



For Immediate Press Release

HIGH COURT WARN INSPECTOR GENERAL OF IMPRISONMENT FOR ANY FURTHER BREACH OF ITS ORDERS

Nairobi, 28 September 2026 - The High Court today issued a stern warning to the Inspector General of Police, Douglas Kanja Kirocho, stating that he will face imprisonment if he disobeys its orders again.

Sitting at Milimani, Lady Justice Patricia Mande Nyaundi, SC, reaffirmed her 17 September ruling holding the Inspector General in contempt of court. The finding stems from the police force's decision to barricade the roads into Nairobi's Central Business District on 25 June 2026 without public notice - a direct violation of a July 2025 court order.

The original order, secured by Katiba Institute in **Petition E389 of 2025**, expressly barred police from deploying roadblocks on public roads without issuing timely advisories. The court noted that the Inspector General had prior knowledge of the June 25 protests but made no attempt to warn the public before cutting off access to the city centre for workers, patients, and court users.

During sentencing, Justice Nyaundi rejected the Inspector General's defence that local commanders acted independently or that emergency conditions precluded an advisory. The court established that the Inspector General bears personal responsibility for ensuring the National Police Service obeys orders directed to his office, so he could not answer the contempt application through a subordinate officer's affidavit. While Katiba Institute had sought a 15 month-sentence, the court opted for a final warning, directing that any further violation of its orders will trigger immediate imprisonment.

"The order the court made in July 2025 required one thing of the police: tell the public before closing the roads. On 25 June this year, they did not," said Nora Mbagathi, Executive Director of Katiba Institute. "A court order binds the Inspector General as it binds every citizen, however many officers accompany him to court. We welcome the court's decision to reaffirm its finding today, and

we will return to court if the police close the roads into the city again without notice.”

Unannounced road closures violate fundamental constitutional protections, specifically the right to assemble and demonstrate peacefully (**Article 37**) and the freedom of movement (**Article 39**). Katiba Institute maintains that they must fulfil their duties to allow peaceful assembly, protect demonstrators, and refrain from violence. The Attorney-General has lodged a notice of appeal against the contempt finding. The main petition, which seeks to permanently prohibit the police permanently from closing roads without public notice, remains pending before the High Court.

About Katiba Institute

Katiba Institute is a non-profit, non-partisan, and non-governmental organisation that seeks to promote knowledge and understanding of Kenya’s 2010 Constitution and constitutionalism, to defend the Constitution, and to facilitate its implementation through litigation, research, and public education.

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