

KENYA NATIONAL POLICE SERVICE

CODE OF CONDUCT AND ETHICS

I. Preamble:

This **Code** of Ethics establishes the standard of professional behavior for all **Police officers** and will apply equally to those serving in the Kenya Police and the Administration Police Services.

The Code is intended to foster an environment of mutual trust and respect between **Police officers** and the general public; facilitates optimal provision of security services; guarantees peace, order and the rule of law. Ethical behavior promotes public confidence in the ability of law enforcement **officers** to treat people equitably.

II. Authority:

This Code is issued pursuant to the laws establishing the National Police Service and the law governing public officers' ethics and integrity.

The Police Service Commission, the Inspector General and Commanders of the services, departments and formations shall ensure the continued efficiency and effectiveness of the law enforcement agencies.

To this end, the Office of the Inspector General shall manage according to whatever reasonable controls he or she deems necessary and require individual members to conform to certain standards of behavior and performance. The following required conduct is applicable to all **Police officers of the national police service** as they are pertinent to their particular assignment to ensure professionalism and uniform standards of conduct and to all **officers** who may be seconded or attached to other public institutions. It is a duty of every officer to observe and uphold this code.

III. Values:

A. **Performance and Service Excellence**

The Police should always work towards service and excellence in the performance of duties. **Police officers** should be conscious and diligent in the performance of their duties and always mindful that they are servants of the public.

B. **Honesty and Integrity**

Police officers should be open, truthful, and honest and act responsibly in all situations. They should discharge their duties with unquestionable integrity and avoid involvement in any manner of corrupt practices. They shall undertake to behave ethically and with utmost integrity and to eschew, prevent, detect and combat corruption. Conflict(s) of interest will be avoided at all costs.

C. **Justice, Fairness, and Impartiality.**

Police officers shall act with fairness and impartiality, without fear or favor, malice or vindictiveness in all dealings to all people and should be mindful of their welfare. They shall treat every person with equal respect, protect human dignity and maintain and uphold their human and Constitutional rights. They shall not discriminate against any person in the application of the law.

IV. **Role of Police.**

The **Police** has the following roles;

- To safeguard public security;
- To prevent, detect and investigate crime and arrest Offenders;
- To Aid the general public; and to
- To maintain general peace, public order and the rule of law.

The following conduct is required for all members of the National Police Service:

1. Arrests

Shall be made in accordance with the law and all proscribed departmental procedures. All Constitutional and statutory rights shall be explained and provided to all arrested persons at the time of arrest and at all times thereafter. **Police officers** shall respect that any person arrested of a punishable act(s) is presumed innocent until proven guilty in a court of law. A suspect shall thus be treated with consideration, and the police shall exercise confidentiality about their intervention in the affairs of a suspect consistent with **the prescribed** law.

2. Treatment of Suspects:

Police officers shall not subject any person, whether suspected of having committed an offence or not, to hardship, torture, inhuman treatment or any treatment in excess of what the law stipulates and what is deemed as necessary in order to address transgression against the law, or in any way exercise unlawful force against a suspect, verbally or physically, or by the use of threats and/or insults.

3. Provision of Assistance:

Police officers shall provide law enforcement assistance to all persons making such request, consistent with their duties and assignments. **Police officers** shall render, or be caused to be rendered, medical assistance to any injured person.

4. Evidence:

A police officer shall not present in evidence data or exhibit, in a court of law, that has been dishonestly obtained.

5. Awareness of Activities:

Upon returning to duty from any period of absence, all **Police officers** shall inform themselves about all new orders, regulations, memoranda and all other important matters governing their assignments. Every **police officer** shall be familiar with all the laws, statutes, rules and regulations necessary for the proficient execution of **his/her** position.

6. **Integrity:**

Police officers shall not engage in corruption and shall take all measures at their disposal to fight and prevent corruption within the services. **Police officers** shall not accept gifts in connection with their work. They shall notify their supervisors if they are offered any **gift** in connection with their police work.

7. **Civil Disputes:**

All **Police officers** shall take a neutral position in any dispute of a civil nature, acting only to prevent or control any breach of the peace that may arise.

8. **Departmental Communications:**

Police officers shall transmit all official communications promptly, accurately and completely to other **Police officers** of the service as required, and shall immediately inform **their superior officer/supervisor** of any matter of police importance coming to their attention during their tour of duty, or otherwise. They shall call to the attention of their relieving officers any information regarding unresolved problems or problems which may arise during the next tour of duty.

9. **Courtesy:**

Police officers shall be courteous and considerate to the public, to their superior **officers** and fellow **officers** of the National Police Service. **Police officers** shall be tactful in the performance of their duties and are expected to exercise the utmost patience and discretion even under the most trying circumstances.

10. **Attention to Duty:**

Police officers shall at all times be alert and vigilant in the performance of their duties and respond prudently but decisively when action is required. Recreational reading or television viewing is not permitted while on duty except during mealtime periods or authorized breaks. **Police officers**, while on duty shall devote their full time and attention to the service of the **National Police Service** and to the citizens of the community. They shall remain awake and alert at all times while on duty. **Police Officers** shall report for duty promptly at the time and place required by their assignment or as otherwise directed by the supervisor. **Police officers** shall

be properly dressed, suitably equipped and ready to immediately assume their duties. While on duty **Police officers** shall avoid any activities not directly related to their responsibilities and shall not absent themselves from duty without leave.

Police officers unable to report for duty because of sickness or injury, shall notify or cause to be notified, the supervisor at least two (2) hours prior to their next tour of duty, except in cases of emergency, indicating the nature of their illness, their location, and the telephone number or manner in which they can be reached. At no time will **an officer** report on duty while under the influence of intoxicating liquor and/or any drug(s) that might alter the officer's performance of duty.

11. off-Duty Status:

Although **Police officers of the National Police Service** are assigned specific hours of regular duty, they shall be considered "on-duty" at all times for the preservation of the public peace and the protection of life and property, and shall be prepared to take or report all reasonable law enforcement action to accomplish this purpose. All serious matters of public concern shall receive appropriate attention, even though an employee is not on duty at the time. If an officer, while off duty, witnesses a violation of the law committed in his presence which, in his professional judgment, demands immediate attention, he may make an arrest, if authorized under the law, **provided:**

- The officer displays police identification to the violator and announces his purpose.
- He or she can make the arrest without unduly jeopardizing his own safety, the safety of the violator, or of the public.

12. Use of Firearms:

The use of firearms is the highest degree of force that an officer may apply and is the most crucial official decision he will ever make. **Police officers** are encouraged to exercise the highest restraint in the use of deadly force. **Police officers shall comply strictly with prescribed Service procedures for the use of such force.**

13. Home Address and Telephone:

Police officers shall have a telephone in their place of residence, or where they can be reached, and shall report any change of telephone number or home

address to **their Superior officer/Supervisor** within twenty-four (24) hours of such change. The home telephone numbers or home addresses of the **Police officers** shall not be given out to anyone outside the service, without the authorization of the officer concerned. In the event the Service receives an emergency request for an Officer's telephone number, the telephone number will be called by an officer of the service and a message conveyed concerning the emergency request.

14 Identification:

Police officers shall properly identify themselves by the display of a name and number to any person requesting this information, while they are on duty, except when the withholding of this information is necessary for the performance of law enforcement duty, when it might jeopardize the physical safety of **a police officer**.

15 Knowledge of the Community:

Police officers shall familiarize themselves with the geography of the community, including routes of public transportation, the location of streets, highways, bridges, public buildings and places, hospitals, courts, transportation offices and stations, prominent or important office buildings, large industrial plants or commercial establishments, and such other information as may be disseminated by superior **Police officers**.

16. Leaving the limits of jurisdiction:

Whenever it is necessary in the performance of duty for an officer to leave the limits of the jurisdiction and to enter another jurisdiction the supervisor or the dispatcher shall be informed prior to leaving and in upon return. If an emergency prevents following this procedure, the supervisor must be contacted, as soon as possible. In all such cases, a subsequent report will be submitted, in writing, for the attention of the Inspector General or Deputy inspector general of the service concerned to include the circumstances, the reasons for leaving the jurisdiction and the period of absence.

17. Mutual Protection:

Police officers shall come to the immediate aid, assistance or protection of fellow Officer(s) who, in the performance of their duties, require such aid and assistance.

18. Personal Relationships:

Police officers shall be considerate and polite at all times to all personnel and maintain good relations with their superiors and fellow **Police officers** in a spirit of mutual concern for the common objectives.

19. Physical Fitness:

Police officers shall maintain good physical condition and mental alertness in accordance with standards determined by **the Inspector General**. All **Police officers** are expected to keep themselves as physically fit as their age and health permits and their duties require.

20. Care and Transportation of Prisoners:

All arrested persons shall be transported safely and directly to the appropriate place of custody in accordance with **the service** directives.

Police officers shall be diligent and take all reasonable steps to ensure prisoners do not injure themselves or others and that they do not escape or dispose- off evidence.

21. Care and Custody of Property:

All personal property, including money, which comes into an officer's custody while on duty, whether lost, stolen, confiscated, abandoned, turned in to the agency or taken from a prisoner, shall be suitably tagged, recorded and turned over to the proper service authority, or placed in the designated place of storage, for safekeeping, in accordance **with the service** procedures

22. Public Appearances:

All requests for public appearances or speaking engagements by **Police officers** shall be submitted to the immediate superior officer. Request to discuss policy matters should be referred to the respective Deputy Inspector General of either service. **Police officers** who are approached directly for this purpose may suggest

that such requests be forwarded directly to Inspector General, respective Deputy Inspector General or County Police officers as the case may arise. However, **a senior police officer** attending scene of crime or any other serious matter may exercise discretion while talking to the press or assembled persons.

23. Report Use of Weapons:

A **police officer** who uses a baton, any chemical agent or a firearm in the performance of a law enforcement task shall immediately submit a report detailing all circumstances of the incident through the chain of command in accordance with established procedure (excluding authorized target practice or training exercise).

24. Searches and Seizures:

All required searches and seizures shall be conducted in accordance with law and all prescribed agency procedures.

25. Trials and Hearings –

Police officers concerned with cases before the courts, or hearing boards or commission of inquiry shall be punctual in attendance. **Police officers** shall have the cases in which they are concerned properly prepared; their witnesses shall be present and their evidence suitably arranged for presentation to the court, or hearing board. **Police officers** shall afford the utmost respect toward the court, **members** of hearing boards and members of the commission.

26. Truthfulness:

Police officers shall truthfully state the facts in all reports as well as when the **officers** appear before any judicial, departmental or other official investigation, hearing, trial or proceeding. **Police officers** shall cooperate fully in all phases of such investigations, hearings, trials and proceedings.

27. Reporting Arrests, Court Actions, Civil Cases:

Police officers of the National police service will immediately report to their supervisor any arrests or court action, except divorce proceedings or any other civil cases of private in nature instituted against them. **Police officers** who

becomes involved in any accident, incident, altercation, or any problem which may come to the public attention will give oral Notification as soon as possible, and within twenty- four (24) hours in writing, to a supervisor. Supervisors will then forward relevant information through the chain of command as rapidly as possible.

28. Subordination:

Police officers of the service will display respect for their supervisors, subordinates and associates. When on duty and in the presence of the public, supervisors shall be addressed or referred to by their ranks.

29. Personal Matters:

Police officers will restrict personal conversation or personal associations to an appropriate minimum while on duty.

30. Political neutrality

A Police officer shall not, in or in connection with the performance of his/her duties as such-

(a) act as an agent for, or so as to further the interest of a political party; or

(b) Indicate support for or opposition to any political party or candidate in an election.

However, a Police Officer just like any public officer has a constitutional right to vote in an election.

31. Enforcement:

Any violation of the guidelines prescribed above by any officer of the service constitutes misconduct for which the particular officer shall be dealt with according to the regulations set forth in **the Service** Standing Orders, the Code of regulations, and the Public Service Commission (police regulations).

32 . Penalties:

Any misconduct involving a police officer shall be dealt with pursuant to the above stated regulations and the decisions made and actions taken thereof shall be binding.

33. Appellant Authority:

If a police officer who has been disciplined is not satisfied with the decision and actions taken against him/her, He/she may appeal to the Police Service Commission whose decision in the said case shall be binding.