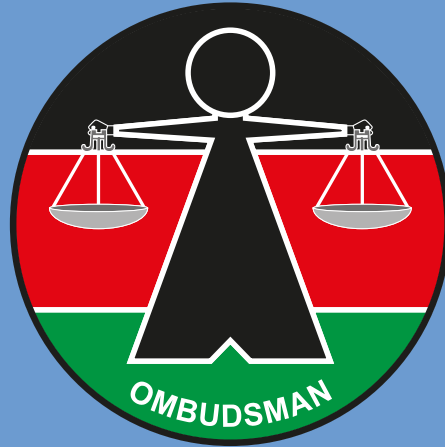


THE COMMISSION ON ADMINISTRATIVE JUSTICE
(OFFICE OF THE OMBUDSMAN)



Hata Mnyonge ana Haki

A CALL TO SERVE

A REPORT ON THE OBSERVATION OF THE RECRUITMENT OF NATIONAL POLICE
SERVICE CONSTABLES HELD ON 24TH MARCH 2022



JUNE 2022

Foreword

The Commission is a constitutional entity established under Article 59(4) of the Constitution and the Commission on Administrative Justice Act, 2011. The Commission has a mandate, inter-alia, to investigate any conduct in state affairs or any act or omission in public administration in any sphere of Government and complaints of abuse of power, unfair treatment, manifest injustice or unlawful, oppressive, unfair, or unresponsive official conduct.

Further, the Commission is the oversight agency for the right to fair administrative action and the right of access to information as provided for by Articles 47 and 35, respectively, of the Constitution; the Fair Administrative Action Act, 2015, and the Access to Information Act, 2016.

The Commission, in the exercise of its mandate, and in response to an official request by the Inspector General of Police played the role of an independent observer during the nationwide police constables recruitment drive conducted on Thursday, March 24, 2022. The Commission deployed officers to undertake observation in some recruitment centers in five counties, namely; Nairobi, Mombasa, Kisumu, Isiolo, and Uasin Gishu.

This report was informed by the analysis of the filled observation tools and the individual observation reports from CAJ observers. The Commission made various recommendations to the National Police Service Commission and National Police Service

I reiterate our commitment as a Commission, to address maladministration in public institutions and endeavor to uphold administrative Justice.

Signed this 24th..... day of June.....2022



HON. FLORENCE KAJUJU, MBS

CHAIRPERSON, COMMISSION ON ADMINISTRATIVE JUSTICE



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Acronyms

ATI	Access to Information
CAJ	Commission on Administrative Justice
DCI	Directorate of Criminal Investigations
IG	Inspector General
IPOA	Independent Policing Oversight Authority
HQs	Headquarters
KCSE	Kenya Certificate of Secondary Education
KTTC	Kenya Technical Trainers College
NPS	National Police Service
NPSC	National Police Service Commission
NYS	National Youth Service
NIS	National Intelligence Service



Executive Summary

The Commission received an invitation vide a letter dated 21 March 2022 from the Inspector General of the National Police Service to be observers in the nationwide police constables recruitment drive conducted on Thursday, March 24, 2022. The one-day exercise conducted in all the 290 constituencies, sought to enlist 5,000 youth to join the National Police Service

The Commission deployed 29 officers to a sample of the recruitment centers to undertake the observation exercise. Overall, the Commission had a presence in 15 recruitment centers across five counties, namely; Nairobi, Mombasa, Kisumu, Isiolo and Uasin Gishu.

The observers used observation monitoring tools to document the recruitment exercise and thereafter compiled a back to office report for each recruitment Centre. This report was informed by the analysis of the filled observation tools and the individual observation reports from CAJ observers.

From the observation, it was noted that recruitment teams in the majority of the centers were friendly, and courteous and ensured a cordial environment for both the candidates and observers. It was also noted that in the majority of the centers under observation by CAJ, observers were locked out from directly observing the final elimination stage.

In light of the foregoing, the Commission made various recommendations to the National Police Service Commission and the National Police Service with a view to ensuring that procedures in place when enlisting police recruits are fair and equitable, and also to propose recommendations for improving the recruitment process in the future.

1.0 Introduction

1.1 Background

The Commission played the role of an independent observer at the just concluded nationwide police constables recruitment drive conducted on Thursday, March 24, 2022. The one-day exercise conducted in all the 290 constituencies, sought to enlist 5,000 youth to join the National Police Service. The Commission, in the exercise of its mandate, and in response to an official request by the Inspector General of Police, deployed officers to a sample of the recruitment centers to undertake the observation exercise.

Overall, the Commission had a presence in 15 recruitment centers across five counties, namely; Nairobi, Mombasa, Kisumu, Isiolo and Uasin Gishu.

The objective of participating in the recruitment process in an observatory role was to monitor key elements of the exercise to ensure that procedures in place when enlisting police recruits are fair and equitable, and also to propose recommendations for improving the recruitment process in the future.

1.2 Issues under Observation

- i.) To observe whether the recruitment process was conducted in a just and fair manner
- ii.) To observe the complaints handling mechanism at the recruitment centers
- iii.) To observe any inordinate delays during the process
- iv.) To observe the competence of the recruitment panel and officers deployed to assist in the exercise.
- v.) To observe any cases of discourtesy and/or unresponsiveness from the recruiters.
- vi.) To observe and address any cases of abuse of office by the recruitment panels
- vii.) Suitability of the recruitment centers and tools

1.3 Observation Methodology

Purposive sampling was employed in selecting the recruitment centers to be observed with proximity to CAJ headquarters and regional offices being the major factor. As such, observation was done in 11 centers within Nairobi and one Centre each in Usain Gishu, Isiolo, Kisumu and Mombasa Counties respectively.

The process entailed direct observation of the exercise as well as interviews with the recruitment panel, the candidates, and members of the public and other independent observers. The process was guided by a standard observation tool developed for the exercise.

1.4 Recruitment Centre In-charges Engaged

Officer In-charge of the Recruitment Exercise	Workstation of the Officer	Recruitment Centre
1. Dr. Resila Onyango	Deputy Director Planning, Office of the IG	Gigiri Sub-County Police HQS
2. Jackson Kangani	Embakasi	NYS HQs
3. Mr. Wilfred Monda	Police Headquarters	Kamukunji Sports Grounds
4. Albert Masese	NPS Headquarters Jogoo House	Tena Grounds
5. SSP Dennis Odero	City Stadium - Makadara	City Stadium
6. AIG PM Ndunda	Jogoo House	CID Training School
7. Ruth Ndinda	RDU Embakasi	Nyayo Stadium
8. Lawrence Koilem	GSU Headquarters - Ruaraka	Mathare Depot Playground
9. SSP Atavachi	Mbita	Kisumu Mamboleo Showgrounds
10. SSP Daniel Musangi	DCI Starehe Sub County	Moi Sport Centre
11. S.M. Gatuirwa	Vigilance House	Ndararua
12. Charles Mutuma		Isiolo Police Grounds



Officer in Charge of the recruitment exercise Dr. Resila Onyango with her team during the registration of the recruits at the Gigiri Police Station



Officer in Charge of the recruitment exercise at DCI Training School, Assistant Inspector General PM Ndunda, his team and CAJ Officer Samantha

1.5 Deployed Commission Staff and Centers Observed

SUBCOUNTY	RECRUITMENT CENTRE	OFFICERS ASSIGNED
Dagoretti	Ndurarua Stadium	Elizabeth Fundi Justus Manyasa
Embakasi	Tena Grounds	Gladys Mokeira Beth Thiangeta
Kamukunji	Kamukunji Sports Grounds	Wainaina Wilson Faith Jesicca
Langata	Nyayo Stadium	Grace Gor Yvonne Awuor
Makadara	City Stadium	Wendy Kipchoge Hilda Kawira
Mathare	Mathare Depot Playground	Morine Akinyi
Kasarani	Moi Sport Centre	Moses Msengeti Gideon Kibet
Starehe	Pumwani Play Ground	Abdifatah Odhow Linda Kinoti
Westlands	Gigiri Sub-County Police HQS	Edward Opany Eunice Moraa
NYS	NYS HQS	Matthew Takai Lilian Ntinyari
CID Training School	CID Training School	Samantha Argwings- Kodhek Moses Sukali
Kisumu	Kisumu Mamboleo Showgrounds	Franklin Lilako John Wanyonyi
Uasin Gishu	Uasin Gishu Primary School	Naserian Karbolo Dickson Cheruiyot
Mombasa	ASK Showgrounds Mombasa	Keith Changalwa Geoffrey Ngetich
Isiolo	Isiolo Police Grounds	Musa Bashir Alfred Kasungi



CAJ Officers Edward Opany and Eunice Moraa Nyabio during the observation exercise


1.6 Legal Framework

The following legal documents provided a framework which guided the observation exercise.

1.6.1 The Constitution of Kenya, 2010

Article 47 provides inter alia that;

7. (1) Every person has the right to administrative action that is expeditious, efficient, lawful, reasonable, and procedurally fair.
- (2) If a right or fundamental freedom of a person has been or is likely to be adversely affected by administrative action, the person has the right to be given written reasons for the action.



Article 246 (3)(a) provides that the National Police Service Commission shall recruit and appoint persons to hold or act in offices in the service, confirm appointments and determine promotions and transfers within the National Police Service.

1.6.2 Commission on Administrative Justice Act, 2011

Section 8(h) mandates the Commission to provide advisory opinions or proposals on improvement of public administration, including review of legislation, codes of conduct, processes and procedures.

1.6.3 National Police Service Commission Act, 2011

Section 11(b) of the NPSC Act empowers the Commission to interview persons for purposes of filling vacancies in the Service taking into consideration gender, county and ethnic balancing.

1.6.4 National Police Service Act, Revised 2014

Section 5 of the Act provides that the service shall uphold the principle that no more than two-thirds of the appointments shall be of the same gender and shall reflect the regional and ethnic diversity of the people of Kenya.

1.6.5 Fair Administration Action Act

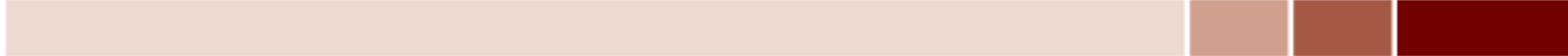
Section 3(1)(a) of the Act provides that the Act applies to all state and non-state agencies, including any person exercising administrative authority.

Section 4(1) of the Act provides that every person has the right to administrative action which is expeditious, efficient, lawful, reasonable, and procedurally fair.

1.6.6 NPS Recruitment and Appointment Regulations, 2015

Section 3 of the regulations provides that the NPSC shall be responsible for all recruitment into the NPS. However, the Commission may delegate in writing to the IG the recruitment of police officers below the rank of Superintendent of the Police.

Section 3 (8&9) stipulate that all recruitment shall reflect the diversity of the Kenyan people in equal promotions and that the national values and



principles relating to transparency shall be adhered to during the entire recruitment and appointment process.

Section 12 (4) of the regulations provide that upon receipt of the applications forms from applicants, the NPSC shall prepare a shortlist of the applicants to be invited for the physical, aptitude and medical assessment as well as verification of documents submitted.

Section 12 (8) provides that the Commission shall notify the shortlisted applicants to attend the physical, aptitude and medical assessment and verification of documents stage of the recruitment process.

Section 12 (12) provides that the second stage of the recruitment process shall be carried out through recruitment panels.



2.0 The Recruitment Process

2.1 Reception at the Recruitment Centres

Most CAJ observers reported a warm and cordial reception by the recruitment center in charges, panelists, and the recruits. They were allowed to walk around and ask questions while observing the process. They were given prompt updates of the occurrences at the recruitment centers.

In few centers like Moi International Sports Centre, CAJ observers reported to have received a cold reception due to lack of cooperation from the center in-charge who appeared apprehensive of close observation citing that the National Police Service is independent thereby hinting that the observation exercise was interfering with the recruitment.

In other centers like Ndararua in Dagoretti, though the observers were accorded a warm reception, they were not allowed any meaningful observation as the center in charge subtly repulsed any attempts to obtain information on the happening and the records kept at different stages. At City Stadium, monitoring officers were excluded from most of the activities and were informed that they were solely to observe from far.

In almost all centers except Isiolo, observers reported having been locked out of the final selection stage.

2.2 Suitability of the Recruitment Venues

From the observation reports, most venues were well accessible, suitable and set up in a transparent manner. However, most of the recruitment venues were reported to not have been well labeled and marked making it difficult to locate them. Most centers also lacked shelter for the candidates who endured the whole day exercise in the scorching sun and with no water points for hydration.

In some centers like Gigiri, the recruitment venue was changed from Gigiri Police station to KTTC grounds since the advertised venue was found to be unsuitable for the exercise.

2.3 Recruitment Procedure

The recruitment exercise is reported to have kicked off at 8.00am in almost all the observed centers. Candidates who came later than 8.00am were locked out. First, general registration was done to capture details of all those who appeared for the recruitment exercise. Then there was verification of academic documents and assessment of age, checking physical fitness then name tagging of participants followed by medical examination to establish their general health, and shortlisting of those who had qualified. The participants also went through a physical assessment and the successful participants were allowed to proceed to the medical assessment.

The registration and briefing process was done in both English and Kiswahili in most recruitment centers. Sub county education officers were engaged to undertake the examination of academic documents and other testimonials as per the job advertisement. This was the first elimination stage which was solely based on the age, as presented in the participant's original National Identification, and the minimum education requirement, as presented in the Kenya Certificate of Secondary Education (KCSE).

The 2nd elimination stage was based on the physical attributes of the candidates. Those who had not met the requirements were eliminated. The physical observable features focused on were: Height (men-5'6, ladies-5'3), flat Foot, limping while walking, presence of all teeth, eyes (Can wink with each eye, does the person wear spectacles, squint Eyes); hands (can the hand stretch straight, check elbow); fingers (Person has all fingers, check for clear fingerprints); knock knees; bow legs and permanent scars (Indicative of surgery).

In the 3rd elimination stage, candidates who were not able to complete the required distance of running were eliminated. Men were required to do 6kms while for ladies the requirement was 4kms.

The 4th elimination stage was based on the medical checkup done. The medicals focused on confirming; the gender (by checking genitals). Eyesight

(Long or short-sighted), blood pressure (range 120/80 to 145/90) and urine (Protein percentage, pregnancy or STDs).

The criteria for the final selection stage could not be clearly ascertained as observers in all recruitment centers except Isiolo Police Grounds were denied the chance to observe directly and confirm what parameters were used to select the suitable candidates.



A recruit during the physical examination



Field race for the recruits


3.0 Observation Findings

3.1 Positive Observations

- i. The presence of major stakeholders in policing as observers like the Independent Policing Oversight Authority(IPOA),National Police Service Commission(NPSC) and National Intelligence Service(NIS) lend credence to the recruitment and inspired public trust in the recruitment process
- ii. In majority of the observed centres, candidates were informed of the reasons for their elimination at the preliminary elimination stages which were based on academic qualifications, relevant documentation, age limit, and physical examination.
- iii. In the majority of the observed centers the recruitment exercise commenced on time.
- iv. The recruitment teams in the majority of the centers were friendly, and courteous and ensured a cordial environment for both the candidates and observers.
- v. Most recruitment centers were well prepared for medical emergencies. (Ambulance entrance and exit points and presence of medics in the field).
- vi. At Mamboleo Show Grounds Kisumu, there was a complaint desk set up and manned by an officer. Recruits were also provided with drinking water during the exercise.
- vii. At the Isiolo Police Grounds observers were allowed to directly observe the final selection process and were provided with the list of the successful candidates, unlike other centers under observation by CAJ.

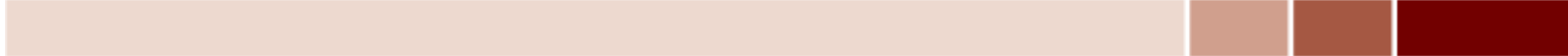
3.2 Negative Observations

- i. In the majority of the centers under observation by CAJ, **observers were locked out from directly observing the final elimination stage**. In some instances, refusal to allow observers at the shortlisting and document verification stages was experienced e.g., at DCI Training School South C.On



several occasions, the observers were denied access to documents and deliberations. The chairpersons for the selection panels reiterated that some processes were only done by the panelists and therefore observers could not interrogate the process. In some centers, observers were even denied a copy of the final list of recruited candidates.

- ii. **Lack of a complaint desk/book and appeal mechanism** in case of dissatisfaction upon elimination except in Mamboleo Show ground in Kisumu. There were no proper complaints and feedback mechanisms in place and as such the unsuccessful candidates' concerns were not accorded serious attention. There was no tangible effort to give clarifications/explanations in response to their grievances. Throughout the exercise, there was no designated desk or officer to address complaints or feedback and there was no spelled out system of channeling such. At Pumwani Playground one of the unsuccessful candidates approached CAJ observers to point out that seven (7) of those recruited had not gone through the medical examination. The observers could not verify this allegation since they were not allowed inside the medical examination room. He was advised to lodge a formal complaint with CAJ. At Ndararua Stadium in Dagoretti, some unsuccessful candidates sought an explanation on the criteria resulting in the final outcome i.e. the successful recruit's scores vis-a-vis their own scores, but they were denied access to the same. This created further doubt and they questioned why:
- a. The winner in the physical fitness/running exercise was not successful,
 - b. Why the shortest and slow (in running) candidate was successful,
 - c. Why no Somali and/or Muslim candidate was recruited and,
 - d. Why the slots allocated to female recruits were only three vis-a-vis thirteen for male recruits.
- iii. **The Job Advertisement was not comprehensive;** the job advertisement failed to mention important requirements that were majorly used in elimination, especially with regards to physical attributes like height, No



permanent scars, No squint eye, availability of all teeth, No flat foot etc. This resulted in several unqualified Kenyans registering for the exercise only to be eliminated for reasons that were not availed in the advert. This also subjected recruiters to dealing with an unnecessarily large number of candidates extending the recruitment process beyond the stipulated time.

Further, the public advertisement did not give specific guidelines for the recruitment of athletes and musicians which was undertaken at the DCI Training School. It was also noted that musicians and athletes did not have to meet the minimum educational requirements as a basis for qualification, yet this was not indicated in the job advertisement. Observers reported that the recruiters indicated that the same is not made public as it is an “unwritten rule”. Attached below is the recruitment advert;



**REPUBLIC OF KENYA
THE NATIONAL POLICE SERVICE (NPS)
RECRUITMENT OF POLICE CONSTABLES**

Pursuant to Article 246(3) and (4) as read with Articles 10, 27(b) and 232 of the Constitution of Kenya; Sections 10, 11 and 12 of the National Police Service Commission Act and section 7 (3) of the National Police Service Commission (Recruitment and Appointment) Regulations 2015, I the Inspector General, in exercise of powers delegated to me by the National Police Service Commission, seek to recruit 53 suitably qualified applicants to be trained as Police Constables.

1. ENTRY REQUIREMENTS

The Applicant must:

1. Be a citizen of Kenya
2. Hold a Kenya National Identity Card
3. Possess a minimum mean grade of **D+ (D Plus)** and above in the Kenya Certificate of Secondary Education (KCSE) examination or its equivalent from an examination body recognized in Kenya with a **D+ (D Plus)** and above in either English or Kiswahili languages
4. Be aged between 18 and 28 years
5. Meet the requirements of Chapter Six of the Constitution
6. Be physically and Medically fit
7. Have no criminal record or pending criminal charges

* Female Candidates must **NOT** be pregnant at recruitment and during the **ENTIRE** training period.

NOTE:

1. Examinations Result slips shall not be accepted.
2. An applicant who
 - a) Camouflages directly or indirectly,
 - b) Willfully presents false academic certificates and testimonials or
 - c) Engages in any corrupt activity

Shall be disqualified, and in the case of (b) and (c) will in addition be arrested and prosecuted.

Under section 25 of the National Police Service Commission Act, any person who willfully gives to the Commission any information which is false or misleading in any material particular, commits an offence and shall on conviction be liable to a fine not exceeding two hundred thousand shillings (Ksh. 200,000) or to imprisonment for a term not exceeding two (2) years or both.

2. GENDER BALANCE & DIVERSITY

The recruited applicants shall reflect the gender, ethnic and regional diversity of the Kenyan people.

3. APPLICATION SUBMISSION

All Candidates must complete the prescribed application form obtainable from ANY of the following:

- The nearest Sub County Police Commander (SCPC) or any Police Station.
- The nearest Sub County Administration Police Commander's (CIPU) Offices.
- County Commissioner's Offices
- The nearest Huduma Centre

Forms can also be downloaded from the following websites:

www.npsc.go.ke	www.administrationpolice.go.ke
www.nationalpolice.go.ke	www.cid.go.ke
www.kenyapolice.go.ke	www.mygov.go.ke

All applications must be submitted in duplicate accompanied with the following documents:

- (a) A copy of the academic certificates and testimonials
- (b) A copy of the Kenya National ID
- (c) A copy of the applicant's Birth Certificate
- (d) KRA PIN Certificate

Applicants must present themselves at the Recruitment Centres with the duly completed application forms on the day of the recruitment exercise.

NOTE:

1. Each applicant must present the original supporting documents for verification. The originals will be returned to the applicant before leaving the recruitment centre.
2. **Applicants recruited for the training into the service shall be bonded to serve in the National Police Service for a minimum period of ten (10) years.**

4. COMMENCEMENT OF RECRUITMENT


The recruitment process will take place on **THURSDAY, 24TH MARCH 2022** from **8:00am to 5:00pm** at the listed Sub - Counties.

All applicants must be at their respective recruitment center by 8:00am.

COUNTY CODE	COUNTY	S/NO.	SUB COUNTY	CENTRE
1	MOMBASA	1	CHANGAMWE	CHANGAMWE(CHANGAMWE OIL REFINERIES)
		2	JOMBU	NYS MAMLAI GROUNDS
		3	KISALINI	KISALINI SUB COUNTY POLICE HQS
		4	LIKONI	LIKONI APPROVED GROUNDS
		5	MVITA	MOMBASA (MVITA GROUNDS)
		6	NYALI	A.S.K SHOW GROUND
2	KWALE	7	KINANGO	VURUNGANI STADIUM
		8	LUNGALUNGA	LUNGA LUNGA STADIUM/GROUNDS
		9	MATUGA	MATUGA BARAZA PARK (KINALE)
		10	MSAMBWENI	MSAMBWENI STADIUM
3	KILIFI	11	GANZE	GANZE - MARKET GROUNDS
		12	KALIMA	KALIMA DCC'S OFFICE
		13	KALOLENI	COUNCIL GROUNDS KALOLENI
		14	KILIFI NORTH	BAHARI STADIUM
		15	KILIFI SOUTH	KIKAMBALA DCC'S OFFICE
		16	CHONYI	DCC'S OFFICE CHONYI
		17	MAGARINI	MAGARINI DISTRICT HQS
		18	MALINDI	MALINDI ALSKA GROUNDS
		19	RABAI	RABAI MKAPUNI OPEN GROUNDS
4	TANA RIVER	20	TANA NORTH	BURA DISTRICT HQS
		21	TANA RIVER	HOLA STADIUM
		22	TANA DELTA	TANA DELTA DISTRICT HQS
5	LAMU	23	LAMU EAST	FAZA FOOTBALL FIELD
		24	LAMU WEST	TIGER GROUNDS
		25	LAMU CENTRAL	KIBAKI GROUNDS MOKOMANI
6	TAITA TAVETA	26	MWATATE	SOKO YA SAMANI PLAY GROUNDS
		27	TAVETA	TAVETA AIRSTRIP
		28	VOI	VOI STADIUM
		29	WUNDANYI(TAITA)	WUNDANYI STADIUM
7	GARISSA	30	BALAMBALA	DC'S OFFICE MBALAMBALA
		31	DADAB	DADAB POLICE STATION
		32	LIBOI	LIBOI DCC'S OFFICE
		33	GARISSA	GARISSA PTC GROUNDS
		34	FAFI	FAFI DCC'S OFFICE
		35	BURA EAST	BURA EAST POLICE STATION
		36	JIARA	MASALANI POLICE DIV. HQS
		37	HULLUGHO	HULLUGHO POLICE DIVISIONAL HQS.
		38	LAGDERA	MODOGASHE POLICE STATION
8	WAJIR	39	WAJIR EAST	WAJIR STADIUM
		40	KHOROF HARAR	KHOROF HARAR DCC'S OFFICE
		41	WAJIR SOUTH	LEHELEY PLAY GROUND
		42	HABASWEIN	HABASWEINI BARAZA PARK
		43	WAJIR WEST	GRIFTU PLAY GROUNDS
		44	WAJIR NORTH	BUTE POLICE STATION
		45	BUNA	BUNA DCC GROUNDS
		46	ELDAS	ELDAS BARAZA PARK
		47	TARBAJ	DCC'S OFFICE TARBAJ
9	MANDERA	48	MANDERA CENTRAL	ELWAK POLICE STATION
		49	KOTULO	KOTULO POLICE DIVISIONAL HQS.
		50	MANDERA WEST	DCC'S OFFICE TAKABA
		51	MANDERA EAST	MANDERA EAST DCC'S OFFICE
		52	ARABIA	ARABIA DCC'S OFFICE
		53	MANDERA NORTH	DC'S OFFICE RHAMU

Copy of the NPS recruitment advertisement

- iv. **Inordinate Delays;** the exercise went beyond the stipulated time (8.00 am to 5.00 pm) as it was finalized between 9 pm and 3 am in majority of the observed centers. Observers noted the delay occurred mainly during the verification of documents and medical assessment stages. For instance, at KTTC the verification of academic certificates took about four hours to complete thereby delaying the whole process which was finalized at 2.00 am. At NYS headquarters Centre, the men's medical assessment went beyond 5:00 pm causing the recruitment exercise to proceed beyond 24 hours. Such extension raised concerns about the credibility of the exercise.
- v. **Opacity in the process in violation of ATI requirements.** Access to documents and direct observation of some processes was declined. Observers at the Moi International Sports Centre reported that they were denied access to the documented recruitment procedures and guidelines. It was reported by the recruiting officers that such information is confined to the panelists and access is prohibited for any other persons. This made it difficult to ascertain the parameters used in the elimination of candidates especially during the final stage after the medical assessment. Observers were also denied access to the final list of successful candidates in some of the recruitment centers. The Officers in charge reiterated that the lists could only be shared upon authorization by the Inspector General, NPS.
- vi. **Discrepancies in the application of elimination criteria in different recruitment centers;** In some centers, the candidates' height was used as a criterion while in some it was not; in some centers e.g Moi International sports center, running was used as a criterion for elimination while in some center's it was not; in some recruitment centers, any form of scar was a reason to eliminate while some panelist focused only on scars indicative of surgery.
- vii. **Some centers failed to observe ethnic balance;** for instance, at KTTC-Westland's Sub County it was noted that 25% of the successful candidates



belonged to the same ethnic group. Given that this is a cosmopolitan constituency, those recruited ought to have reflected various ethnic groups.

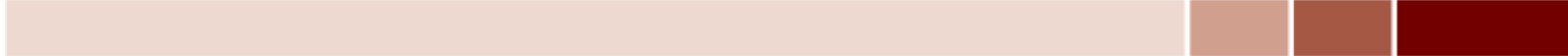
- viii. **Gender imbalance.** In most of the observed recruitment centers, the number of male recruits exceeded that of females and the two-third gender rule was ignored. Some centers like Nyayo and City stadium were only recruiting males despite the advert stating that the successful candidates shall reflect the gender, ethnic and regional diversity of the Kenyan people.
- ix. **Change of recruitment venues without notice.** This was experienced in Westland's, Soy, and turbo sub-counties where the recruitment venues were changed on the morning of the exercise causing delays in the process and inconvenience to the participants.

3.3 Analysis of The recruitment Tool

The tool (Shortlisting criteria and Scoring Guide for recruitment of police constables) is separated into 4 parts: Personal Particulars, Academic Qualification, and Duration taken since sitting for KCSE, and Physical and Medical Fitness.

The second part of the tool which deals with academic qualification is divided into two areas, the first part is the KCSE mean grade in which candidates who had a C and above would get the highest mark of 20%. The second part deals with the language (English and Kiswahili). It awards 20% to any candidate with a KCSE grade of D+ and above in the two languages. Given that this was a minimum requirement for one language, and that all candidates who did not meet these criteria were eliminated during the 1st elimination then the whole 20% should be just for the 2nd language alone.

The last part of the tool dealt with physical and medical fitness 25% was awarded for Physical fitness while 25% for medical fitness making a total of 50%.




However, a separate tool (Police Recruitment – Physical and Medical Areas) provided numerous qualifications in the physical and medical checklist with no marks attached to each criterion. Failure to achieve any of the set qualifications automatically led to elimination of a candidate thus such candidates would never make it to the shortlist. This means, any candidate in the shortlist automatically had 50% from the physicals and the medicals.

The only grounds for competition on the shortlist tool were the overall grade (a difference of 4 marks between the highest and the lowest) and in one other language (a difference of 10 between candidates with D+ and above and those with below D+ in the other language). Out of 100 Marks, candidates in the final shortlist were only in competition for 14 marks providing a limited ground for fair competition.

Nevertheless, Observers were barred from observing how the tool was used to arrive at the final list of successful candidates thus its effectiveness and fairness could not be ascertained from the observation. Other considerations not document used to arrive on the final list were also not ascertained. Attached are the two tools:

No. 16



NATIONAL POLICE SERVICE
SHORT LISTING CRITERIA & SCORING GUIDE FOR THE RECRUITMENT OF POLICE CONSTABLES

A. PERSONAL PARTICULARS

Candidate's Name:


ID/NO: Date of Birth: Gender:

County of birth: Location: Tribe:

Sub-County: Recruitment Centre:

B. ACADEMIC QUALIFICATION	MAXIMUM SCORE - %	ACTUAL SCORE	REMARKS
I. Academic Qualification (KCSE)			
i. C & Above	20		
ii. C-(minus)	18		
iii. D+(plus)	16		
Sub Total	20%		
II. Language: English or Kiswahili			
i. English D+(plus) & above	10		
ii. Kiswahili D+(plus) & above	10		
Sub Total	20%		
C. DURATION TAKEN SINCE SITTING FOR KCSE			
a) Above 5 years	10		
b) 4-5 years	8		
c) 3-4 years	6		

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C. DURATION TAKEN SINCE SITTING FOR KCSE			
a) Above 5 years	10		
b) 4-5 years	8		
c) 3-4 years	6		

A copy of shortlisting criteria and scoring guide for the recruitment of Police constables (Recruitment Tool)



NATIONAL POLICE SERVICE COMMISSION

POLICE RECRUITMENT-PHYSICAL & MEDICAL EXAMINATION AREAS

PHYSICAL EXAMINATION

A. Observable features:

The following are the key areas that the Recruiting officers should concentrate on when conducting physical and medical examination of the Recruits during the Recruitment Exercise to be conducted on the 24th March, 2022.

- i. Height (men – 5 feet 6 inches, Ladies - 5 feet 3 inches) YES NO
- ii. Flat foot YES NO
- iii. Limping while walking YES NO
- iv. *Teeth (whether one has all of them) YES NO
- v. Eyes (can wink with each eye, does the person wear spectacles) YES NO
- vi. Squint eyes (eyes look sideways) YES NO
- vii. Hands – can the hands stretch straight, check the elbow YES NO
- viii. Fingers – (person has all fingers, check for clear finger print marks) YES NO
- ix. Knock-knees YES NO
- x. Bow-legs YES NO
- xi. Permanent scars (indicative of surgery) YES NO

B. Physical fitness - Running exercise

- I. Men – 6kms YES NO
- II. Ladies - 4kms YES NO


MEDICAL EXAMINATION

- i. Gender – check the genitals YES NO
- ii. Eye sight - (short/long sighted) YES NO
- iii. Blood pressure (range - 120/80 to 145/90) YES NO
- iv. Urine (protein percentage, pregnancy, STDs) YES NO

A copy of a tool used to conduct a physical and medical examination

4.0 Recommendations

- i. NPSC and NPS need to be open to meaningful observation to ensure transparency and openness of the process; observers should be allowed to scrutinize the recruitment manual and guidelines and directly observe all the processes during the recruitment exercise. The chairpersons of the recruitment panels ought to be advised to avail the final lists of selected candidates to observers upon completion of the exercise.
- ii. The recruitment procedure to comply with the provisions of the NPSC Recruitment and Appointment Regulations, 2015 especially with respect to section 12. This will ensure that only shortlisted candidates are invited for the second stage of physical, aptitude and medical assessment thereby saving time during this stage.
- iii. NPSC to ensure criteria for selection and elimination is applied uniformly across all the recruitment centers.
- iv. The NPSC to ensure that the advertisements for the recruitments are clear, more so with respect to the criteria for the recruitment, numbers required with specification on gender in respective recruitment centers and any other special requirements.
- v. The recruitment exercise to reflect the gender, regional and ethnic balance of the people of Kenya as stipulated in the NPS Act.
- vi. NPSC to set up comprehensive complaints handling mechanisms at the recruitment centers and ensure members of the public as well as the candidates are well informed of the same.
- vii. NPSC to conduct proper planning of the recruitment exercise to avoid an impromptu and last-minute change of recruitment venues.
- viii. NPSC to adopt the use of technology in the registration of candidates who turn up for recruitment and capture all recruitment data.
- ix. NPSC to come up with the use of serialized stickers to be given to all candidates at the point of registration to enable easy tracking of candidates during the recruitment process and minimize incidents of eliminated candidates sneaking back to the next levels.

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- x. The NPSC, NPS, Ministry of Education, and Ministry of Health to deploy more personnel to conduct the recruitment exercise so as to prevent delays in the various stages.
 - xi. NPS to ensure that during physical examinations, Female Candidates are only examined by female panelists and male candidates by male panelists across all recruitment centers.
 - xii. NPSC to ensure that the recruitment venues have provision for shelter for the candidates and also ensure that they are at least facilitated with drinking water during the exercise.
 - xiii. NPSC to work on the recruitment tool to make it smart, specific, and relevant to accord candidates fair and equal opportunity.

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