



DIRECTORATE OF INVESTIGATIONS AND ASSET TRACING

MONTHLY REPORT, JULY 2008

Introduction

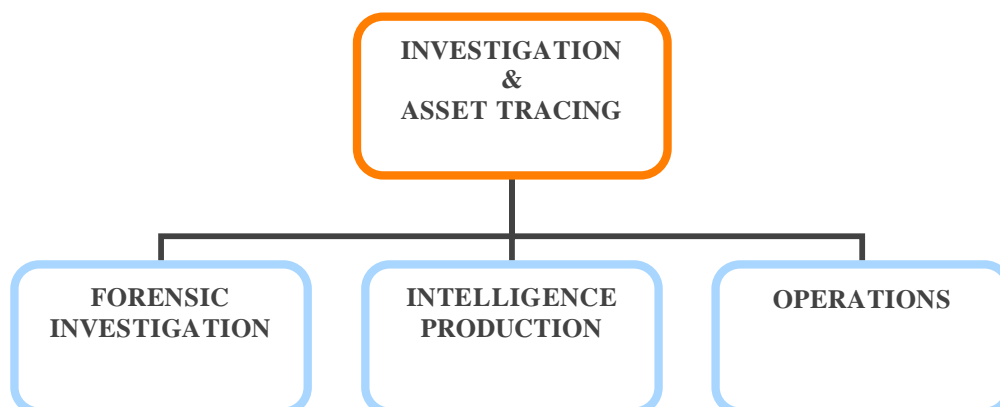
The Directorate of Investigation and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The functions of the Directorate are to;

- 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.

In January 2008, the Directorate was reorganised into three departments, namely; Operations, Forensics and Intelligence.

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

Structure of the Directorate



Mombasa Office

The Mombasa Regional Office, which is under the Directorate of Investigation and Asset Tracing, commenced operations on 4th July 2007 and was officially launched on 4th December 2007. All the three departments of the Directorate, namely; Forensic Investigation (FI), Operations (OPS) and Intelligence Production (IP) are represented.

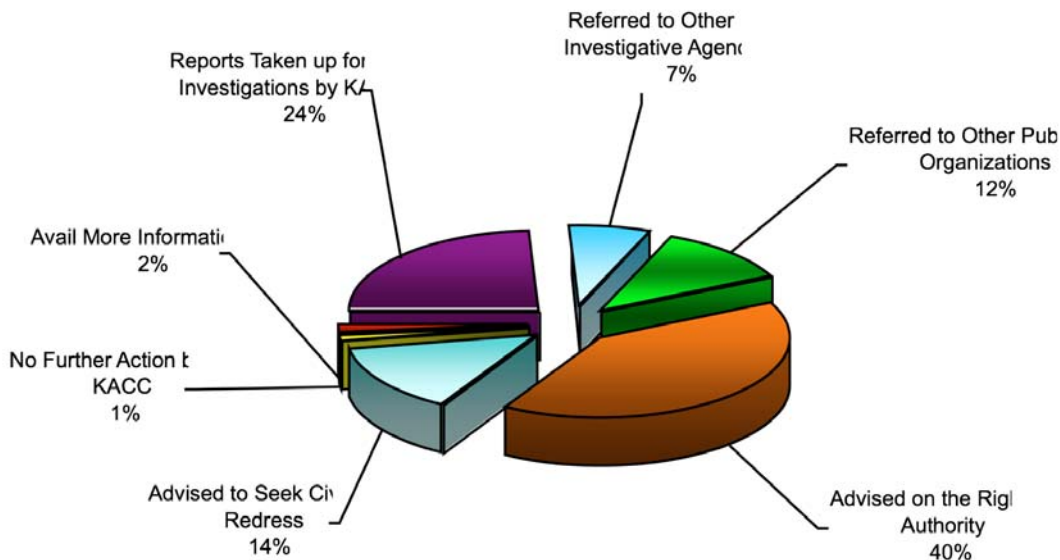
Report Centre - Nairobi

During the month of **July 2008**, the Reports Centre Division processed **432** (new) reports. The number of reports received and processed has been on the rise as compared to earlier this year where an all time record low of **179** reports were received in February.

After analysis and classification the reports were disposed off follows:

- The Commission took up for investigation **104** reports found to be within its mandate. The Intelligence Production Department accounted for **64** of the cases, Rapid Response Division took up **36** cases, and Forensics Department took up **3** cases while **1** case was forwarded to the Legal Services Directorate.
- **30** cases were forwarded to other investigative agencies for action- with the Criminal Investigations Department accounting for **9**, Immigration **11**, KRA **5** and Police **5**.
- **51** cases were referred to various public service organisations for administrative intervention,
- In **60** cases the complainants were advised to seek civil redress,
- In **175** cases the complainants were advised on the right authority to report to
- After analysis of **5** reports, they were marked as requiring No Further Action
- In **7** cases, the complainants were requested to avail more information.

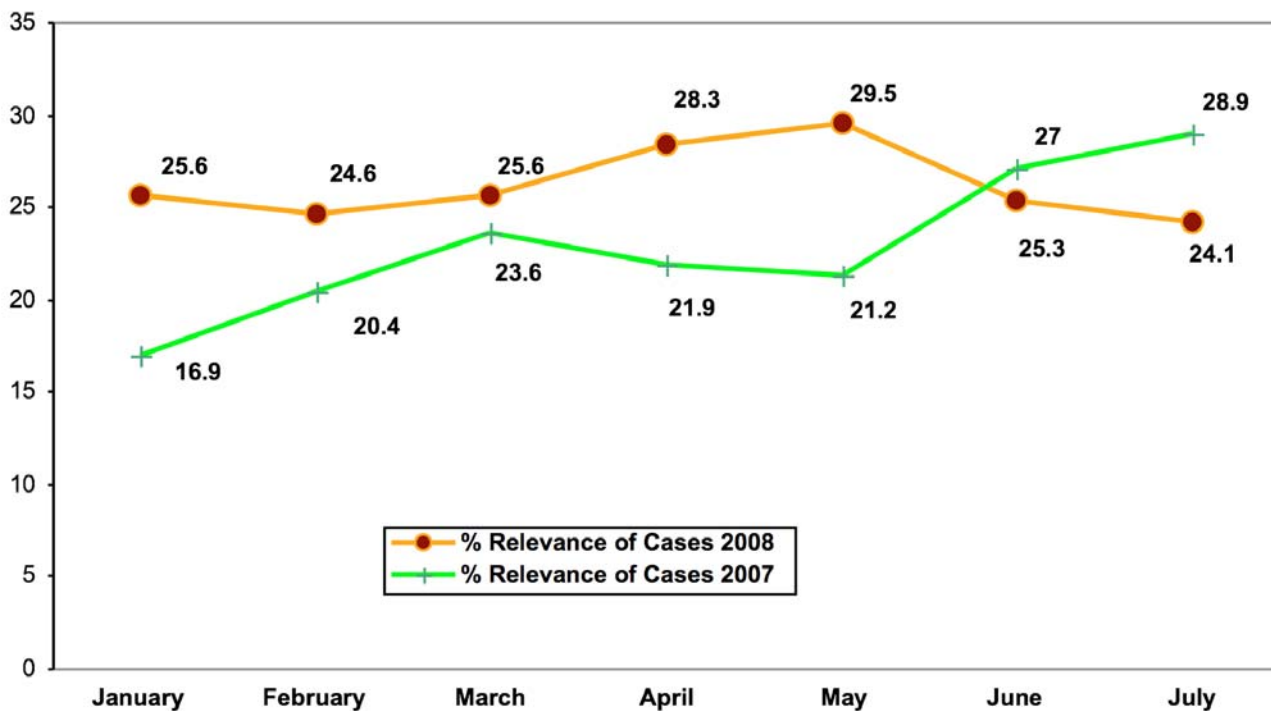
Categorization of reports Processed by KACC in July 2008



Breakdown of Reports Processed.

	Category	Referral Agency	No. of cases	Total
1	Reports taken-up for action by KACC	KACC - Intelligence Productions	64	104
		KACC – Rapid Response	36	
		KACC – Forensics	3	
		KACC – Legal Services	1	
2	Reports Forwarded to Other Investigative Agencies	Criminal Investigations Department	9	30
		Kenya Revenue Authority KRA	5	
		Department of Immigration	11	
		Police	5	
3	Reports Forwarded to Other Public Service Organisations	Ministry of Education	15	51
		Ministry of Health	5	
		Ministry of Roads and Public Works	4	
		CDF National Management Committee	3	
		Ministry of Co-operative Development	3	
		Ministry of Finance	4	
		Provincial Administration	4	
		Central Bank of Kenya	1	
		Other Organisations	12	
4	Advised to Pursue the Matter in Court			60
5	Advised on the right authority to report matter to			175
6	Complainants to Avail More Information			7
7	No Further Action by KACC			5
Total				432

Comparative Analysis showing the % of cases taken up by the Commission over the past 2 years



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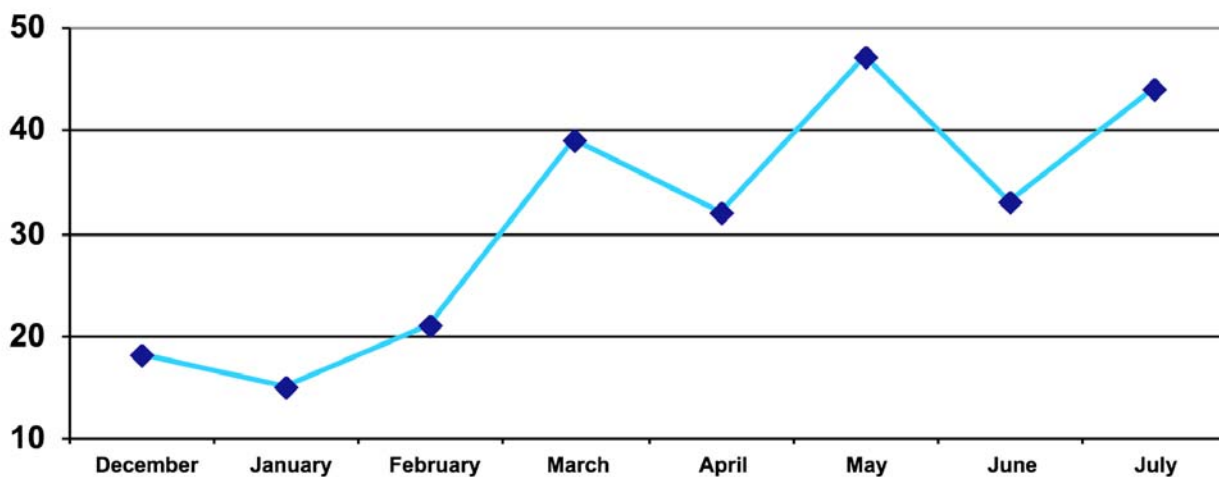
Report Centre - Mombasa

In the month of July 2008, a total of **33** new reports were received at the Report & Data Centre. The following is the breakdown and the manner of disposal after analysis:

Breakdown and Manner of Disposal of the Complaints Received

	Category	Referral Agency/Department	No. of cases	TOTAL
1	Reports taken-up for action by KACC	KACC - Intelligence Production	6	8
		KACC – Rapid Response	1	
		KACC – Forensics Department	1	
2	Reports Forwarded to Other Investigative Agencies	Provincial Criminal Investigation Officer	2	3
		Provincial Police Officer	1	
3	Other Public Organisations	Coast water Service Board	1	3
		Ministry of Water & Irrigation - Permanent Secretary	1	
		Deputy Registrar High Court Mombasa	1	
4	Advised on the right authority to report matter			29
5	No Further Action			1
TOTAL				44

Graphical Representation of Number of Cases Received For the past 8 Months.



Forensic Investigation – Nairobi

Summary of Cases as at 31st July 2008

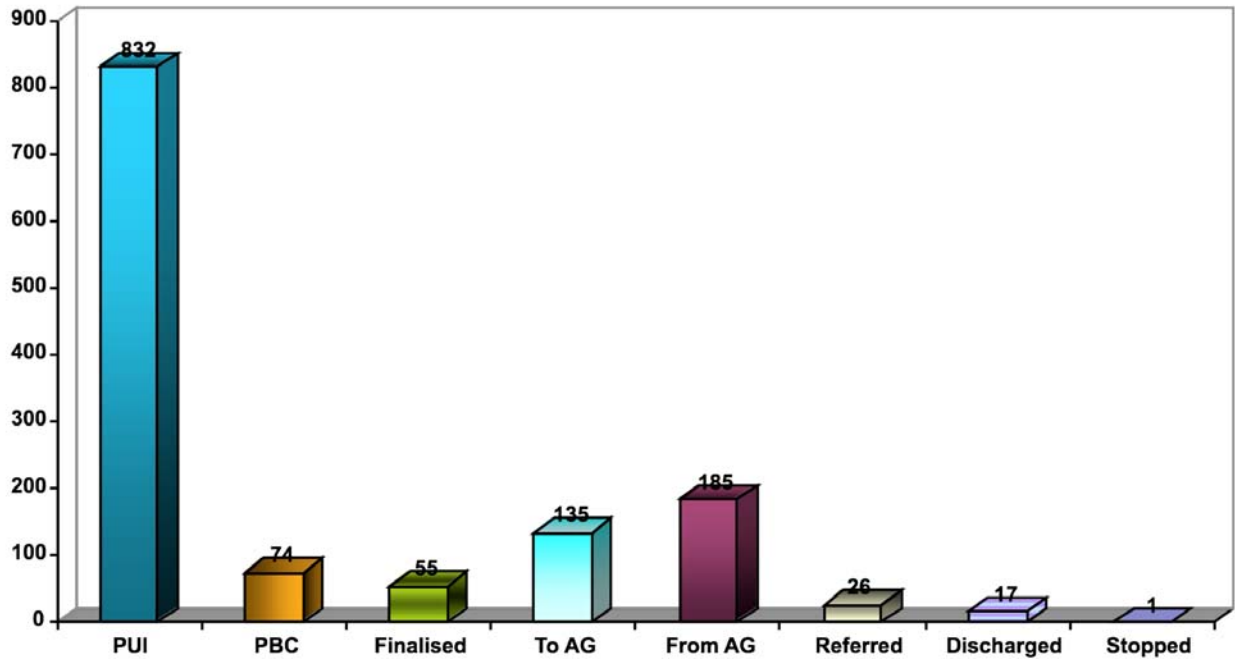
Item	Description	No. of Cases	
		Segment	Total
1.PUI	Cases Pending Investigation	532	832
	Completed Files with the Crime Reader	19	
	Cases Pending Allocation for Investigation	281	
2.PBC	Cases Pending Before Court (PBC)	72	74
	PBC with Part Discharges	1	
	PBC With Prohibition Orders	1	
3.FINALISED	Cases finalised before court:		
	- Convictions	12	55
	- Acquittals	10	
	- Discharges	33	
	- 'Nolle prosequi'	-	
4. To A-G	Files Sent to A-G		
	With Recommendation to Prosecute	66	135
	With Recommendation for Closure	61	
	With Recommendation for Administrative Action	7	
	After Further Investigation	1	
5. From A-G	Attorney-General Advice		
Advice	- To Prosecute	28	185
	- For Closure	90	
	- For further Investigation	11	
	- Administrative Action	52	
	- Consolidated Files	4	
6.REFERRED	Cases Referred to Other Agencies	26	26
7.DISCHARGE	Discharges under s. 87(a) for New Charges	17	17
8.STOPPED	PUI Cases stopped by Court injunctions	1	1

CASE OUTPUT FOR THE MONTH OF JULY 2008

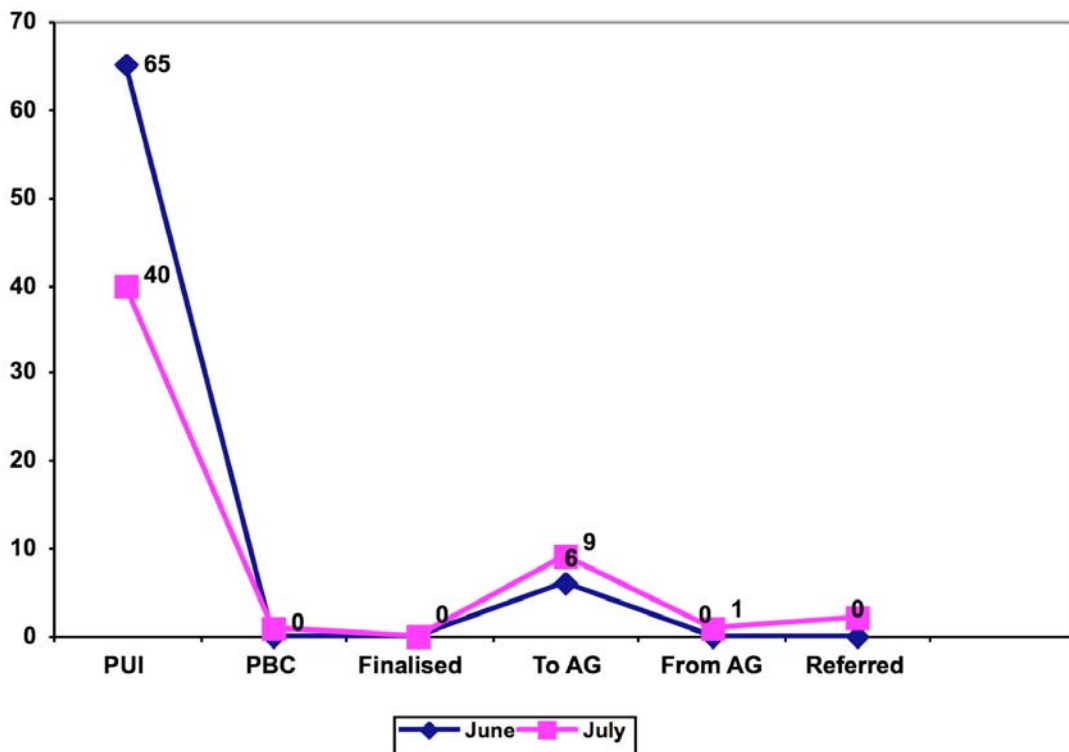
Item	Description	No. of Cases	
		Segment	
1.PUI	Cases Pending Investigation		
	Cases Received for Investigation	17	
	Cases Assigned for Investigation	17	
	Completed Files Forwarded to Crime Reader	6	
2.Pbc	Cases Taken to Court:		
	- Cases Taken for Plea	-	-
3.Finalised	Cases Finalized Before Court:		
	- Convictions	-	
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
4.TO A-G	Files sent to the Attorney-General:		
	- With Recommendation to Prosecute	7	
	- With Recommendation for Closure	2	9
	- With Recommendation for Administrative Action	-	
5. From A-G	Files Received from the Attorney-General		
Advice	To Prosecute	-	
	To Close Due to Insufficient Evidence	1	
	For Administrative Action	-	1
	For Further Investigation	-	
	For Consolidated	-	
6.REFERRED	Cases Referred to Other Agencies	2	2
7.REPORTS	Investigation Reports Prepared For Action	-	-

* Bribe demand cases not included.

Graphical Representation of the Cases as of July 31st 2008



Comparative Analysis of Cases processed in June 2008 and July 2008



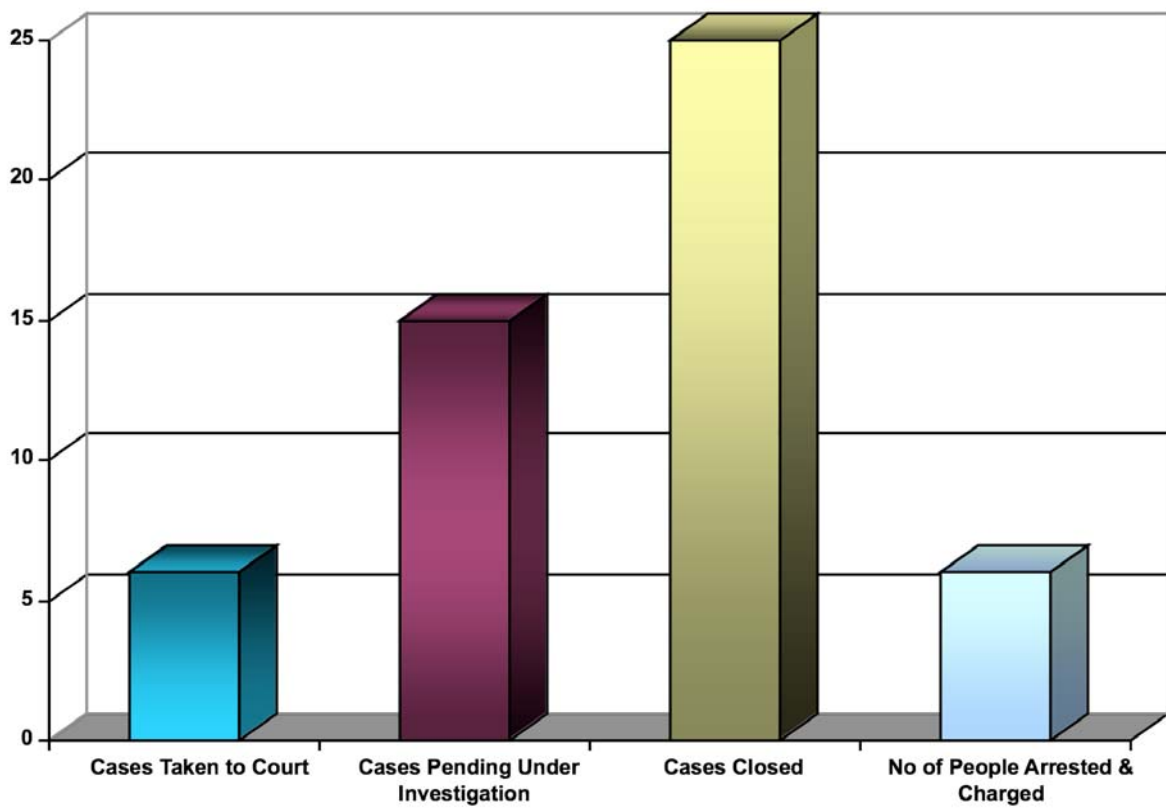
Rapid Response – Nairobi

Summary of Cases Received

Below is a tabulation of the number of cases handled by the department during the month under review and the respective status;

Category		Status	No. of cases
1	Bribery	Number of cases taken to court	6
		Cases pending under Investigations	15
		Cases Closed, No Further Action	25
TOTAL			46
Number of persons arrested and charged			6

Graphical Representation of the cases processed.



INTELLIGENCE DEPARTMENT

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

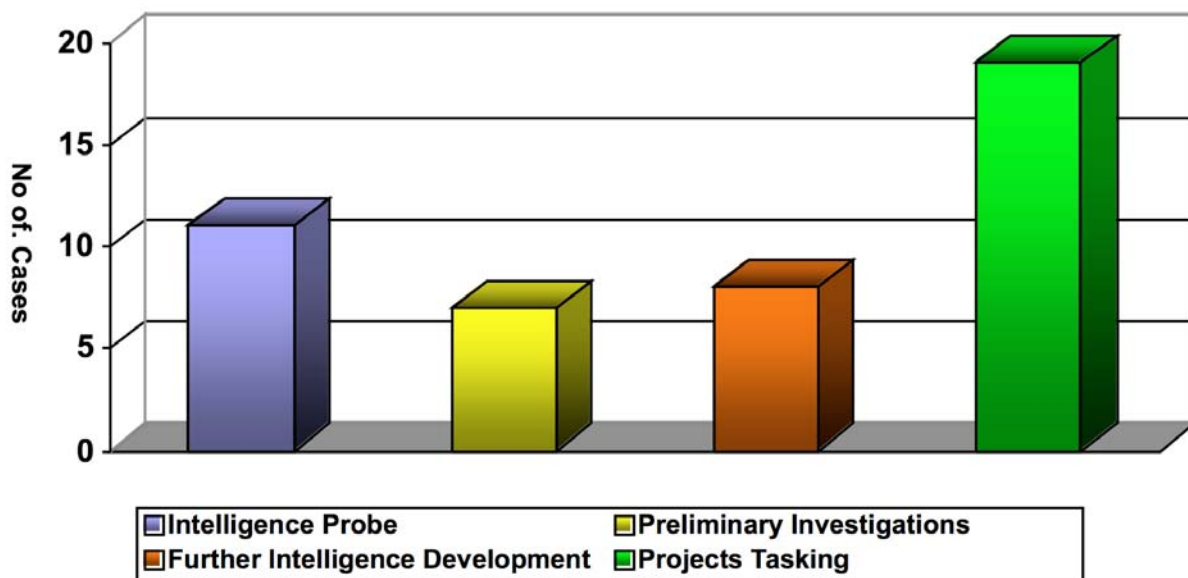
Reports

The Department received **32** reports from the Report Centre and **11** Intelligence Reports (IR) from various officers within the Commission in the month of July 2008 and were distributed for action as follows:-

Breakdown

Item	Sources	No of Reports	Total	
Reports Received	Report Centre	32	45	
	ADI – Direct to PI	2		
	Confidential Sources	11		
Handling of the Reports				
	Task	Division	No of Reports	Total
1	Intelligence Probe	Collection	11	26
2	Preliminary Investigation	Preliminary Investigation	7	
3	Further Intelligence Development	Analysis and Production	8	
4	Projects tasking	Integrity Testing Programs	3	19
		Project City Hall	4	
		Operation Secure Health	1	
		General Project	11	

Graphical Representation of the Handling of Cases



Status of Preliminary Investigations Cases

Case Status	No of Reports
Old Cases Completed	4
Completed cases recommended for closure	2
Cases referred for full Investigations	0
Cases referred to Legal department	1
Cases under investigations	6
Cases referred to other agencies	1