



OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

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NAIROBI

Date: 2nd March, 2026

ODPP/1/38/6

Ms. Muthoki Mumo
Africa Program Coordinator
Committee to Protect Journalists
Nairobi

Dear Sir/Madam,

REF: RESPONSE TO INQUIRIES

1. The Office of the Director of Public Prosecutions (ODPP) acknowledges receipt of your email dated February 26, 2026, regarding concerns raised on the application of the Computer Misuse and Cybercrimes Act and wishes to respond as follows.
2. The Computer Misuse and Cybercrimes Act came into force on 30th May 2018 and remains part of the statutory framework guiding the administration of criminal justice in Kenya. As such, where allegations of offences under the Act are presented to the Director of Public Prosecutions (DPP), they are considered strictly in accordance with the Constitution and applicable laws.
3. In the exercise of his mandate under Article 157 of the Constitution, the DPP independently evaluates all matters referred to the Office to ensure that prosecutorial decisions are guided by the evidence, the public interest, the interests of the administration of justice, and the need to prevent abuse of the legal process.
4. Kindly note that the ODPP is unable to comment on matters that are currently before the courts, in observance of the sub judice principle and respect for judicial proceedings.

5. The DPP discharges his constitutional mandate independently and without direction or control from any person or authority, and remains committed to upholding constitutionalism, the rule of law, and the protection of fundamental rights and freedoms.

PUBLIC AFFAIRS AND CORPORATE COMMUNICATION DIVISION
Dated: 2nd of March 2026