



DIRECTORATE OF INVESTIGATION AND ASSET TRACING

MONTHLY REPORT, DECEMBER 2010

INTRODUCTION

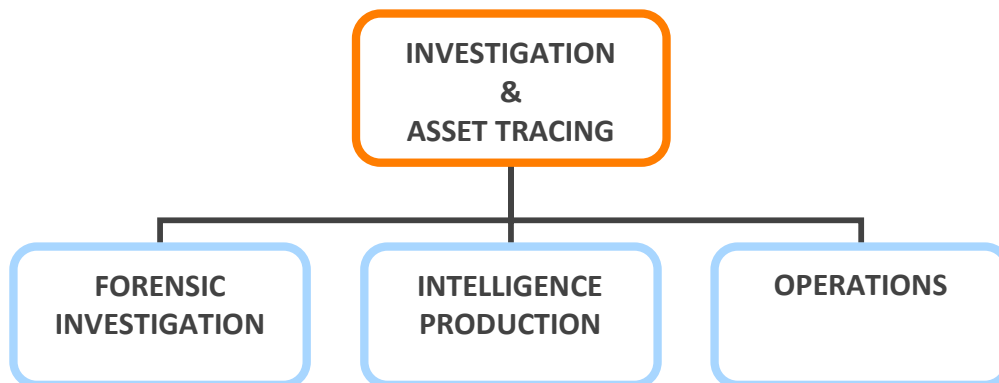
The Directorate of Investigation and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The functions of the Directorate are to;

- 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).

Kisumu Office

The Kisumu office was officially opened on the 14th of October 2010. The Three departments namely Forensics, Intelligence and Operations are represented in the office.

REPORTS CENTRE

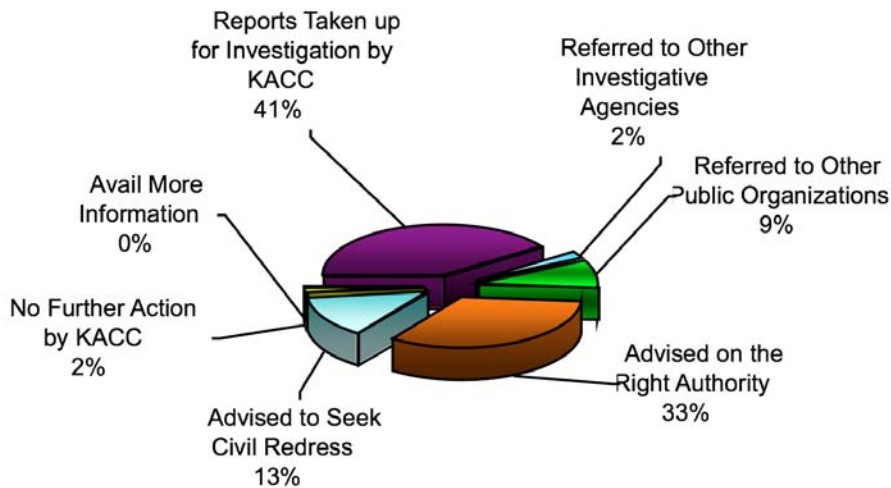
Reports Centre - Nairobi

During the month of **December 2010**, the Reports Centre Division processed a total of **433** reports as compared to **619** in **November 2010**. The Number of reports received has reduced drastically probably due to the holiday season.

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

- The Commission took up for investigation **175** reports which were found to be within its mandate. The Intelligence Production Department accounted for **105** of the reports; the Operations Department took up **36** reports, Forensics Department took up **33** 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 **2**, Police **4**, Immigration **2** and the Kenya Revenue Authority **1**.
- The Commission referred **39** other reports to various Public Service Organisations for administrative intervention.
- In **57** reports the complainants were advised to seek civil redress.
- In **144** reports 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 **2** report, the complainant was requested to avail more information.

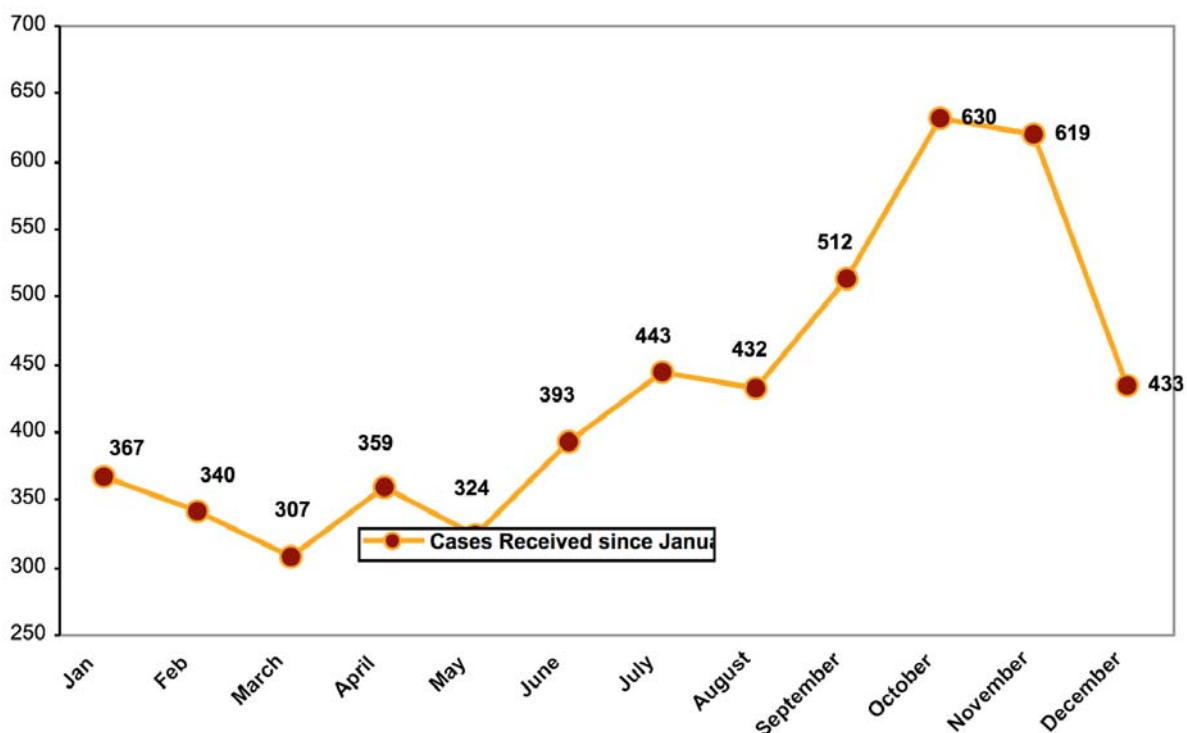
Categorization of reports processed by KACC in December 2010



Breakdown of Reports Processed.

	Category	Referral Agency	No. of cases	Total
1	Reports taken-up for action by KACC	KACC - Intelligence Production	105	175
		KACC – Rapid Response	36	
		KACC – Forensics	33	
		KACC – Preventive Services	1	
2	Reports Forwarded to Other Investigative Agencies	Criminal Investigation Department	2	9
		Police	4	
		Kenya Revenue Authority KRA	1	
		Immigration Department	2	
3	Reports Forwarded to Other Public Service Organisations	Ministry of Local government	3	39
		Ministry of Environment	2	
		Ministry of Medical Services	2	
		Ministry of Roads and Public Works	2	
		Kenya Forest Service	2	
		Ministry of Basic Education	1	
		Nairobi City council	1	
		Ministry of Foreign Affaires	1	
Other Public Bodies	25			
4	Advised to Pursue the Matter in Court			57
5	Advised on the right authority to report matter to			144
6	Complainants to Avail More Information			2
7	No Further Action by KACC			7
Total				433

Total cases received from January –December 2010



Reports Centre – Mombasa

A total of **91** reports were received and processed in the month of December **2010**. Disposal after analysis is as follows:-

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

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

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

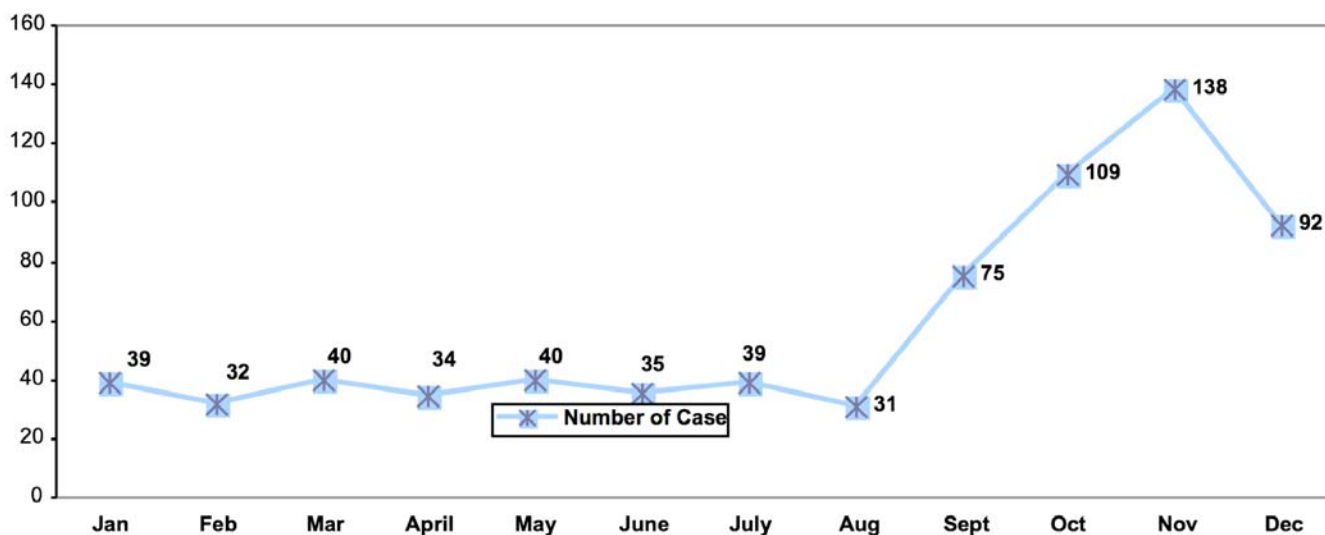
41 Advised accordingly

Breakdown of Processed Reports.

	Category	Referral Agency/Department	No of Cases	Total
1	Cases taken up for action by KACC	Intelligence Production	8	26
		Rapid Response	8	
		Forensic	10	
2	Referred to other Investigative Agencies	Police	3	4
		Kenya Revenue Authority	1	
3	Referred to other Organisations	Mombasa Municipal council	4	20
		Provincial Administration	3	
		Ministry of Education	2	
		Ministry of Lands	2	
		Other Organizations	9	

4	Advised	Pursue the matter in court	29
		Right Authority	7
5	Complainants to Avail More Details		0
	No Further Action NFA		5
TOTAL			91

No of Cases received from January – December 2010



Reports Centre – Kisumu

A total of **149** reports were received and processed in the month of December **2010**. Disposal after analysis is as follows:-

46 reports fell within KACC’s mandate and were distributed as follows:

- **8** to Intelligence Production,
- **25** to Forensic Investigation
- **13** to Rapid Response

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

48 Advised accordingly

	Category	Referral Agency/Department	No of Cases	Total
1	Cases taken up for action by KACC	Intelligence Production	8	46
		Rapid Response	13	
		Forensic	25	
2	Referred to other Investigative Agencies	Police	3	26
		CID	23	
3	Referred to other Organisations	CDF National Management Board	1	29
		Ministry of Labour	1	
		Provincial Administration	8	

		National Social Security Fund (NSSF)	3	
		Ministry of Lands	3	
		Municipal council of Kisumu	4	
		Ministry of Education	9	
4	Advised	Pursue the matter in court		10
		Right Authority		16
5	Complainants to Avail More Details			7
	No Further Action NFA			15
TOTAL				149

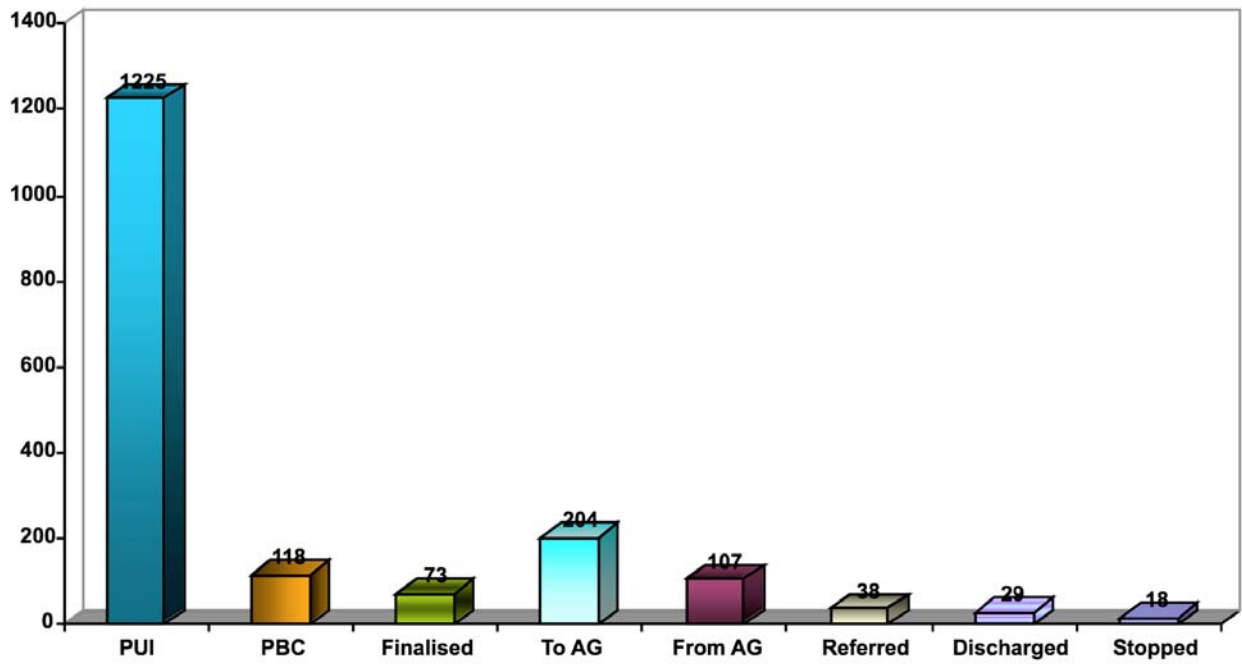
FORENSICS INVESTIGATIONS

Forensic Investigation – Nairobi Case Output for the month of December 2010

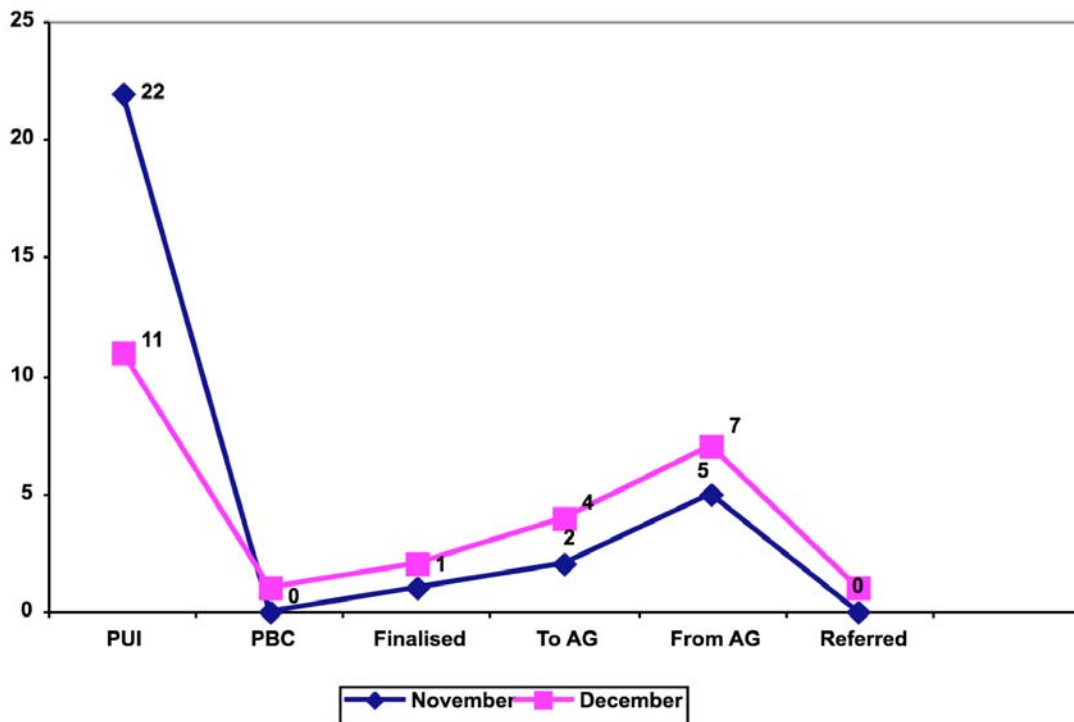
Item	Description	No. of Cases	
		Segment	
1.PUI	Cases Pending Investigation		
	Cases Received for Investigation	16	11
	Cases Assigned for Investigation	16	
	Completed Files Forwarded to Crime Reader	5	
2.Pbc	Cases Taken to Court:		
	- Cases Taken for Plea	1	1
3.Finalised	Cases Finalized Before Court:		
	- Convictions	2	2
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
4.TO A-G	Files sent to the Attorney-General:		
	- With Recommendation to Prosecute	4	4
	- With Recommendation for Closure	-	
	- With Recommendation for Administrative Action	-	
	After Further Investigation	-	
5. From A-G	Files Received from the Attorney-General		
	To Prosecute	6	7
	To Close Due to Insufficient Evidence	1	
	For Administrative Action	-	
	For Further Investigation	-	
	To Consolidate	-	
6.REFERRED	Cases Referred to Other Agencies	1	1
7.REPORTS	Investigation Reports Prepared For Action	-	-

* Bribe demand cases not included.

Graphical Representation of the Cases as of 30th December 2010



Comparative Analysis of Cases processed in November and December 2010



Forensic Investigation – Mombasa

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

Item	Description/Status	No of cases	
1. Cases/ Reports	Case Status/Distribution		
	New Cases Received during the month	10	
	New Cases assigned for Investigations	7	
	Cases under investigations	10	
	Cases awaiting allocation		
2.To A-G	Files sent to Crime Reader(s)		
	- With Recommendation to Prosecute	0	
	- With Recommendation for Administrative Action	0	
3. From A-G	Files Received from the Attorney-General/Crime Reader(s)	0	
	To Prosecute	1	
4. Court	Cases in Court:		
	- Cases Taken for Plea	1	

Forensic Investigation – Kisumu

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

Item	Description/Status	No of cases	Total
1. Cases/ Reports	Case Status/Distribution		
	New Cases Received during the month	25	
	New Cases assigned for Investigations	-	
	Cases under investigations	-	
	Cases awaiting allocation	-	
2.To A-G	Files sent to Crime Reader(s)		
	- With Recommendation to Prosecute		
	- With Recommendation for Administrative Action		
3. From A-G	Files Received from the Attorney-General/Crime Reader(s)	-	
	To Prosecute	-	
4. Court	Cases in Court:	1	
	- Cases Taken for Plea		

OPERATIONS DEPARTMENT

Rapid Response – Nairobi

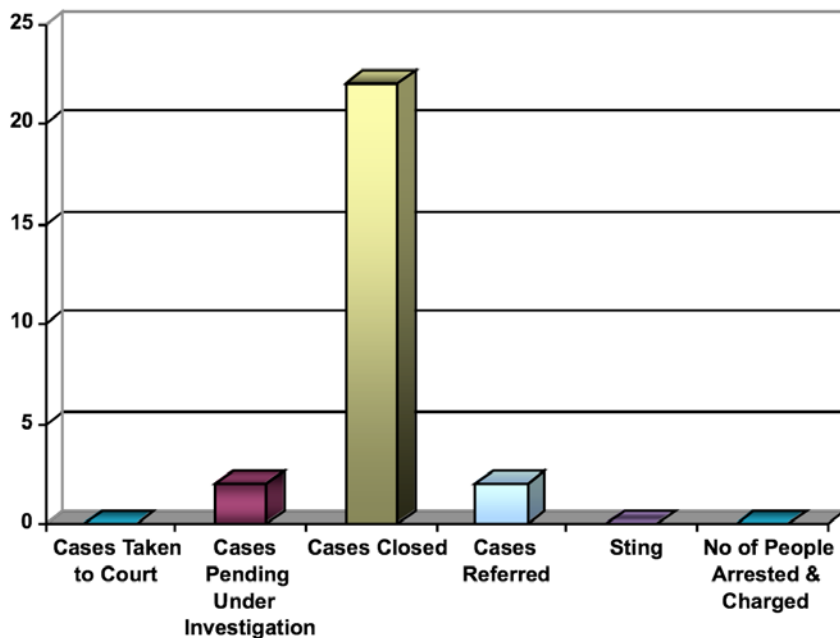
Summary of Cases Received in December 2010

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

New cases received During the Month

Category		Status	No of Cases
1.	Bribery	Number of cases taken to court	0
		Number of P.A.K.A cases	0
		Cases pending under Investigation	2
		Cases Closed, No Further Action	22
		Cases Referred to other Agencies	2
2.	Sting		0
TOTAL			26
Number of persons arrested and charged			0

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-December 2010.

Status	Jan	Feb	Mar	April	May	June	Jul	Aug	Sept	Oct	Nov	Dec	Total
Number of cases taken to court	3	3	5	3	6	3	5	0	11	6	4	0	49
Cases Closed, No Further Action	10	14	12	8	18	9	12	17	12	19	5	22	158
Cases Referred	20	1	0	0	0	1	0	1	1	1	1	2	28
Number of Persons arrested and charged	0	0	0	5	7	4	7	0	15	5	4	0	47
Cases Pending Under Investigation													2

Rapid Response – Mombasa

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

Category		Status	Total
1.	Bribery	Number of cases taken to Court	1
		Cases Pending Under Investigation	6
		Cases Closed - No Further Action	1
		Cases referred	0
		PAKA	0
2.	Sting		0
TOTAL			8
Number of arrested and charged			

Running Summary of Cases in 2010

Status	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Number of case taken to Court	1	1	1	1	3	0	1	1	2	1	2	1	15
Cases closed. No further action	2	-	-	-	3	2	3	2	0	1	5	1	17
Cases referred	-	-	-	-	-	-	-	-	-	-	1	-	1
Number of Persons arrested and charged	2	-	-	-	-	-	1	1	9	-	9	-	22

Cases Pending under investigation																			6
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Rapid Response – Kisumu

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

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

INTELLIGENCE DEPARTMENT

IPD - Nairobi

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

Reports

The Department received **47** reports from the Report Centre, **7** Intelligence Reports (IR) from various officers and **19** allegations of misconduct by public officers during the month of December **2010**.

Breakdown

Item	Sources	No of Reports	Total
Reports Received	Report Centre	47	74
	Confidential Sources (Self generated by officers)	27	
	Handling of the Reports		
	Task	Division	No of Reports
1	Intelligence Probe	Collection	39
2	Retained for analysis	Analysis and Production	8

3	Intelligence Probe	Mombasa Office	1
4	Integrity Tests	Integrity Testing Programme	19
5	Preliminary Investigations	Preliminary Investigations	6
TOTAL			74

IPD – Mombasa

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

1. Intelligence activities at the Kilindini Port
2. Intelligence Activities at Kongowea Municipal market.

Item	Sources	No of Reports	Total
Reports Received	Report Centre	8	10
	Confidential Sources	2	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Probe	New tasks to Collection Division	
		Tasks completed during the month	1
2	Preliminary Investigation	Completed Preliminary Investigations	0
		Preliminary Investigations Pending Under Investigation	3
3	Full Investigation	Forensic Investigation	

IPD - Kisumu

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

1. Undercover investigations at Kisumu region within Siaya District at Nyabeda area that led to asset (Property) identification that belong to Mr. Patrick Lumumba Ombogo who works at the Ministry of Water, Nairobi.
2. Undercover investigations at Kisumu region within Kisumu East District at Kondele area that led to asset (Property) identification, the Balcony Restaurant & Makuti Villa opposite police station.

BREAKDOWN OF CASES

Item	Sources	No of Reports	Total
Reports Received	Report Centre	8	10

		Confidential Sources	2	
Handling of the Reports				
	Task	Division	No of Reports	
1	Intelligence Probe	New tasks to Collection Division	8	
		Tasks completed during the month	2	
2	Preliminary Investigation	Completed Preliminary Investigations	2	
		Preliminary Investigations Pending Under Investigation	6	
3	Full Investigation	Forensic Investigation	-	