



DIRECTORATE OF INVESTIGATIONS AND ASSET TRACING

MONTHLY REPORT, JANUARY 2008

Introduction

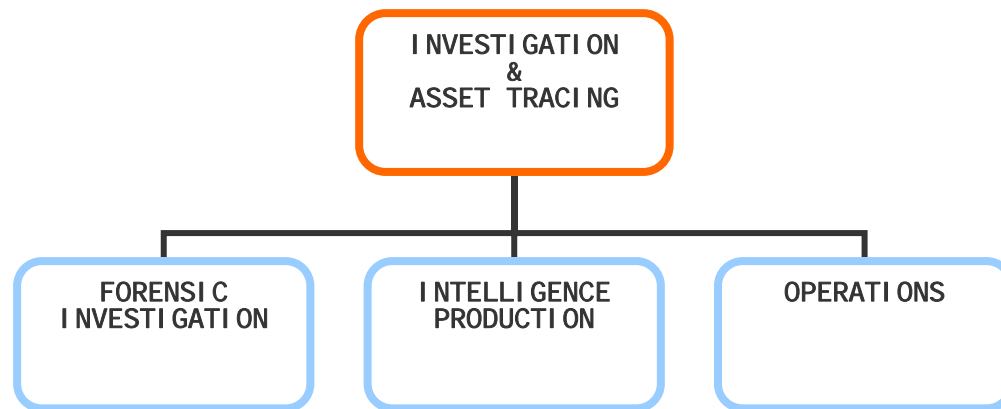
The Directorate of Investigation and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The functions of the Directorate include:

- 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.

Effective January 2008, the Directorate has been reorganised into three departments, namely; Operations, Forensics and Intelligence.

- i. Operations- comprising two divisions; Report Centre and Rapid Response,
- ii. Forensics- comprising two divisions; Forensic Investigation and Asset Tracing,
- iii. Intelligence- comprising three divisions: Analysis & Production, Preliminary Investigation 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 and was officially launched on 4th December 2007. All the three departments of the Directorate, namely; Forensic Investigation (FI), Operations and Intelligence Production are represented.

Report Centre - Nairobi

During the month of **January 2008**, the Reports Centre Division processed **207** (new) reports. The number of reports received and processed dropped by **16** when compared to the month of **December 2007** when a total of **223** new cases were handled in the division. The drop in figures is mainly attributed to post election violence currently affecting the country.

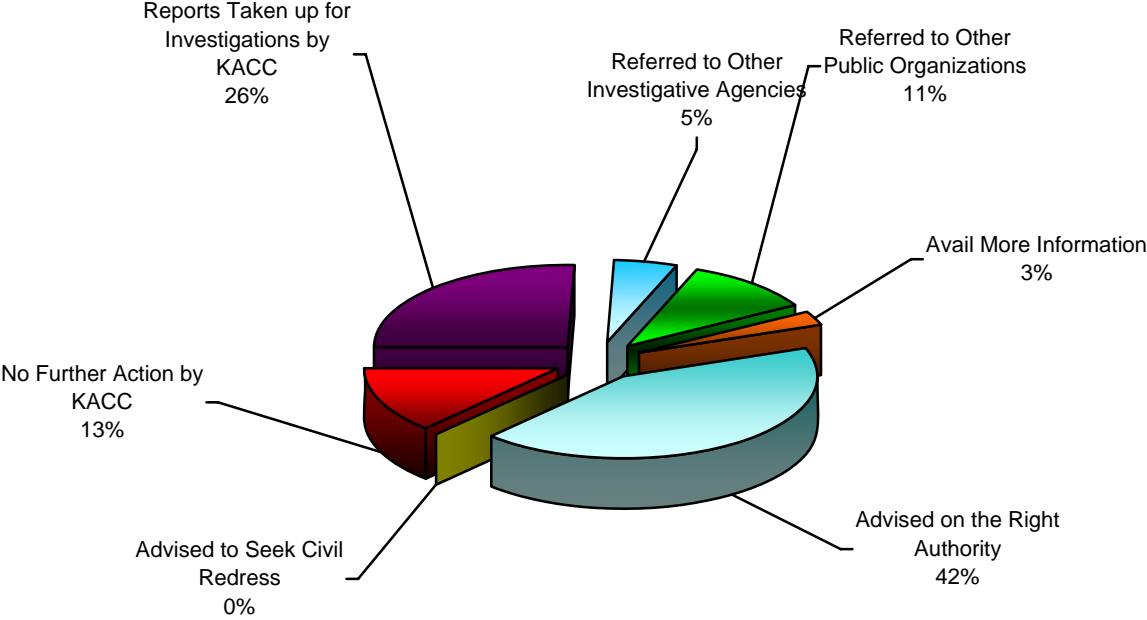
After analysis and classification the reports were disposed off follows:

- The Commission took up for investigation **53 reports** found to be within our mandate. The Intelligence Production Department accounted for **37** of the cases. Among the **37** were **4** reports which contained additional information on cases already under investigation. The Rapid Response Division took up **9** cases for investigation, while **3** were forwarded to the Legal Services Directorate for action. Another **3** reports which contained information relating to last year's General Election were forwarded to the Election Monitoring Team to consolidate its report, while Forensic Investigation Department took up the remaining **1** case.
- Other investigative agencies accounted for **11** cases. The Criminal Investigations Department took up **4** four of the cases under this category, while, the Kenya Revenue Authority and the Directorate of Immigration Services took **2** and **5** cases respectively.
- In a majority of the cases the complainants/informer were advised on the right authority to seek intervention. **88** of the total cases received fell under this category.
- Another **22** cases were forwarded to other public service organisations for action, while in **6** the complainants/informers were requested to avail more details.
- The remaining **27 cases** did not require the Commission's intervention and were therefore marked as No Further Action cases.

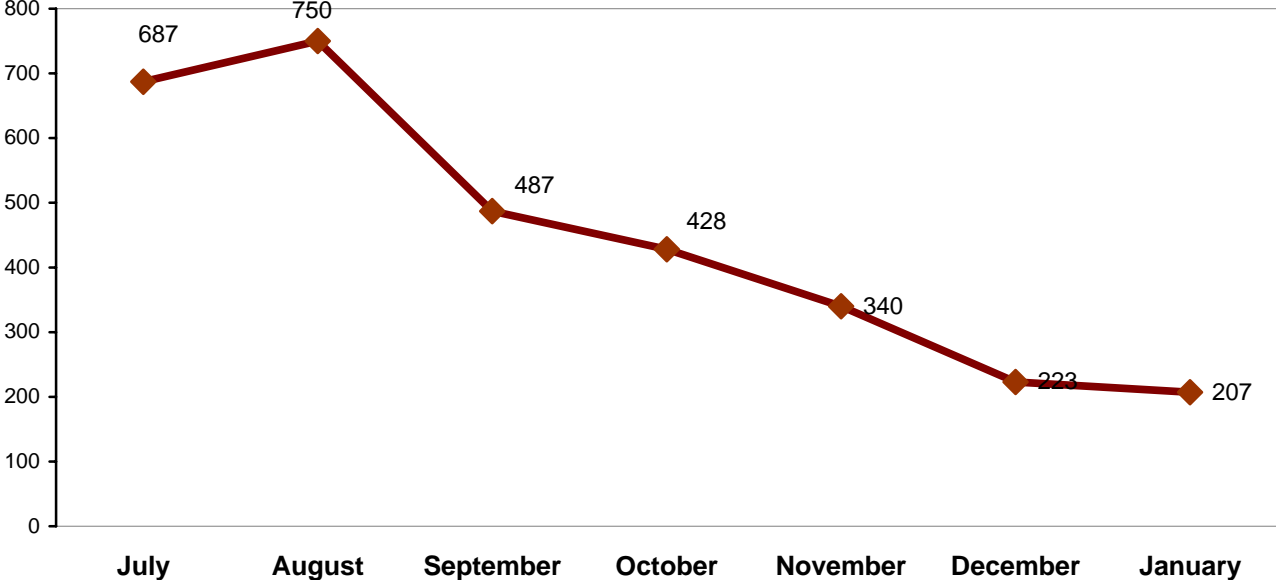
Analysis

	Category	Referral Agency	No. of cases	TOTAL
1	Reports taken-up for action by KACC	KACC - Intelligence Productions	37	53
		KACC – Rapid Response	9	
		KACC – Forensics	1	
		KACC – Legal Services	3	
		KACC-Election monitoring Team	3	
2	Reports Forwarded to Other Investigative Agencies	General Duty Police		11
		Criminal Investigations Department	4	
		Kenya Revenue Authority KRA	2	
		Department of Immigration	5	
3	Reports Forwarded to Other Public Service Organisations	CDF National Management Committee	1	22
		Ministry of Education	4	
		Ministry of Local Government	-	
		Provincial Administration	3	
		Ministry of Agriculture	-	
		Ministry of Environment – Dept of Forestry	-	
		Ministry of Roads and Public Works		
		Other Public Organisations	14	
4	Advised to Pursue the Matter in Court			-
5	Advised on the right authority to report matter to			88
5	Complainants to Avail More Information			6
6	No Further Action by KACC			27
Total				207

Categorization of reports Processed by KACC in January 2008



Comparative Analysis Showing the Cases received for the past 6 months.



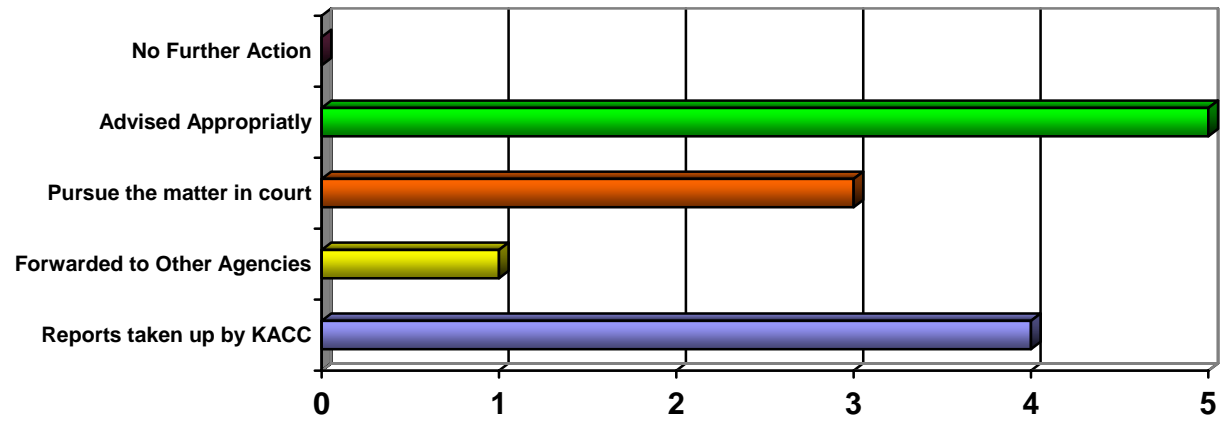
1.0 Report Centre - Mombasa

In the month of **January 2008**, the Centre (Mombasa Regional Office) processed a total of **15** new reports. Following is the breakdown and the manner of disposal after analysis:

	Category	Referral Agency/Department	No. of cases	TOTAL
1	Reports taken-up for action by KACC	KACC - Intelligence Production	2	4
		KACC – Rapid Response	1	
		KACC - Forensic Investigations	1	
2	Reports Forwarded to Other Investigative Agencies	Provincial Police Officer (PPO) Coast	1	1
3	Other Public Organisations	Provincial Director of Education, Coast	2	2
4	Advised to pursue matter in court			3
5	Advised on the right authority to report matter			5
TOTAL				15

Breakdown and Manner of Disposal of the Complaints Received

Graphical Representation of Cases Processed



Forensic Investigation – Nairobi

Summary of Cases as at 31st January 2008

Item	Description	No. of Cases	
		Segment	Total
1.PUI	Cases Pending Investigation	491	784
	Completed Files with the Crime Reader	29	
	Cases Pending Allocation for Investigation	264	
2.PBC	Cases Pending Before Court (PBC)	80	82
	PBC with Part Discharges	1	
	PBC With Prohibition Orders	1	
3.FINALISED	Cases finalised before court:		
	- Convictions	13	57
	- Acquittals	11	
	- Discharges	32	
	- ‘Nolle prosequi’	1	
4. To A-G	Files Sent to A-G		
	With Recommendation to Prosecute	2	5
	With Recommendation for Closure	2	
	With Recommendation for Administrative Action	1	
	After Further Investigation	-	
5. From A-G	Attorney-General Advice		
Advice	- To Prosecute	1	5
	- For Closure	4	
	- For further Investigation	-	
	- Administrative Action	-	
	- Consolidated Files	-	

6.REFERRED	Cases Referred to Other Agencies	-	-
7.DISCHARGE	Discharges under s. 87(a) for New Charges	-	-
8.STOPPED	PUI Cases stopped by Court injunctions	-	-

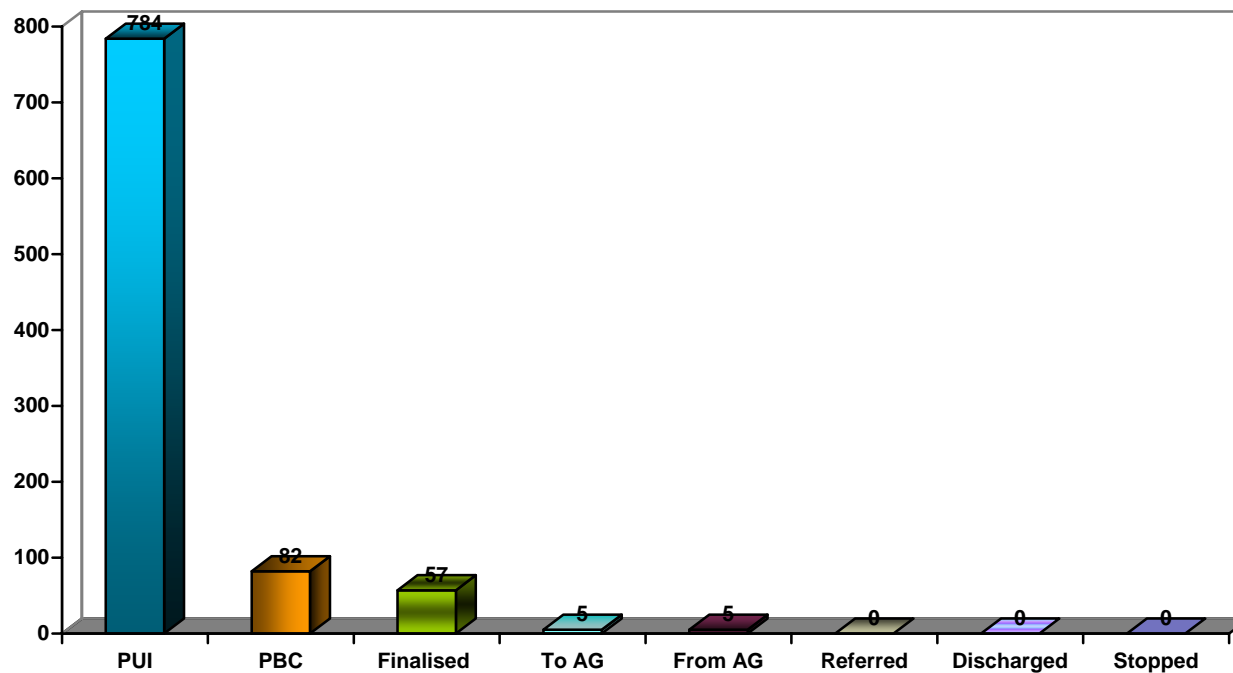
CASE OUTPUT FOR THE MONTH OF JANUARY 2008

Item	Description	No. of Cases	
		Segment	Total
1.PUI	Cases Pending Investigation		
	Cases Received for Investigation	17	26
	Cases Assigned for Investigation	7	
	Completed Files Forwarded to Crime Reader	2	
2.Pbc	Cases Taken to Court:		
	- Cases Taken for Plea	-	
3.Finalised	Cases Finalized Before Court:		
	- Convictions	1	
	- Acquittals	-	
	- Discharges	-	
	- 'Nolle prosequi'	-	
4.TO A-G	Files sent to the Attorney-General:		
	- With Recommendation to Prosecute	2	5
	- With Recommendation for Closure	2	
	- With Recommendation for Administrative Action	1	
5. From A-G	Files Received from the Attorney-General		
Advice	To Prosecute	1	
	To Close Due to Insufficient Evidence	4	
	For Administrative Action	-	

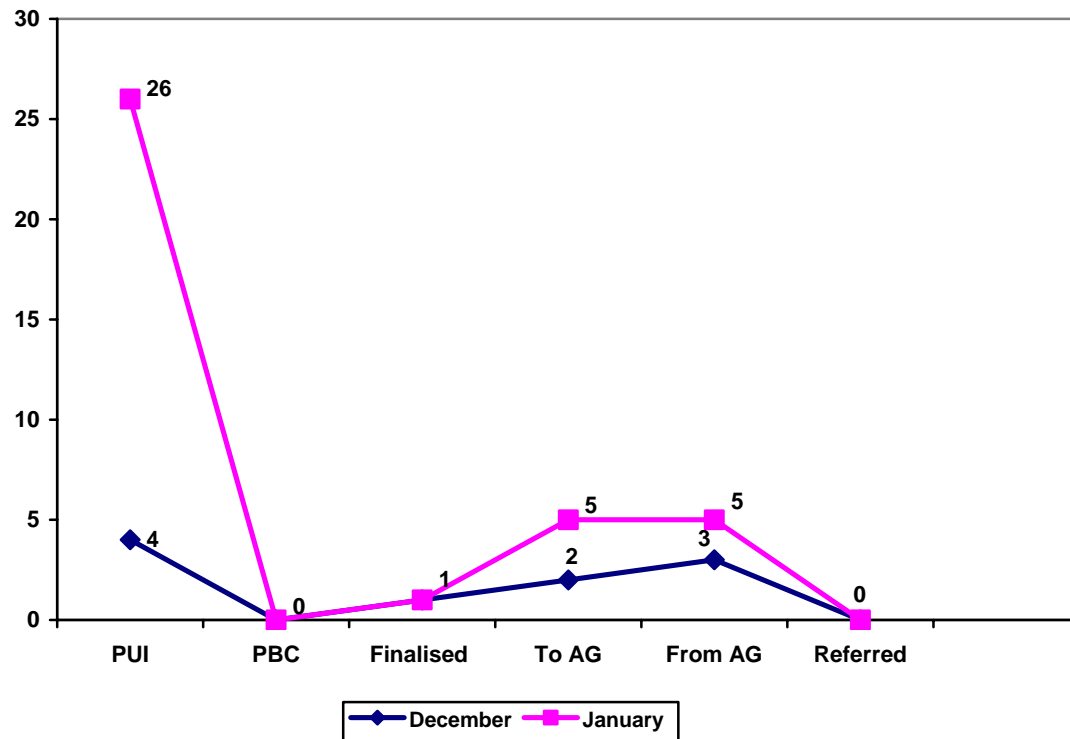
	For Further Investigation	-	
	For Consolidated	-	
6.REFERRED	Cases Referred to Other Agencies	-	
7.REPORTS	Investigation Reports Prepared For Action	-	

** Bribe demand cases not included.*

Graphical Representation of the Cases as of January 31st 2008



Comparative Analysis of Cases processed in December 2007 and January 2008



Forensic Investigation – Mombasa

The Forensics Department in Mombasa received 2 reports in total.

The following table gives a summary of the cases that were received.

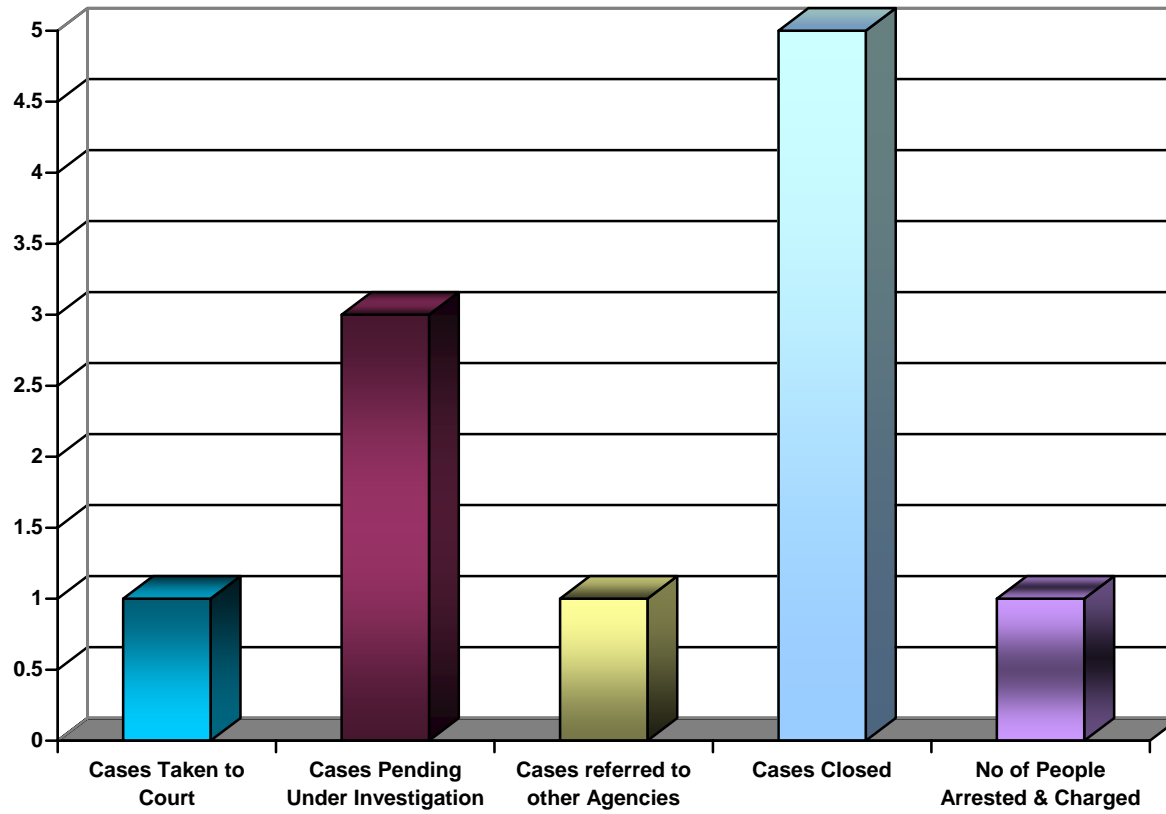
Rapid Response – Nairobi

Summary of Cases Received

Below is a tabulation of the number of cases handled by the department during the month under review and the respective status;

Category		Status	No. of cases
1	Bribery	Number of cases taken to court	1
		Cases pending under Investigations	3
		Cases referred to other agencies	1
		Cases Closed, No Further Action	5
TOTAL			10
Number of persons arrested and charged			1

Graphical Representation of the cases processed.



Intelligence Production – Nairobi

Intelligence Production Returns for January 2008

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

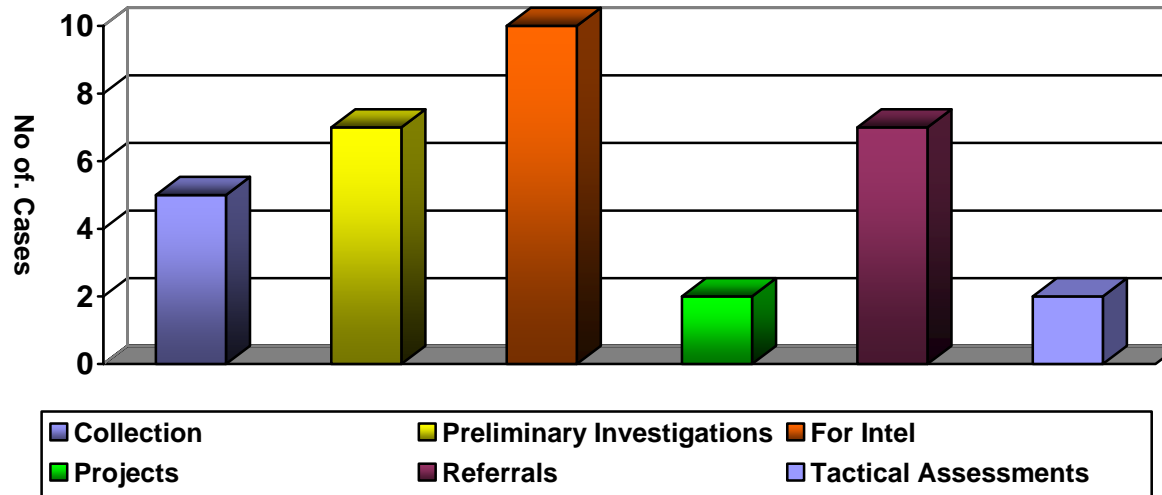
Reports

Intelligence Production Department received **31** cases during this period and they were distributed to the relevant divisions as follows:-

Breakdown

	Description	Division and	No of Reports
Total Reports Received			31
1	Divisions	Collection	5
		Preliminary Investigation	7
		For Intelligence Development	10
2	Projects	Operation City Hall	1
		LATF/CDF project	1
3	Referrals	To Mombasa office	4
		To Forensic Investigations	1
		To Legal Services	1
		To Asset Tracing	1
4	Tactical Assessments	Kenya Pipeline Company	1
		Kenya Sugar Board	1

Graphical Representation of the cases received



Distribution of cases taken up by Intelligence and Production Department

The table below indicates the status of cases received and taken up for investigations by the divisions.

Preliminary Investigations

Case Status	No of Reports
Total number of Cases received for PI	7
Cases under preliminary Investigation	7
Total number of Cases Completed	11
Completed cases recommended for closure	4
Completed cases forwarded for full Forensic Investigation	5
Cases referred to Legal department	1
Cases referred to other agencies for action	1

Covert Operations

Case Status	No. of Reports
Total number of Cases received	5
Self-generated Cases	2
Number of cases completed	4

Special Desks

Desk	Case Status	No. of Reports
Nairobi City Council Project	Total Cases Received during the month	1
	Cases pending under inquiry	1
CDF / LATF and RMLF	Total Cases Received	1
	Cases pending under inquiry	1

Target study and Risk Analysis

Project General	Total Target study and Risk Analysis Initiated	9
	Completed Target Study and Risk Analysis	7
	Ongoing Target Study and Risk Analysis	2