Verifying Affidavit on a Peaceful Picket and the Challenged Police Directive

Educational sample 147 | Nairobi

Educational reconstruction from a reported Kenyan judgment. This is newly drafted text, not an original court filing and not a matter handled by our team. Identifying details are replaced with bracketed fields. Verify the facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE HIGH COURT AT NAIROBI JUDICIAL REVIEW DIVISION

PETITION OR APPLICATION NO [reference]

REPUBLIC v [RESPONDENT AUTHORITY] EX PARTE [APPLICANTS]

INTERESTED PARTIES [as admitted in the actual file]

AFFIDAVIT

1. I am [authorised officer] of the first Applicant and identify the basis of my authority to verify the facts. Matters concerning other organisations are stated from their identified authorisations and records.

2. J1 contains the directive dated [date] and its publication record. I distinguish its actual wording from commentary or statements attributed to other officers.

3. J2 identifies the earlier Nairobi picket and the evidence concerning injury to a union officer. I distinguish my personal observations from authenticated recordings, witness statements and medical material.

4. The public specimen omits the injured person’s name, medical identifiers and private contact details. In an actual filing, relevant evidence must be properly authenticated and handled under any confidentiality directions.

5. J3 contains the correspondence, notices and proceedings relied upon. I state whether any hearing or opportunity to respond occurred before the directive, and do not infer absence of process solely from disagreement with it.

SWORN by [deponent] at [place] on [date]. Signature [ ]. BEFORE ME [Commissioner for Oaths]. This sample has not been sworn.

Use and evidence notes

The verifying affidavit supplies facts supporting the review application. Identify the deponent’s authority and each source of knowledge. Attach and authenticate the directive and relevant evidence. Do not use the statutory statement as a substitute for proof. Complete a valid jurat; this public sample has not been sworn and has no exhibits. Constitution Articles 24, 36, 37, 41 and 47; Fair Administrative Action Act; Law Reform Act and Civil Procedure Rules Order 53 for the source route; National Police Service Act sections 10 and 66. A current applicant must verify leave, time, service and the competent respondent, and distinguish public law relief from a criminal conviction.

Exhibit schedule: [label]; [document date]; [description]; [existing record pages or basis of admission]. Do not append invented or missing records.

Source and procedural limits

Rights organisations challenged a police directive issued during medical workers’ industrial action. They relied on an earlier Nairobi picket at which a union officer was injured and sought review relief concerning peaceful assembly. The respondent did not answer the application; an interested professional body supported it.

The High Court granted prohibition, certiorari, declarations on personal responsibility and costs payable personally by the respondent. It declined the other requested relief. It did not award the requested personal compensation, supervisory investigation order or apology, and did not convict anyone of a criminal offence.

Constitution Articles 24, 36, 37, 41 and 47; Fair Administrative Action Act; Law Reform Act and Civil Procedure Rules Order 53 for the source route; National Police Service Act sections 10 and 66. A current applicant must verify leave, time, service and the competent respondent, and distinguish public law relief from a criminal conviction.

[2024] KEHC 16607 (KLR) — 31 December 2024. Original judgment: https://katibainstitute.org/wp-content/uploads/2025/05/Kenya-Human-Rights-Commission-8-others-v-Nchebere-Law-Society-of-Kenya-2-others-Interested-Parties-Application-E082of2024-2024KEHC16607KLR-Judicial-Review-31December2024-Judgment.pdf

The original decision may identify participants. The specimen replaces their identifying details. A source decision is not proof that a draft was filed, that an allegation succeeded, or that the same result will follow in another case.