

DIRECTORATE OF INVESTIGATION AND ASSET TRACING

MONTHLY REPORT, JANUARY 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.

Operations- comprising two divisions; Reports Centre and Rapid Response,

Forensics- comprising three divisions; Preliminary Investigation, Forensic Investigation and Asset Tracing,

Intelligence- comprising two divisions: Analysis & Production and Collection

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 **January 2011**, the Reports Centre Division processed a total of **487** reports as compared to **433** in **December 2010**. The percentage relevance of cases taken up for investigations has greatly increased to an impressive all time high of

43.5%.

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

The Commission took up for investigation **212** reports which were found to be within its mandate. The Intelligence Production Department accounted for **126** of the reports; the Operations Department took up **42** reports while the Forensics Department took up **44** reports.

14 reports were forwarded to other investigative agencies for action with the Criminal Investigation Department accounting for **6**, Police **5**, Immigration **2** and the Kenya Revenue Authority **1**.

The Commission referred **62** other reports to various Public Service Organisations for administrative intervention.

In **56** reports the complainants were advised to seek civil redress.

In **129** reports the complainants were advised on the right authority to report to.

10 reports did not disclose offences requiring intervention and were marked for No Further Action (NFA).

In the remaining **4** report, the complainant was requested to avail more information.

NB. The statistics above do not include:

- (i) The **720** reports received through the Whistle blower System (BKMS) yet to be processed.
- (ii) The approximately **850** 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.

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	14	33
		Rapid Response	8	
		Forensic	11	
2	Referred to other Investigative Agencies	Police	3	7
		CID	3	
		Kenya Revenue Authority	1	
3	Referred to other Organisations	Ministry of Basic Education	2	12
		National Environment Management Authority (NEMA)	2	
		National Social Security Fund NSSF	1	
		Municipal council of Mombasa	1	
		Other Organizations	6	
4	Advised	Pursue the matter in court		2
		Right Authority		32
5	Complainants to Avail More Details			-
	No Further Action NFA			4
TOTAL			90	

No. of Cases received from January 2010 – January 2011

EMBED Microsoft Graph Chart

1.3 Reports Centre – Kisumu

A total of **215** reports were received and processed in the month of January **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	7	57
		Rapid Response	14	
		Forensic	36	
2	Referred to other Investigative Agencies	Police	7	29
		CID	22	
3	Referred to other Organisations	Ministry of Education	9	19
		Ministry of Local Government	3	
		Municipal Council of Kisumu	2	
		Ministry of Labour	2	
		CDF National Management Board	1	
		Provincial Administration	1	
		Ministry of Justice	1	
4	Advised	Pursue the matter in court		6
		Right Authority		91

5 Complainants to Avail More Details	5	
	No Further Action NFA	8
TOTAL		215

PART II – FORENSICS INVESTIGATIONS

2.1 Forensic Investigation – Nairobi

Summary of Cases as at 31st January 2011

Below is a tabulation of cases and their respective status handled by the Department as at 31st January 2011.

Case Output for the month of January 2011

Item	Description	No. of Cases	
			Segment
1.PUI	Cases Pending Investigation		
	Cases Received for Investigation	61	60
	Cases Assigned for Investigation	61	
	Completed Files Forwarded to Crime Reader	1	
2.PBC	Cases Taken to Court:		
	- Cases Taken for Plea	7	7
3.Finalised	Cases Finalized Before Court:		
	- Convictions	-	-
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
4.TO A-G	Files sent to the Attorney-General:		
	- With Recommendation to Prosecute	4	7

5/17/17 From A-G	Files Received from the Attorney- for Closure	2
	- With Recommendation for Administrative Action	-
	After Further Investigation	1

5. From A-G	Files Received from the Attorney-General		
Advice	To Prosecute	6	8
	To Close Due to Insufficient Evidence	-	
	For Administrative Action	-	
	For Further Investigation	2	
	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 31st January 2011

EMBED Microsoft Graph Chart

Comparative Analysis of Cases processed in December 2010 and January 2011

EMBED Microsoft Graph Chart

2.2 Forensic Investigation – Mombasa

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

Item	Description/Status	No of cases	Total
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1.Cases/ Reports	Case Status/ Distribution		
	New Cases Received during the month	11	
	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	2	2
	- With Recommendation for Administrative Action	0	
		-	
3. From A-G	Files Received from the Attorney- General/Crime Reader(s)		3
	To Prosecute	1	

To refer	1		
	To cover points	1	
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 January 2011

Item	Description/Status	No of cases	Total
1. Cases/ Reports	Case Status/ Distribution		
	New Cases Received during the month	36	
	New Cases assigned for Investigations	-	
	Cases under investigations	16	
	Cases awaiting allocation	20	
2.To A-G	Files sent to Crime Reader(s)		
	- With Recommendation to Prosecute		
	- With Recommendation for Administrative Action		
3. From A-G	Files Received from the Attorney- General/Crime Reader(s)		
	To Prosecute		
4. Court	Cases in Court:		
	- Cases Taken for Plea		

PART III – OPERATIONS DEPARTMENT

3.1 Rapid Response – Nairobi

Summary of Cases Received in January 2011

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

January 2011

Persons

New cases received During the Month

Category		Status	No of Cases
1.	Bribery	Number of cases taken to court	2
		Number of P.A.K.A cases	0
		Cases pending under Investigation	7
		Cases Closed, No Further Action	19
		Cases Referred to other Agencies	0
2.	Sting		
TOTAL			28
Number of persons arrested and charged			3

Graphical Representation of the cases processed.

EMBED Microsoft Graph Chart

Running Summary of Cases From 2010

The summary below shows the cumulative total number of cases dealt with by the Rapid Response Division- Nairobi from January-December 2010.

2011

Status	Jan	Feb	Mar	April	Total
Number of cases taken to court	2				2
Cases Closed, No Further Action	19				19
Cases Referred	0				0

Number of Persons arrested and charged	3				3
Cases Pending Under Investigation					7

3.2 Rapid Response – Mombasa

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

2011

Status	Jan	Feb	Mar	April	Total
Number of cases taken to court	-				-
Cases Closed, No Further Action	3				3
Cases Referred	-				-
Number of Persons arrested and charged	8				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 January 2011

Category	Status	Total	
1.	Bribery	Number of cases taken to Court	1
		Cases Pending Under Investigation	14
		Cases Closed - No Further Action	1
		Cases referred	2
		PAKA	
2.	Sting	1	
TOTAL		19	
Number of arrested and charged		-	

PART IV – INTELLIGENCE DEPARTMENT

4.1 IPD - Nairobi

The Department received **171** reports from the Report Centre, **3** Intelligence Reports (IR) from officers and **22** allegations of misconduct by public officers during the month of January **2011**.

Breakdown

Item	Sources	No of Reports	Total
Reports Received	Report Centre	171	196
	Confidential Sources (Self generated by officers)	25	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Probe	Collection	139
2	Retained for analysis	Analysis and Production	35
3	Integrity Tests	Integrity Testing Programme	22
TOTAL		196	

4.2 IPD – Mombasa

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

Reports

The Department received 5 Reports from the Reports Centre and 2 reports from confidential sources.

Month's Activities

Undercover monitoring of the KWS Rangers recruitment exercises in Kwale and Lamu counties.

TABLE 7: Breakdown of cases

Item	Sources	No of Reports	Total
Reports Received	Report Centre	5	7
	Confidential Sources	2	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Probe	New tasks	5
		Tasks completed	2
2	Preliminary Investigation	Preliminary Investigation	4
3	Full Investigation	Forensic Investigation	0

4.3 IPD - Kisumu

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

Undercover investigations established the official residence of the Treasurer Kapsabet County Council. The suspect has been asked to explain the source of wealth estimated at **Kshs 49 million** as it is not commensurate with his salary and other income sources.

Allegations that a playground at Nairobi South C has been grabbed by a private developer. The alleged plot, no. 109/502, CO.FKN, popularly referred to as Mombasa Ndogo is near Mama Ngina Children's home.

Coverage on Kenya Wildlife Service and Kenya Airports Authority recruitment.

TABLE 6: BREAKDOWN OF CASES

Item	Sources	No of Reports	Total
Reports Received	Report Centre	7	8
	Confidential Sources	1	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Probe	New tasks to Collection Division	7
		Tasks completed during the month	2
2	Preliminary Investigation	Completed Preliminary Investigations	1
		Preliminary Investigations Pending Under Investigation	4
3	Full Investigation	Forensic Investigation	-

3	Reports Forwarded to Other Public			
	Category	Referral Agency	No. of cases	Total
1	Reports taken-up for action by KACC	KACC - Intelligence Production	126	212
		KACC – Rapid Response	42	
		KACC – Forensics	44	
2	Reports Forwarded to Other Investigative Agencies	Criminal Investigation Department	6	14
		Police	5	
		Kenya Revenue Authority KRA	1	
		Immigration Department	2	

3	Reports Forwarded to Other Public Service Organisations	Ministry of Basic Education	24	62
		Ministry of Medical Services	4	
		Nairobi City Council	3	
		Ministry of Agriculture	2	
		Ministry of Co-operative Development	2	
		Public Procurement Oversight Authority	2	
		National Environment Management Authority (NEMA)	1	
		Ministry of Foreign Affairs	1	
		Other Public Bodies	23	
4	Advised to Pursue the Matter in Court	56		
5	Advised on the right authority to report matter to	129		
6	Complainants to Avail More Information	4		
7	No Further Action by KACC	10		
Total		487		

INVESTIGATION
&
ASSET TRACING

FORENSIC
INVESTIGATION

OPERATIONS

**INTELLIGENCE
PRODUCTION**

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