

Nature of Complaints handled at ODPP

Complaints that touch on prosecution service	
1.	Malicious/ selective prosecution
2.	Inaction/delay/Refusal/Neglect/ to carry out prosecution of a criminal case after completion of the requisite investigations.
3.	Police ignores/ neglects/delays to execute DPP's directions to investigate and or other directions given in any given criminal matter
4.	Requests by an aggrieved complainant to ODPP for an Appeal in case of perceived unjustified Acquittal.
5.	Request by a complainant to withdraw a criminal case
6.	Request by a complainant(their close relatives) and or prosecution witnesses for Witness Protection at the prosecution stage
7.	A concern as a result of a decision to waive a prosecution or to abandon a prosecution that had been commenced against a person charged.
8.	Miscellaneous Criminal applications
9.	Interference with witness statements at prosecution stage
10.	Seeking Consent to conduct private investigations
11.	Petition to prosecute
12.	Dissatisfaction with a judgement or outcome of a criminal trial due to acts and omissions of ODPP.
13.	A missing / lost prosecution file
14.	A citizen dissatisfied with ODPP's response to a criminal case
15.	A request for ODPP to review its decision on whether to charge or not to charge
16.	Charging of an accused with a less serious charge than the actual or charging with a more serious offence than the actual
17.	Unresponsiveness, lack of communication on matters of prosecution and or other incidental matters
18.	Refusal to release exhibits to a victim of crime thereby perpetuating the suffering of the victim
19.	Refusal by ODPP to charge a suspect
20.	Mishandling of a prosecution case, prosecutor interfering with the witness by attempting to coerce the witness to give evidence in a biased manner

21.	Withdrawal of a criminal case without justification
22.	Prosecution case taking too long to conclude because of an indolent prosecutor
23.	Sabotage of the success of a criminal case by failure by ODPP to call key witnesses
24.	Lethargy or lack of good will to prosecute
25.	Complaint against ODPP's county offices
26.	Professional misconduct and unresponsiveness by prosecutors, e.g. rudeness, arrogance and absence from office
27.	A person masquerading as a prosecutor
28.	Corrupt Prosecutors
29.	Abuse of prosecutorial powers
30.	Abuse of the criminal process by converting a purely civil matter to become a criminal matter, (e.g. if police investigations get entangled in a purely civil matter that then results to a prosecution, such a prosecution is an abuse of the criminal law process. N/B : please note that it is also possible to have both civil and criminal aspects emanating from the same transaction and investigators have every right to recommend charging if they come across evidence of criminal activity in a civil transaction.

I. Complaints received OUTSIDE the Office mandate referred to relevant stakeholders and partners

1.	Land frauds- D.C.I
2.	Inaction by Public Agencies- C.A.J
3.	Obtaining by false pretense- C.I.D
4.	Failure by police to investigate- I.A.U
5.	Crimes by the police- IPOA
6.	Police Interference with criminal matters- IPOA & I.A.U
7.	Forgery- C.I.D
8.	Wrongful dismissal- Relevant employing agency

9.	Failure to arrest- I.A.U
10.	Police torture and extrajudicial killings- IPOA
11.	Interference with witness statements at investigation stage- I.A.U/D.C.I
12.	Sporadic attacks and killings targeting some communities- D.C.I/ NCIC
13.	Production of Court proceedings- The Courts registrars/ Judiciary's Ombudsperson
14.	Inquiries on investigation- D.C.I
15.	Police reluctance to arrest- I.A.U
16.	Police misconduct which eventually perverts justice- I.A.U/IPOA
17.	Police interference with the evidence for purposes of defeating justice- I.A.U/ IPOA
18.	Failure or delay to Investigate by Police- I.A.U
19.	Inertia, lethargy and laxity on the part of the Investigating officer- I.A.U/IPOA
20.	Failure by Police to Enforce a court order- I.A.U/IPOA
21.	Failure by an Investigating officer to bond witnesses- I.A.U
22.	Failure by an Investigating officer to avail the file in court- I.A.U
23.	Loss of exhibits in custody of the police- I.A.U/ IPOA
24.	Abuse of Office by senior Police officers- NPSC/ I.A.U
25.	Intention to sue the state – Attorney General.
26.	Request for legal representation in civil suits- Kituo cha Sheria
27.	Environmental Complaints- NEMA

28.	Capital offences- D.C.I
29.	Issuing bad cheques- D.C.I banking fraud unit
30.	Complaint against an advocate of the High Court of Kenya- Advocate Complaints Commission/ L.S.K
31.	Complaint against conflict of interest by a magistrate- Judiciary's Ombudsperson
32.	Traffic offences- I.A.U
33.	Corruption matters- EACC
34.	Unlawful detention by Police- IPOA/ I.A. U
35.	Complaint against administrative actions of land registrars- CAJ
36.	Tampering with a witness statement by the police- I.A.U
37.	Unresponsiveness by Police- I.A.U
38.	Police Misconduct e.g. Harassment, unlawful arrest and confinement, abuse of power- IPOA/ I.A. U
39.	Complaint against an advocate of the High Court of Kenya- Advocate Complaints Commission/ L.S.K
40.	Complaint against conflict of interest by a magistrate- Judiciary's Ombudsperson