



# **DIRECTORATE OF INVESTIGATION AND ASSET TRACING**

**MONTHLY REPORT, MARCH 2010**

## Introduction

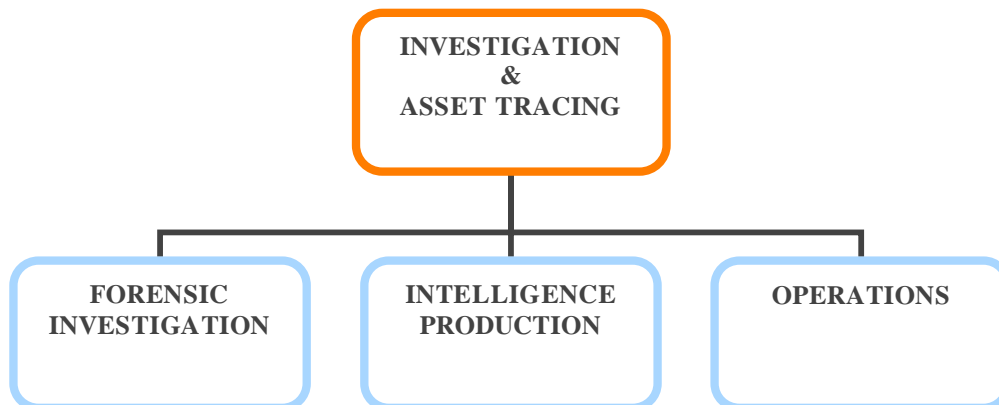
The Directorate of Investigation and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The functions of the Directorate are to;

- 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 4<sup>th</sup> June 2007. All the three Departments of the Directorate, namely; Forensic Investigation (FI), Operations (OPS) and Intelligence Production (IP) are represented.

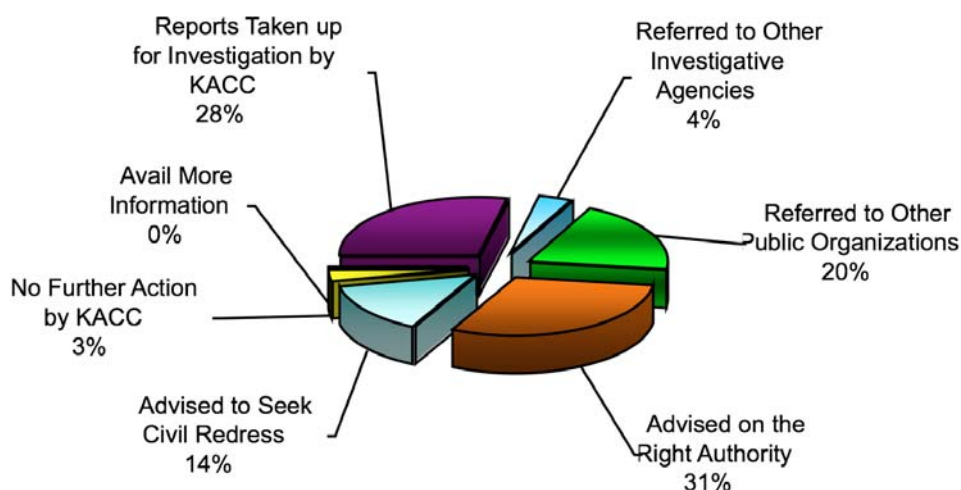
## Reports Centre – Nairobi

During the month of **March 2010**, the Reports Centre Division processed **307** reports as compared to **340** in **February 2010**.

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

- The Commission took up for investigation **87** reports which were found to be within its mandate. The Intelligence Production Department accounted for **42** of the reports; the Operations Department took up **23**, Forensics Department took up **20** reports while the Legal Services the remaining **2** reports.
- **12** reports were forwarded to other investigative agencies for action with the Criminal Investigations Department accounting for **5**, the Kenya Revenue Authority **4**, the Police accounted **2** and the Immigration Department **1**.
- The Commission referred **61** other reports to various Public Service Organisations for administrative intervention.
- In **44** reports the complainants were advised to seek civil redress.
- In **93** reports the complainants were advised on the right authority to report to.
- **9** reports did not disclose offences requiring intervention and were marked for No Further Action (NFA).
- In the remaining **1** report, the complainants/informers were requested to avail more information.

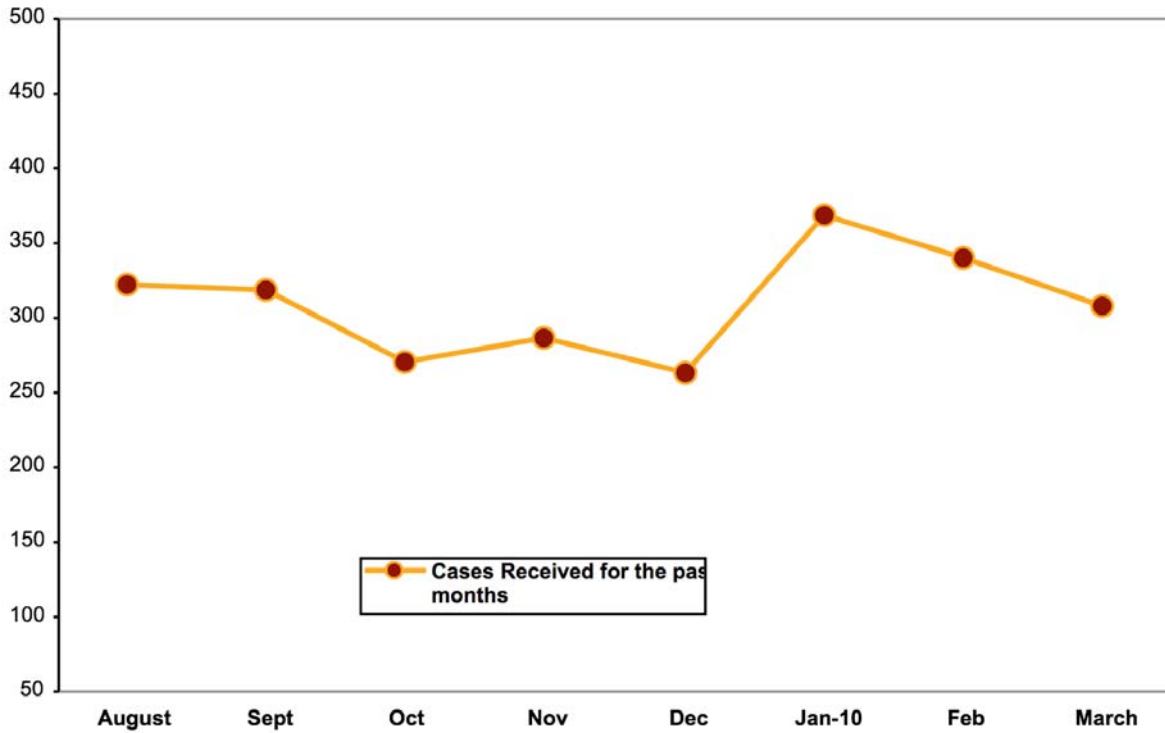
### Categorization of reports processed by KACC in March 2009



## Breakdown of Reports Processed.

	Category	Referral Agency	No. of cases	Total
1	<b>Reports taken-up for action by KACC</b>	KACC - Intelligence Production	42	<b>87</b>
		KACC – Rapid Response	23	
		KACC – Forensics	20	
		KACC - Legal	2	
2	<b>Reports Forwarded to Other Investigative Agencies</b>	Criminal Investigations Department	5	<b>12</b>
		Kenya Revenue Authority KRA	4	
		Department of Immigration	1	
		Police	2	
3	<b>Reports Forwarded to Other Public Service Organisations</b>	Ministry of Basic Education	15	<b>61</b>
		CDF National Management Committee	7	
		Ministry of Agriculture	4	
		Ministry of Roads and Public Works	4	
		Public Procurement Oversight Authority	3	
		Ministry of Higher Education	3	
		Ministry of Local Government	3	
		Other Organizations	22	
4	<b>Advised to Pursue the Matter in Court</b>			<b>44</b>
5	<b>Advised on the right authority to report matter to</b>			<b>93</b>
6	<b>Complainants to Avail More Information</b>			<b>1</b>
7	<b>No Further Action by KACC</b>			<b>9</b>
<b>Total</b>				<b>307</b>

**Total cases received for the Past 8 Months.**



**Reports Centre - Mombasa**

A total of **40** reports were received and processed in the month of **March 2010**. Disposal after analysis is as follows:-

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

- **5** went to Intelligence Production,
- **3** to Forensic Investigations
- **2** to Rapid Response
- **1** to avail more details

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

**In 20 reports complainants/informants were** advised accordingly

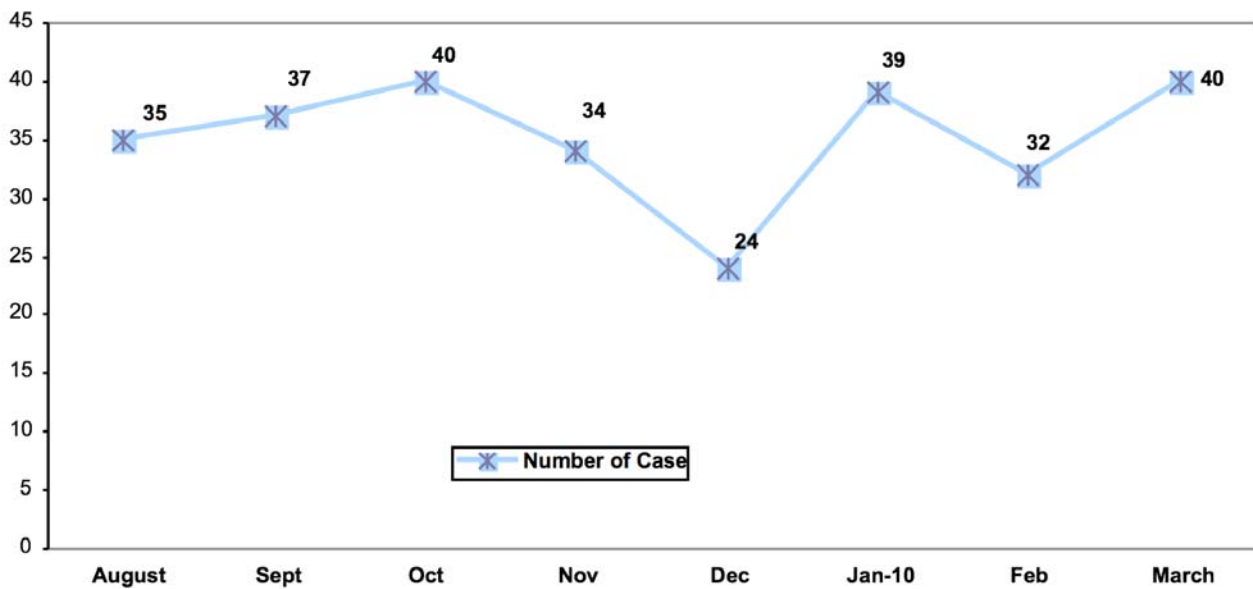
**2 reports could not be pursued and marked as No Further Action NFA**

**TABLE 1: Breakdown of Processed Reports.**

	Category	Referral Agency/Department	No of Cases	Total
<b>1</b>	Cases taken up for action by KACC	Intelligence Production	5	<b>11</b>
		Rapid Response	2	
		Forensic	3	
		Avail more Details	1	
<b>2</b>	Referred to other Investigative Agencies	PPO	1	<b>7</b>
		PCSC	1	
<b>3</b>	Referred to other	PCSC	1	

	Organisations	Provincial Director of Youth Affairs	1	
		MD, KPA	1	
		Director of pensions	1	
		Town Clerk , Kilifi county Council	2	
4	Advised	Pursue the matter in court	7	20
		Right Authority	13	
5	NFA		2	2
<b>TOTAL</b>				<b>40</b>

**No of Cases received for the past 8 Months.**



## Forensic Investigation – Nairobi

### Summary of Cases as at 31<sup>st</sup> March 2010

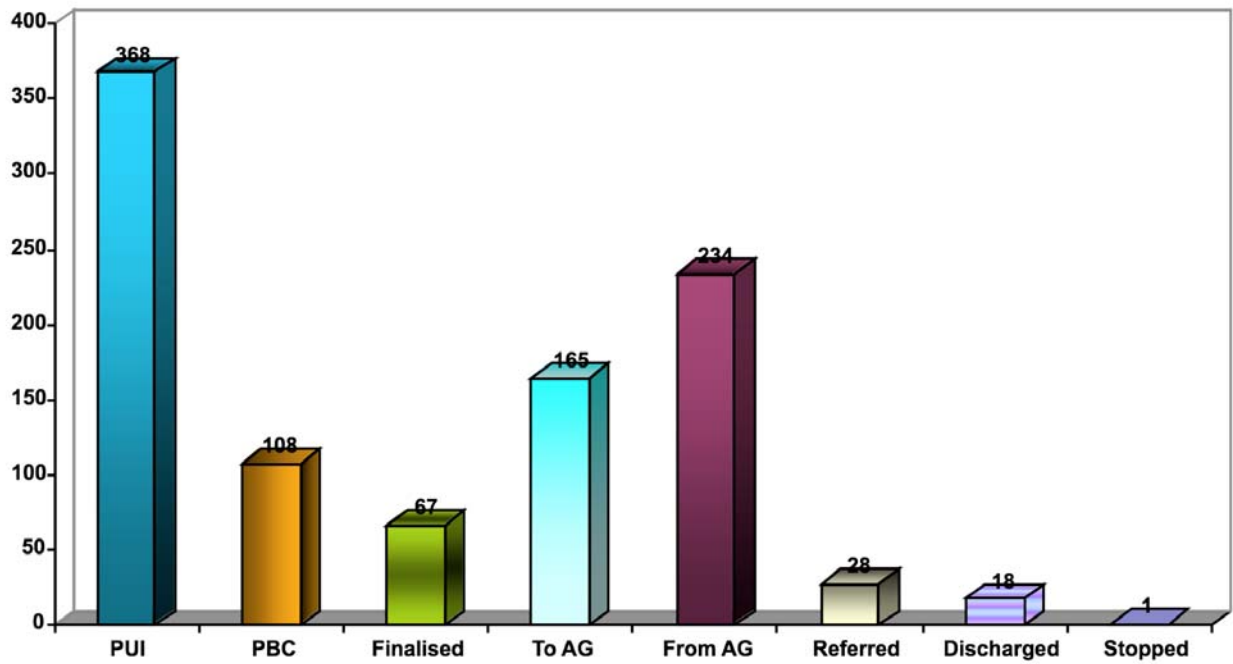
Below is a tabulation of cases and their respective status handled by the Department in the month of March 2010.

### Case Output for the month of March 2010

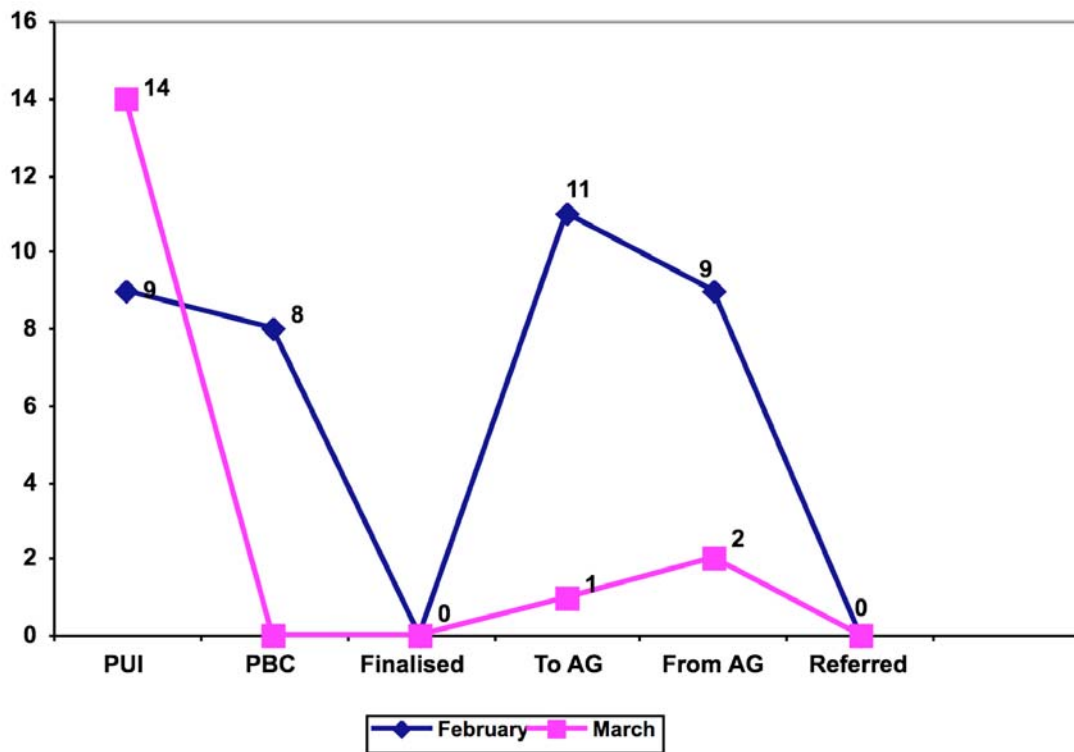
Item	Description	No. of Cases	
		Segment	
<b>1.PUI</b>	<b>Cases Pending Investigation</b>		
	Cases Received for Investigation	4	<b>14</b>
	Cases Assigned for Investigation	4	
	Completed Files Forwarded to Crime Reader	6	
<b>2.Pbc</b>	<b>Cases Taken to Court:</b>		
	- Cases Taken for Plea	-	-
<b>3.Finalised</b>	<b>Cases Finalized Before Court:</b>		
	- Convictions	-	<b>-</b>
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
<b>4.TO A-G</b>	<b>Files sent to the Attorney-General:</b>		
	- With Recommendation to Prosecute	1	<b>1</b>
	- With Recommendation for Closure	-	
	- With Recommendation for Administrative Action	-	
	After Further Investigations	-	
<b>5. From A-G</b>	<b>Files Received from the Attorney-General</b>		
<b>Advice</b>	To Prosecute	1	<b>2</b>
	To Close Due to Insufficient Evidence	1	
	For Administrative Action	-	
	For Further Investigation	-	
	To Consolidate	-	
<b>6.REFERRED</b>	Cases Referred to Other Agencies	-	<b>-</b>
<b>7.REPORTS</b>	Investigation Reports Prepared For Action	-	<b>-</b>

\* Bribe demand cases not included.

### Graphical Representation of the Cases as of 31<sup>st</sup> March 2010



### Comparative Analysis of Cases processed in February 2010 and March 2010



### Forensic Investigation – Mombasa

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

Item	Description/Status	No of cases	Total
1. Cases/ Reports	Case Status/Distribution		
	New Cases Received during the month	3	



	Cases assigned for Investigations	<b>2</b>	
	Cases under investigations	-	
	Cases awaiting allocation	-	
<b>2.To A-G</b>	<b>Files sent to Crime Reader(s)</b>	-	
	- With Recommendation to Prosecute	<b>3</b>	<b>3</b>
	- With Recommendation for Closure	-	
	- With Recommendation for Administrative Action	-	
	- After Further Investigations	-	
<b>3. From A-G</b>	<b>Files Received from the Attorney-General/Crime Reader(s)</b>		
	To Prosecute	<b>1</b>	<b>3</b>
	To Close Due to Insufficient Evidence	<b>2</b>	
	For Administrative Action	-	
	For Further Investigation	-	
	To Consolidate	-	
<b>4. Court</b>	<b>Cases in Court:</b>		
	- Cases Taken for Plea	-	<b>1</b>
	- Cases on going	-	
<b>5. Finalised</b>	<b>Action taken</b>		
	- Convictions	-	
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
	- Recommended for Administrative action	-	
<b>6. REFERRED</b>	Cases Referred to Other Agencies	-	

## Rapid Response – Nairobi

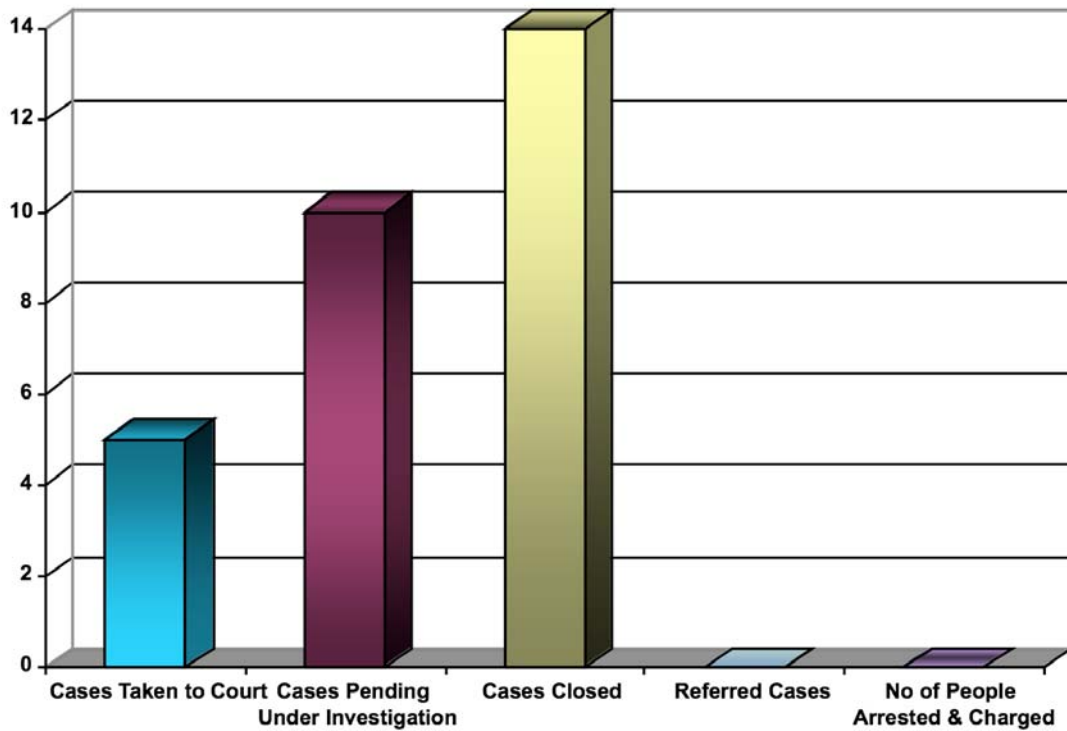
### Summary of Cases Received in March 2010

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

### New cases received During the Month

Category		Status	Previous	March	Total
			No	No	
1.	Bribery	Number of cases taken to court	-	5	5
		Cases pending under Investigations	3	7	10
		Cases Closed, No Further Action	2	12	14
2.	Sting				
<b>TOTAL</b>			<b>5</b>	<b>24</b>	<b>29</b>
<b>Number of persons arrested and charged</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-March 2010.

	Status	Jan	Feb	March	Total
	Number of cases taken to court	3	3	5	11
	Cases Closed, No Further Action	12	18	14	44
	Cases Referred	29	3	0	32
	Number of Persons arrested and charged	0	0	0	0
	Cases Pending Under Investigation				10

### Rapid Response – Mombasa

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

Item	Description/Status	No of cases	Total
<b>1. Cases/ Reports</b>	<b>Case Status/Distribution</b>		<b>2</b>
	New cases received during the month	<b>2</b>	
	Cases under investigations	<b>1</b>	
	Cases taken for plea	<b>1</b>	
	Cases referred	<b>0</b>	
	Cases closed- NFA	<b>0</b>	

### Running Summary of Cases in 2010

	Status	Jan	Feb	March	Total
	Number of case taken to Court	1	1	1	3
	Cases closed. No further action	2	-	-	2
	Cases referred	-	-	-	-
	Number of Persons arrested and charged	2	-	-	2
	Cases Pending under investigation				1

## 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 **19** reports from the Report Centre, **10** Information Reports (IR) from various officers within the Commission.

#### Breakdown

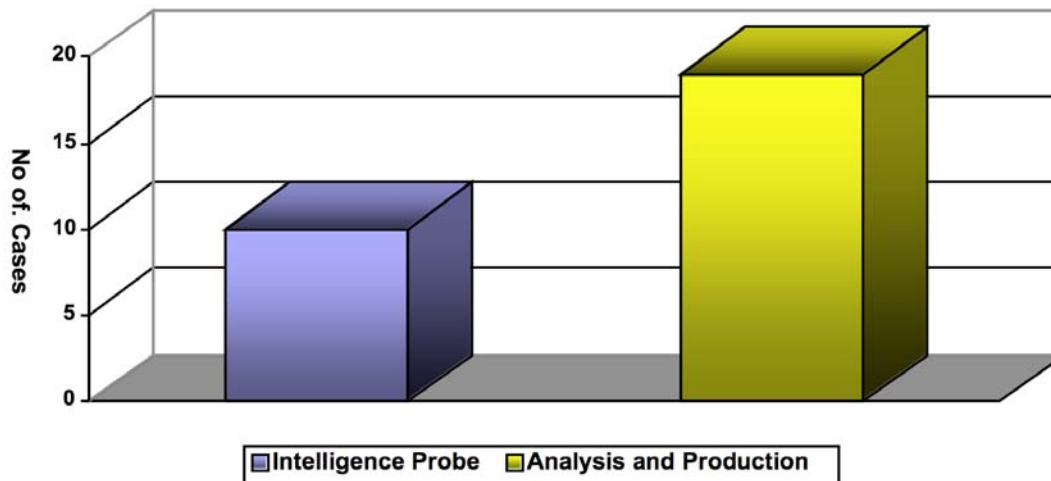
Item	Sources	No of Reports	Total
Reports Received	Report Centre	19	<b>29</b>
	Confidential Sources	10	
<b>Handling of the Reports</b>			
	Task	Division	No of Reports
1	Intelligence Development	Analysis and Production	19
2	Intelligence Probe	Collection	10
<b>TOTAL</b>			<b>29</b>

### 2. ILACOM Activities

A comprehensive Tactical Assessment on the implementation of the current Corruption Control strategies was presented by Senior Analyst, Intelligence Production. It was observed that Tactical Plans be implemented in- line with the Control Strategies.

### 3. Integrity Testing Programme Launched

The programme was launched during the month, with KEMSA and Immigration Departments being the pioneer institutions for implementation. The first batch of officers from various law enforcement agencies were inducted on basic concepts of Integrity Testing at Kenya Integrity Forum offices.



## Graphical Representation of Handling of Cases

### 4.1 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 **1** report from confidential sources.

#### Months Activities

1. Undercover investigations /activities at the Municipal Council, Rates section aimed at identifying and profiling corrupt officers.
2. Undercover activities at the Council's revenue collection points with the aim of identifying areas of pilferage and officers concerned.
3. Profiling and tracing the assets of a senior KPA security officer who is living beyond his means /unexplained wealth.

Item	Sources	No of Reports	Total
Reports Received	Report Centre	4	5
	Confidential Sources	1	
Handling of the Reports			
	Task	Division	No of Reports
1	Intelligence Probe	New tasks to Collection Division	4
		Tasks completed during the month	-
2	Preliminary Investigation	Preliminary Investigation	2
3	Full Investigation	Forensic Investigation	-