

Policing the Covid-19 Crisis in Kenya - Policy Options for management of public health emergencies

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Introduction

The outbreak and rapid spread of the Coronavirus Disease 2019 (COVID-19) led the World Health Organisation (WHO) to declare it as a Public Health Emergency of International Concern on 30 January 2020. Towards addressing COVID-19, countries have put in place different health and security measures intended to prevent and control its spread.

In Kenya, the government has passed a number of directives, policies, and regulations in response to the pandemic. These include social distancing measures, disease surveillance, a nation-wide dusk to dawn curfew order, and cessation of movement in and out of five of the most affected counties as well as some specific neighbourhoods within these counties.

The National Police Service (NPS) has been charged with the enforcement of many of these measures through both the Public Health Act and the Public Order Act. However, the role and conduct of the police in the regulation and management of this crisis has emerged as a key issue of public debate and concern. They have been sharply criticised for their aggressive and violent enforcement of curfew orders as well as their perceived lack of preparedness in responding to public health emergencies.

This Brief offers a review of the legal, regulatory and policy framework for the management of COVID-19 in Kenya and how the police have enforced them. It proposes a number of policy options that speak to how policing of the COVID-19 as well as other public health emergencies can be enhanced.

Contestation on legal and policy measures

Prevention and control of infectious diseases is governed by the Public Health Act 2012 (PHA), which provides for measures to protect public health.¹ The PHA also allows the Cabinet Secretary (CS) for Health to make special rules when dealing with formidable diseases, including in house visitation, movement, removal of infected persons and the formation of hospitals and observation camps to place persons who have been in contact with an infectious disease.²

The Ministry of Health (MOH), in exercise of this authority has issued interim guidelines in response to COVID-19³ and later gazetted The Public Health (Prevention, Control and Suppression of Covid-19) Regulations, 2020.⁴ These provide for the management of the disease with measures for Infection Prevention, and Control (IPC) as well as guidelines for emergency services, shelter, and case

¹This includes authority to declare any infectious disease not listed as a notifiable disease under the Act. See Section 17.

²Section 36.

³Ministry of Health (2020) Interim Guidelines for management of Covid-19 in Kenya, <http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Interim-guidelines-on-the-management-of-COVID-19-in-Kenya.pdf> (Accessed on 29 April 2020).

⁴Legal Notice No. 49: The Public Health (Prevention, Control and Suppression of Covid-19) Regulations, 2020, Kenya Gazette Supplement No. 39, 3rd April 2020.

management for persons confirmed or suspected to be infected.

The NPS is duty-bound to execute these measures ordered by the MOH as is provided under section 101 of the Public Health Act, including the social distancing and quarantine measures prescribed in the regulations.⁵ Moreover, the NPS is mandated to execute curfew orders in line with the Public Order Act, Cap. 56 (POA). Following the President's address on 25th March 2020, the Cabinet Secretary for Interior and Co-ordination of National Government gazetted Legal Notice 36: The Public Order (State Curfew) Order, 2020. The Order imposes a national curfew restricting all movement and public gatherings between 7:00 pm and 5:00 am daily.

Following the curfew order, the Law Society of Kenya (LSK) filed a suit at the High court arguing that it not only limits rights to assembly, association, and movement but also fails to meet the test for limitations in Article 24 of the Constitution.⁶ While the petition was dismissed and the Order upheld, it speaks to the challenge of insufficient information and consultation on COVID-19 response measures undertaken by the government.

As guided by the Africa Commission: “[i]n times of public health emergencies, members of the public have the right to receive factual, regular, intelligible and science-based information on the threat COVID-19 poses to their health, the role and impact of the measures adopted for preventing and containing the virus, the precautionary measures

that members of the public should take, and the scale of the spread.”⁷

A number of questions have arisen over the choice of the legal and regulatory regimes chosen by the government and their appropriateness in responding to the pandemic. For one, the government has not made clear why the Public Order (State Curfew) Order 2020 was issued under the POA and not the PHA, which is the applicable law for public health emergencies. The CS, for instance, restricted movement under the PHA through gazetting Public Health (Covid-19 Restriction of movement of persons and Related Measures) Rules, 2020.⁸ This provides for authority of the CS to declare an area as ‘an infected area’ and to restrict movement in and out of the area. Through legal notices no. 51 through to 54,⁹ the CS gazetted orders restricting movement by road, rail, or air in and out of the Nairobi metropolitan area, Mombasa County,¹⁰ Kilifi County,¹² and Kwale County.¹³ The CS later gazetted orders restricting movement in Mandera County¹⁴ and in the neighbourhoods of Old Town¹⁵ and Eastleigh area¹⁶ in Mombasa and Nairobi Counties respectively.

Secondly, the schedule to the Public Order (State Curfew) Order 2020 provides a list of specified services, personnel or workers who are exempted from the requirements of the curfew. The rationale for listing some services and not others has been the subject of public debate and controversy. The petition filed by LSK for instance argued that omission

⁵See also regulation 10 of the public health regulations, 2020.

⁶Petition No. 120 of 2020 (COVID 025), *Law Society of Kenya v Hillary Mutyambai Inspector General National Police Service & 4 others ; Kenya National Commission on Human Rights & 3 others (Interested Parties)* [2020] eKLR.

⁷African Commission on Human and People's Rights (2020) “Press Statement on human rights based effective response to the novel COVID-19 virus in Africa,” 14 March, <https://www.achpr.org/pressrelease/detail?id=483> (Accessed on 29 April 2020).

⁸i. Legal Notice No. 50: Public Health (Covid-19 Restriction of movement of persons and Related Measures) Rules, 2020.

⁹Kenya Law (2020) “Public Legal Information on Kenya's Response to COVID-19,” Kenya Law Blog, 7 April, <http://kenyalaw.org/kenyalawblog/kenyas-response-to-covid-19/> (Accessed on 29 April 2020).

¹⁰Nairobi Metropolitan Area includes part of Kiambu, Machakos and Kajiado counties.

Legal Notice No. 51: Public Health (Covid-19 Restriction of movement of persons and related measures) (Nairobi Metropolitan Area) Order, 2020.

¹¹Legal Notice No. 52: Public Health (Covid-19 Restriction of movement of persons and related measures) (Mombasa County) Order, 2020.

¹²Legal Notice No. 53: Public Health (Covid-19 Restriction of movement of persons and related measures) (Kilifi County) Order, 2020.

¹³Legal Notice No. 54: Public Health (Covid-19 Restriction of movement of persons and related measures) (Kwale County) Order, 2020.

¹⁴Legal Notice No. 85: Public Health (Covid-19 Restriction of movement of persons and related measures) (Mandera County) Order, 2020.

¹⁵Legal Notice No. 84: Public Health (Covid-19 Restriction of movement of persons and related measures) (Mombasa Old Town) Order, 2020.

¹⁶Legal Notice No. 83: Public Health (Covid-19 Restriction of movement of persons and related measures) (Eastleigh Area) Order, 2020.

of legal representation may deny persons arrested during curfew legal representation. Exclusion of the Independent Policing Oversight Authority (IPOA) also limits avenues of accountability of police actions in the enforcement of curfew. The High Court directed that the Order be amended within five days from the date delivery of the judgement, 16 April 2020, in order to include IPOA and legal services as essential workers.¹⁷ The Attorney General has lodged an appeal against this court order.

Third, the Public Order (State Curfew) Order 2020 only permits exemptions when they are issued in writing by a police officer in charge of a county or a police officer in-charge of a police division. There's no clear explanation limiting this authority to the police. As the judge notes, the Order was imposed for a public health purpose and not to fight crime or disorder. This limitation has in some cases led to police violations and failure to prioritise health and medical considerations in its enforcement.

These measures may point to the casting of COVID-19 as a security problem necessitating exceptional measures to be enforced by the police and security agents.¹⁸ Framing COVID-19 as a security issue has its benefits. Many states have made the same decision when dealing with previous outbreaks, especially when the disease is a novel pathogen, has a high mortality and/or hospitalization rate, and is easily spread.¹⁹ In 2015 for instance, the UN Security Council welcomed U.S. support of defence forces of Africa Union states towards containing the

Ebola outbreak,²⁰ which president Obama described as 'potential threat to global security.'²¹ Embracing a security-centric approach may serve to attract priority political attention by governments allowing them to allocate more resources for public health, medicine, and emergency-response measures.²² This has arguably been the case in Kenya where the National Security Council resolved to mobilise the national security infrastructure to support all health and emergency measures. It also directed all National Government Administration Officers (NGAO) to support measures including through continued public awareness campaigns, discouraging public gatherings, and continued monitoring and surveillance.²³ The Ministry of Health has also announced that the government is set to start using technology for tracking and surveillance of people congregating after curfew hours.²⁴ However, the danger is if this technology is utilised for undue surveillance and infringement of people's privacy.

On the other hand, there are numerous risks associated with the security-oriented approach. Primarily, that it may allow the country to place more emphasis on the views of people who are neither health nor medical experts and lead to measures not recommended by the experts.²⁵ The prioritisation of security and criminal justice measures may run counter to public health objectives and exacerbate health disparities that may, in turn, facilitate the outbreak and spread of COVID-19.

¹⁷Petition No. 120 of 2020 (COVID 025), *Law Society of Kenya v Hillary Mutyambai Inspector General National Police Service & 4 others ; Kenya National Commission on Human Rights & 3 others (Interested Parties) [2020]* eKLR.

¹⁸Wæver, O. (1995) 'Securitisation and Desecuritisation' In Lipshutz, R. (ed.) *On Security*, Chapter 3, New York: Columbia University Press. <https://www.libraryofsocialscience.com/assets/pdf/Waever-Securitization.pdf> (Accessed on 18 May 2020).

¹⁹Davies, S.E. - 'National Security and Pandemics', *United Nations Chronicle*, <https://www.un.org/en/chronicle/article/national-security-and-pandemics> (Accessed on 12 May 2020).

²⁰United Nations Security Council Resolution 2177 (2014) Adopted by the Security Council at its 7268th meeting on 18 September, S/RES/2177, <http://unscr.com/en/resolutions/doc/2177> (Accessed on 12 May 2020).

²¹The White House (2014) "Remarks by the President on the Ebola Outbreak," made at the Centre for Disease Control and Prevention, Atlanta, Georgia, 26 September, <https://obamawhitehouse.archives.gov/the-press-office/2014/09/16/remarks-president-ebola-outbreak> (Accessed on 12 May 2020).

²²Enemark, C. (2009) 'Is Pandemic Flu a Security Threat?', *Survival*, 51(1), 191-214, p.200 DOI: 10.1080/00396330902749798

²³Office of the Spokesperson (2020) Press Statement on an emergency session of the National Security Council, The Presidency, 13 March, <https://www.president.go.ke/2020/03/13/press-statement-on-emergency-session-of-the-national-security-council/> (Accessed on 10 May 2020)

²⁴Muraya, J. (2020) "You'll end up in quarantine if you break curfew order: Govt," *Capital News*, 19 April, <https://www.capitalfm.co.ke/news/2020/04/youll-end-up-in-quarantine-if-you-break-curfew-order-govt/> (Accessed on 12 May 2020).

²⁵Katz, R. and Singer, D. A. (2007) 'Health and Security in Foreign Policy', *Bulletin of the World Health Organization*, 85(3), p.233.

Securitization in enforcement of COVID-19 Orders

The Kenyan government appears to have struggled with the management of the health emergency with the initial approach taking a violent police enforcement turn. This securitization of a public health problem²⁶ has consequently contributed to a loss of public trust and cooperation. Rather than winning over the public with a reasoned approach, a large number of official pronouncements have threatened those found in breach of the curfew and cessation of movement restrictions. It consistently labels all who fail to adhere to the measures in place as undisciplined, threatening them with arrest and punishment²⁷ and delegitimising barriers to compliance including fewer public service vehicles, traffic, congestion at bus stops, unaffordability of matatus, and other inequities.

When the police have arrested those found flouting the curfew regulations, they have not taken care to ensure that they are not exposed to the risk of infections. Instead, in most instances, those arrested have been held in close proximity to each other and ferried to police stations in crowded police vehicles. Reports of overcrowding in police cells also point to the general lack of police preparedness in responding to the health crisis. The opportunity for the police to provide information to the public on the new disease and the risks was many times lost and substituted with counterproductive use of force. Failure to publicise guidelines on conduct of police officers in enforcing curfew orders and movement restrictions further denied citizens crucial information that would enable them adhere to the

rules. It further led to disharmonious practices by officers and exposed the public to arbitrary conduct. The Inspector General of Police later published the standard operating procedures for law enforcement at the roadblocks on 16th April.²⁸

The police have come under scrutiny for their conduct in enforcing the curfew orders in the country.²⁹ While many officers have worked to support emergency and health services and to facilitate and help people comply with the curfew,³⁰ enforcement of the Order has also been marked by violent and reckless conduct that endangers the life and health of the public and the police. Some officers have reportedly assaulted citizens found violating the curfew, including through use of lethal weapons and lobbed teargas canisters at them. In other instances, they were captured in the media huddling people together and ordering them to lie down in total disregard of the social distancing measures they were supposed to enforce. In some of the cases, police were seen violently dispersing crowds before the curfew hours as was recorded at the Likoni ferry on the very night that the curfew came into effect. The Kenya National Commission on Human Rights (KNCHR) also recorded incidences where police officers went into people's homes and brutally assaulted the occupants for being awake during the curfew hours.³¹

IPOA confirmed having recorded and commenced investigations into 35 verified reports of police brutality during curfew enforcement, 12 of which resulted in death. This includes the police shooting of a 13-year old in Kiamaiko Estate while standing on the balcony of their house.³²

²⁶See Davies, S. E. (2010) 'What Contribution can International Relations Make to the Evolving Global Health Agenda?', *International Affairs*, 86 (5), 1167–90; Caballero-Anthony, M. and Amul, G.G. (2015) 'Health and Human Security: Pathways to advancing a human-centered approach to health security in East Asia', in Rushton, S. and Youde, J. (eds.) *Routledge Handbook of Global Health Security*, Routledge Handbooks: London and New York; Rushton, S. (2011). 'Global Health Security: Security for whom? Security from what?' *Political Studies*, 59(4), 779–796. <https://doi.org/10.1111/j.1467-9248.2011.00919.x>

²⁷Agutu, N. (2020) "Kenyan are indisciplined, difficult in fight against coronavirus- Kagwe," *The Star*, 24 March, <https://www.the-star.co.ke/news/2020-03-24-kenyans-are-indiscipline-difficult-in-fight-against-coronavirus-kagwe/> (Accessed on 27 April 2020).

²⁸Kimuyu, H. (2020) "Kenya: Police Officers Warned Against Violating Operating Procedures at Roadblocks," *Nairobi News*, 16 April, <https://allafrica.com/stories/202004170745.html> (Accessed on 19 May 2020).

²⁹The 30-day nationwide curfew was effective from 27th March 2020, and was later extended for 21 more days from 25th April and again on 16th May.

³⁰Otieno, B. (2020) "Shahbal rewards city cop who helped mother during curfew," *The Star*, 2 April, <https://www.the-star.co.ke/news/2020-04-02-shahbal-rewards-city-cop-who-helped-mother-during-curfew/> (Accessed on 25 April 2020).

³¹Petition No. 120 of 2020 (COVID 025), para 34.

³²Human Rights Watch (2020) "Kenya: Police Brutality During Curfew. Several dead, Others with Life-Threatening Injuries," 22 April, <https://www.hrw.org/news/2020/04/22/kenya-police-brutality-during-curfew> (Accessed on 12 May 2020).

As part of measures to address COVID-19, the National Council on Administration of Justice (NCAJ) ordered that court activities be scaled down and all new arrests, except serious ones, be dealt with at the police station. Petty and traffic offenders were to be released on either cash bail or free police bonds to be facilitated by the Ward Commanders in charge of Police Stations.³³ However, some of the orders given to the police have undermined the decongestion efforts.³⁴ These include Ministry of Health directions that police detain people arrested for violation of curfew orders in quarantine centres³⁵ and later directions to designate a 'curfew breakers holding place' with the aim of quarantining curfew breakers.³⁶ Police have also been accused of extracting bribes rather than granting suspects bail at the police station, and threatening people with detention in quarantine facilities if they fail to pay.³⁷

As a result of public outcry over the police misconduct, the president issued a public apology to Kenyans ordering them to desist from using violence when enforcing the curfew.³⁸ Nonetheless, many cases of police violence, especially in low-income neighbourhoods continue to be reported. The violent and repressive conduct frustrates public health objectives, whose accomplishment is dependent on public cooperation and trust in the government and health authorities. Already the state has complained of fewer people going to hospital, even for unrelated illnesses, for fear of forced quarantine. Some have also escaped from quarantine centres citing inability

to pay the high fees, poor sanitation and facilities, and irrational considerations in holding them and extending their quarantine period.

The government appeared to have observed and attempted to mitigate these risks. The Ministry of health announced that the government would meet the cost of targeted testing and quarantine effective from 6th May 2020.³⁹ Success of this and other measures put in place to contain the virus will be dependent on efficient communication and consultation with the public.

Policing regular crime in context of COVID-19

Studies have shown that curfews and quarantine orders in some cases reduce the level of criminality and violence. There are reduced opportunities for crimes since many businesses remain closed and criminals are either forced to stay home or do so to avoid infections.⁴⁰ However, as Covid-19 rages on and continues to affect people's livelihoods, acquisitive crimes such as theft, burglary, and fraud are likely to increase. While fewer unoccupied homes means reduced opportunities for these crimes, some adapt and attempt to gain access to people's homes through fraud and distraction. The NPS have for instance warned the public of criminals posing as medical health personnel seeking information on Covid-19 cases.⁴¹

³³National Council on the Administration of Justice (2020) "Administrative and Contingency Management Plan to Mitigate Covid-19 in Kenya's Justice Sector," *Press Statement*, 15 March, <http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Chief-Justice-Press-Statement-Administrative-and-contingency-management-plan-to-mitigate-COVID-19-in-Kenya%E2%80%99s-Justice-Sector.pdf> (Accessed on 25 April 2020).

³⁴Interview with director of a civil society organization working on criminal justice reform, 7 May 2020.

³⁵Twitter post by the Ministry of Health, 19 April 2020, https://twitter.com/MOH_Kenya/status/1251869492105359362 (Accessed on 27 April 2020).

³⁶Twitter post by the Ministry of Health, 3 May 2020, https://twitter.com/MOH_Kenya/status/1256994743671758848 (Accessed on 10 May 2020).

³⁷Kiruga, M. (2020) "Kenya's fight against coronavirus difficult with its two-tiered governance system," *The African Report*, 17 April, <https://www.theafricareport.com/26354/kenyas-fight-against-coronavirus-difficult-with-its-two-tiered-governance-system/> (Accessed on 25 April 2020).

³⁸Asamba, M. (2020) "President Uhuru apologises to Kenyans for police brutality," *Standard Digital*, 1 April, <https://www.standardmedia.co.ke/article/2001366479/president-uhuru-apologises-to-kenyans-for-police-brutality> (Accessed on 27 April 2020).

³⁹Ministry of Health (2020) "Government bans movement in and out of Eastleigh and Old Town Nairobi, Wednesday May 6, 2020," *Press Statement*, 6 May, <https://www.health.go.ke/7759-2/> (Accessed on 9 May 2020).

⁴⁰Semple, K, and Ahmed, A. (2020) "Murder Rates Were Staggering. The Virus Has Brought Some Quiet, for Now," *New York Times*, 11 April, <https://www.nytimes.com/2020/04/11/world/americas/coronavirus-murder-latin-america-crime.html> (Accessed on 25 April 2020).

⁴¹Ombati, C. (2020) "Beware of thugs posing as Covid-19 surveillance team, warn police," *Standard Digital*, April 8, <https://www.standardmedia.co.ke/health/article/2001367272/beware-of-thugs-posing-as-covid-19-surveillance-team-warn-police> (Accessed on 25 April 2020).

In addition to acquisitive crimes, the pandemic has also left many people vulnerable to sexual and gender-based violence (SGBV). It is argued that confinement at home under heightened levels of stress, owing to disrupted livelihoods and financial hardship, produces stressful environments that precipitate violence.⁴² The Gender Violence Recovery Centre (GVRC) and the National Council on Administration of Justice (NCAJ) have, since the curfew was imposed, recorded an increase in cases of domestic, gender-based and sexual violence perpetrated by close relatives and guardians.⁴³ The NCAJ reported that between March 15 and April 1, sexual offences constituted 35.8 percent of the criminal matters reported.⁴⁴

The scaling down of court activities and reduced number of arrests by police as part of efforts to contain COVID-19 has also particularly affected victims of SGBV. Owing to the curfew rules, movement restriction orders in infected areas, and roadblocks manned by police, there are physical barriers to reporting SGBV cases. Police, citing compliance with NCAJ efforts to manage COVID-19, allegedly turned some victims away.⁴⁵ Barriers of access to courts also hinder SGBV victims from filing applications for restraining orders and protection orders. Victims are also at risk since perpetrators may choose to violate protection orders because of the limited capacity of police officers to enforce such orders.⁴⁶

Furthermore, police have to contend with the possibilities of events that may trigger public disorder. The core risk factor governing the emergence of social tension/conflict during the outbreak of COVID-19 will be the extent to which there is a widespread sense that some sections of the community are being treated unfairly as a consequence of policy measures.⁴⁷ These may be spontaneous where scarcity of essential items could lead to disarray at pinch points such as markets, food stores and hospitals.⁴⁸ While these pose a real public health risk, these incidents are unlikely to trigger serious public disorder.

Police capacity to respond to regular crime during the pandemic will be dependent on how well they protect themselves as well as their preparedness and contingency planning. Police officers are at a higher risk of contracting Covid-19 since the nature of their work limits their capacity to maintain social distancing guidelines.⁴⁹ This will likely occasion a diminished workforce as officers and their families may fall ill or die as well as increased absenteeism as some try to reduce the risk of infection.⁵⁰ These will affect their capacity to perform other essential services and increase the vulnerability of the public. Their response to emergency calls and prioritisation of curfew enforcement may see a diversion of police resources from their ordinary policing duties, affecting their capacity to discharge some of those

⁴²Mutavati, A. and Zaman, N. (2020) "Fighting the 'shadow pandemic' of violence against women & children during COVID-19," *United Nations Africa Renewal*, 27 April, <https://www.un.org/africarenewal/web-features/coronavirus/fighting-%E2%80%98shadow-pandemic%E2%80%99-violence-against-women-children-during-covid-19> (Accessed on 8 May 2020).

⁴³Kivuva, E. (2020) "Domestic abuse on the rise amid coronavirus fight," *Business Daily*, 14 April, <https://www.businessdailyafrica.com/news/Domestic-abuse-on-the-rise-amid-coronavirus-fight/539546-5524156-swhiv2/index.html> (Accessed on 24 April 2020).

⁴⁴National Council on the Administration of Justice (2020) "Statement on justice sector operations in the wake of the COVID-19 pandemic," *Press Statement*, 1 April, <https://ncaj.go.ke/statement-on-justice-sector-operations-in-the-wake-of-the-covid-19-pandemic/> (Accessed on 24 April 2020).

⁴⁵Beatrice Njeri (2020) Remarks made during ICJ-Kenya Webinar on 'Access to Justice in the context of Covid-19 pandemic: Placing Wanjiku at the Centre', 12 May 2020.

⁴⁶Beatrice Njeri (2020) Remarks made during ICJ-Kenya Webinar on 'Access to Justice in the context of Covid-19 pandemic: Placing Wanjiku at the Centre', 12 May 2020.

⁴⁷Reicher, C. and Stott, C. (2020) 'Policing the Coronavirus Outbreak: Processes and Prospects for Collective Disorder', *Policing: A Journal of Policy and Practice*, paaa014, p.2, <https://doi.org/10.1093/police/paaa014> (Accessed on 27 April 2020).

⁴⁸Walton, R. and Falkner, S. (2020) 'Policing a pandemic: The challenges of maintaining law and order during the Coronavirus response', London: Policy Exchange.

⁴⁹Reicher, C. and Stott, C. (2020) 'Policing the Coronavirus Outbreak: Processes and Prospects for Collective Disorder', *Policing: A Journal of Policy and Practice*, paaa014, <https://doi.org/10.1093/police/paaa014> (Accessed on 27 April 2020).

⁵⁰Bureau of Justice Assistance and Police Executive Research Forum (2006) *The Role of Law Enforcement in Public Health Emergencies: Special Considerations for an All-Hazards Approach*, Washington: United States Department of Justice, p.1.

duties. This pattern is already being observed in other countries where many police officers have fallen sick and suffered COVID-19 related deaths including extreme cases such as New York where by 21st April, 4,518 members of the NYPD had tested positive for coronavirus and 31 police officers had died as a result.⁵¹

Policy Recommendations

- The government should clearly and comprehensively communicate to the public the rationale and projected impact of measures adopted for preventing and containing the virus. This will be important to ensure compliance as well as public support.
- Police should pay particular attention to the building/mending of trust and use community-oriented policing to understand challenges facing

their compliance with curfew and quarantine orders. This is with a view to facilitating their compliance.

- IPOA and IAU should institute disciplinary measures on officers found to have violated citizens' rights.
- Police should prioritise response to domestic and sexual and gender-based violence and work with various agencies to provide assistance and relief as well as justice for the victims.
- Courts should prioritise cases involving domestic violence, including through the issuance of protection orders at their earliest disposal.
- Police should take precautions of social distancing after arrests of suspects in order to minimise transmission of Covid-19 among those arrested and to the police too.

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⁵¹Ostapiuk, J. (2020) "NYPD coronavirus sick rate sinks to 13% on Tuesday; department announces 31st death," *Silive*, 22 April, <https://www.silive.com/news/2020/04/nypd-coronavirus-sick-rate-sinks-to-13-on-tuesday-department-announces-31st-death.html> (Accessed on 17 May 2020).

Other Publications on Policing



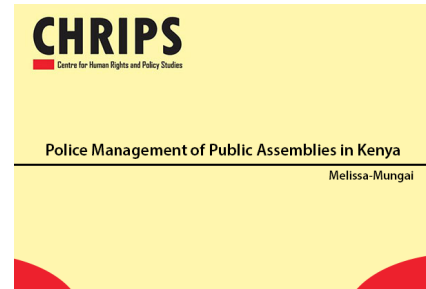
Policing Protests in Kenya

The papers in this volume grapple with the questions of laws and institutions as well as attitudes and culture in policing and are aimed at contributing to the policy and scholarly discourse on policing of public gatherings and protests in Kenya.



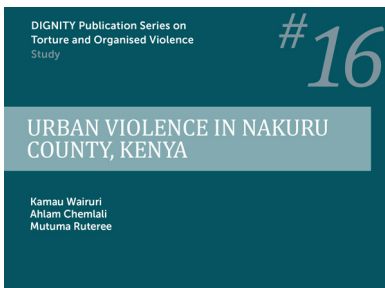
Policing Protests in Kenya: Policy Options from new research

This Policy brief draws policy suggestions from key research findings presented in the book- Policing Protests in Kenya published in August 2019 by CHRIPS. The full book is available on www.chrips.or.ke



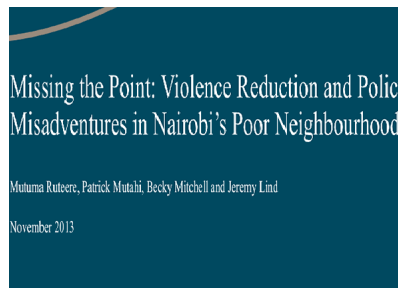
Police Management of Public Assemblies in Kenya

This brief draws from discussions held by experts at a meeting on police management of public assemblies in Kenya that was convened in February 2019 by the Centre for Human Rights and Policy Studies (CHRIPS). CHRIPS is grateful to all the participants for their contributions and insights. The views expressed in this brief are exclusively those of the author.



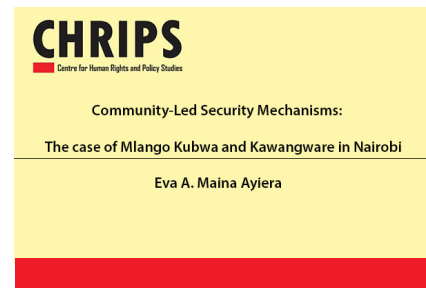
Urban Violence in Nakuru County, Kenya

This report provides new knowledge that will inform the design of a three year multi-stakeholder urban violence program in selected areas of the county. The methodology adopted involved primary research using key informant interviews, focus group discussions and a household survey, with 43 % of respondents from Nakuru Town Municipality, 38 % from Naivasha and 19 % from Molo Town. Most of the respondents were women and young people, of which 69 % were below 34 years and only 10 % above 55 years old.



Missing the point: Violence Reduction and Policy Misadventures in Nairobi's Poor Neighbourhoods

This report examines prevailing understandings of violence in Nairobi and how it is addressed, as well as the limitations of existing violence mitigation measures. It assesses a number of measures that could be incorporated in a wider strategy to address and mitigate violence in Nairobi's poor neighbourhoods.



Community-Led Security Mechanisms: The case of Mlango Kubwa and Kawangware in Nairobi

Public policing in Kenya and other nations in Africa has not succeeded in asserting monopoly over the provision of security and the use of force across the entire territory of the state (CHRIPS 2014). Often, a number of regions within the state remain undeserved in the delivery of state security services. Inadequate financial resources and deficiency in security personnel numbers are among the key factors that limit state capacity to extend security services across the entire territory in Kenya and a number of countries in Africa.

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