



DIRECTORATE OF INVESTIGATION AND ASSET TRACING

MONTHLY REPORT, MAY 2009

Introduction

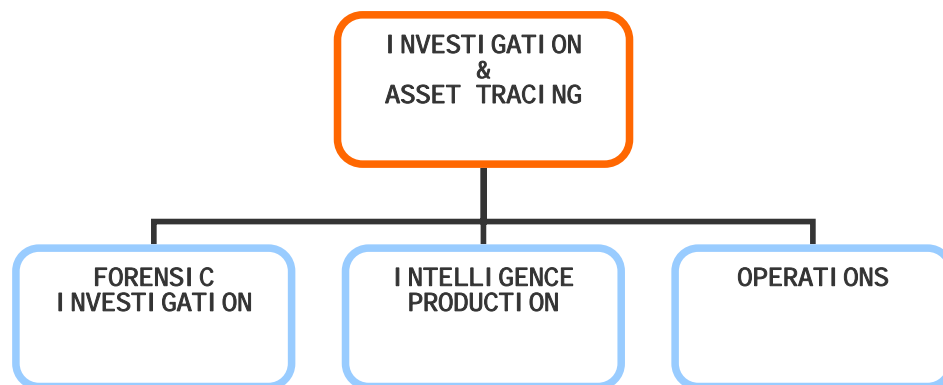
The Directorate of Investigation and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The functions of the Directorate are to;

- 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 May 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

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.

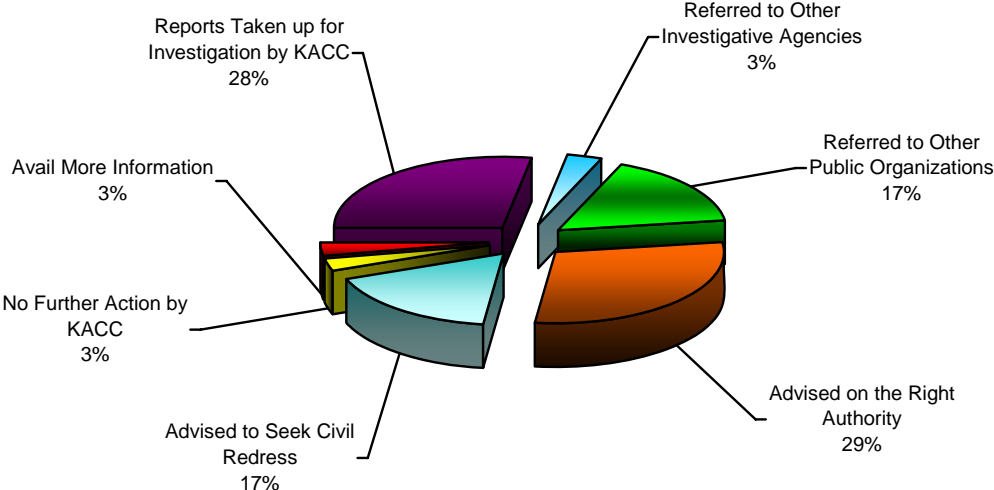
Reports Centre – Nairobi

During the month of **May 2009**, the Reports Centre Division processed **356** reports as compared to **412** in April 2009. The number of cases received has dropped slightly however the relevance of cases that falls within the Commission's mandate still remain on average **31.9%** for the year.

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

- The Commission took up for investigation **99** reports which were found to be within its mandate. The Intelligence Department accounted for **64** cases, Operations Department took up **17** cases, Forensics Department **15** cases, Preventive Services **2** cases while the Legal Services Directorate took up **1** case.
- **12** cases were forwarded to other investigative agencies for action with the Criminal Investigations Department accounting for **5**, Kenya Revenue Authority **4**, Police **2** and Immigration Department **1**.
- The Commission referred **59** other reports to various Public Service Organisations for administrative intervention,
- In **61** reports the complainants were advised to seek civil redress,
- In **104** cases the complainants were advised on the right authority to report to
- **10** reports did not disclose offences requiring intervention and were marked for No Further Action (NFA).
- In the remaining **11** reports, the complainants/informers were requested to avail more information.

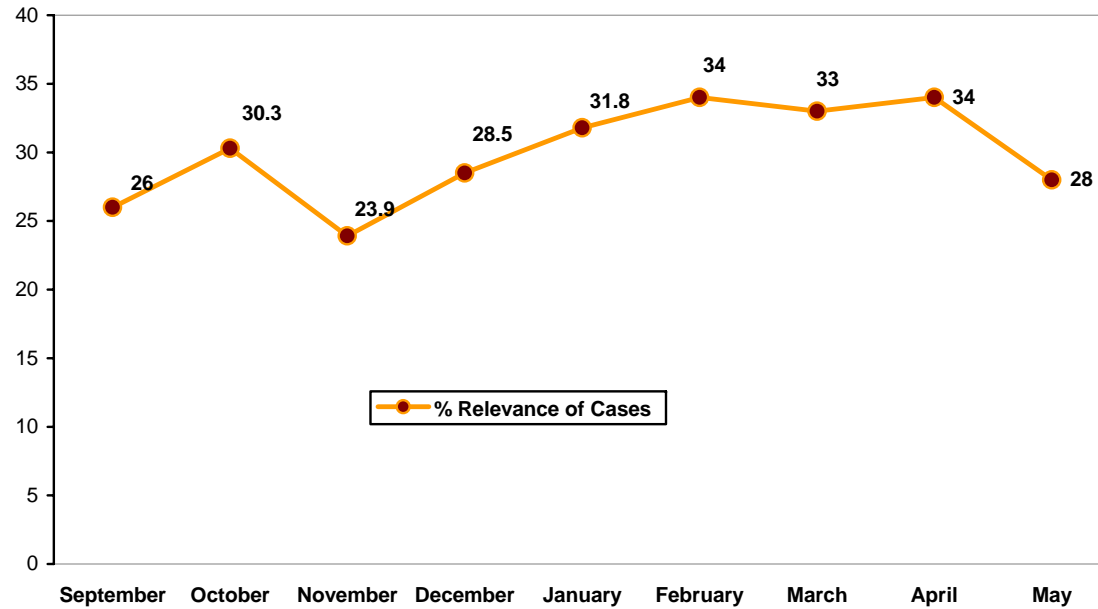
Categorization of reports processed by KACC in May 2009



Breakdown of Reports Processed.

	Category	Referral Agency	No. of cases	Total
1	Reports taken-up for action by KACC	KACC - Intelligence Productions	64	99
		KACC – Rapid Response	17	
		KACC – Forensics	15	
		KACC – Preventive Services	2	
		KACC – Legal Services	1	
2	Reports Forwarded to Other Investigative Agencies	Criminal Investigations Department	5	12
		Police	2	
		Kenya Revenue Authority KRA	4	
		Immigration	1	
3	Reports Forwarded to Other Public Service Organisations	Ministry of Basic Education	13	59
		Public Procurement Oversight Authority	7	
		CDF National Management Committee	3	
		Ministry of Co-operative Development	3	
		Ministry of Higher Education	3	
		Ministry of State for Special Programmes	3	
		Ministry of Water and Irrigation	2	
		Other Organizations	25	
4	Advised to Pursue the Matter in Court			61
5	Advised on the right authority to report matter to			104
6	Complainants to Avail More Information			11
7	No Further Action by KACC			10
Total				356

Percentage Relevance of Cases Received for the past 9 months



Reports Centre - Mombasa

Total number of cases received and processed in the month of **May 2009**, at the Reports Centre Division were **21**. The reports were disposed as follows:-

- **4** reports were within KACC's mandate. **3** of the cases were taken up by Intelligence Production and **1** was taken by Special Operations.
- **1** case complainant is to provide more information.
- **2** cases were referred to the other government bodies/agencies.
- **14** advised accordingly.

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	3	4
		KACC – Operations	1	
2	Referred to other Investigative Agencies	PPO, Coast	1	2
		Town Clerk, Mombasa Municipal Council.	1	
3	Advised	Pursue the matter in court	3	15
		Right authority to report	11	
		Asked to provide more details	1	
4	NFA			
TOTAL				21

Forensic Investigation – Nairobi

Summary of Cases as at 31st May 2009

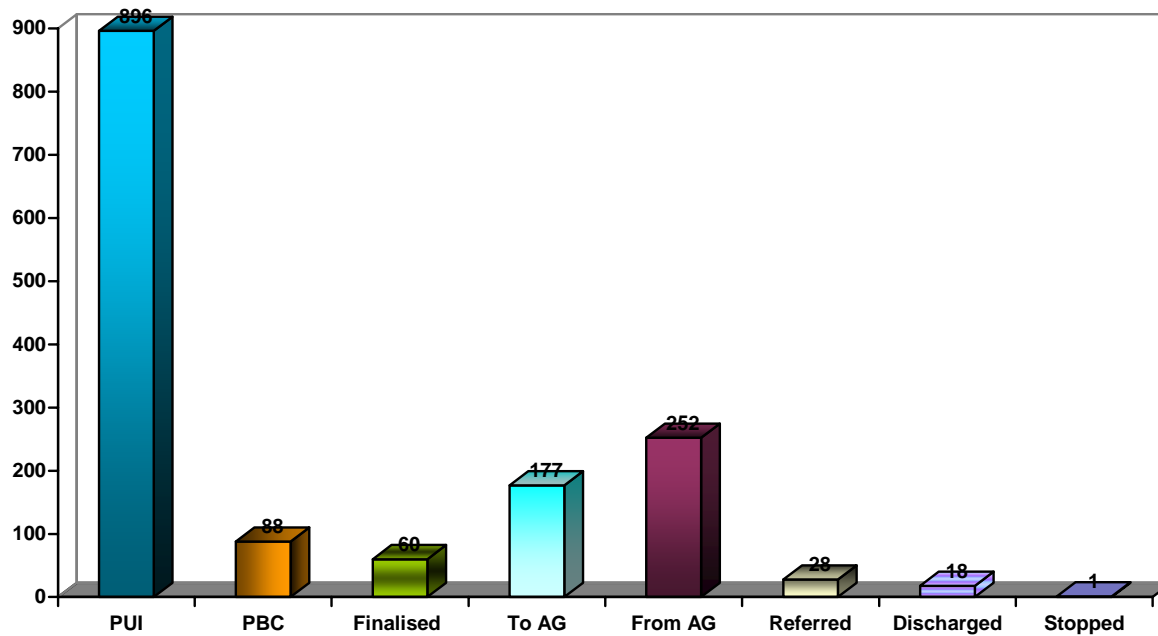
Below is a tabulation of cases and their respective status handled by the Department in the month of May 2009

Item	Description	No. of Cases	
		Segment	
1.PUI	Cases Pending Investigation		
	Cases Received for Investigation	7	14
	Cases Assigned for Investigation	7	
	Completed Files Forwarded to Crime Reader	-	

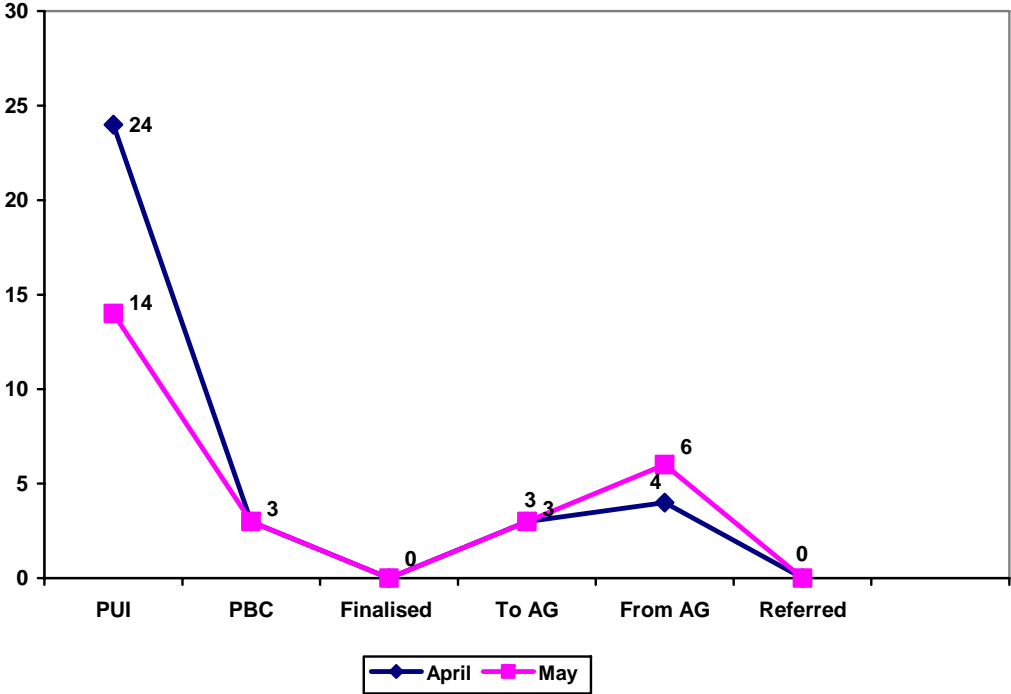
2.Pbc	Cases Taken to Court:		
	- Cases Taken for Plea	3	3
3.Finalised	Cases Finalized Before Court:		
	- Convictions	-	-
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
4.TO A-G	Files sent to the Attorney-General:		
	- With Recommendation to Prosecute	-	3
	- With Recommendation for Closure	3	
	- With Recommendation for Administrative Action	-	
	After Further Investigations	-	
5. From A-G	Files Received from the Attorney-General		
Advice	To Prosecute	3	6
	To Close Due to Insufficient Evidence	1	
	For Administrative Action	-	
	For Further Investigation	2	
	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 May 2009



Comparative Analysis of Cases processed in April and May 2009



Forensic Investigation – Mombasa

The Forensics Investigations Department in Mombasa received no new report for the month of May, 2009 but finalised 1 case carried forward. The following table shows how these reports were handled.

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

Rapid Response – Nairobi

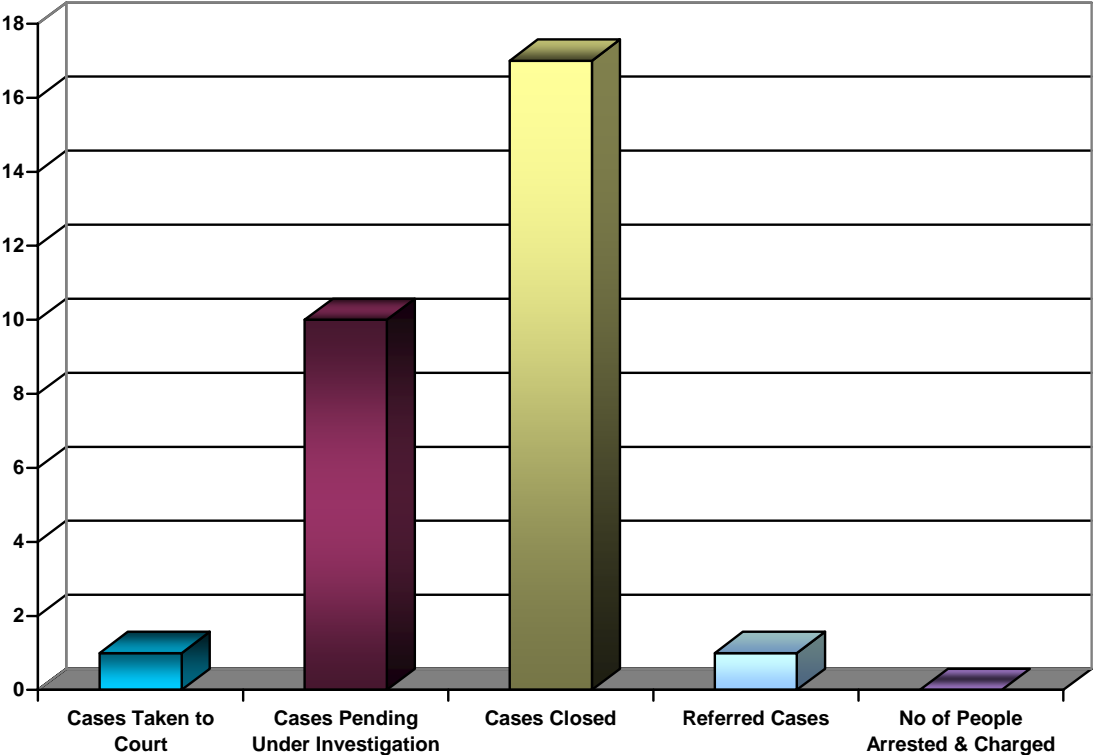
Summary of Cases Received in May 2009

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

New cases received During the Month

Category		Status	Previous	Current	Total for May
			No	No	
1.	Bribery	Number of cases taken to court	-	1	1
		Cases pending under Investigations	3	7	10
		Cases Closed, No Further Action	3	14	17
		Cases referred	-	1	1
		PAKA	1		1
2.	Sting				
TOTAL			7	23	30
Number of persons arrested and charged					nil

Graphical Representation of the cases processed.



Running Summary of Cases in 2009

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

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

INTELLIGENCE DEPARTMENT - Nairobi

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

Reports

The Department received **40** reports from the Report Centre and **5** Intelligence Reports (IR) from various officers within the Commission in the month of May 2009 and were distributed for action as follows:-

Breakdown

Item	Sources	No of Reports	Total
Reports Received	Report Centre	42	47
	Confidential Sources	5	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Probe	New tasks to Collection Division	10
		Tasks completed during the month	5
2	Preliminary Investigation	Old cases completed during the month	-
		Preliminary Investigation	1
3	Further Intelligence Development	Analysis and Production	30
4	Intelligence Probe	Mombasa Office	1

Graphical Representation of Handling of Cases

