



DIRECTORATE OF INVESTIGATION AND ASSET TRACING

MONTHLY REPORT, SEPTEMBER 2010

Introduction

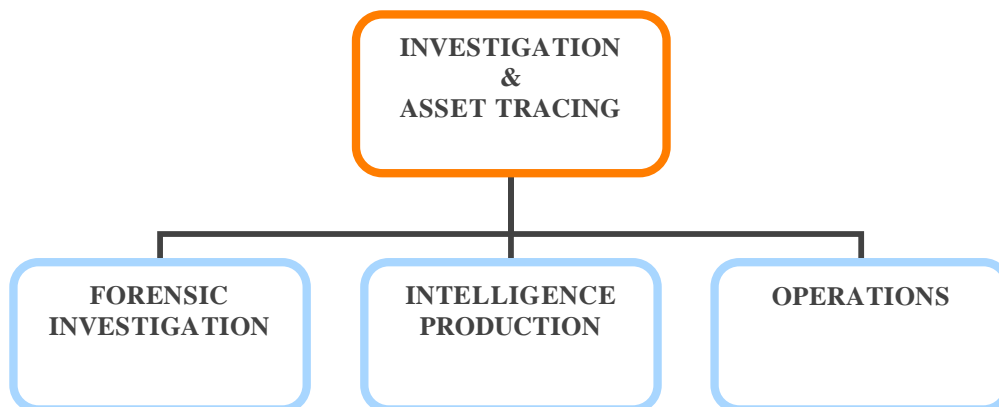
The Directorate of Investigation and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The functions of the Directorate are to;

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

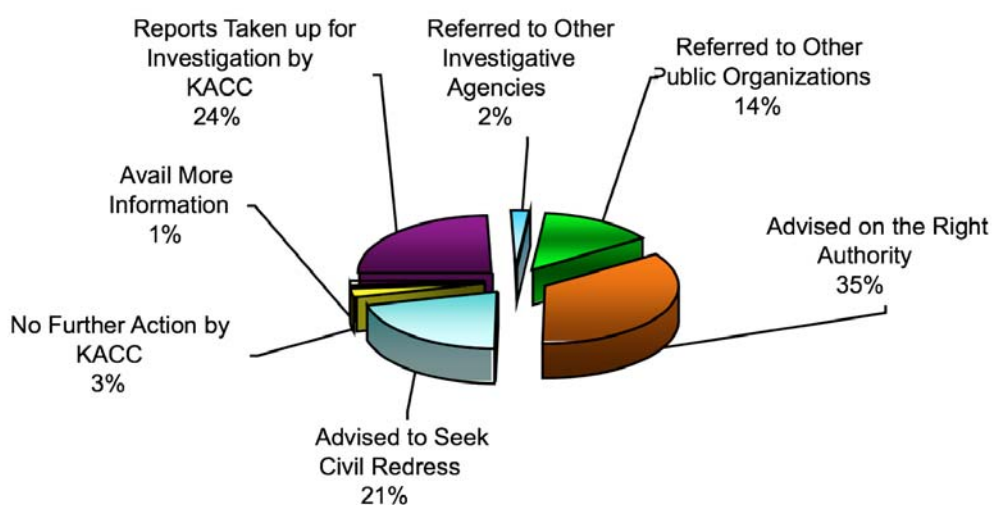
Reports Centre – Nairobi

During the month of **September 2010**, the Reports Centre Division processed a total of **512** reports as compared to **432** in **August 2010**. The number of reports received has significantly increased by **19%** during the month.

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

- The Commission took up for investigation **125** reports which were found to be within its mandate. The Intelligence Production Department accounted for **62** of the reports; the Operations Department took up **29** reports while the Forensics Department took up the remaining **34** reports.
- **12** reports were forwarded to other investigative agencies for action with the Criminal Investigation Department accounting for **8**, Police **3** and the Immigration department **1**.
- The Commission referred **71** other reports to various Public Service Organisations for administrative intervention.
- In **106** reports the complainants were advised to seek civil redress.
- In **178** reports the complainants were advised on the right authority to report to.
- **13** reports did not disclose offences requiring intervention and were marked for No Further Action (NFA).
- In the remaining **7** report, the complainant was requested to avail more information.

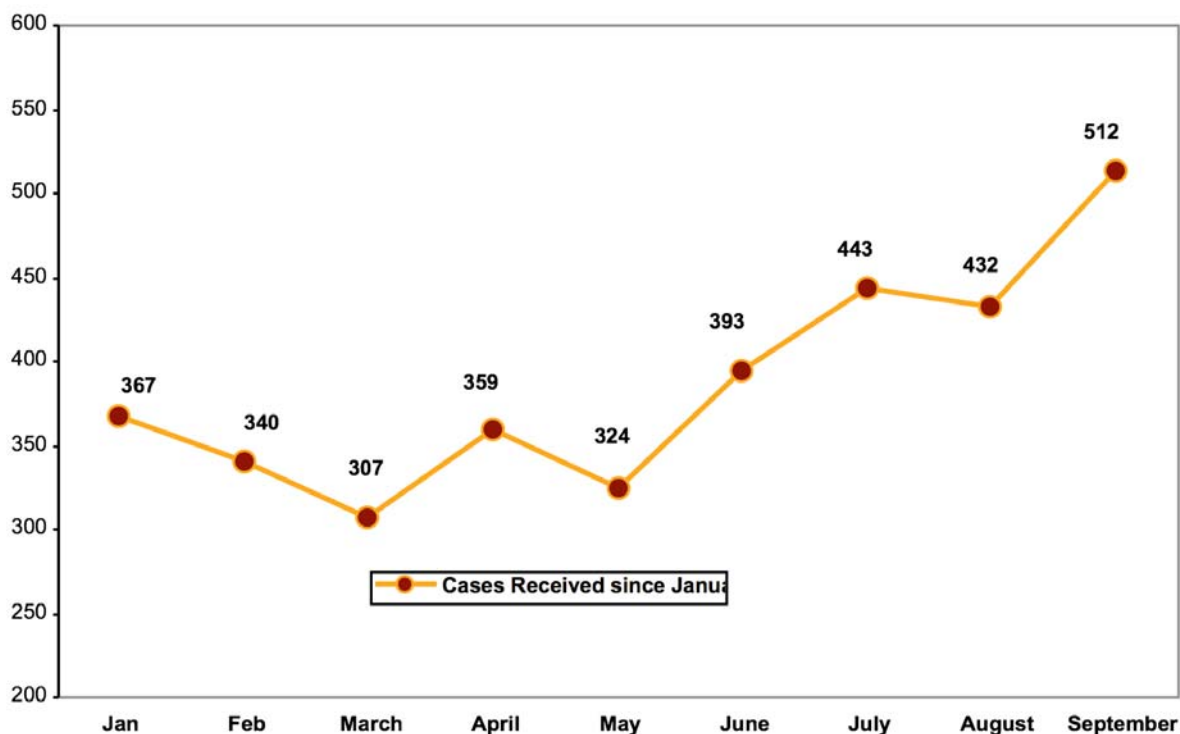
Categorization of reports processed by KACC in September 2010



Breakdown of Reports Processed.

	Category	Referral Agency	No. of cases	Total
1	Reports taken-up for action by KACC	KACC - Intelligence Production	62	125
		KACC – Rapid Response	29	
		KACC – Forensics	34	
2	Reports Forwarded to Other Investigative Agencies	Criminal Investigation Department	8	12
		Police	3	
		Immigration Department	1	
3	Reports Forwarded to Other Public Service Organisations	Ministry of Basic Education	16	71
		Ministry of Local Government	8	
		CDF National Management Committee	4	
		Ministry of Higher Education	4	
		Nairobi city Council	4	
		Ministry of Lands & Settlement	3	
		Ministry of Medical Services	3	
		Ministry of Livestock and Fisheries	2	
		Other Public Bodies	27	
4	Advised to Pursue the Matter in Court			106
5	Advised on the right authority to report matter to			178
6	Complainants to Avail More Information			7
7	No Further Action by KACC			13
Total				512

Total cases received from January –September 2010



Reports Centre – Mombasa

A total of **75** reports were received and processed in the month of September **2010**. Disposal after analysis is as follows:-

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

- **5** to Intelligence Production,
- **5** to Forensic Investigation
- **4** to Rapid Response

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

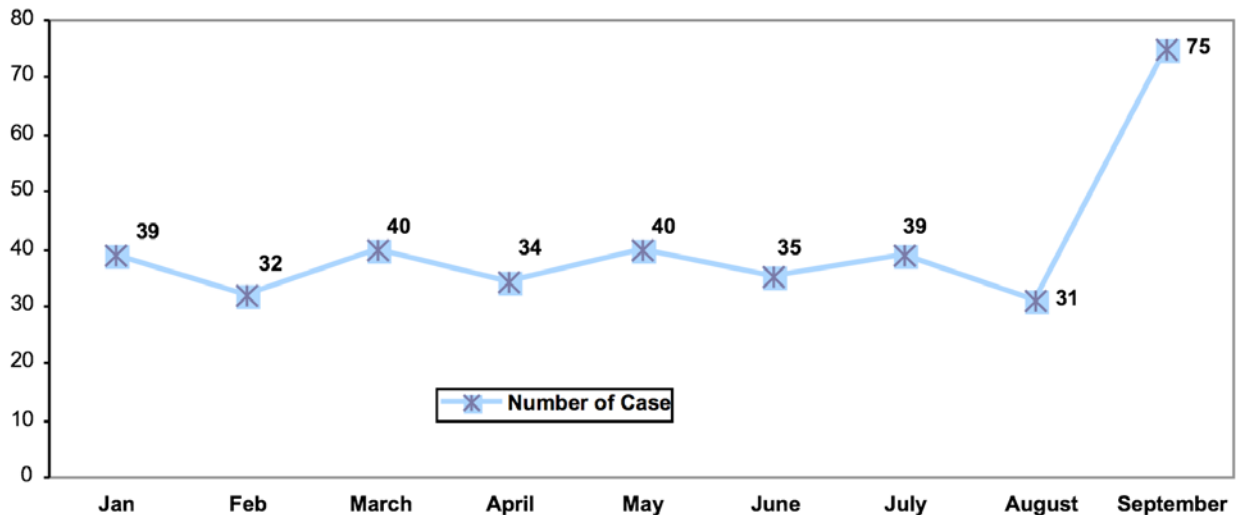
49 Advised accordingly

Breakdown of Processed Reports.

	Category	Referral Agency/Department	No of Cases	Total
1	Cases taken up for action by KACC	Intelligence Production	5	14
		Rapid Response	4	
		Forensic	5	
2	Referred to other Investigative Agencies	CID	2	5
		Police	1	
		Kenya Revenue Authority	2	
3	Referred to other Organisations	Ministry of Lands	2	7
		Provincial Administration	2	
		Advocates Complaints Commission	1	
		Mombasa Water & Sewerage Company	1	
		Ministry of basic Education	1	

4	Advised	Pursue the matter in court	24	49
		Right Authority	25	
5	Complainants to Avail More Details			-
	No Further Action NFA			-
TOTAL				75

No of Cases received from January



Forensic Investigation – Nairobi

Summary of Cases as at 30th September 2010

Below is a tabulation of cases and their respective status handled by the Department as at 30th September 2010.

Item	Description	No. of Cases	
		Segment	Total
1.PUI	Cases Pending Investigation	826	1154
	Completed Files with the Crime Reader	47	
	Cases Pending Allocation for Investigation	281	
2.PBC	Cases Pending Before Court (PBC)	114	116
	PBC with Part Discharges	1	
	PBC With Prohibition Orders	1	
3.FINALISED	Cases finalised before court:		
	- Convictions	17	69
	- Acquittals	16	
	- Discharges	35	
	- 'Nolle prosequi'	-	
4. To A-G	Files Sent to A-G		

	With Recommendation to Prosecute	71	194
	With Recommendation for Closure	100	
	With Recommendation for Administrative Action	13	
	After Further Investigation	10	
5. From A-G	Attorney-General Advice		
Advice	- To Prosecute	76	251
	- For Closure	136	
	- For further Investigation	29	
	- Administrative Action	6	
	- Consolidated Files	4	
6.REFERRED	Cases Referred to Other Agencies	29	29
7.DISCHARGE	Discharges under s. 87(a) for New Charges	18	18
8.STOPPED	PUI Cases stopped by Court injunctions	1	1

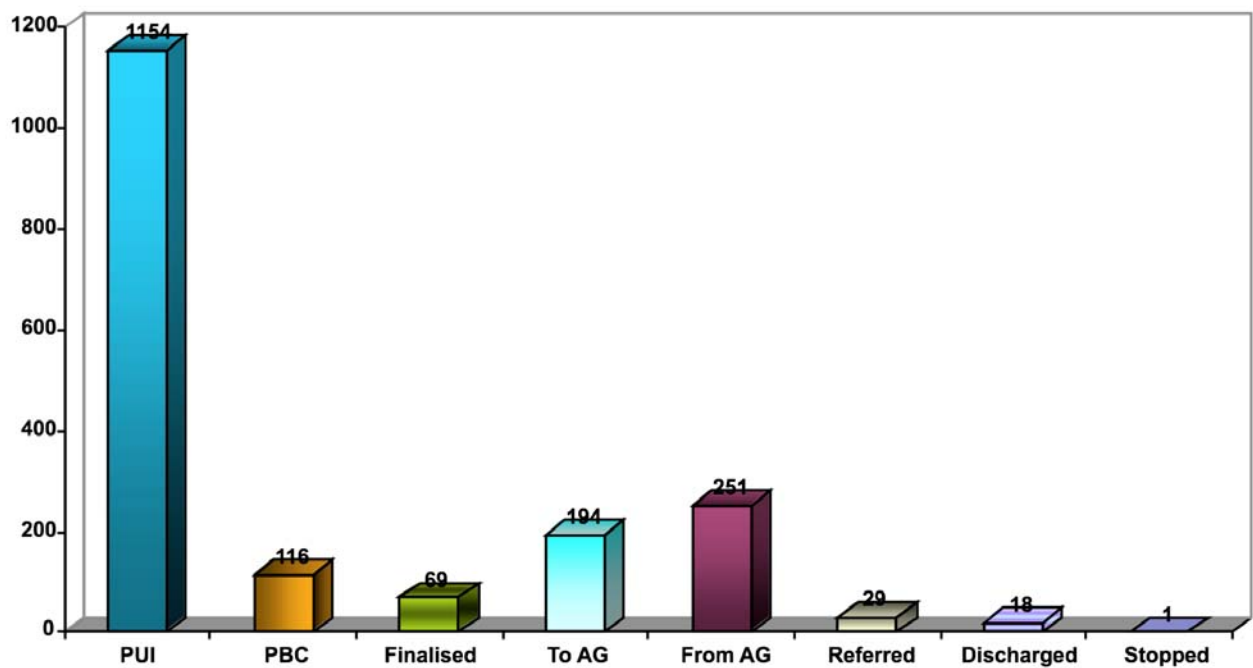
Case Output for the month of September 2010

Item	Description	No. of Cases	
		Segment	
1.PUI	Cases Pending Investigation		
	Cases Received for Investigation	25	56
	Cases Assigned for Investigation	25	
	Completed Files Forwarded to Crime Reader	6	
2.Pbc	Cases Taken to Court:		
	- Cases Taken for Plea	1	1
3.Finalised	Cases Finalized Before Court:		
	- Convictions	-	1
	- Acquittals	1	
	- Discharges	-	
	- 'Nolle prosequi'	-	
4.TO A-G	Files sent to the Attorney-General:		
	- With Recommendation to Prosecute	2	3
	- With Recommendation for Closure	-	
	- With Recommendation for Administrative Action	-	
	After Further Investigation	1	

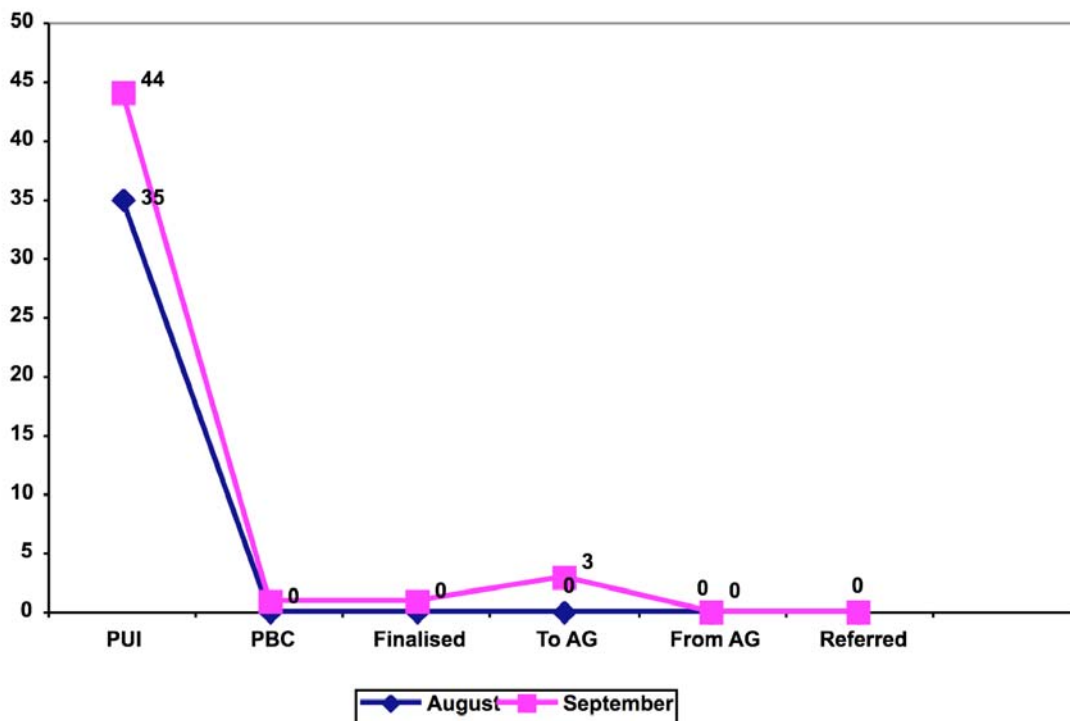
5. From A-G	Files Received from the Attorney-General		
Advice	To Prosecute	-	-
	To Close Due to Insufficient Evidence	-	
	For Administrative Action	-	
	For Further Investigation	-	
	To Consolidate	-	
6.REFERRED	Cases Referred to Other Agencies	-	-
7.REPORTS	Investigation Reports Prepared For Action	-	-

* Bribe demand cases not included.

Graphical Representation of the Cases as of 30th September 2010



Comparative Analysis of Cases processed in August and September 2010



Forensic Investigation – Mombasa

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

Item	Description/Status	No of cases	Total
1. Cases/ Reports	Case Status/Distribution		
	New Cases Received during the month	7	
	New Cases assigned for Investigation	3	
	Cases under investigation	3	
	Cases awaiting allocation	78	
2.To A-G	Files sent to Crime Reader(s)		
	- With Recommendation to Prosecute	0	2
	- With Recommendation for Administrative Action	0	
-No further Action			
3. From A-G	Files Received from the Attorney-General/Crime Reader(s)		1
	To Prosecute	1	
4. Court	Cases in Court:		-
	- Cases Taken for Plea	-	

Rapid Response – Nairobi

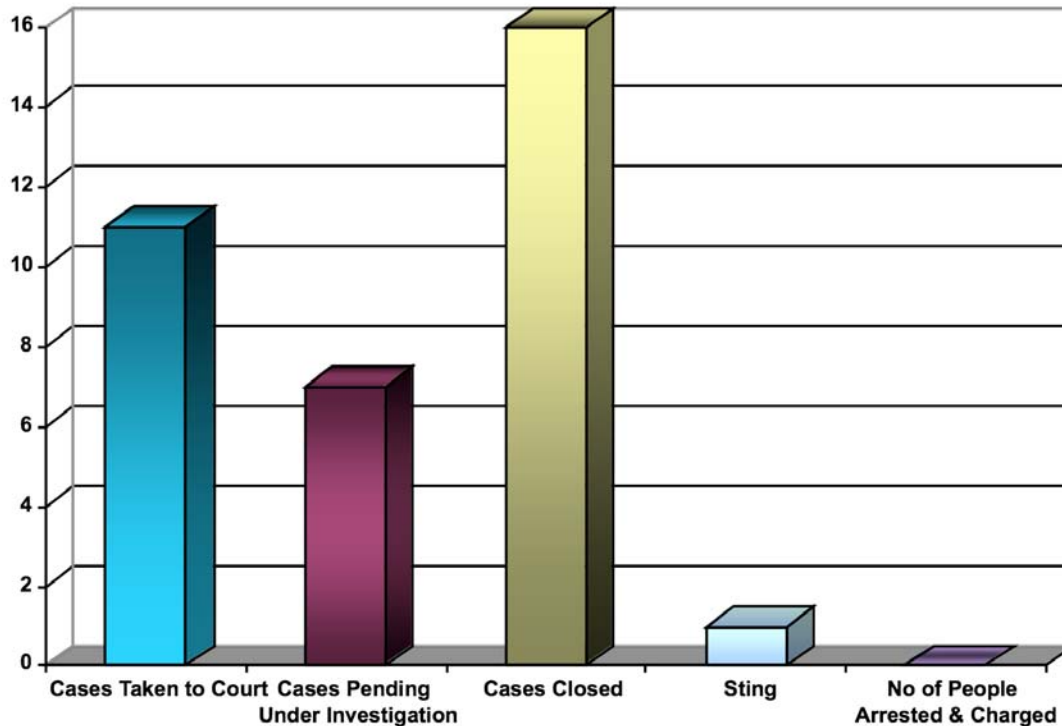
Summary of Cases Received in September 2010

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

New cases received During the Month

Category		Status	No of Cases
1.	Bribery	Number of cases taken to court	11
		Cases pending under Investigation	6
		Cases Closed, No Further Action	12
		Cases Referred to other Agencies	1
2.	Sting		1
TOTAL			36
Number of persons arrested and charged			15

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-September 2010.

Status	Jan	Feb	March	April	May	June	Jul	Sept	Oct	Total
Number of cases taken to court	3	3	5	3	6	3	5	0	11	39
Cases Closed, No Further Action	10	14	12	8	18	9	12	17	12	112
Cases Referred	20	1	0	0	0	1	0	1	1	24
Number of Persons arrested and charged	0	0	0	5	7	4	7	0	15	38
Cases Pending Under Investigation										6

3.1 Rapid Response – Mombasa

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

Category		Status	Total
1.	Bribery	Number of cases taken to Court	2
		Cases Pending Under Investigation	5
		Cases Closed - No Further Action	0
		Cases referred	0
		PAKA	0
2.	Sting		1
TOTAL			8
Number of arrested and charged			9

Running Summary of Cases in 2010

Status	Jan	Feb	Mar	April	May	June	Aug	Sept	Oct	Total
Number of case taken to Court	1	1	1	1	3	0	1	1	2	11
Cases closed. No further action	2	-	-	-	3	2	3	2	0	10
Cases referred	-	-	-		-	-	-	-	-	-

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 **77** reports from the Report Centre, **14** Intelligence Reports (IR) from various officers during the month of September **2010**.

Breakdown

Item	Sources	No of Reports	Total
Reports Received	Report Centre	77	91
	Confidential Sources (Self generated by officers)	14	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Development/Probe	Collection	64
2	Retained for analysis	Analysis and Production	12
3	Asset Tracing	Asset Tracing	1
4	Operation	Mombasa Office	1
5	Preliminary Investigations	Preliminary Investigations	13
TOTAL			91

4.1 Intelligence Production – Mombasa

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

1. Surveillance operations at Mariakani Weighbridge that culminated in the 9th September 2010 sting operation.
2. Covert surveillance of the Military recruitment exercise.

TABLE 6: BREAKDOWN OF CASES

Item	Sources	No of Reports	Total
Reports Received	Report Centre	5	5
	Confidential Sources	-	
Handling of the Reports			
	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 Investigations	-
		Preliminary Investigations Pending Under Investigation	3
3	Full Investigation	Forensic Investigation	