



**INVESTIGATIONS & ASSET TRACING REPORT FOR  
FEBRUARY 2011**

## INTRODUCTION

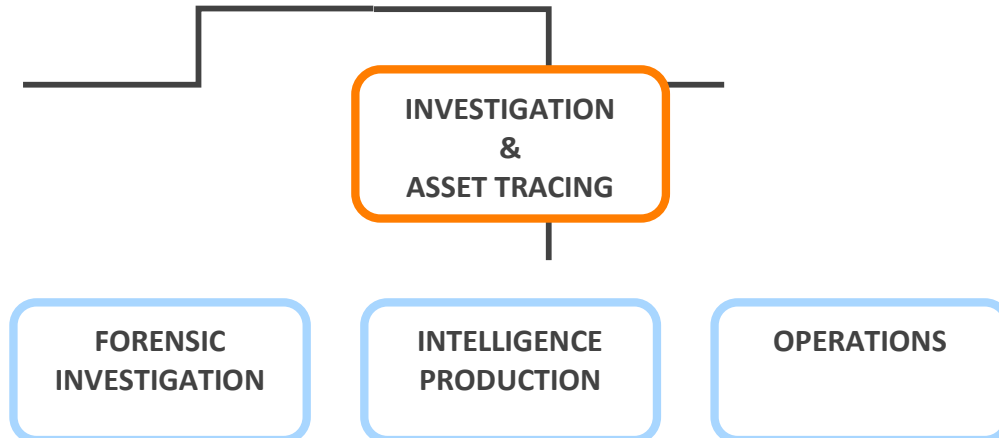
The Directorate of Investigation and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The functions of the Directorate are to;

- 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 4<sup>th</sup> June 2007 has three Departments namely; Forensic Investigation (FI), Operations (OPS) and Intelligence Production (IP).

### Kisumu Office

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

## PART I – REPORTS CENTRE

### 1.1 Reports Centre - Nairobi

During the month of **March 2011**, the Reports Centre Division processed a total of **669** reports as compared to **431** in **February 2010**. The number of reports processed has increased significantly though the percentage relevance of cases taken up for investigations has reduced to **37.0%**.

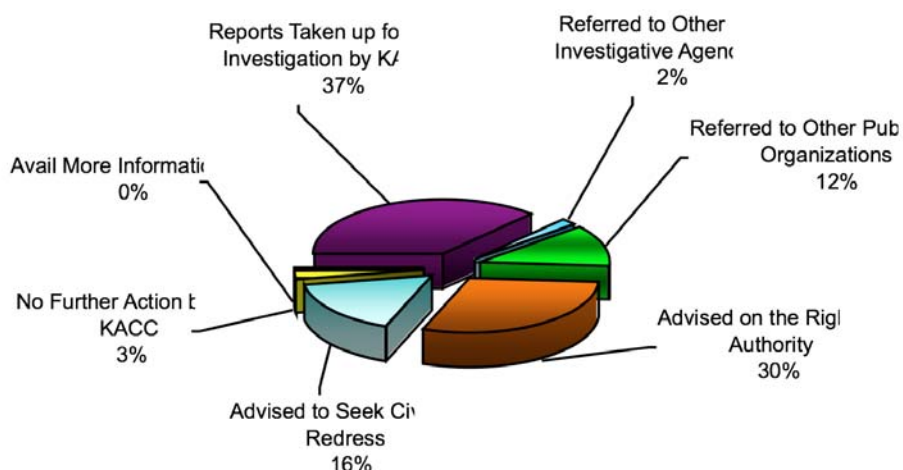
After analysis and classification, the reports were disposed off as follows:

- The Commission took up for investigation **248** reports which were found to be within its mandate. The Intelligence Production Department accounted for **172** of the reports; the Operations Department took up **47** reports; the Forensics Department took up **27** reports; Preventive Services took up **1** case while the Legal Services took up the remaining **1** case.
- **13** reports were forwarded to other investigative agencies for action with the Criminal Investigation Department accounting for **5**, Police **4**, Immigration **1** and the Kenya Revenue Authority **3**.
- The Commission referred **81** other reports to various Public Service Organisations for administrative intervention.
- In **110** reports the complainants were advised to seek civil redress.
- In **198** reports the complainants were advised on the right authority to report to.
- **17** 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.

#### NB. The statistics above do not include:

- (i) The **872** new reports received through the Whistle blower System (BKMS) yet to be processed.
- (ii) The approximately **1,400** reports received by mail/post yet to be processed.
- (iii) An additional **50%** of the above (processed) cases were not captured in the system in cases where the complainants who came to our office in person were advised on the right authorities to report to immediately.
- (iv) About **60%** of all telephone reports are not captured in the system as the complainants are advised on the right authorities to report to immediately.

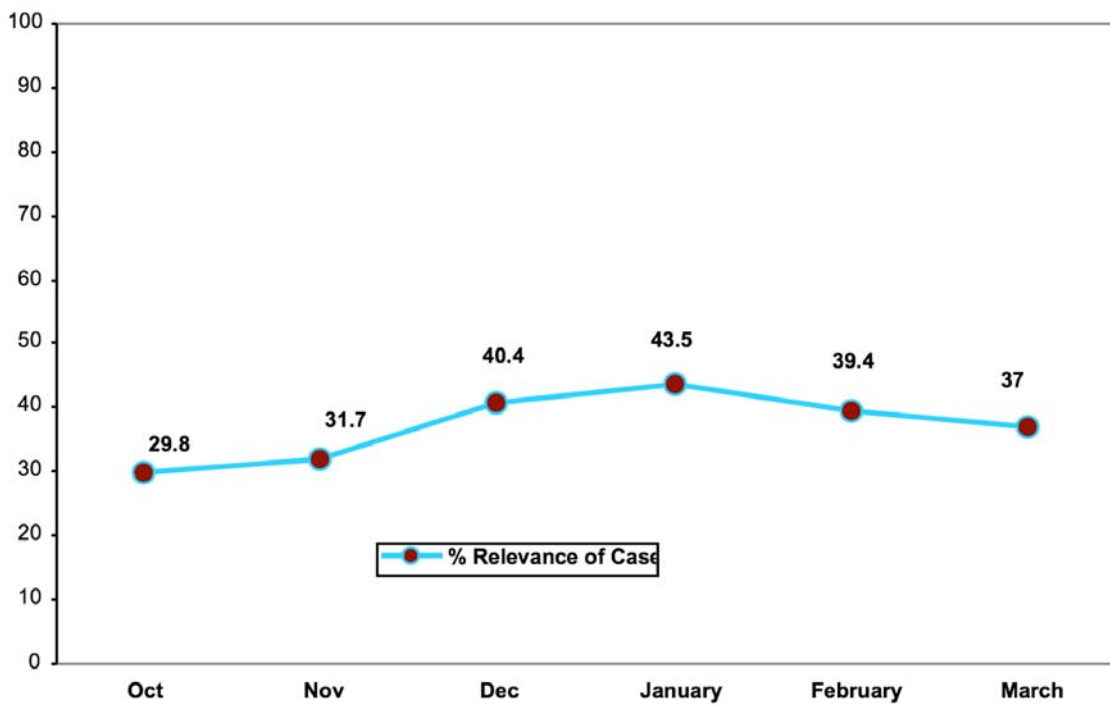
#### Categorization of reports processed by KACC in March 2011



### Breakdown of Reports Processed.

	Category	Referral Agency	No. of cases	Total
1	<b>Reports taken-up for action by KACC</b>	KACC - Intelligence Production	174	<b>250</b>
		KACC – Rapid Response	47	
		KACC – Forensics	27	
		KACC – Legal Services	1	
		KACC – Preventive Services	1	
2	<b>Reports Forwarded to Other Investigative Agencies</b>	Criminal Investigation Department	5	<b>13</b>
		Kenya Revenue Authority KRA	3	
		Police	4	
		Immigration Dept.	1	
3	<b>Reports Forwarded to Other Public Service Organisations</b>	Ministry of Basic Education	20	<b>81</b>
		Ministry of Lands and Settlement	11	
		Ministry of Home Affairs	4	
		Provincial Administration	7	
		Ministry of Local Government	3	
		Nairobi City Council	2	
		Public Procurement Oversight Authority (PPOA)	2	
		Kenya National Audit Office	1	
		Other Public Bodies	31	
4	<b>Advised to Pursue the Matter in Court</b>			<b>110</b>
5	<b>Advised on the right authority to report matter to</b>			<b>198</b>
6	<b>Complainants to Avail More Information</b>			<b>2</b>
7	<b>No Further Action by KACC</b>			<b>15</b>
<b>Total</b>				<b>669</b>

### Percentage Relevance of Cases received for the Past 6 Months.

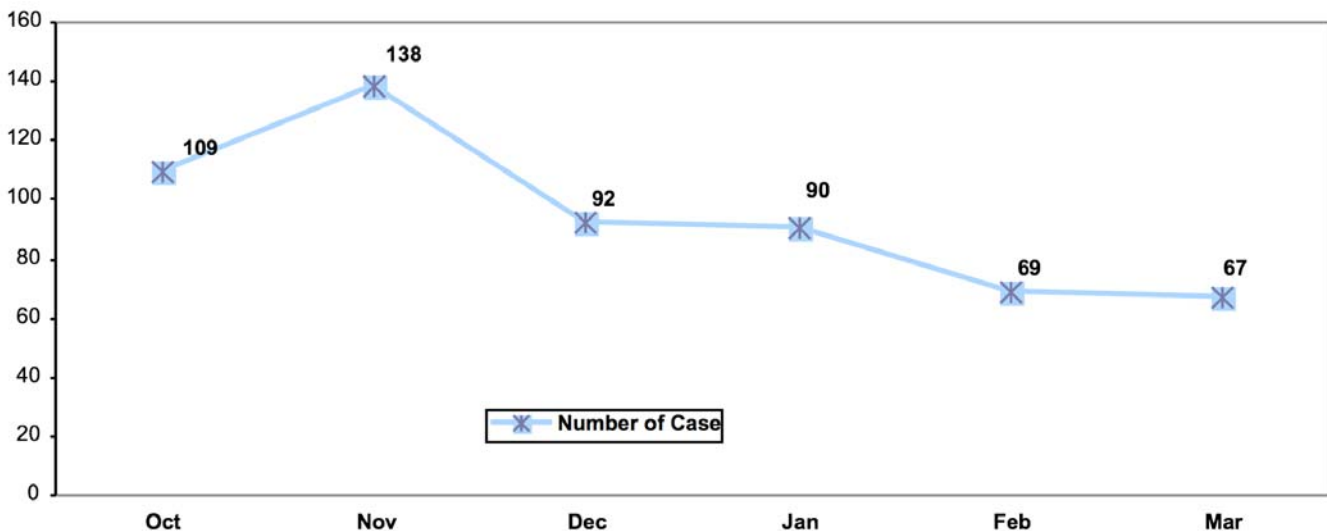


## 1.2 Reports Centre – Mombasa

### Breakdown of Processed Reports.

	Category	Referral Agency/Department	No of Cases	Total
1	Cases taken up for action by KACC	Intelligence Production	14	28
		Rapid Response	7	
		Forensic	7	
2	Referred to other Investigative Agencies	Police	2	4
		CID	1	
		KRA	1	
3	Referred to other Organisations	Provincial Administration	1	11
		Mombasa Municipal council	2	
		Ministry of Labour	2	
		Ministry of Basic Education	2	
		Kenya Ports Authority	1	
		Other Public Bodies	3	
4	Advised	Pursue the matter in court	9	9
		Right Authority	15	15
5	Complainants to Avail More Details			-
	No Further Action NFA			-
<b>TOTAL</b>				<b>67</b>

### No. of Cases received in the past 6 months



### 1.3 Reports Centre – Kisumu

A total of **190** reports were received and processed in the month of March **2011**. Disposal after analysis is as follows:-

	Category	Referral Agency	No. of cases	Total
1	Reports taken-up for action by KACC	KACC - Forensics	31	59
		KACC – Rapid Response	16	
		KACC – Intelligence Production	12	
2	Reports Forwarded to Other Investigative Agencies	Criminal Investigation Department	19	22
		Police	3	
		Kenya Revenue Authority KRA	-	
		Immigration Department	-	
3	Reports Forwarded to Other Public Service Organisations	Ministry of Education	5	35
		Ministry Local Government	1	
		Ministry of Labour	10	
		Ministry of Lands	4	
		Ministry of Agriculture	1	
		Advocates Complaints Commission	8	
		Ministry of Health	-	
		Provincial Administration	5	
		N.S.S.F	1	
		CDF	-	
4	Advised to Pursue the Matter in Court		5	5
5	Complainants to Avail More Information		6	6
6	Advised on the right authority to report matter to		62	62
7	No Further Action by KACC		1	1
<b>Total</b>				<b><u>190</u></b>

## PART II – FORENSICS INVESTIGATIONS

### 2.1 Forensic Investigation – Nairobi

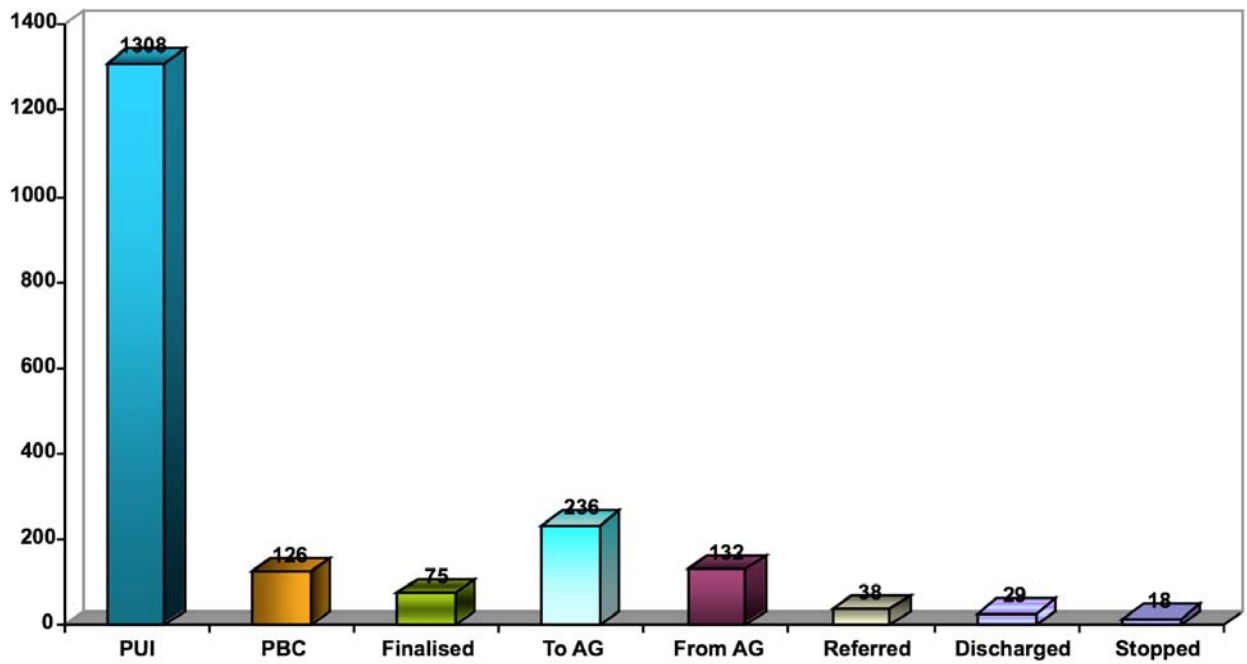
#### Case Output for the month of March 2011

Item	Description	No. of Cases	
		Segment	
<b>1.PUI</b>	<b>Cases Pending Investigation</b>		
	Cases Received for Investigation	17	<b>15</b>
	Cases Assigned for Investigation	20	
	Completed Files Forwarded to Crime Reader	5	
<b>2.PBC</b>	<b>Cases Taken to Court:</b>		
	- Cases Taken for Plea	2	<b>2</b>
<b>3.Finalised</b>	<b>Cases Finalized Before Court:</b>		
	- Convictions	-	<b>1</b>
	- Acquittals	1	
	- Discharges	-	
	- 'Nolle prosequi'	-	
<b>4.TO A-G</b>	<b>Files sent to the Attorney-General:</b>		
	- With Recommendation to Prosecute	9	<b>13</b>
	- With Recommendation for Closure	3	
	- With Recommendation for Administrative Action	-	
	After Further Investigation	1	
<b>5. From A-G</b>	<b>Files Received from the Attorney-General</b>		
<b>Advice</b>	To Prosecute	3	<b>5</b>
	To Close Due to Insufficient Evidence	-	
	For Administrative Action	-	
	For Further Investigation	2	
	To Consolidate	-	
<b>6.REFERRED</b>	Cases Referred to Other Agencies	-	-
<b>7.REPORTS</b>	Investigation Reports Prepared For Action	-	-

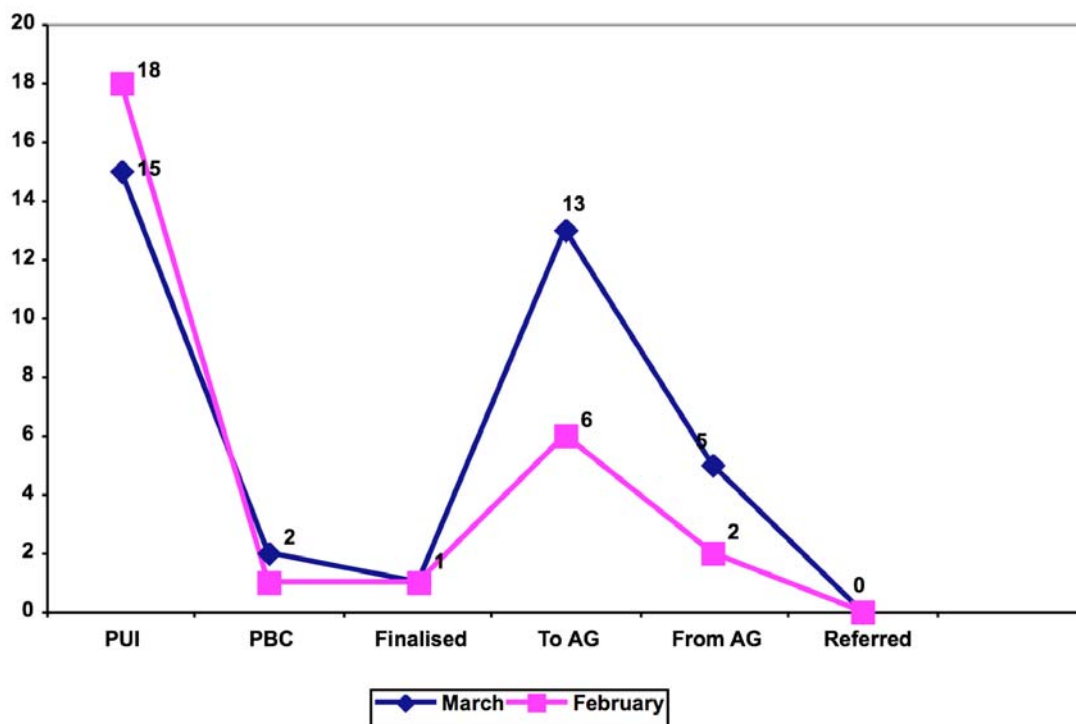
\* Bribe demand cases not included.



### Graphical Representation of the Cases as of 31<sup>st</sup> March 2011



### Comparative Analysis of Cases processed in February 2011 and March 2011



## 2.2 Forensic Investigation – Mombasa

Below is a tabulation of cases and their respective status handled by the Department in March 2011

Item	Description/Status	No of cases	Total
<b>1.Cases/ Reports</b>	<b>Case Status/Distribution</b>		
	New Cases Received during the month	<b>7</b>	
	New Cases assigned for Investigations	<b>2</b>	
	Cases under investigations	<b>5</b>	
	Cases awaiting allocation		
<b>2.To A-G</b>	<b>Files sent to Crime Reader(s)</b>		
	- With Recommendation to Prosecute	<b>2</b>	<b>2</b>
	- With Recommendation for Administrative Action	<b>0</b>	
		-	
<b>3. From A-G</b>	<b>Files Received from the Attorney-General/Crime Reader(s)</b>		
	To Prosecute	<b>2</b>	<b>3</b>
	To refer		
	To Consolidate	<b>1</b>	
	To cover points	<b>0</b>	
<b>4. Court</b>	<b>Cases in Court:</b>	<b>0</b>	<b>0</b>
	- Cases Taken for Plea	<b>0</b>	

## 2.3 Forensic Investigation – Kisumu

Below is a tabulation of cases and their respective status handled by the Department in March 2011

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

## PART III – OPERATIONS DEPARTMENT

### 3.1 Rapid Response – Nairobi

#### Summary of Cases Received in March 2011

Below is a tabulation of cases and their respective status handled by the Department in **March 2011**

#### New cases received During the Month

Category		Status	No of Cases
1.	Bribery	Number of cases taken to court	<b>5</b>
		Cases pending under Investigation	<b>14</b>
		Cases Closed, No Further Action	<b>13</b>
		Cases Referred	<b>1</b>
2.	Sting		
<b>TOTAL</b>			<b>33</b>
<b>Number of persons arrested and charged</b>			<b>5</b>

#### Running Summary of Cases 2011

The summary below shows the cumulative total number of cases dealt with by the Rapid Response Division- Nairobi from January 2011.

Status	Jan	Feb	Mar	April	Total
Number of cases taken to court	2	5	5		<b>12</b>
Cases Closed, No Further Action	19	10	13		<b>42</b>
Cases Referred	0	3	1		<b>4</b>
Number of Persons arrested and charged	3	8	5		<b>16</b>
Cases Pending Under Investigation					<b>14</b>

### 3.2 Rapid Response – Mombasa

The summary below shows the cumulative total of cases dealt with by the Rapid Response Division, Mombasa, in March 2011

Category		Status	Total
1.	Bribery	Number of cases taken to Court	1
		Cases Pending Under Investigation	4
		Cases Closed - No Further Action	3
		Cases referred	1
		PAKA	0
2.	Sting		0
<b>TOTAL</b>			<b>8</b>
<b>Number of arrested and charged</b>			<b>1</b>

### Running Summary of Cases 2011

The summary below shows the cumulative total number of cases dealt with by the Rapid Response Division- Mombasa from January 2011

Status	Jan	Feb	Mar	April	Total
Number of cases taken to court	-	2	1		<b>3</b>
Cases Closed, No Further Action	3	0	3		<b>6</b>
Cases Referred	0	2	1		<b>3</b>
Number of Persons arrested and charged	8	0	1		<b>9</b>
Cases Pending Under Investigation					<b>4</b>

### 3.3 Rapid Response – Kisumu

The summary below shows the cumulative total of cases dealt with by the Rapid Response Division, Kisumu, in March 2011

Category		Status	Total
1.	Bribery	Number of cases taken to Court	1
		Cases Pending Under Investigation	8
		Cases Closed - No Further Action	3
		Cases referred	5
		PAKA	-
2.	Sting		1
<b>TOTAL</b>			<b>18</b>
<b>Number of arrested and charged</b>			<b>-</b>

### Running Summary of Cases 2011

The summary below shows the cumulative total number of cases dealt with by the Rapid Response Division- Mombasa from January 2011.

Status	Jan	Feb	Mar	April	Total
Number of cases taken to court	1	1	1		<b>3</b>
Cases Closed, No Further Action	1	7	3		<b>11</b>
Cases Referred	2	1	5		<b>8</b>
Number of Persons arrested and charged	-	-	-		
Cases Pending Under Investigation					<b>8</b>