



DIRECTORATE OF INVESTIGATION AND ASSET TRACING

MONTHLY REPORT, JUNE 2009

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 June 2009, the Directorate was reorganised into 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

Mombasa Office

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

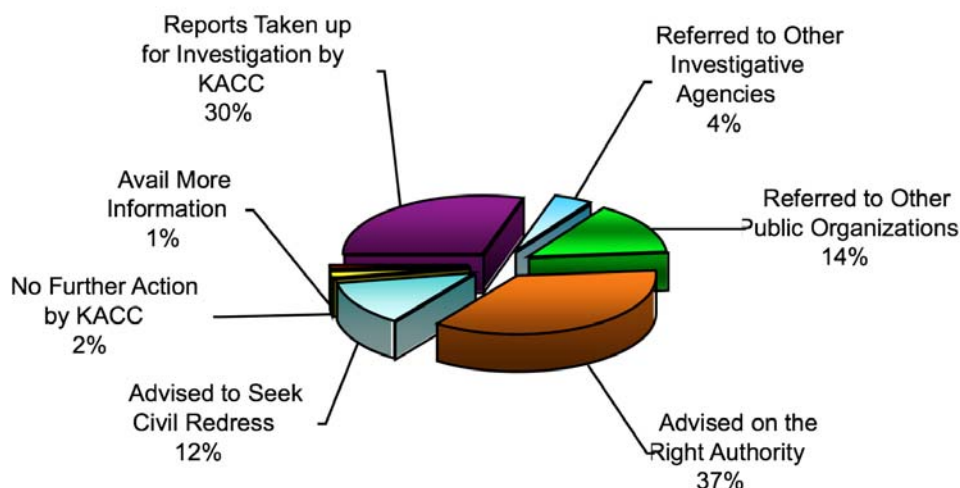
Reports Centre – Nairobi

During the month of **June 2009**, the Reports Centre Division processed **382** reports as compared to **356** in **May**. The number of cases received has increased slightly with the relevance of cases that falls within the Commission's mandate remaining on average **31.6%** for the year.

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

- The Commission took up for investigation **114** reports which were found to be within its mandate. The Intelligence Production Department accounted for **67** of the reports, the Operations Department took up **31**, while the Forensics Department took up the remaining **16**.
- **17** cases were forwarded to other investigative agencies for action with the Criminal Investigations Department accounting for **6**, Kenya Revenue Authority **3** and Police **8**.
- The Commission referred **55** other reports to various Public Service Organisations for administrative intervention.
- In **47** reports the complainants were advised to seek civil redress.
- In **138** cases the complainants were advised on the right authority to report to.
- **7** reports did not disclose offences requiring intervention and were marked for No Further Action (NFA).
- In the remaining **4** reports, the complainants/informers were requested to avail more information.

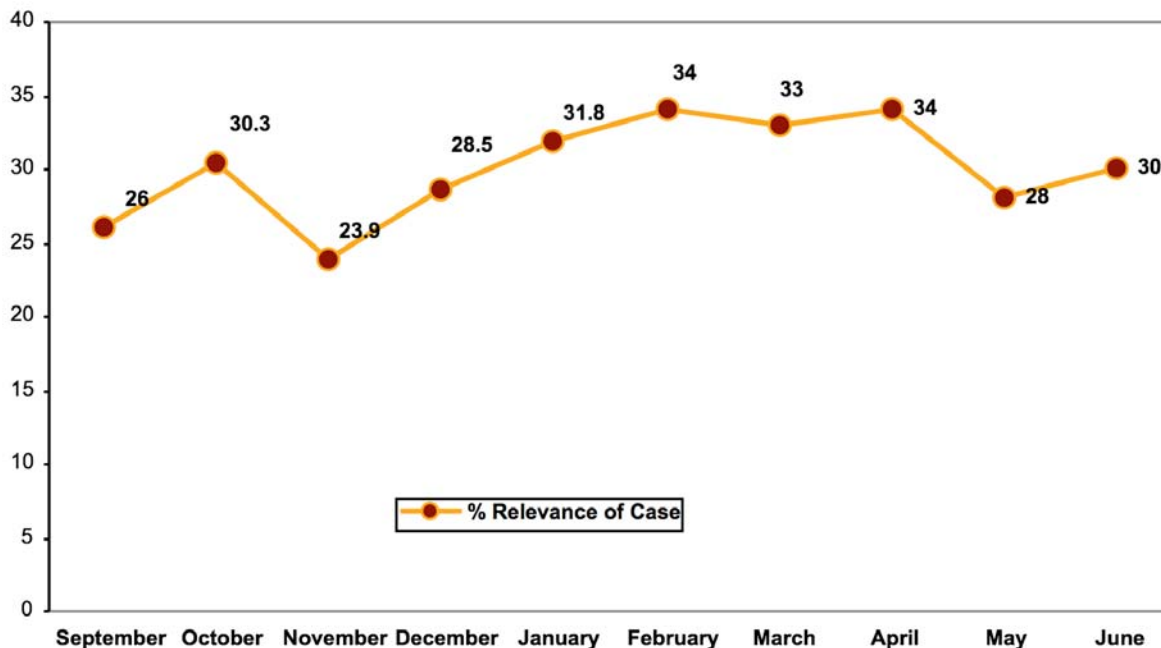
Categorization of reports processed by KACC in June 2009



Breakdown of Reports Processed.

	Category	Referral Agency	No. of cases	Total
1	Reports taken-up for action by KACC	KACC - Intelligence Productions	67	114
		KACC – Rapid Response	31	
		KACC – Forensics	16	
2	Reports Forwarded to Other Investigative Agencies	Criminal Investigations Department	6	17
		Police	8	
		Kenya Revenue Authority KRA	3	
3	Reports Forwarded to Other Public Service Organisations	Ministry of Basic Education	11	55
		Public Procurement Oversight Authority	7	
		CDF National Management Committee	9	
		Ministry of Local Government	4	
		Provincial Administration	3	
		Ministry of Medical Services	2	
		Ministry of Roads and Public Works	1	
		Other Organizations	18	
4	Advised to Pursue the Matter in Court			47
5	Advised on the right authority to report matter to			138
6	Complainants to Avail More Information			4
7	No Further Action by KACC			7
Total				382

Percentage Relevance of Cases Received for the past 10 months



Reports Centre - Mombasa

Total number of cases received and processed in the month of **June 2009**, at the Reports Centre Division is **27**. Disposal after analysis is as follows:-

- **9** reports were within KACC's mandate. **6** of the cases went to Intelligence Production, **2** to Forensic Investigation and **1** was taken by Rapid Response.
- **1** case was referred to the other government bodies/agencies.
- In **17** the complainants were advised on the right authority to report to.

Breakdown of Reports Processed.

S/No.	Category	Referral Agency/Department	No of Cases	Total
1	Cases taken up for action by KACC	KACC – Intelligence Production	5 (referred to Hqrs)	9
		KACC – Operations	1	
		KACC - Forensics	3	
2	Referred to other Investigative Agencies	Immigration, Coast	1	1
3	Advised	Pursue the matter in court	1	17
		Right authority to report	16	
		Asked to provide more details		
4	NFA			-
TOTAL				27

Forensic Investigation – Nairobi

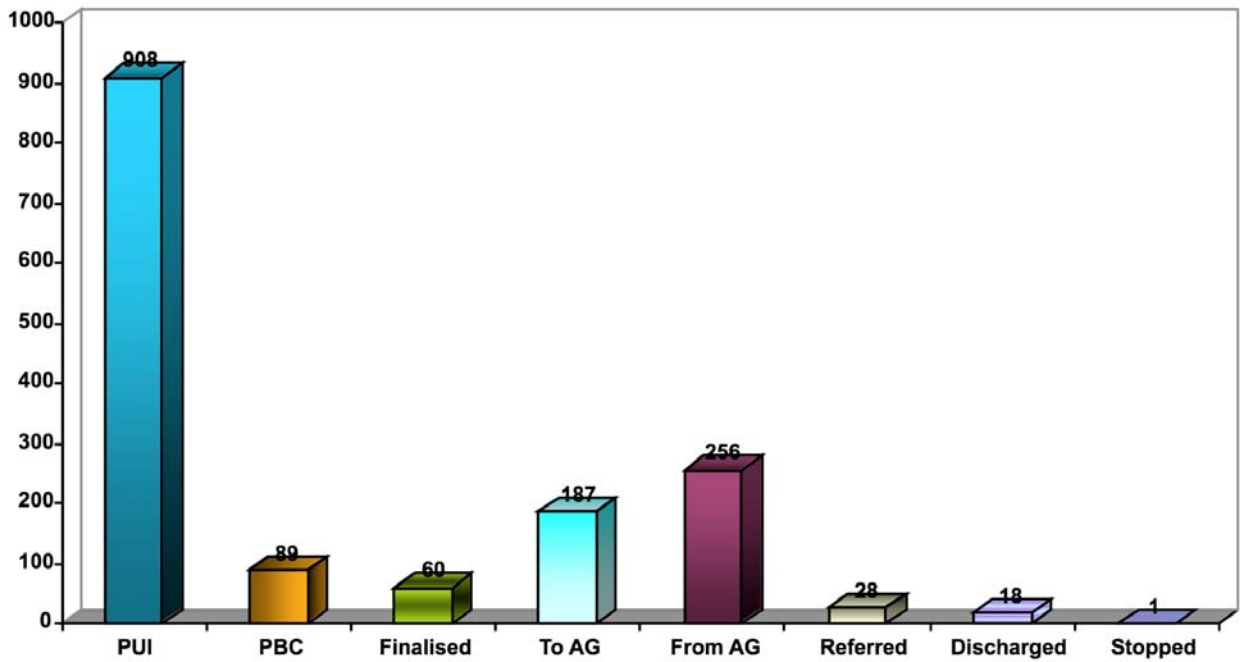
Below is a tabulation of cases and their respective status handled by the Department in the month of June 2009.

Case Output for the month of June 2009

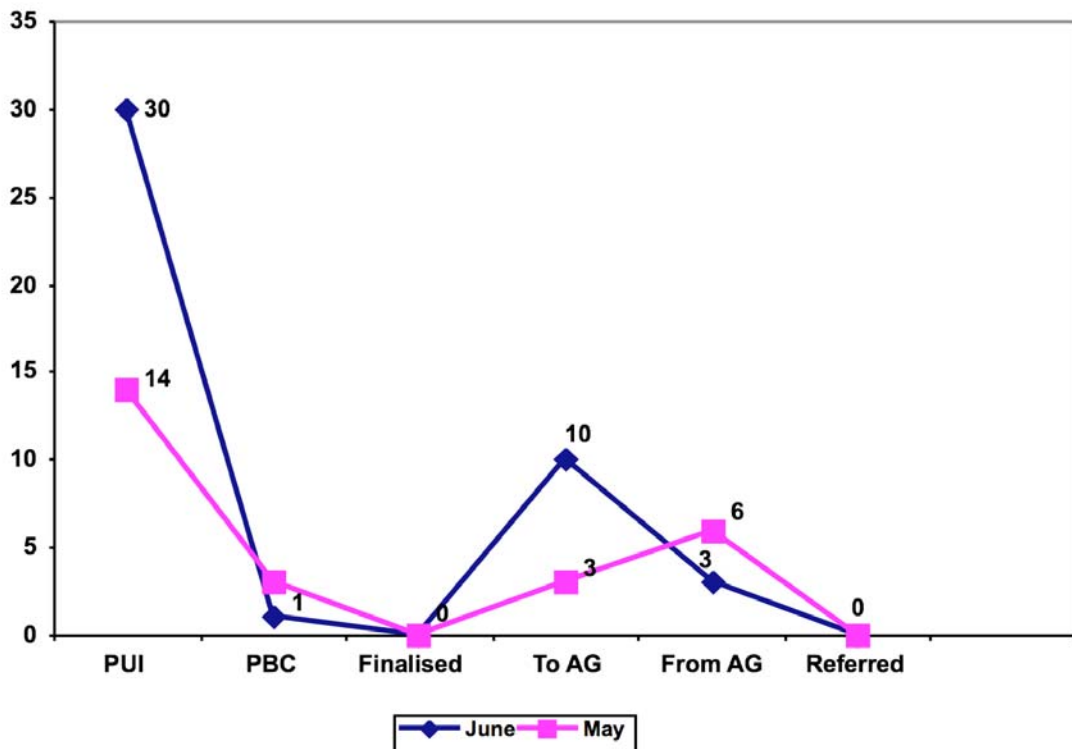
Item	Description	No. of Cases	
		Segment	
1.PUI	Cases Pending Investigation		
	Cases Received for Investigation	14	30
	Cases Assigned for Investigation	12	
	Completed Files Forwarded to Crime Reader	4	
2.Pbc	Cases Taken to Court:		
	- Cases Taken for Plea	1	1
3.Finalised	Cases Finalized Before Court:		
	- Convictions	-	-
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
4.TO A-G	Files sent to the Attorney-General:		
	- With Recommendation to Prosecute	5	10
	- With Recommendation for Closure	2	
	- With Recommendation for Administrative Action	1	
	After Further Investigations	2	
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 31st June 2009



Comparative Analysis of Cases processed in April and June 2009



Forensic Investigation – Mombasa

The table below shows the activities of the Department in the period under review.

Item	Description	No. of Cases	
		Segment	Total
Cases Received for Investigation			3
1. PUI	Cases Pending Allocation	3	
	Cases Assigned for Forensic investigation	0	
	Case under investigation by Asset Tracing Division	0	
	Completed files forwarded to Crime Reader	0	
2. PBC	Cases Taken to Court:	0	0
3. Finalised	Cases Finalized Before Court:	0	0

Rapid Response – Nairobi

Summary of Cases Received in June 2009

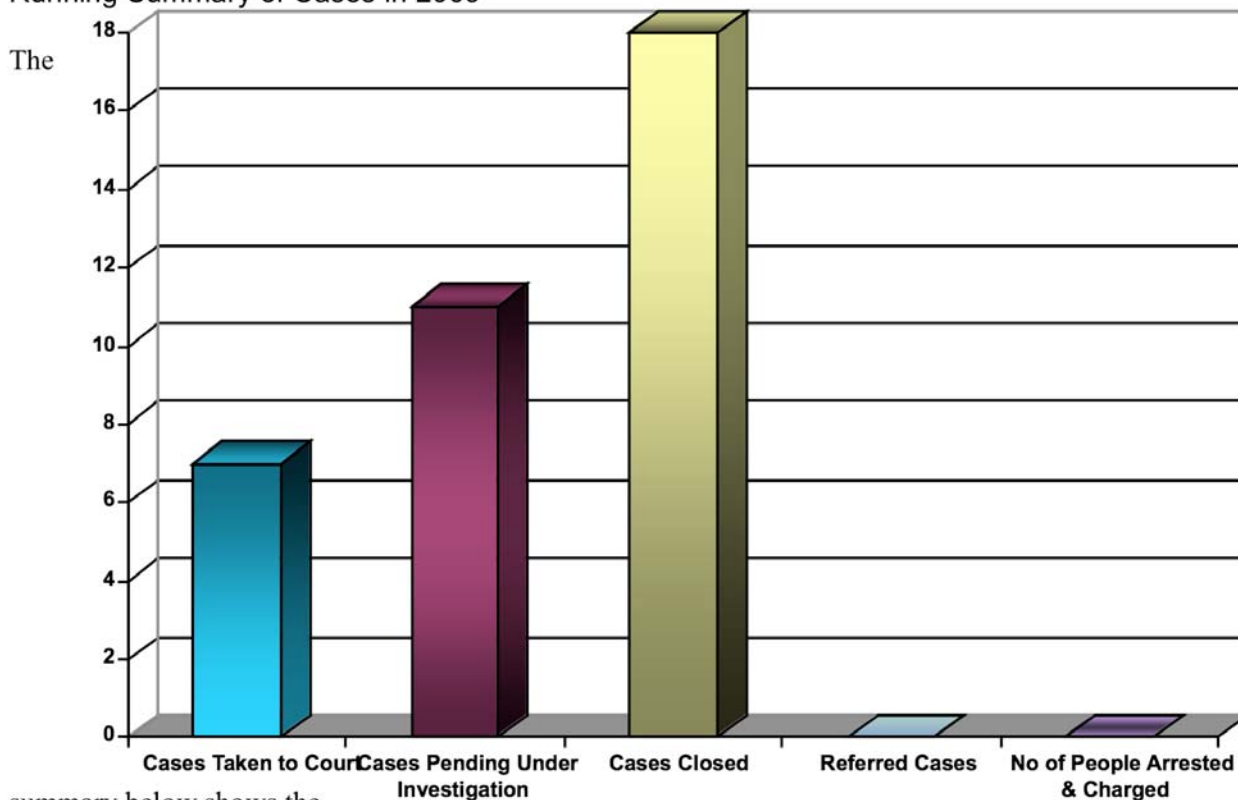
Below is a tabulation of cases and their respective status handled by the Department in June 2009.

New cases received During the Month

Category		Status	Previous	Current	Total for June
			No	No	
1.	Bribery	Number of cases taken to court	1	6	7
		Cases pending under Investigations	3	8	11
		Cases Closed, No Further Action	6	12	18
		Cases referred	0	0	0
		PAKA	1	0	1
2.	Sting				
TOTAL			11	26	37
Number of persons arrested and charged					nil

Graphical Representation of the cases processed.

Running Summary of Cases in 2009



summary below shows the cumulative total number of cases dealt with by the Rapid Response Division- Nairobi from January-June 2009.

	Status	Jan	Feb	Mar	April	May	June	Total
1 Bribery	Number of cases taken to court	3	7	5	5	1	7	21
	Cases Closed, No Further Action	17	11	39	20	17	18	104
	Cases Referred	0	2	4	3	1	0	10
	Number of Persons arrested and charged	3	8	7	6	0	0	24
	Cases Pending Under Investigation							11

Rapid Response – Mombasa

The Division received **1** report. The following table gives the summary.

Category		Status	No. of cases
1	New Cases received	PBC	0
		PUI	0
		Cases Closed, NFA	1
		Cases Referred PCIO	0
Total			1
Number of persons arrested and charged			-
Cases taken to court During the Month			
Convictions			-
Acquittals			-

Intelligence Production Department- Nairobi

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

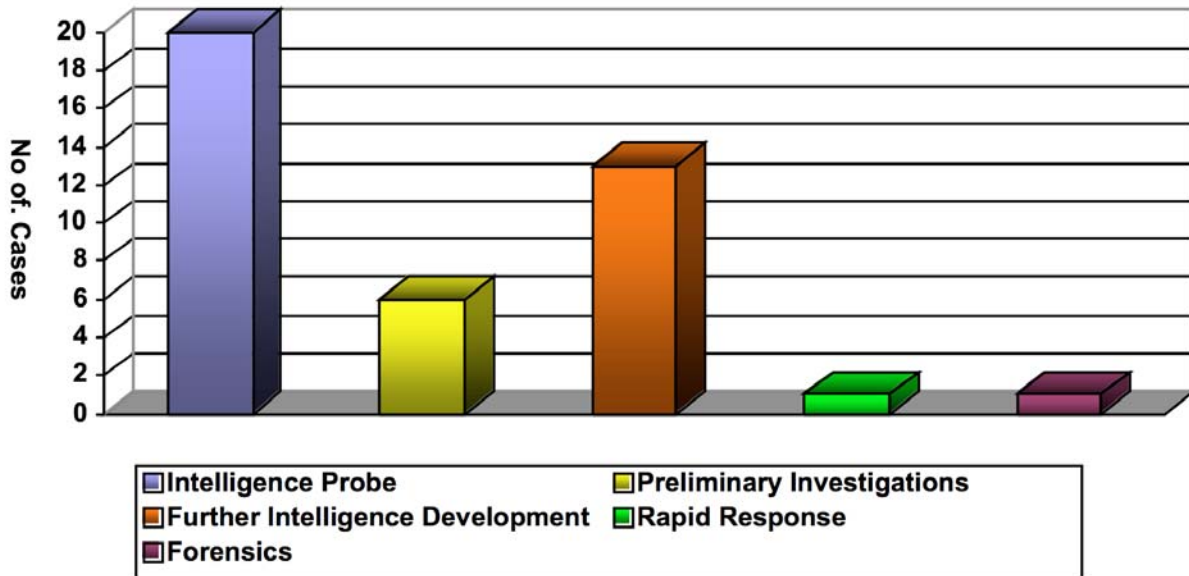
Reports

The Department received **31** reports from the Reports Centre and **10** Intelligence Reports (IR) from various officers within the commission in the month of June 2009 and were distributed for action as follows:-

Breakdown

Item	Sources	No of Reports	Total
Reports Received	Report Centre	31	41
	Confidential Sources	10	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Probe	New tasks to Collection Division	16
		Tasks completed during the month	4
2	Preliminary Investigation	Preliminary Investigation	6
3	Further Intelligence Development	Analysis and Production	13
4	Operation	Rapid Response	1
5	Full Investigation	Forensic Investigation	1

Graphical Representation of Handling of Cases



4.1 Intelligence Production – Mombasa

Detailed below is the monthly report for the Intelligence Production- Mombasa Office for the month of June 2009.

Reports

During the month under review, the Department received **3** reports from the Reports Centre and produced **one** intelligence report after undercover investigations.

Months Activities

- The department conducted undercover investigations that established that a cartel involving Kenya Bureau of Standards, Kenya Revenue Authority, Clearing agents and importers was irregularly importing used motor vehicles that were older than eight years in contravention of Kenya Bureau of Standards regulation KS 1515: 2000. Following the intelligence investigation, an operation was conducted that led to the seizure of **20** vehicles worth an estimated value of **20** million Shillings.
- Asset tracing investigations into allegations of unexplained wealth against a Kenya Revenue Officer.
- Investigations into allegations of misappropriation of CDF funds in Lamu West Constituency.
- Jointly with the Forensics Department, investigations into fraudulent acquisition of a road reserve within Kilindini Port.

Breakdown of reports received/generated in June 2009

Item	Sources	No. of Reports	Remarks	Total
Reports Received	Mbsa Report Centre	3	Pending Allocation	3
	Nbi Report Centre	-	-	0
	Confidential Sources	1		1
Handling of the Reports				
Task	Division	No. of Reports	Remarks	Total
Intelligence Probe	1	1	Recommended for full investigation	1
Preliminary Investigation	0	0		0
Further Intelligence Development	0	0		0