

LUMATE TE MUCHAI & COMPANY ADVOCATES

Advocates, Commissioner for Oaths & Notaries Public

ADVOCATES

Lumatete W. Muchai
Margaret W. Kahiga
Cornelius W. Lupao
William C. Kandere
Wilmer L. Ambetsa

WEBSITE: www.lumatetemuchaiadvocates.com
EMAIL: info@lumatetemuchaiadvocates.com

Epic Business Park
3rd Floor,
Links Road, Nyali,
P.O. Box 90565 - 80100
Tel No: 0739696457
0773078414 - 0716640558
Mombasa

Our Ref: LWM/MUHURI/2020

Your Ref: TBA

Date: 18th January, 2021

Regional Police Commander, Coast

P. O. Box 90114 – 80100

MOMBASA

Dear Sir,

RE: REQUEST FOR NAMES AND SERVICE NUMBERS OF POLICE OFFICERS INVOLVED AT THE MAMA NGINA WATERFRONT PARK INCIDENT ON 1st December, 2020

The above captioned and letter by the Chairman, MUHURI dated 21st December, 2020 refers.


We have retained by MUHURI to address you herein under as follows;-

We reiterate the contents of the aforementioned letter duly received by yourself on 21st December, 2020 and enclose herein a copy of the said letter for your perusal. We are informed that despite our client's express request for the service numbers and names of the police officers involved in the subject incident, you have neglected and or failed to respond. We are obliged to remind you of your constitutional duty under Article 35 of the Constitution to provide sufficient and unimpeded access to information requested for. Further, we deem it imperative to remind you that the continued failure and or neglect to respond to a request for information amounts to a violation of the fundamental right and freedoms under Article 35.

Our instructions are therefore to ask you to provide the requested **service numbers and names of the police officers** attached to Central Police Station involved in the aborted abduction of Ahmed Amana.

TAKE NOTICE that failure to urgently provide us with the names and service numbers of the police officers involved within **seven (7)** days from the date of receipt, our clear and mandatory instructions are to forthwith institute a Constitutional Petition against you without any further reference to you whatsoever.

Yours faithfully,


Lumatete Muchai & Company

Advocates

CC: Client
Mombasa County Commissioner
OCS, Central Police Station
IPOA, Mombasa Regional Office



MUHURI

MUSLIMS FOR HUMAN RIGHTS

P. O. Box 42261-80100, Mombasa, Kenya
Tel: 041-2315607/8
Fax: 041-2315609
E-mail: info@muhuri.org

1st Floor, Shree Links Building,
Next to Links Plaza,
Links road, Nyali
Mombasa.

21 DEC 2020

Our ref: RRP/2020/14
Date: December 21, 2020.

REC'D 21/12/2020
REGIONAL POLICE COMMANDER
COAST REGION
P. O. Box 90114, MOMBASA

Regional commander
Coast

Dear Gabriel Musau,

Ref: Request for names, service numbers of police involved in aborted abduction at Mama Ngina Waterfront Park on December 1, 2020

We refer to an aborted abduction, attempted by police officers attached to Central police station, Mombasa, and which occurred on December 1, 2020, at Mama Ngina Waterfront Park. A jogger, Ahmed Amana, was the victim—and the incident got reported at Central police station under OB number 85/2/12/2020. Police claimed Amana violated Covid-19 regulations when he lowered his mask to jog—but cops did not arrest others who, unlike Amana, did not wear a mask, according to viral footage of the incident.

Police's conduct during this incident was unbecoming. Besides attempting to abduct Amana, they, without provocation, brandished their guns, cocked, and readied to fire. None of their lives or those at the scene was in danger.

We, therefore, write to ask you to furnish us with the names and service numbers of all officers involved in this operation—and for ease of reference, refer to the quoted OB number. We urge you to respond to our request within seven days. We believe the period is sufficient for you to get the required details. This process is leading to a lawsuit, and we implore your esteemed office to accord us the maximum support, at least to weed out rogue cops within the Service.

Regards,

Khelef Khalifa
Khelef Khalifa

Chairman of MUHURI Board of Directors: 0799 019 998

CC

INDEPENDENT POLICING
OVERSIGHT AUTHORITY
21 DEC 2020
MOMBASA REGIONAL OFFICE
MOMBASA

*Received
21/12/2020*

COUNTY COMMISSIONER
MOMBASA
21/12/2020

SUB COUNTY POLICE
COMMANDER MOMBASA
P. O. Box 90594 - 80100
MOMBASA

Mombasa county commissioner

Urban OCPD

Central OCS

IPOA

Lumatete Muchai & Co Advocates