



DIRECTORATE OF INVESTIGATION AND ASSET TRACING

MONTHLY REPORT, FEBRUARY 2011

INTRODUCTION

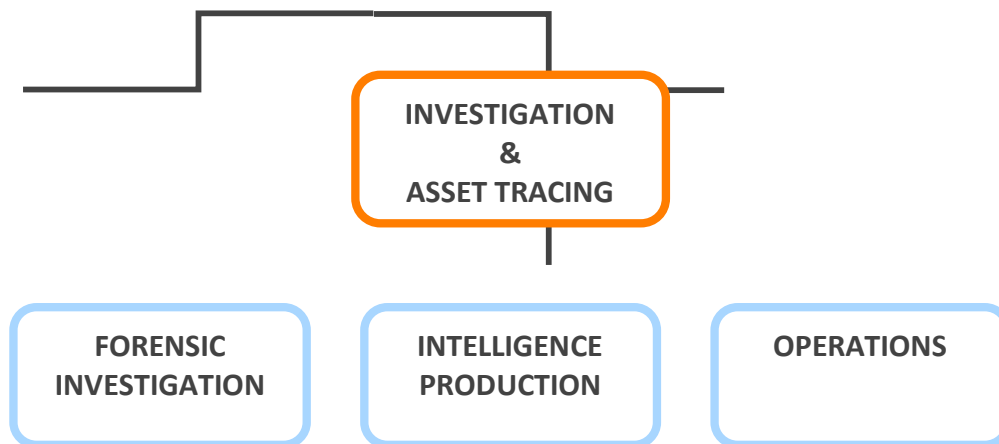
The Directorate of Investigation and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The functions of the Directorate are to;

- Investigate Corruption and Economic Crimes as stipulated in the Anti-Corruption and Economic Crimes Act, 2003.
- Investigate the extent of liability, loss or damage to any public property for purposes of recovery or compensation,
- Investigate and trace the whereabouts of corruptly acquired assets for purposes of recovery.
- Assist any law enforcement agency in the country in investigation of corruption or economic crimes.

The Directorate have three Departments, namely; Operations, Forensics and Intelligence.

- i. Operations- comprising two divisions; Reports Centre and Rapid Response,
- ii. Forensics- comprising three divisions; Preliminary Investigation, Forensic Investigation and Asset Tracing,
- iii. Intelligence- comprising two divisions: Analysis & Production and Collection

Structure of the Directorate



Mombasa Office

The Mombasa Regional Office, which, commenced operations on 4th June 2007 has three Departments namely; Forensic Investigation (FI), Operations (OPS) and Intelligence Production (IP).

Kisumu Office

The Kisumu office was officially opened on the 14th October 2010. The Three departments namely Forensics, Intelligence and Operations are represented in the office.

PART I – REPORTS CENTRE

1.1 Reports Centre - Nairobi

During the month of **February 2011**, the Reports Centre Division processed a total of **431** reports as compared to **487** in **January 2010**. The percentage relevance of cases taken up for investigations has reduced to **39.4%**.

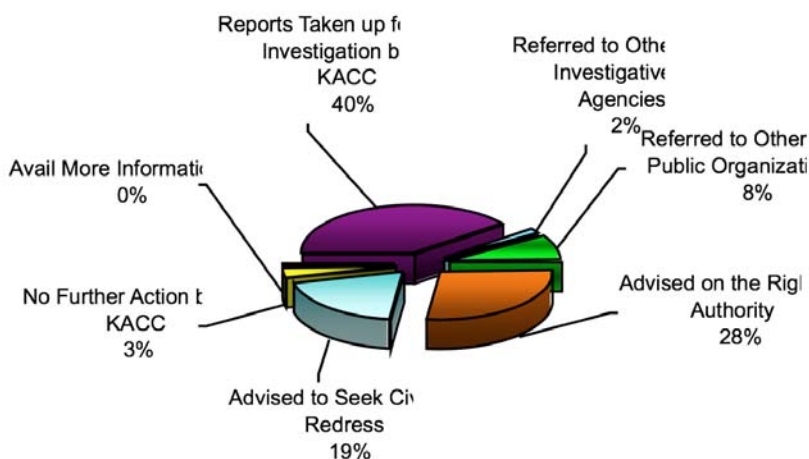
After analysis and classification, the reports were disposed off as follows:

- The Commission took up for investigation **170** reports which were found to be within its mandate. The Intelligence Production Department accounted for **124** of the reports; the Operations Department took up **19** reports while the Forensics Department took up **26** reports.
- **7** reports were forwarded to other investigative agencies for action with the Criminal Investigation Department accounting for **2**, Police **1**, Immigration **1** and the Kenya Revenue Authority **3**.
- The Commission referred **36** other reports to various Public Service Organisations for administrative intervention.
- In **82** reports the complainants were advised to seek civil redress.
- In **119** reports the complainants were advised on the right authority to report to.
- **15** reports did not disclose offences requiring intervention and were marked for No Further Action (NFA).
- In the remaining **2** report, the complainant was requested to avail more information.

NB. The statistics above do not include:

- (i) The **803** new reports received through the Whistle blower System (BKMS) yet to be processed.
- (ii) The approximately **950** reports received by mail/post yet to be processed.
- (iii) An additional **50%** of the above (processed) cases were not captured in the system in cases where the complainants who came to our office in person were advised on the right authorities to report to immediately.
- (iv) About **60%** of all telephone reports are not captured in the system as the complainants are advised on the right authorities to report to immediately.

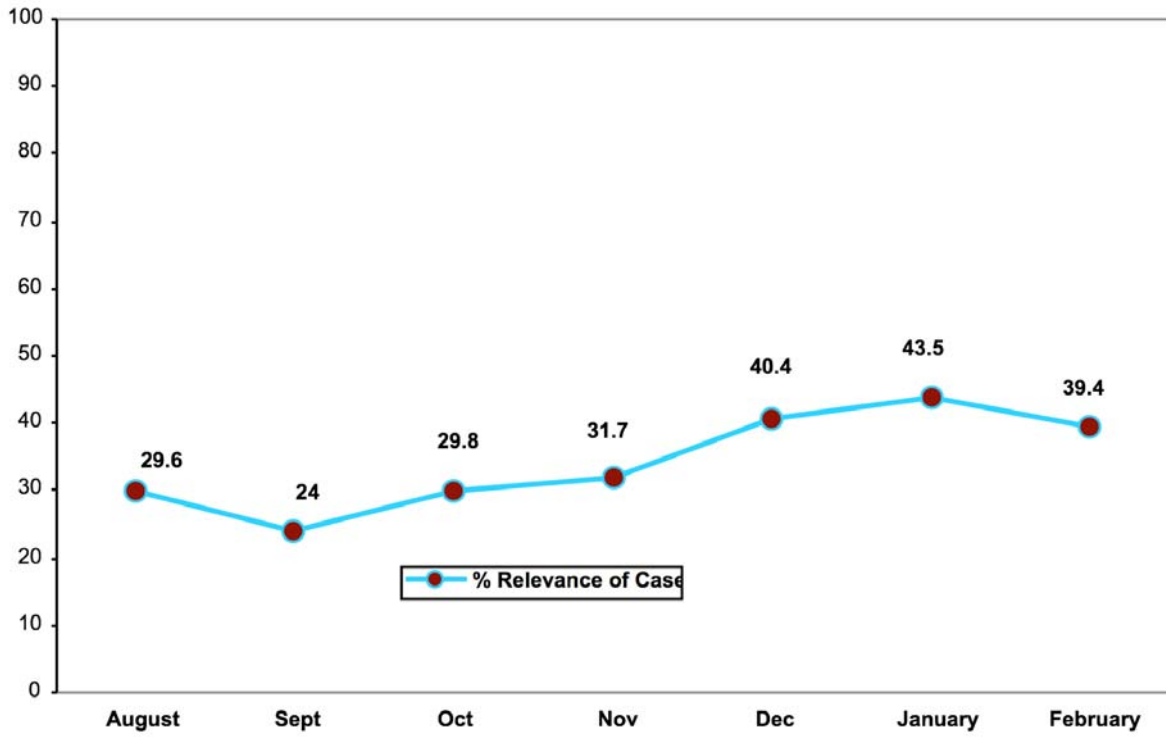
Categorization of reports processed by KACC in February 2011



Breakdown of Reports Processed.

	Category	Referral Agency	No. of cases	Total
1	Reports taken-up for action by KACC	KACC - Intelligence Production	124	170
		KACC – Rapid Response	19	
		KACC – Forensics	26	
		KACC – Legal Services	1	
2	Reports Forwarded to Other Investigative Agencies	Criminal Investigation Department	2	7
		Kenya Revenue Authority KRA	3	
		Police	1	
		Immigration Dept.	1	
3	Reports Forwarded to Other Public Service Organisations	Ministry of Basic Education	9	36
		Ministry of Local Government	5	
		Nairobi City Council	4	
		Public Procurement Oversight Authority	3	
		Ministry of Water and Irrigation	1	
		Insurance Regulatory Authority	1	
		Kenya National Examination Council (KNEC)	1	
		Kenya Power and Lighting Company (KPLC)	1	
		Other Public Bodies	10	
4	Advised to Pursue the Matter in Court			82
5	Advised on the right authority to report matter to			119
6	Complainants to Avail More Information			2
7	No Further Action by KACC			15
Total				431

Percentage Relevance of Cases received for the Past 6 Months.

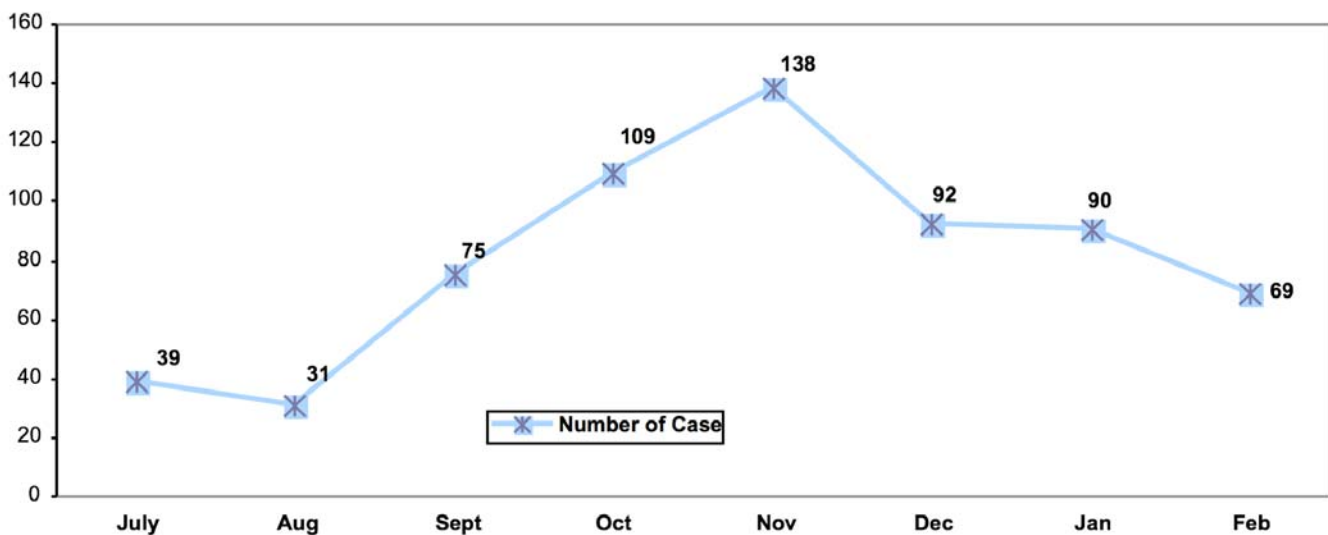


1.2 Reports Centre – Mombasa

Breakdown of Processed Reports.

	Category	Referral Agency/Department	No of Cases	Total
1	Cases taken up for action by KACC	Intelligence Production	10	19
		Rapid Response	1	
		Forensic	8	
2	Referred to other Investigative Agencies	Police	2	5
		CID	2	
		Kenya Revenue Authority	1	
3	Referred to other Organisations	Provincial Administration	1	10
		Mombasa Municipal council	2	
		Ministry of Labour	3	
		Ministry of Basic Education	1	
		Ministry of Lands	2	
		NEMA	1	
4	Advised	Pursue the matter in court		15
		Right Authority		19
5	Complainants to Avail More Details			-
	No Further Action NFA			1
TOTAL				69

No. of Cases received the past 6 months



1.3 Reports Centre – Kisumu

A total of **147** reports were received and processed in the month of February **2011**. Disposal after analysis is as follows:-

	Category	Referral Agency/Department	No of Cases	Total
1	Cases taken up for action by KACC	Intelligence Production	4	37
		Rapid Response	11	
		Forensic	22	
2	Referred to other Investigative Agencies	Police	5	20
		CID	15	
3	Referred to other Organisations	Ministry of Education	5	29
		Ministry of Local Government	3	
		Ministry of Labour	3	
		Ministry of Lands	5	
		Provincial Administration	6	
		Advocates Complaints Commission	3	
		Other Organizations	4	
4	Advised	Pursue the matter in court	5	5
		Right Authority		54
5	Complainants to Avail More Details			2
	No Further Action NFA			0
TOTAL				147

PART II – FORENSICS INVESTIGATIONS

2.1 Forensic Investigation – Nairobi

Summary of Cases as at 28th February 2011

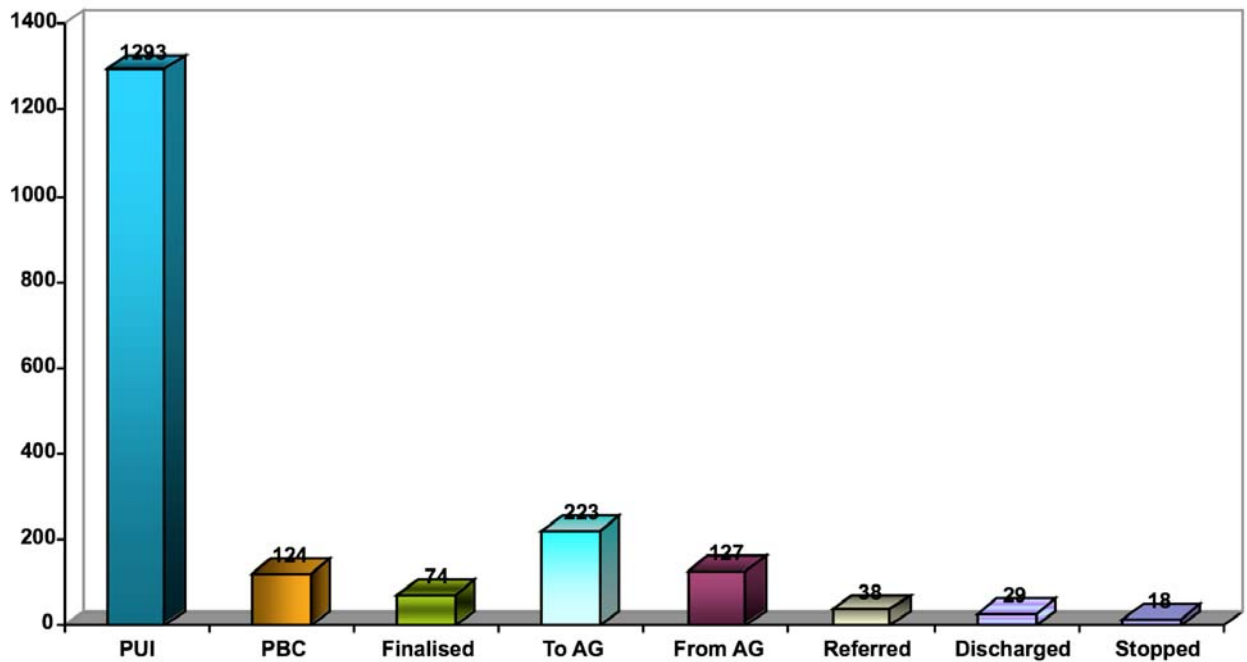
Below is a tabulation of cases and their respective status handled by the Department as at 30th February 2011.

Case Output for the month of February 2011

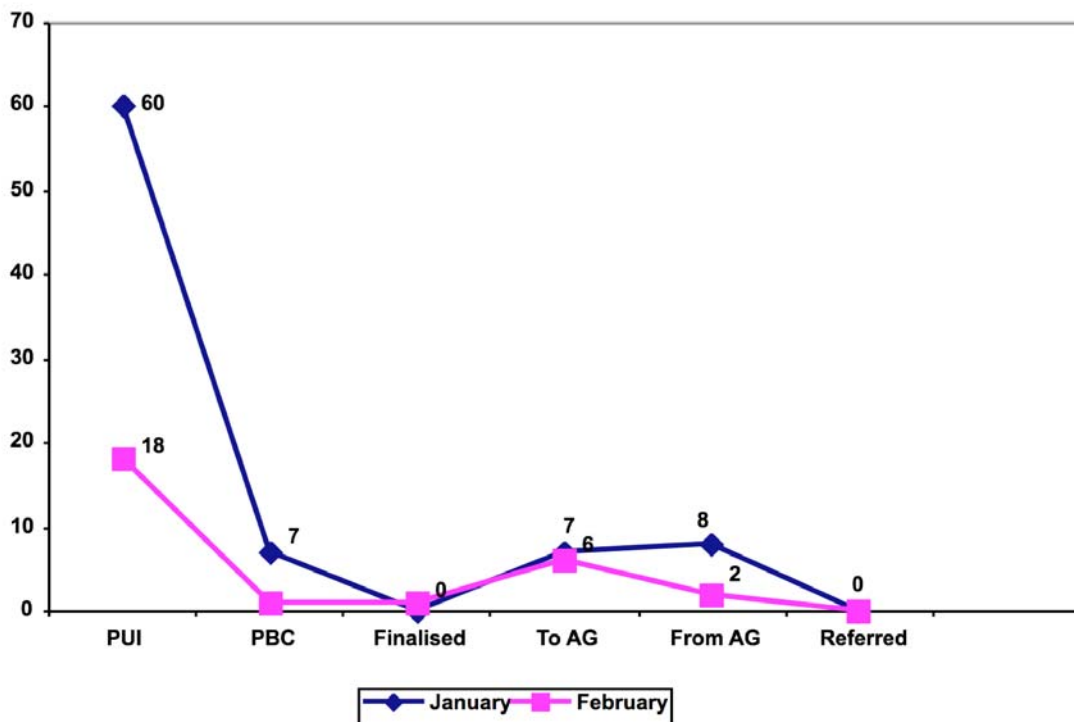
Item	Description	No. of Cases	
		Segment	
1.PUI	Cases Pending Investigation		
	Cases Received for Investigation	20	18
	Cases Assigned for Investigation	20	
	Completed Files Forwarded to Crime Reader	2	
2.PBC	Cases Taken to Court:		
	- Cases Taken for Plea	1	1
3.Finalised	Cases Finalized Before Court:		
	- Convictions	1	1
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
4.TO A-G	Files sent to the Attorney-General:		
	- With Recommendation to Prosecute	5	6
	- With Recommendation for Closure	1	
	- With Recommendation for Administrative Action	-	
	After Further Investigation	-	
5. From A-G	Files Received from the Attorney-General		
Advice	To Prosecute	-	2
	To Close Due to Insufficient Evidence	2	
	For Administrative Action	-	
	For Further Investigation	-	
	To Consolidate	--	
6.REFERRED	Cases Referred to Other Agencies	-	-
7.REPORTS	Investigation Reports Prepared For Action	-	-

* Bribe demand cases not included.

Graphical Representation of the Cases as of ^{28th} February 2010



Comparative Analysis of Cases processed in December 2010 and February 2011



2.2 Forensic Investigation – Mombasa

Below is a tabulation of cases and their respective status handled by the Department in February 2011

Item	Description/Status	No of cases	Total
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1.Cases/ Reports	Case Status/Distribution		
	New Cases Received during the month	8	
	New Cases assigned for Investigations	3	
	Cases under investigations	6	
	Cases awaiting allocation		
2.To A-G	Files sent to Crime Reader(s)		
	- With Recommendation to Prosecute	1	1
	- With Recommendation for Administrative Action	0	
		-	
3. From A-G	Files Received from the Attorney-General/Crime Reader(s)		
	To Prosecute	0	0
	To refer	0	
	To cover points	0	
4. Court	Cases in Court:		
	- Cases Taken for Plea	0	

2.3 Forensic Investigation – Kisumu

Below is a tabulation of cases and their respective status handled by the Department in February 2011

Item	Description/Status	No of cases	Total
1. Cases/ Reports	Case Status/Distribution		
	New Cases Received during the month	22	
	New Cases assigned for Investigations	2	
	Cases under investigations	13	
	Cases awaiting allocation	18	
2.To A-G	Files sent to Crime Reader(s)		3
	- With Recommendation to Prosecute	3	
	- With Recommendation for Administrative Action	-	
3. From A-G	Files Received from the Attorney-General/Crime Reader(s)	1	
	To Prosecute		
4. Court	Cases in Court:	2	
	- Cases Taken for Plea		

PART III – OPERATIONS DEPARTMENT

3.1 Rapid Response – Nairobi

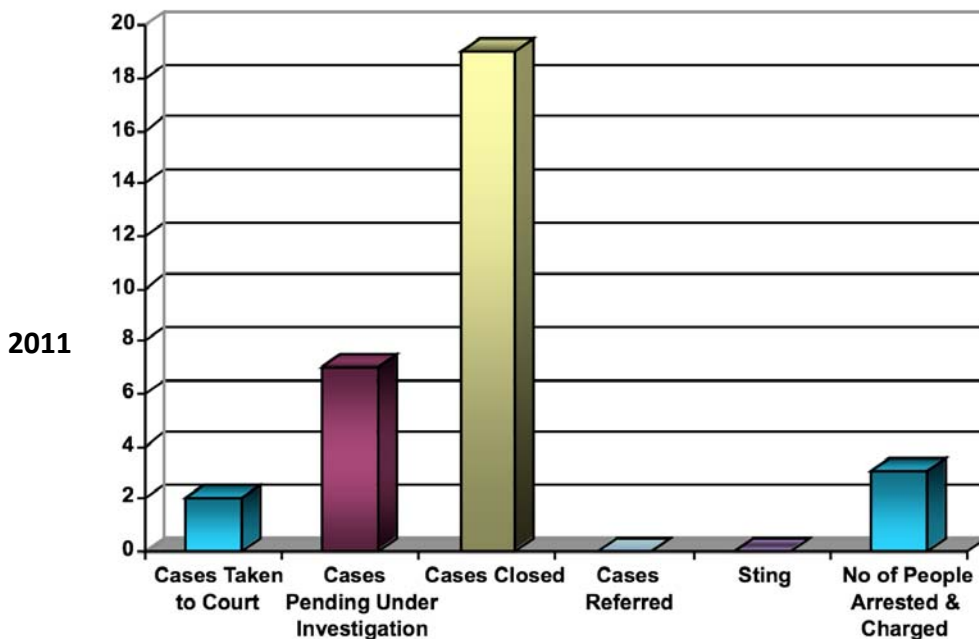
Summary of Cases Received in February 2011

Below is a tabulation of cases and their respective status handled by the Department in **February 2011**

New cases received During the Month

Category		Status	No of Cases
1.	Bribery	Number of cases taken to court	5
		Cases pending under Investigation	1
		Cases Closed, No Further Action	10
		Cases Referred	3
2.	Sting		
TOTAL			19
Number of persons arrested and charged			8

Graphical Representation of the cases processed.



Status	Jan	Feb	Mar	April	Total
Number of cases taken to court	2	5			7
Cases Closed, No Further Action	19	10			29
Cases Referred	0	3			3
Number of Persons arrested and charged	3	8			11
Cases Pending Under Investigation					1

3.2 Rapid Response – Mombasa

The summary below shows the cumulative total of cases dealt with by the Rapid Response Division, Mombasa, in February 2011

Category		Status	Total
1.	Bribery	Number of cases taken to Court	2
		Cases Pending Under Investigation	5
		Cases Closed - No Further Action	0
		Cases referred	2
		PAKA	0
2.	Sting		0
TOTAL			9
Number of arrested and charged			

2011

Status	Jan	Feb	Mar	April	Total
Number of cases taken to court	-	2			2
Cases Closed, No Further Action	3	0			3
Cases Referred	-	2			2
Number of Persons arrested and charged	8	0			8
Cases Pending Under Investigation					5

3.3 Rapid Response – Kisumu

The summary below shows the cumulative total of cases dealt with by the Rapid Response Division, Kisumu, in February 2011

Category		Status	Total
1.	Bribery	Number of cases taken to Court	1
		Cases Pending Under Investigation	5
		Cases Closed - No Further Action	7
		Cases referred	1
		PAKA	-
2.	Sting		
TOTAL			14
Number of arrested and charged			

PART IV – INTELLIGENCE DEPARTMENT

4.1 IPD - Nairobi

The Department received **85** reports from the Report Centre, **8** Intelligence Reports (IR) from various officers and **11** allegations of misconduct by public officers during the month of February **2011**.

Breakdown

Item	Sources	No of Reports	Total
Reports Received	Report Centre	85	104
	Confidential Sources (Self generated by officers)	19	
	Handling of the Reports		
	Task	Division	No of Reports
1	Intelligence Probe	Collection	69
2	Retained for analysis	Analysis and Production	21
	Preliminary Investigations	Preliminary Investigations	1
3	Integrity Tests	Integrity Testing Programme	13
TOTAL			104

4.2 IPD – Mombasa

The following report outlines the activities undertaken by Intelligence Production Department during the month under review.

Reports

Months Activities

1. Undercover operations at the Port of Mombasa
2. Tracing of illegally acquired assets by a public officer in Malindi

TABLE 8: Breakdown of cases

Item	Sources	No of Reports	Total
Reports Received	Report Centre	6	8
	Confidential Sources	2	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Probe	New tasks to Collection Division	6
		Tasks completed during the month	2
2	Preliminary Investigation	Preliminary Investigation	2
3	Full Investigation	Forensic Investigation	2

4.3 IPD - Kisumu

During the month under review the Intelligence Team carried out the following activities:

1. The Government of Kenya through the Ministry of Internal Security and Provincial Administration sent security personnel combined of The Kenya Police and Administration Police for disarmament exercise in the North Rift region that took place from April to August 2010 in the case of regular Police and April to October 2010 in the case of Administration Police.

Each Officer was to be paid Kshs 36,000 for three (3) months after which there was to be an exchange. The Officers were drawn from Rift Valley Province. A total of six hundred (600) Administration Police Officers were selected from the Province.

TABLE 6: BREAKDOWN OF CASES

Item	Sources	No	Total
Reports Received	Report Centre	4	6
	Confidential Sources	2	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Probe	New tasks to Collection Division	4
		Tasks completed during the month	2
2	Preliminary Investigation	Completed Preliminary Investigations	
		Preliminary Investigations Pending Under Investigation	4
3	Full Investigation	Forensic Investigation	-