



**DIRECTORATE OF INVESTIGATION AND ASSET TRACING**

**MONTHLY REPORT, AUGUST 2010**

## Introduction

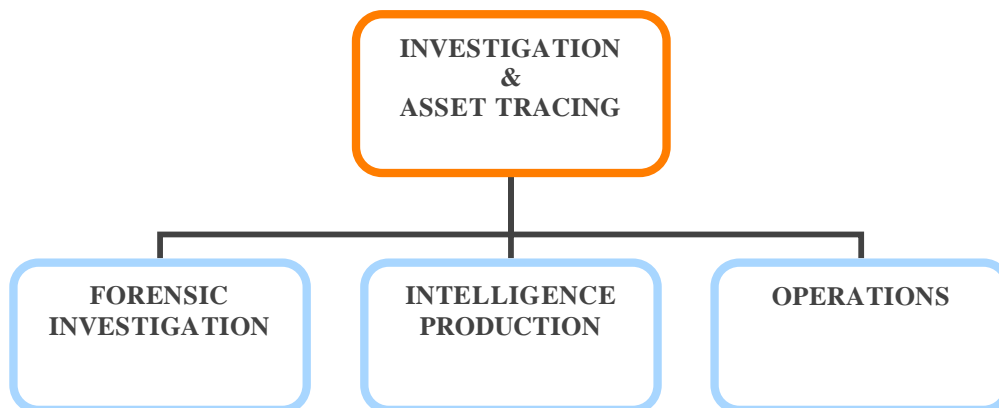
The Directorate of Investigation and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The functions of the Directorate are to;

- 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 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 4<sup>th</sup> June 2007 have three Departments namely; Forensic Investigation (FI), Operations (OPS) and Intelligence Production (IP).

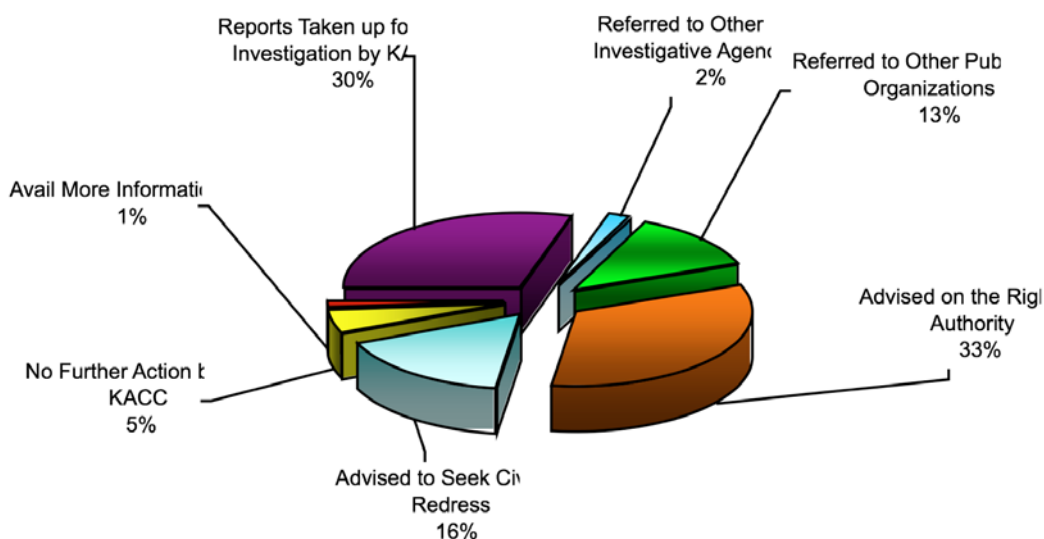
## Reports Centre – Nairobi

During the month of **August 2010**, the Reports Centre Division processed a total of **432** reports as compared to **443** in **July 2010**. A total of **407** reports were received and processed directly at the Nairobi office while a further **25** reports were received during the Kisumu Agricultural Society of Kenya Show.

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

- The Commission took up for investigation **128** reports which were found to be within its mandate. The Intelligence Production Department accounted for **74** of the reports; the Operations Department took up **32** reports, Forensics Department took up **20** reports while Preventive Services took up the remaining **1** report.
- **9** reports were forwarded to other investigative agencies for action with the Criminal Investigation Department accounting for **3**, Police **3**, Immigration **2** and the Kenya Revenue Authority **1**.
- The Commission referred **54** other reports to various Public Service Organisations for administrative intervention.
- In **70** reports the complainants were advised to seek civil redress.
- In **143** reports the complainants were advised on the right authority to report to.
- **22** reports did not disclose offences requiring intervention and were marked for No Further Action (NFA).
- In the remaining **6** report, the complainant was requested to avail more information.

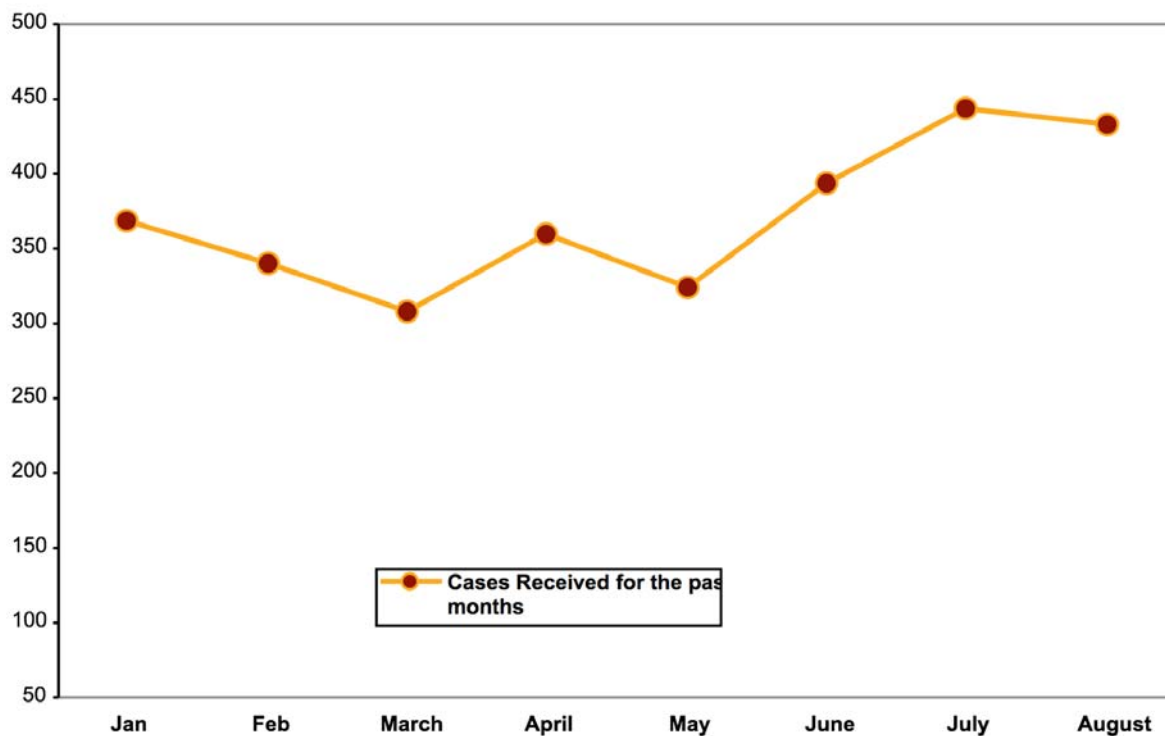
### Categorization of reports processed by KACC in August 2010



## Breakdown of Reports Processed.

	Category	Referral Agency	No. of cases	Total
1	<b>Reports taken-up for action by KACC</b>	KACC - Intelligence Production	74	<b>128</b>
		KACC – Rapid Response	32	
		KACC – Forensics	20	
		KACC – Preventive Services	1	
2	<b>Reports Forwarded to Other Investigative Agencies</b>	Criminal Investigation Department	3	<b>9</b>
		Police	3	
		Kenya Revenue Authority KRA	1	
		Immigration Department	2	
3	<b>Reports Forwarded to Other Public Service Organisations</b>	Ministry of Basic Education	10	<b>54</b>
		CDF National Management Committee Secretariat	4	
		Ministry of Higher Education	4	
		Interim Independent Electoral commission IIEC	3	
		Nairobi city Council	3	
		Provincial Administration	2	
		Ministry of trade and Industry	2	
		Ministry of Medical Services	2	
		Other Public Bodies	24	
4	<b>Advised to Pursue the Matter in Court</b>			<b>70</b>
5	<b>Advised on the right authority to report matter to</b>			<b>143</b>
6	<b>Complainants to Avail More Information</b>			<b>6</b>
7	<b>No Further Action by KACC</b>			<b>22</b>
<b>Total</b>				<b>432</b>

## Total cases received from January –August 2010



## Reports Centre – Mombasa

A total of **31** reports were received and processed in the month of August **2010**. Disposal after analysis is as follows:-

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

- **8** to Intelligence Production,
- **3** to Forensic Investigation
- **3** to Rapid Response

**8** reports were referred to the other government bodies and investigative agencies.

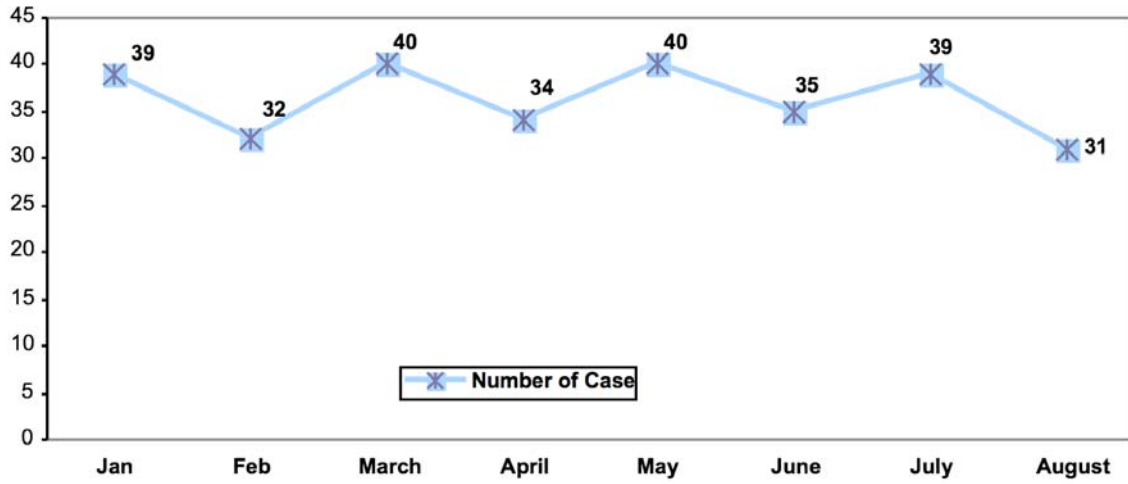
**9** Advised accordingly

### Breakdown of Processed Reports.

	Category	Referral Agency/Department	No of Cases	Total
<b>1</b>	Cases taken up for action by KACC	Intelligence Production	8	<b>14</b>
		Rapid Response	3	
		Forensic	3	
<b>2</b>	Referred to other Investigative Agencies	CID	2	<b>3</b>
		Kenya Revenue Authority	1	
<b>3</b>	Referred to other Organisations	Ministry of Finance	1	<b>5</b>
		Ministry of Lands & Settlement	1	
		Mombasa Municipal council	2	
		Ministry of State for Public service	1	

4	Advised	Pursue the matter in court	1	9
		Right Authority	8	
5	Complainants to Avail More Details			-
	No Further Action NFA			-
<b>TOTAL</b>				<b>31</b>

**No of Cases received from January**



## Forensic Investigation – Nairobi

### Summary of Cases as at 30<sup>th</sup> August 2010

Below is a tabulation of cases and their respective status handled by the Department as at 30<sup>th</sup> August 2010.

Item	Description	No. of Cases	
		Segment	Total
1.PUI	Cases Pending Investigation	782	<b>1104</b>
	Completed Files with the Crime Reader	41	
	Cases Pending Allocation for Investigation	281	
2.PBC	Cases Pending Before Court (PBC)	113	<b>115</b>
	PBC with Part Discharges	1	
	PBC With Prohibition Orders	1	
<b>3.FINALISED</b>	<b>Cases finalised before court:</b>		
	- Convictions	17	<b>68</b>
	- Acquittals	15	
	- Discharges	35	
	- 'Nolle prosequi'	-	
<b>4. To A-G</b>	<b>Files Sent to A-G</b>		
	With Recommendation to Prosecute	69	<b>191</b>
	With Recommendation for Closure	100	
	With Recommendation for Administrative Action	13	
	After Further Investigation	9	
<b>5. From A-G</b>	<b>Attorney-General Advice</b>		
<b>Advice</b>	- To Prosecute	76	<b>251</b>
	- For Closure	136	
	- For further Investigation	29	
	- Administrative Action	6	
	- Consolidated Files	4	
<b>6.REFERRED</b>	Cases Referred to Other Agencies	29	<b>29</b>
<b>7.DISCHARGE</b>	Discharges under s. 87(a) for New Charges	18	<b>18</b>
<b>8.STOPPED</b>	PUI Cases stopped by Court injunctions	1	<b>1</b>

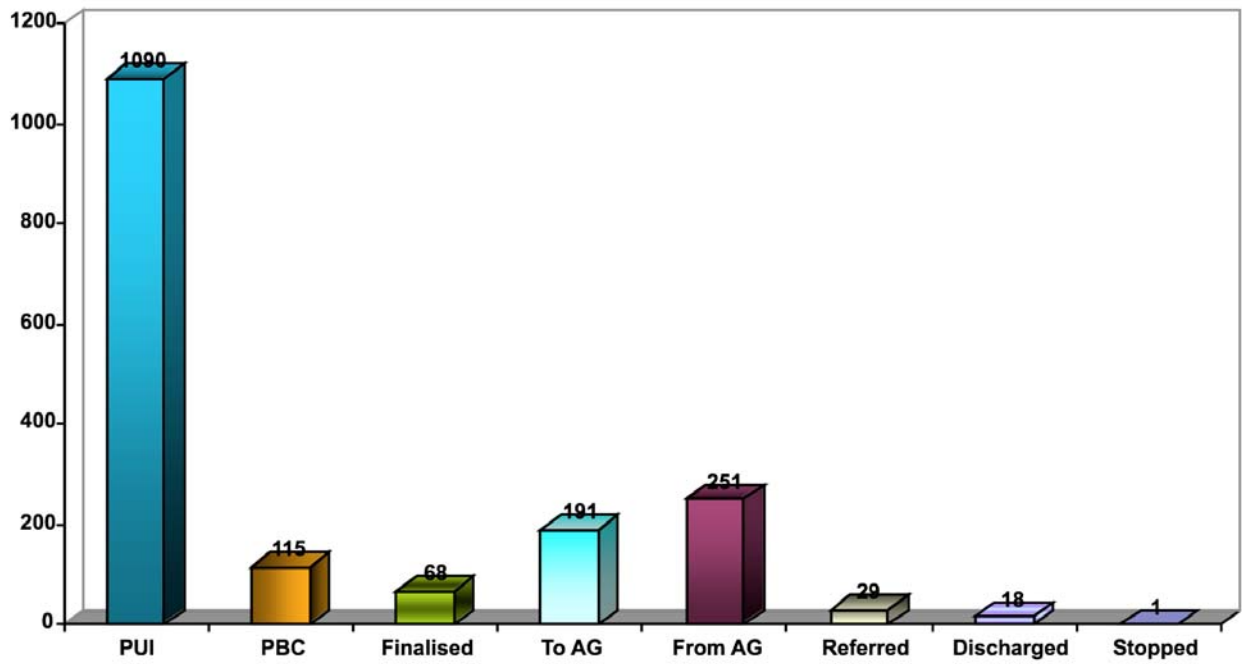
## Case Output for the month of August 2010

Item	Description	No. of Cases	
		Segment	
<b>1.PUI</b>	<b>Cases Pending Investigation</b>		
	Cases Received for Investigation	18	<b>35</b>
	Cases Assigned for Investigation	15	
	Completed Files Forwarded to Crime Reader	1	
<b>2.Pbc</b>	<b>Cases Taken to Court:</b>		
	- Cases Taken for Plea	-	-
<b>3.Finalised</b>	<b>Cases Finalized Before Court:</b>		
	- Convictions	-	-
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
<b>4.TO A-G</b>	<b>Files sent to the Attorney-General:</b>		
	- With Recommendation to Prosecute	-	-
	- With Recommendation for Closure	-	
	- With Recommendation for Administrative Action	-	
	After Further Investigation	-	
<b>5. From A-G</b>	<b>Files Received from the Attorney-General</b>		
<b>Advice</b>	To Prosecute	-	-
	To Close Due to Insufficient Evidence	-	
	For Administrative Action	-	
	For Further Investigation	-	
	To Consolidate	-	
<b>6.REFERRED</b>	Cases Referred to Other Agencies	-	-
<b>7.REPORTS</b>	Investigation Reports Prepared For Action	-	-

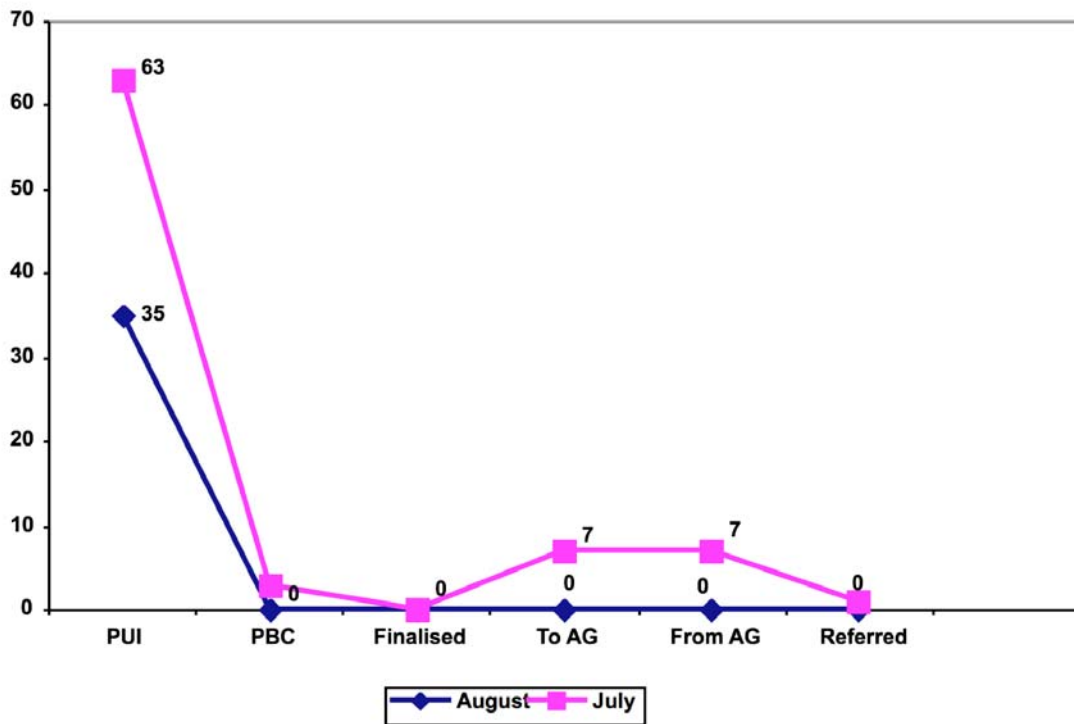
\* Bribe demand cases not included.



## Graphical Representation of the Cases as of 30<sup>th</sup> August 2010



## Comparative Analysis of Cases processed in July and August 2010



## Forensic Investigation – Mombasa

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

Item	Description/Status	No of cases	Total
<b>1. Cases/ Reports</b>	<b>Case Status/Distribution</b>		
	New Cases Received during the month	<b>3</b>	
	New Cases assigned for Investigation	<b>0</b>	
	Cases under investigation	<b>26</b>	
	Cases awaiting allocation	<b>77</b>	
<b>2.To A-G</b>	<b>Files sent to Crime Reader(s)</b>		
	- With Recommendation to Prosecute	<b>1</b>	<b>2</b>
	- With Recommendation for Administrative Action	<b>0</b>	
	-No further Action	<b>1</b>	
<b>3. From A-G</b>	<b>Files Received from the Attorney-General/Crime Reader(s)</b>		
	To Prosecute	<b>0</b>	
<b>4. Court</b>	<b>Cases in Court:</b>		<b>1</b>
	- Cases Taken for Plea	<b>1</b>	

## Rapid Response – Nairobi

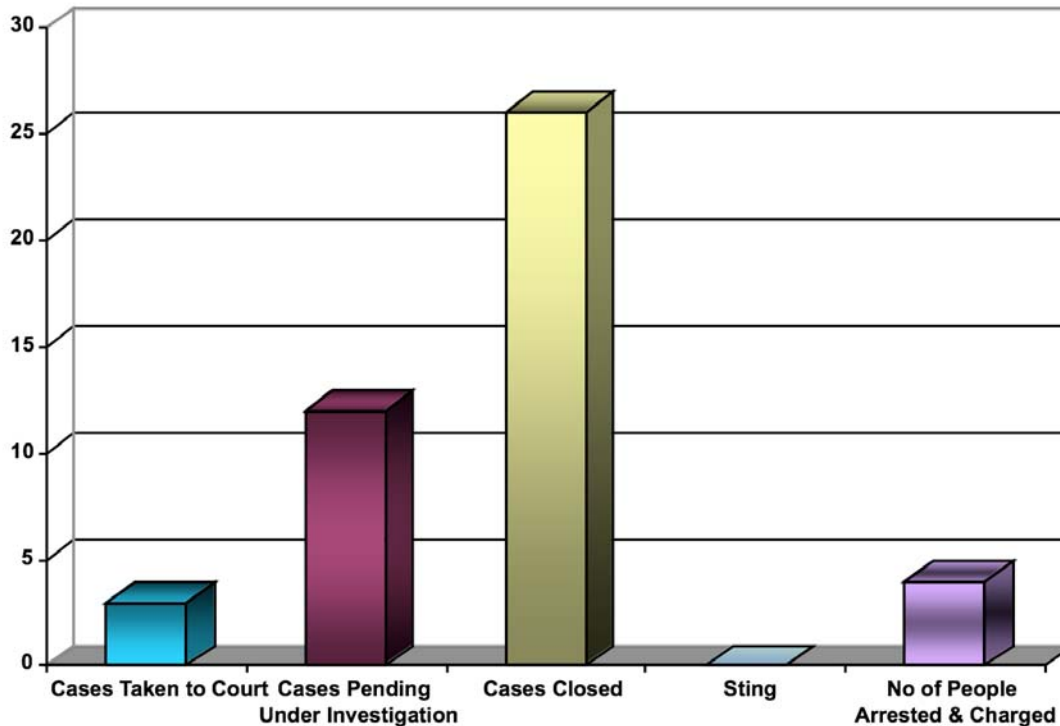
### Summary of Cases Received in August 2010

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

#### New cases received During the Month

Category		Status	No of Cases
1.	Bribery	Number of cases taken to court	0
		Cases pending under Investigation	7
		Cases Closed, No Further Action	17
		Cases Referred to other Agencies	1
2.	Sting		0
<b>TOTAL</b>			<b>25</b>
<b>Number of persons arrested and charged</b>			<b>0</b>

#### 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-August 2010.

Status	Jan	Feb	March	April	May	June	August	Sept	Total
Number of cases taken to court	3	3	5	3	6	3	5	0	<b>28</b>
Cases Closed, No Further Action	10	14	12	8	18	9	12	17	<b>100</b>
Cases Referred	20	1	0	0	0	1	0	1	<b>23</b>
Number of Persons arrested and charged	0	0	0	5	7	4	7	0	<b>23</b>
Cases Pending Under Investigation									<b>7</b>

## Rapid Response – Mombasa

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

Category		Status	Total
1.	Bribery	Number of cases taken to Court	1
		Cases Pending Under Investigation	5
		Cases Closed - No Further Action	2
		Cases referred	0
		PAKA	0
2.	Sting		0
<b>TOTAL</b>			<b>8</b>
<b>Number of arrested and charged</b>			<b>1</b>

## Running Summary of Cases in 2010

	Status	Jan	Feb	Mar	April	May	June	Aug	Sept	Total
	Number of case taken to Court	1	1	1	1	3	0	1	1	9
	Cases closed. No further action	2	-	-	-	3	2	3	2	10
	Cases referred	-	-	-		-	-	-	-	-
	Number of Persons arrested and charged	2	-	-		-	-	1	1	4
	Cases Pending under investigation									5

## 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 **36** reports from the Report Centre, **13** Intelligence Reports (IR) from various officers during the month of August **2010**.

#### Breakdown

Item	Sources	No of Reports	Total
Reports Received	Report Centre	36	<b>49</b>
	Confidential Sources (Self generated by officers)	13	
	<b>Handling of the Reports</b>		
	Task	Division	No of Reports
1	Intelligence Development/Probe	Collection	34
2	Analysis	Retained for analysis	10
4	Integrity Testing Programme	Collection	2
5	Preliminary Investigation	Preliminary Investigation	3
<b>TOTAL</b>			<b>49</b>

## 4.1 Intelligence Production – Mombasa

The Intelligence Team was engaged in the activities listed below during the month under review.

1. Investigation into allegations of irregular acquisition of public land around Kongowea market
2. Joint investigation with FI on allegation of illegal acquisition of a 25 acre beach plot belonging to the Kwale County Council.
3. Preliminary inquiries into cases allocated through the Report Centre
4. Providing surveillance support to the rapid Response team in trap operations.

**TABLE 8: BREAKDOWN OF CASES**

Item	Sources	No of Reports	Total
Reports Received	Report Centre	8	9
	Confidential Sources	1	
<b>Handling of the Reports</b>			
	Task	Division	No of Reports
1	Intelligence Probe	New tasks to Collection Division	1
		Tasks completed during the month	1
2	Preliminary Investigation	Completed Preliminary Investigation	2
		Preliminary Investigation Pending Under Investigation	3
3	Full Investigation	Forensic Investigation	1