



REPUBLIC OF KENYA

**MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION**  
*Office of the Cabinet Secretary*

Telephone: Nairobi 2227411  
Fax: +254-20-341938  
Email: [cs@interior.go.ke](mailto:cs@interior.go.ke)

Harambee House  
P.O. Box 30510 – 00100  
NAIROBI

*When replying please quote:*

**Ref:** MOINA.SEC. 8/12

**Date:** 18<sup>th</sup> July, 2025

**Mr. Douglas Kanja, MGH, EBS, OGW**  
Inspector General  
National Police Service  
**NAIROBI**

Dear IG;

**RE: POLICY DIRECTIVE NO. 1 OF 2025 ON CONDITIONS AS TO THE USE OF FORCE AND FIREARMS**

---

Pursuant to and in accordance with **Article 245 (4)** and **Article 245 (5)** of the Constitution of Kenya, I have today issued the enclosed Policy directive on the conditions as to the use of force and firearms by the National Police Service. These directives are further to the provisions of **Section 61, Schedule 6A and 6B** of the National Police Service Act, save for the impugned provisions under paragraphs 1(c), (d) and (e) of part B.

The objective of the policy is to ensure that there is a consistent and transparent approach adopted on the conditions as to the use of force and firearms in compliance with the Constitution. To this end, kindly ensure that the National Police Service is informed on the inception of the policy.

Your kind attention is highly appreciated.

Yours *Sincerely*,

Hon. Kipchumba Murkomen, EGH  
**CABINET SECRETARY**

Copy to:

Dr, Raymond Omollo, PhD., CBS  
Principal Secretary  
State Department for Internal Security  
& National Administration  
**NAIROBI**

**REPUBLIC OF KENYA**



**Ministry of Interior and National Administration**

---

**POLICY DIRECTIVE No. 1 of 2025  
ON THE USE OF FORCE AND FIREARMS**

**National Police Service**

---

**Issued pursuant to Article 245(4) & (5) of the Constitution of Kenya  
and Section 61 & Schedule 6A-6B of the National Police Service Act**

**Prepared by:**

**Cabinet Secretary,  
Ministry of Interior and National Administration**

*DKN*

## Table of Contents

Policy Statement .....	3
Definitions .....	4
A. Use of Force .....	5
B. Proportionality, Necessity and Precaution .....	5
C. Training and Counselling .....	7
D. Accountability And Transparency .....	8
E. Reporting and review procedures .....	8
F. Monitoring, Evaluation and Continuous Improvement .....	9



## Policy Statement

This Directive is the inaugural Policy Directive on the use of force and firearms issued by the Cabinet Secretary.

In compliance and in accordance with Article 245 (4) and 245 (5), the Cabinet Secretary hereby issues a policy directive on conditions as to the use of force and firearms further to the provisions of Section 61 and Schedule 6A and 6B of the National Police Service Act, save for the impugned provisions of paragraph 1(c), (d) and (e) of part B which were declared null and void by the High Court in *Katiba Institute & another v Attorney General & another; Independent Policing and Oversight Authority & 3 others (Interested Parties) (Constitutional Petition 379 of 2017) [2022] KEHC 17072 (KLR) (Constitutional and Human Rights)*.

The aim of this policy is to ensure that there is an efficient and consistent approach adopted across National Police Service regarding the use of force. It also recognises the General powers of police officers under Section 49 of the National Police Service Act as to the use of discretion in policing considering any relevant policing codes, guidance, policies and procedures.

The Inspector General is directed to ensure that all officers under the National Police Service are aware of relevant legislation and are informed about the extent of their legal powers and the context within which those powers can be properly exercised. The following policy directive shall apply supplementary to the Constitutional, legislative and attendant the rules and regulations.

The Inspector General of Police is directed to inform the National Police Service on the inception of the foregoing policy directive and the imperative to comply thereof.

## Definitions

For the purposes of this Policy Directive, the following words and expressions shall have the following meanings: -

<b>“De-escalation”</b>	refers to tactics employed to reduce the intensity of a potentially violent situation so as to minimise or eliminate the need for the use of force.
<b>“Proportionate/ Proportionality”</b>	refers to the degree of force that is commensurate with the threat posed and no greater than necessary to achieve a legitimate policing objective.
<b>“Reasonable”</b>	means that judged from the perspective of a prudent officer on the scene the force applied would be considered appropriate under the prevailing circumstances.
<b>“Reportable force”</b>	is any application of force that results in or is alleged to have resulted in injury, complaint, or the discharge of a firearm, save for authorised training or sporting activities.
<b>“Serious injury”</b>	means bodily harm that creates a substantial risk of death, causes serious permanent disfigurement or results in long-term loss or impairment of any bodily member or organ.
<b>“Use of force”</b>	refers to the application of physical power, including restraints and weapons, to compel compliance or overcome resistance.



## **A. Use of Force**

1. A police officer may use force and firearms only in accordance with the rules on the use of force and firearms under the law, departmental standing orders and the respective policy directive.
2. A police officer may use force only to the extent required for the performance of their duty.
3. Force must never be used as a form of extrajudicial punishment.
4. No additional force is lawful when a suspect is safely and lawfully detained.
5. The use of force shall be no more than the minimum reasonably necessary in the circumstances

## **B. Proportionality, Necessity and Precaution**

6. Law enforcement officials shall not use force or firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury.
7. The officers, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and/or firearms.
8. Any use of force must be lawful, proportionate and reasonable in the circumstances to achieve a legitimate law enforcement objective.
9. Whenever the lawful use of force is unavoidable, the officers shall:
  - a) Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;
  - b) Minimize damage and injury, and respect and preserve human life;
  - c) Ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment; and

- d) Ensure that the independent policing oversight authority is notified at the earliest possible
10. In the dispersal of assemblies that are unlawful but non-violent, law enforcement officials shall avoid the use of force or, where that is not practicable, shall restrict such force to the minimum extent necessary.
  11. In discharge of its obligations under Article 37 of the Constitution, the National Police Service shall provide adequate security to persons lawfully and peacefully assembled and shall take all reasonable measures to shield them from violence, intimidation or other interference by third parties.
  12. A police officer is not entitled to discharge a firearm against a person unless the officer has reasonable grounds for believing that the person is committing, or about to commit, an action likely to endanger the life or cause serious injury to the officer or any other person, and there is no other way to prevent the danger.
  13. Police officers have the right to defend themselves from unlawful physical violence.
  14. In determining the proportionality of force to apply, the officers shall consider; the person's behaviour and their level of resistance, if the person refuses to comply or exhibits body language indicating non-compliance, any assault where there exists the possibility of great bodily harm or death of the officers.
  15. Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.
  16. The Offices shall deploy strategies and techniques to manage potentially volatile situations by reducing the likelihood of force and promoting peaceful resolutions.



17. When applying force, officers shall exercise heightened caution when interacting with children, persons with disabilities, older persons and gender-based vulnerable groups ensuring that all interventions remain sensitive, proportionate and non-discriminatory.

### **C. Training and Counselling**

18. All the officers deployed to enforce law and order shall be selected by proper screening with appropriate moral, psychological and physical qualities for the effective exercise of their functions and receive continuous and thorough professional training. Their continued fitness to perform these functions should be subject to periodic review.
19. All officers shall be provided with training and periodically tested in accordance with appropriate proficiency standards in the use of force.
20. The National Police Service shall conduct regular de-escalation training programs for equipping officers with the necessary skills and knowledge to effectively implement de-escalation strategies in diverse situations.
21. The National Police Service shall ensure officers are equipped with appropriate crowd control facilities and self-protective gear commensurate with prevailing operational risks.
22. The National Police Service Commission shall give special attention to issues of police ethics, mental health and human rights, alternatives to the use of force and firearms, peaceful settlement of conflicts, the understanding of crowd behaviour, and the methods of persuasion, negotiation and mediation with a view to limiting the use of force and firearms.

23. The National Police Service shall review their training programme, manuals and operational procedures in the light of particular incidents.
24. The National Police Service shall make counselling available to law enforcement officials who are involved in situations where force and firearms are used.
25. Police officers abide by police regulations, force policies and lawful orders.
26. Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty.

#### **D. Accountability And Transparency**

27. The National Police Service shall foster a culture of responsibility, encouraging officers to account for their actions while recognising the challenges inherent in operational policing.
28. Any officer accused in connection with a use of force incident shall be afforded legal representation arranged in liaison with the Office of the Attorney-General to ensure due process safeguards.
29. The National Police Service shall exercise responsibility in ensuring that the accountability including in the objective review and analysis of all incidents of reportable force, complaint procedures and regular consultation with Independent Police Oversight Authority.
30. The Directorate of Criminal Investigations shall embed qualified personnel within investigative teams to facilitate prompt, impartial inquiries into all reportable force incidents.

#### **E. Reporting and review procedures**



31. Officers affected by the use of force and firearms shall have access to an independent process of investigation in accordance with Sec. 24, Part III of the Independent Policing Oversight Authority Act.
32. There shall be scrutiny and review processes that offer a transparent and independent review to ensure that any use of force is applied lawfully and fairly and public reassurance that policy adherence is met.
33. Police officers shall give appropriate cooperation during investigations, inquiries and formal proceedings, participating openly and professionally.

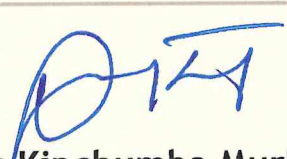
#### **F. Monitoring, Evaluation and Continuous Improvement**

34. The National Police Service shall establish measurable Key Performance Indicators and maintain a centralised data management system capturing, at a minimum:
- a) all reportable force incidents;
  - b) public complaints and their disposition; and
  - c) completion rates for mandatory training.
35. The National Police Service shall promote progressive use of technology including fixed closed circuit television systems (CCTVs), body-worn cameras and other digital evidence capture tools with a view to enhancing operational transparency and safeguarding the evidential integrity of all use of force inquiries.

---

ISSUED at NAIROBI this 18<sup>TH</sup> day of JULY 2025.

---

  
Hon. Onesimus Kipchumba Murkomen  
Cabinet Secretary  
Ministry of Interior and National Administration