



**For Immediate Release**

## **HIGH COURT SUMMONS TOP SECURITY CHIEFS AND GOVERNORS FOR DEFYING COURT ORDERS**

**Nairobi, 29 July 2026** – The High Court has summoned Kenya’s top legal, security, and devolved government officials **to appear in Court** on 24 September 2026 to explain their continued **defiance of a 2023 judgment** ordering the operationalisation of County Policing Authorities (CPAs).

The sweeping summons target the Attorney General, the Cabinet Secretary for Interior, the Inspector-General of Police, and the Council of Governors.

The directive follows an urgent application filed by Katiba Institute on 28 July 2026, seeking enforcement of the Court's earlier orders after more than three and a half years of continued non-compliance by the respondents.

### **Why this case matters**

The prolonged failure to operationalise the CPAs leaves a massive gap in Kenya’s security infrastructure.

- **A Decade of Delay:** The law establishing CPAs under section 41 of the National Police Service Act was passed in 2011. Over a decade later, the necessary regulations, funding, and operational guidelines remain completely paralysed.
- **The 2023 Landmark Ruling:** On 16 January 2023, the High Court declared the prolonged inaction unconstitutional. The Court ruled that this delay actively violated the rule of law, public participation, and cooperative governance.
- **Community Security:** County Policing Authorities are the constitutional bridge between the National Government, County Governments, and local communities on matters of security. The Court has clarified that these bodies provide crucial collaboration without interfering with the operational independence of the Inspector-General.

### **The Rule of Law on Trial**

By issuing these summons, the Court is sending a clear message: compliance with judicial decisions is not optional. The Government cannot frustrate Parliament’s intentions or skirt its constitutional obligations simply by ignoring the law.



"When Parliament enacts legislation to give effect to the Constitution and the courts issue binding orders directing its implementation, State officials have a constitutional duty to comply. Failure to obey court orders erodes the rule of law and weakens public confidence in our institutions. We welcome the Court's decision to require the responsible public officials to account for their continued non-compliance and reaffirm that no person or institution is above the Constitution." said Nora Mbagathi, Executive Director at Katiba Institute.

The upcoming 24 September hearing will test not only the future of Kenya's community policing framework but also the broader constitutional principle that public officials must obey lawful orders.

### **Ends**

For any enquiries, email us at [communications@katibainstitute.org](mailto:communications@katibainstitute.org)