agencies and institutions should provide the requisite cooperation and facilitation to the committee.

Conclusion

This Executive Summary has provided a general scan and overview of the main findings and recommendations regarding NPS, KPS and the NYS. It is the view of the Taskforce that addressing the challenges identified will provide a basis for the envisaged transformation of the Services. The rest of the recommendations are contained at the end of each section and summary of recommendations including implementation matrix for each Service are contained in the respective part of this Report.