



## **PRESS STATEMENT**


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This information is issued pursuant to Section 33(1) of the Anti-Corruption and Economic Crimes Act, 2003, which states: "No person shall, except with leave of the Director or with other lawful excuse, disclose the details of an investigation under this Act, including the identity of anyone being investigated." The significant public interest attached to on-going high level investigations and in accordance with Article 35 (3) of the Constitution of Kenya which entitles Kenyans to be informed on important matters affecting the Nation, the Kenya Anti-Corruption Commission (KACC) would like to inform the public as follows:

1. The Commission has forwarded to the Director of Public Prosecution two crucial files involving the Ministry of Water and Irrigation on irregular procurement of services regarding the equipping of boreholes in Machakos and Makueni Districts under the Emergency Drought Programme. During the implementation of the project there were irregular contract variations and payments made to the contractor. The Commission commenced its investigations by collecting documents and recording statements from a number of witnesses including Ministry of Water and Irrigation Officials. The Commission submitted these high profile files to the Director of Public Prosecution with appropriate recommendations and upon the DPPs directions, the Commission will proceed with the directions and take appropriate action.
2. The Kenya Anti-Corruption Commission, (KACC) concluded local investigations aspects on matters pertaining to the acquisition of the Kenya Embassy property in Tokyo, Japan. The Commission has been in contact with the Government of Japan, through the Embassy of Japan, pursuing leads in the foreign jurisdiction. The Japanese Government has expressed its interest to assist the Commission finalize its investigations regarding the acquisition of the Kenya Embassy property in Tokyo, Japan. The Commission is pursuing the assistance through Mutual Legal Assistance (MLA) and great strides have been made in collecting vital and crucial documentations which will assist in concluding the matter.

3. In regards to the status of the Free Primary Education scandal and the in-depth investigations into the Kenya Education Support Services Project (KESSP) involving the Ministry of Education, the Commission has 60 cases which it is intensively investigating. From the total number 29 cases are before court with 24 suspects facing a variety of charges including Fraudulent Acquisition of Public Property, Fraudulent False Accounting, Forgeries, Uttering False Documents and Failure to Follow Procurement Regulations among others. The Commission is in the process of instituting Civil Recoveries against these Senior Officials involved. The Commission continues to receive reports from the public and interest groups on misappropriation of school funds across the country relating to the outstanding 22 which are still under investigations. There are nine cases yet to commence investigations. The Commission is working hard to finalize on the cases through gathering of sufficient evidence, witnesses and establish criminal culpability for prosecution.
  
4. The Commission has on-going investigations involving the Ministry of Lands in respect to the transfer of land valued at Kshs.90 million in Thika. It is alleged that there was an intention to withhold unnecessarily the transfer documents to frustrate the transfer process for the acquisition of the title deed to respective parties. Investigations are at an advanced stage and it's hoped that it would be concluded at the earliest for the file to be forwarded to the Director of Public Prosecution with appropriate recommendations.
  
5. The Commission is also continuing with investigations in the following areas among many others:-
  - (1) Constituency Development Funds
  - (2) Ministry of State for Immigration and Registration of Persons
  - (3) Ministry of Roads
  - (4) Ministry of Energy
  - (5) Anglo Leasing cases (Pending areas)
  - (6) Various Local Authorities

The Commission will continue to update the public on progress being made on cases it's investigating at appropriate times. It will do this in accordance with the law and will not be pressurized to divulge information until conclusive investigations have not been done.



Nicholas M. Simani, SS.

**PRINCIPAL PUBLIC RELATION AND PROTOCOL OFFICER**

18<sup>th</sup> August 2011