



DIRECTORATE OF INVESTIGATION AND ASSET TRACING

MONTHLY REPORT, FEBRUARY 2010

Introduction

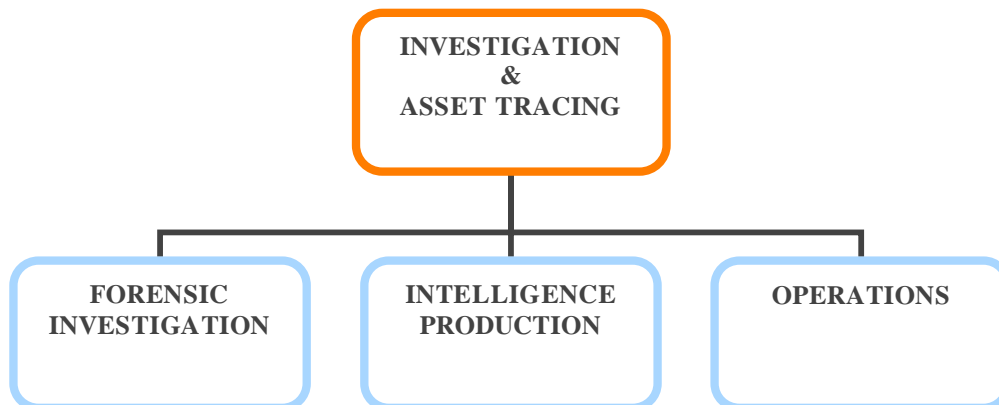
The Directorate of Investigation and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The functions of the Directorate are to;

- 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 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

Structure of the Directorate



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.

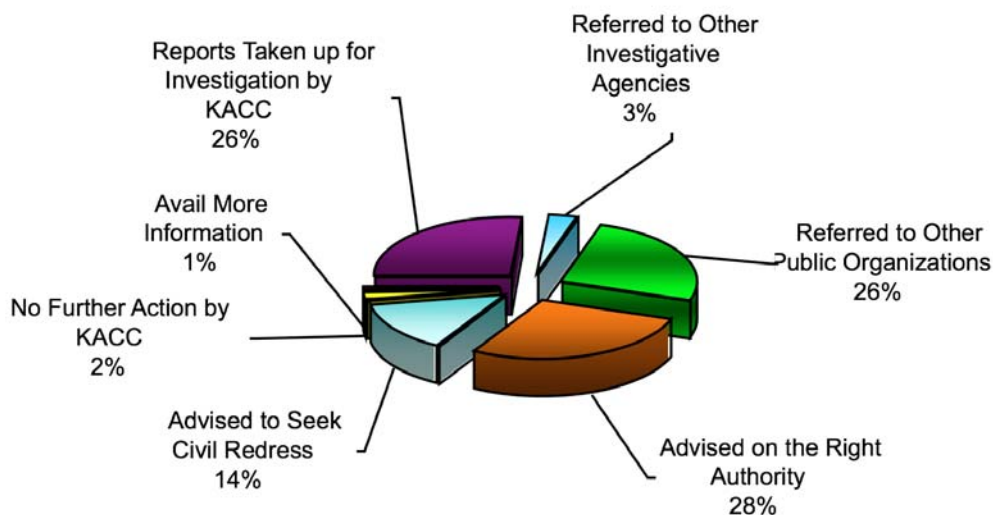
Reports Centre – Nairobi

During the month of **February 2010**, the Reports Centre Division processed **340** reports as compared to **367** in **January 2010**.

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

- The Commission took up for investigation **90** reports which were found to be within its mandate. The Intelligence Production Department accounted for **52** of the reports; the Operations Department took up **17**, Forensics Department took up **18** reports while the Legal Services the remaining **3** reports.
- **11** reports were forwarded to other investigative agencies for action with the Criminal Investigations Department accounting for **7**, the Kenya Revenue Authority **1** and the Immigration Department **3**.
- The Commission referred **87** other reports to various Public Service Organisations for administrative intervention.
- In **48** reports the complainants were advised to seek civil redress.
- In **95** reports the complainants were advised on the right authority to report to.
- **6** reports did not disclose offences requiring intervention and were marked for No Further Action (NFA).
- In the remaining **3** reports, the complainants/informers were requested to avail more information.

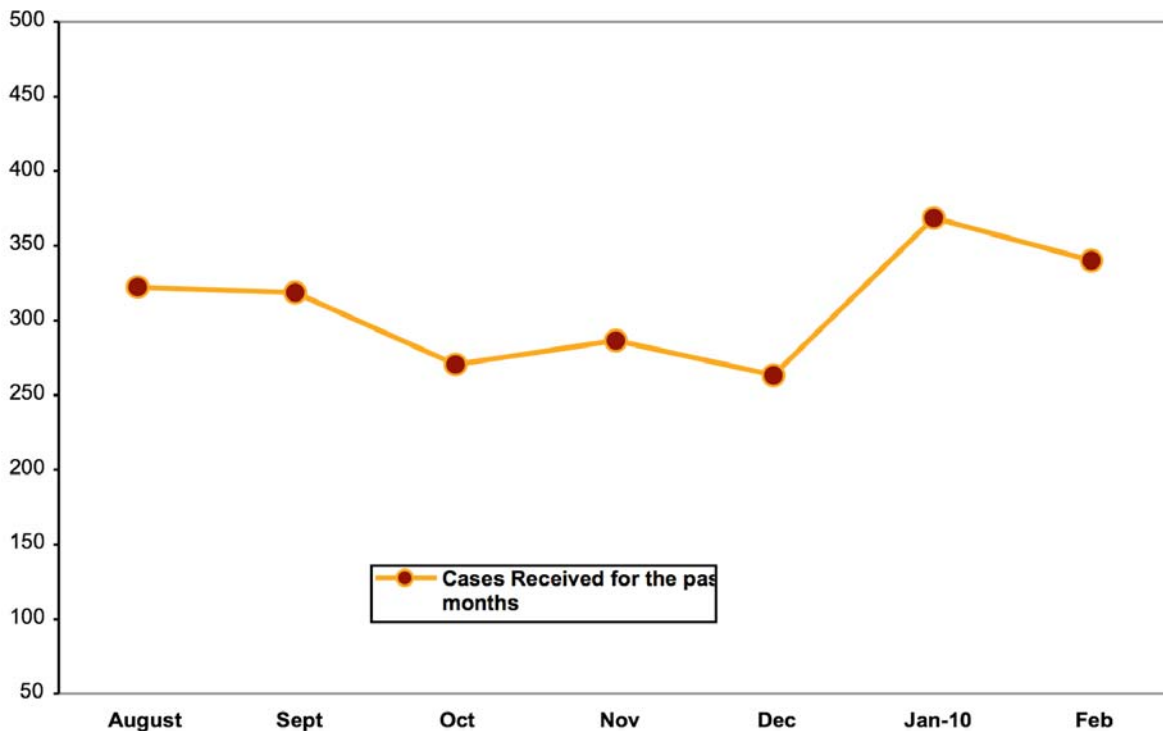
Categorization of reports processed by KACC in February 2009



Breakdown of Reports Processed.

	Category	Referral Agency	No. of cases	Total
1	Reports taken-up for action by KACC	KACC - Intelligence Production	52	90
		KACC – Rapid Response	17	
		KACC – Forensics	18	
		KACC - Legal	3	
2	Reports Forwarded to Other Investigative Agencies	Criminal Investigations Department	7	11
		Kenya Revenue Authority KRA	1	
		Department of Immigration	3	
3	Reports Forwarded to Other Public Service Organisations	Ministry of Basic Education	27	87
		CDF National Management Committee	12	
		Public Procurement Oversight Authority	7	
		Ministry of State for Internal Security	4	
		Ministry of Environment	3	
		Ministry of Medical Services	3	
		Kenya National Audit Office	2	
		Ministry of Agriculture	2	
		Other Organizations	27	
4	Advised to Pursue the Matter in Court			48
5	Advised on the right authority to report matter to			95
6	Complainants to Avail More Information			3
7	No Further Action by KACC			6
Total				340

Total cases received for the Past 7 Months.



Reports Centre - Mombasa

A total of **32** cases received and processed in the month of **February 2010**. Disposal after analysis is as follows:-

15 reports fell within KACC's mandate and were distributed as follows:

- **4** went to Intelligence Production,
- **4** to Forensic Investigations
- **7** to Rapid Response

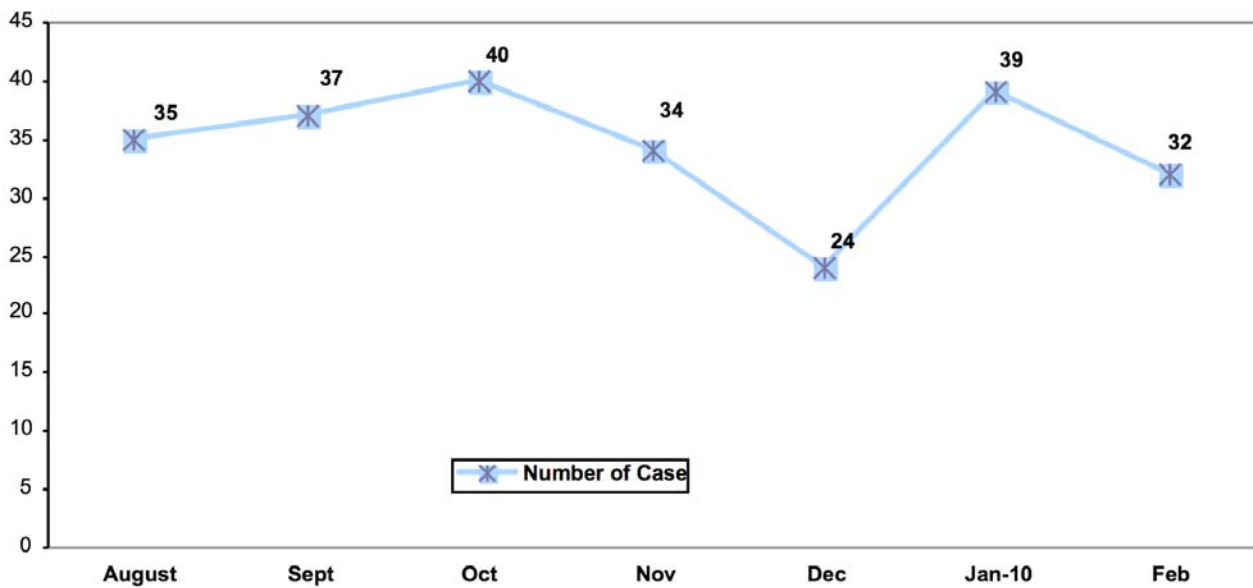
4 cases were referred to the other government bodies and investigative agencies.

13 Advised accordingly

TABLE 1: Breakdown of Processed Reports.

	Category	Referral Agency/Department	No of Cases	Total
1	Cases taken up for action by KACC	Intelligence Production	4	15
		Rapid Response	7	
		Forensic	4	
2	Referred to other Investigative Agencies	PCIO	3	4
3	Referred to other Organisations	PPO	1	
4	Advised	Pursue the matter in court	3	13
		Right Authority	10	
TOTAL				32

No of Cases received for the past 6 Months.



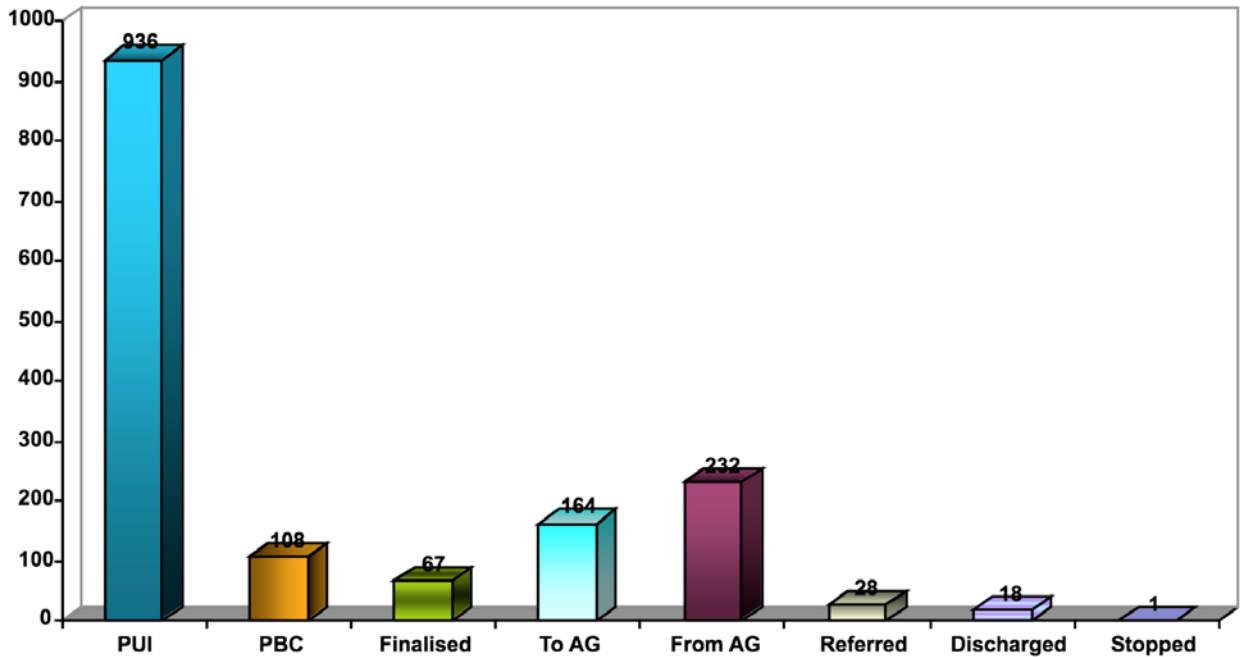
Case Output for the month of February 2010

Item	Description	No. of Cases	
		Segment	
1.PUI	Cases Pending Investigation		
	Cases Received for Investigation	13	9
	Cases Assigned for Investigation	13	
	Completed Files Forwarded to Crime Reader	4	
2.Pbc	Cases Taken to Court:		
	- Cases Taken for Plea	8	8
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	10	11
	- With Recommendation for Closure	1	
	- With Recommendation for Administrative Action	-	
	After Further Investigations	-	
5. From A-G	Files Received from the Attorney-General		
Advice	To Prosecute	8	9
	To Close Due to Insufficient Evidence	-	
	For Administrative Action	-	
	For Further Investigation	1	

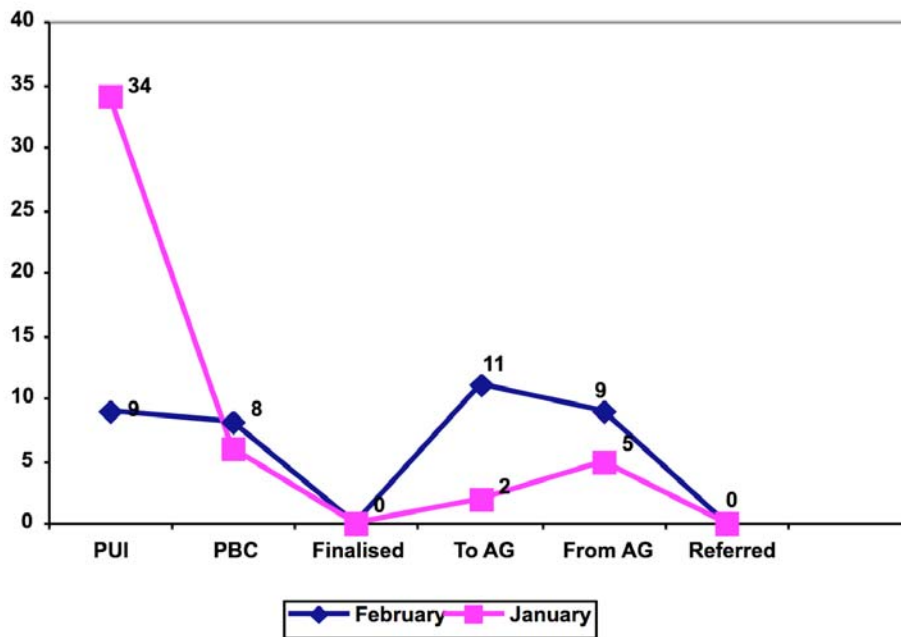
	To Consolidate	-	
6.REFERRED	Cases Referred to Other Agencies		-
7.REPORTS	Investigation Reports Prepared For Action		-

* Bribe demand cases not included.

Graphical Representation of the Cases as of 28th February 2010



Comparative Analysis of Cases processed in January 2010 and February 2010



Forensic Investigation – Mombasa

Below is a tabulation of cases and their respective status handled by the Department in February 2010

Item	Description/Status	No of cases	Total
1. Cases/ Reports	Case Status/Distribution		22
	New Cases Received during the month	4	
	Cases assigned for Investigations	2	
	Cases under investigations	16	
	Cases awaiting allocation	-	
2.To A-G	Files sent to Crime Reader(s)		1
	- With Recommendation to Prosecute	1	
	- With Recommendation for Closure	-	
	- With Recommendation for Administrative Action	-	
	- After Further Investigations	-	
3. From A-G	Files Received from the Attorney-General/Crime Reader(s)		1
	To Prosecute	1	
	To Close Due to Insufficient Evidence	-	
	For Administrative Action	-	
	For Further Investigation	-	
	To Consolidate	-	
4. Court	Cases in Court:		1
	- Cases Taken for Plea	-	
	- Cases on going	-	
5. Finalised	Action taken		
	- Convictions	-	
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
	- Recommended for Administrative action	-	
6. REFERRED	Cases Referred to Other Agencies	-	

Rapid Response – Nairobi

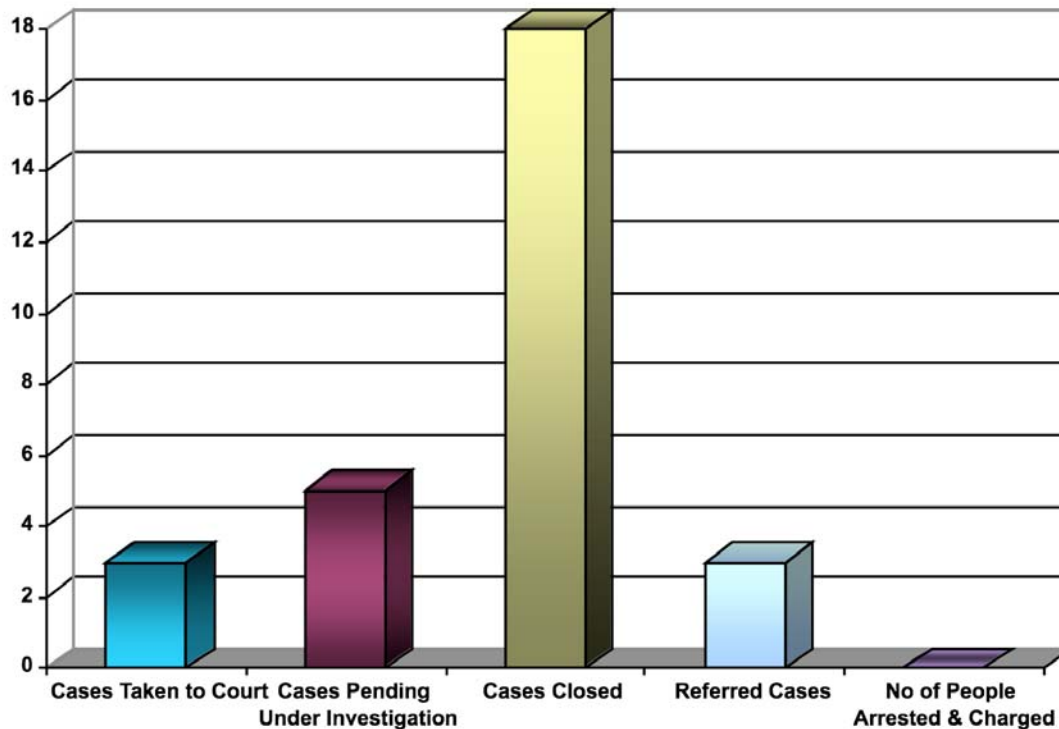
Summary of Cases Received in February 2010

Below is a tabulation of cases and their respective status handled by the Department in February 2010

New cases received During the Month

Category		Status	PREVIOUS	Feb, 2010	Cumulative total
			No. of cases	No. of cases	
1.	Bribery	Number of cases taken to court	3	-	3
		Cases pending under Investigations	2	3	5
		Cases Closed, No Further Action	4	14	18
		Cases referred	2	1	3
		PAKA			
2.	Sting				
TOTAL			11	18	29
Number of persons arrested and charged				-	

Graphical Representation of the cases processed.



Running Summary of Cases in 2010

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

	Status	Jan	Feb	Total
	Number of cases taken to court	3	3	6
	Cases Closed, No Further Action	12	18	30
	Cases Referred	29	3	32
	Number of Persons arrested and charged	0	0	0
	Cases Pending Under Investigation			5

Rapid Response – Mombasa

The summary below shows the cumulative total of cases dealt with by the Rapid Response Division, Mombasa, in February 2010

Item	Description/Status	No of cases	Total
1. Cases/ Reports	Case Status/Distribution		7
	New cases received during the month	7	
	Cases under investigations	6	
	Cases taken for plea	1	
	Cases referred		
	Cases closed- NFA	Nil	

Running Summary of Cases in 2010

	Status	Jan	Feb	Total
	Number of case taken to Court	1	1	2
	Cases closed. No further action	2	-	2
	Cases referred		-	-
	Number of Persons arrested and charged	2	-	2
	Cases Pending under investigation			6

Intelligence Production Department- Nairobi

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

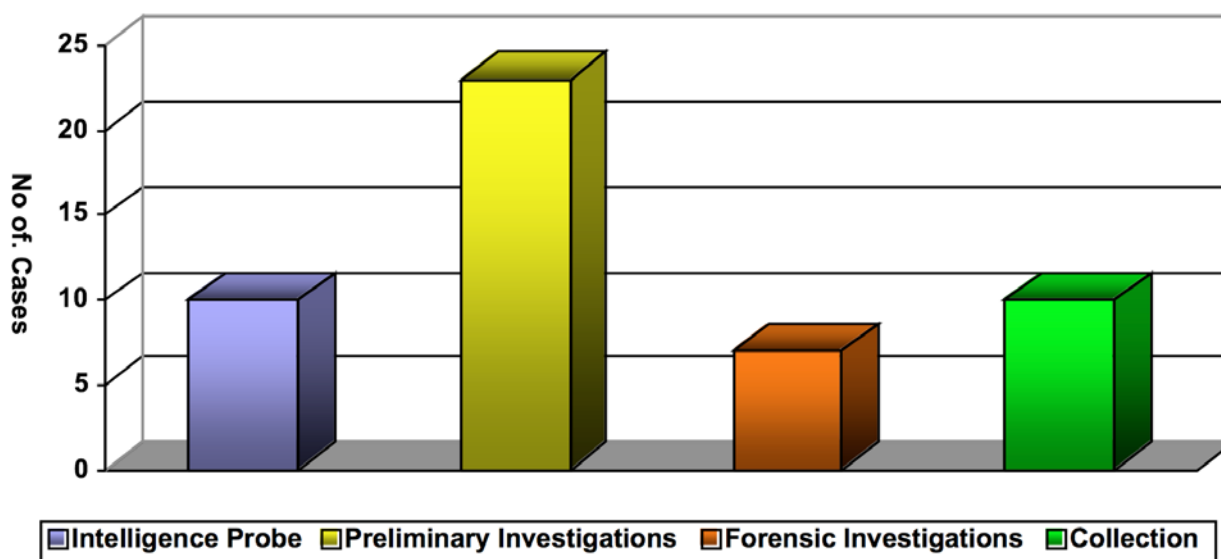
1. Reports

The Department received **20** reports from the Report Centre, **24** Intelligence Reports (IR) from various officers during the month of February **2010**.

Breakdown

Item	Sources	No of Reports	Total
Reports Received	Report Centre	20	44
	Confidential Sources (Self generated by officers)	24	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Development/Probe	Collection	10
2	Analysis	Retained for analysis	4
3	Preliminary Investigations	Preliminary Investigations	23
4	Forensic Investigations	Forensic Investigations	7
TOTAL			44

Graphical Representation of Handling of Cases



Intelligence Production – Mombasa

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

Reports

The Department received 4 Reports from the Reports Centre and 9 reports from confidential sources.

Highlights of the Months Activities

1. Surveillance on reports of diversion into the local market of highly the valuable Extra Neutral Alcohol meant for export to neighbouring countries in a bid to evade payment of taxes.
2. Intelligence probe on reports of underpayment of taxes on imports of textiles and used clothing.

3. Surveillance on reports of irregular importation of used motor vehicles at various Container Freight Stations
4. Target Study and development of work plans/tactical plans for Intelligence Led Anti-Corruption Model (ILACOM) for the Municipal Council of Mombasa
5. Asset tracing on allegations of undeclared wealth of a KRA officer.

Item	Sources	No of Reports	Total
Reports Received	Report Centre	4	13
	Confidential Sources	9	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Probe	New tasks to Collection Division	13
		Tasks completed during the month	2
2	Preliminary Investigation	Preliminary Investigation	1
3	Full Investigation	Forensic Investigation	0