NATIONAL SURVEY ON CORRUPTION AND ETHICS, 2012

REPORT

ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)

Research and Planning Department
Directorate of Preventive Services
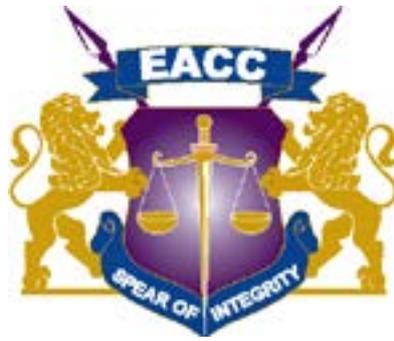
June 2013

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EACC Mission Statement

Our Vision

To be a world class institution fostering zero-tolerance to corruption in Kenya.

Our Mandate

To combat corruption and economic crime in Kenya through law enforcement, prevention, public education and promotion of standards and best practices for ethics and anti corruption as stipulated in The Ethics and Anti-Corruption Act, 2011.

Our Mission

To combat corruption and economic crime through law enforcement, prevention, promotion of standards and best practices for ethics and anti corruption public education.

Our Core Values

Integrity

Professionalism

Fidelity to the Law

Courage

Excellence in service

Teamwork

Foreword

The Ethics and Anti-Corruption Commission (EACC) is aware that corruption continues to be a threat to nations and business entities worldwide. Public sector institutions and business entities are always aware of the financial, legal and reputational consequences of corruption and unethical conduct. They often experience loss of public trust, reduction in stock prices, blacklisting and even closure. EACC has a primary role to prevent, detect and fight corruption and promote sound ethical standards in the country. In order for EACC to fight corruption, it relies on partners in the public, civil society and private sector to discharge its mandate.

The Commission conducted a national survey on corruption and ethics. The survey, which drew respondents from the households, business community and public officers, presents their experiences in relation to the problem of corruption and unethical conduct. The survey provides information on the incidence, frequency, prevalence, size of bribes and severity of corruption and unethical conduct among other issues. This is important for the institutions responsible for the fight against corruption to respond to the malpractices effectively and efficiently.

The Survey provides a platform for institutions at the national and county levels to come up with systems and processes to detect and prevent corruption, based on the information available in this Survey Report. It also identifies opportunities for the government at both levels to actively engage with the business community and general public in the fight against corruption. This Survey is a tool for identifying problems and solutions. We therefore strongly encourage the governments at national and county level, business, civil society, and academia to study, analyze, and make use of the data provided in this Survey Report.

The Survey, the first of its kind to be conducted by the Commission is comprehensive and provides reliable estimates on all the variables presented. The Survey covered 4,190 households, 1,348 public officers and 1,206 business enterprises giving a total of 6,744 respondents using a single questionnaire.

I would like to express my sincere appreciation to all the government ministries, departments and agencies for willingly taking part in the survey. The Ministry of State for Provincial Administration

and Internal Security in the Office of the President and the Kenya National Bureau of Statistics additionally facilitated the data collection in the households. I salute all the staff at the Commission who ensured successful implementation of this survey.
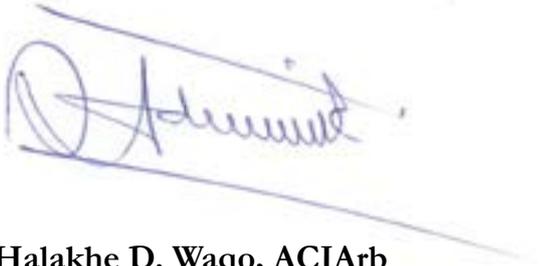
Halakhe D. Waqo, ACIArb
Secretary/Chief Executive Officer

Acknowledgement

The Commission would like to thank all the individuals who made the production of this Survey Report possible.

We are highly indebted to our partners at Kenya National Bureau of Statistics staff from the Director General, Zachary Mwangi, to the coordinators Messrs; Macdonald Obudho, James Ng'ang'a, John Kibet Bore and Godfrey Otieno for their guidance, and constant supervision and for providing necessary information regarding the survey clusters.

Many thanks are due to the countless business entities, public officers and the general public who accepted to take part in the Survey and made our challenging task easier with their ideas and advice.

The Commission also recognizes the role of officers from the Ethics and Anti-Corruption Commission for planning, implementing and writing this Report. Particularly, Vincent Okong'o, Willis Wasala, Paul Kimalu, Nancy Namenge, Meshack Collins Aluda, Janet Bett, Farida Kokita and Yassin Aila for facilitating the entire Survey.

We know it would not have been possible without the kind support and help of many individuals and organizations not mentioned above.

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List of Abbreviations and Acronyms

CID	Criminal Investigation Department
CSPRO	Census and Survey Processing System
DSO	District Statistical Officer
EACC	Ethics and Anti-Corruption Commission
KACC	Kenya Anti-Corruption Commission
KIA	Kenya Institute of Administration
KCT	Kenya College of Technology
KNBS	Kenya National Bureau of Statistics
KNCHR	Kenya National Commission on Human Rights
KNUT	Kenya National Union of Teachers
KRA	Kenya Revenue Authority
KSMS	Kenya School of Monetary Studies
MP	Member of Parliament
NASSEP	National Sample Survey and Evaluation Programme
NGO	Non- Governmental Organizations
NSIS	National Security Intelligence Service
PSUs	Primary Sampling Units
RAs	Research Assistants
RBA	Retirement Benefits Authority
SPSS	Statistical Package for the Social Sciences

Executive Summary

In combating corruption and promoting sound ethical practices in the public service, the Ethics and Anti-Corruption Commission is expected to benchmark and monitor changes in governance in the country. In the year 2012/2013, the Commission conducted a National Survey on Corruption and Ethics whose findings are provided in this Report. The overall objective of the survey was to monitor the progress in the fight against corruption and promotion of ethics in the country over time.

The Commission used a variety of methods to conduct the survey by a representative nation-wide household survey of 4,190 households, interviews with 1,206 enterprises and interviews with 1,348 Public Officers. A total of 6,744 respondents were interviewed in this Survey. Data collection was conducted from 24th September 2012 to 4th November 2012 in seven (7) provinces and forty two (42) counties. Mandera, Wajir, Garissa, Lamu and Tana River Counties were excluded based on the insecurity in these areas at the time of the Survey.

a) Level of Corruption

o The level of corruption is high according to 67.7 percent of the respondents' as opposed to 8.3 percent who rate it as low.

o Similarly, 48.3 percent of the respondents indicate that the level of corruption in the country is increasing as compared to 32.4 percent who think that the level of corruption is decreasing.

o Over 64 percent of the respondents stated that corruption is completely widespread followed by 27.3 percent who indicated that corruption is fairly spread while 3.4 percent said that it is negligible.

o Close to 32 percent of the respondents expect low corruption levels in the country in the next one year while 20 percent expect very high levels of corruption.

- Half the respondents indicated that the Kenyan government is committed to fighting corruption and promoting sound ethical behavior in the public service as opposed to 45.2 percent who stated that the government is not committed.

b) Likelihood, Prevalence, Impact and Average Size of a Bribe and Unethical conduct

- In the past one year, 53.4 percent of the respondents have sought services from public offices.

- Over 17 percent of the respondents were asked for a bribe by the service provider.

- Of those a bribe was demanded, 68.4 percent paid the bribe.

- The average bribe is Kshs. 4,601.05. It is highest among the business sector respondents at Kshs. 8,693.62 and lowest among the general public at Kshs. 2,606.78. Among public officers, it stood at Kshs. 5,093.45.

- The average bribe is highest in Baringo at Kshs. 20,075 followed by Kirinyaga at Kshs. 15,914.29 and Nakuru at Kshs. 8,466.67.

- The lowest average bribe by County is Kshs. 300 as recorded in West Pokot followed by Kshs. 500 in Marsabit and Kshs. 571.67 in Samburu.

- Close to three quarters of the respondents said that the bribe was demanded by the service giver followed by 15.8 percent who indicated that they paid due to too much delay.

- Bribery as cited by 77 percent of the respondents, is the most prevalent form of corruption witnessed in government offices.

- Greed is the leading cause of corruption in Kenya as cited by 35.2 percent of the respondents surveyed. This is followed by poor remuneration (12%), culture (11.9%), poverty (11%) and like for shortcuts in seeking government services (6.1%).

- Underdevelopment is cited as the leading main effect of corruption as mentioned by 18.7 percent of the respondents followed by high poverty levels (18%), poor service delivery (14.3%), low economic growth (12.6%), lack of justice or oppression of the poor (9.5%), inequality (7.6%) and high inflation (2.8%).

o Close to 42 percent indicated that they have witnessed public officers violating government ethical standards.

o One is more likely to experience corruption in the Ministry of Internal Security and Provincial Administration as mentioned by 59.6 percent of the respondents followed by Lands (28.3%), Public health (19.2%), Local Government (19.20), Immigration and Registration of Persons (18.3%) and Education (12.8%).

o The Kenya Police leads Government Departments /Agencies perceived to be very corrupt in the country as mentioned by 48.1 percent of the respondents followed by traffic police (18.7%), Government Hospitals (15.7%), Local Authorities (15.4%), Registration of Persons (13.2%) and Provincial Administration (10.3%).

o Slow service delivery (26.5%) leading to delays and frustrations is the leading unethical practice in the public service followed by bribery (12.3%), discrimination (7.8%), tribalism (7.1%), unprofessionalism (6.1%) and harassment (5.8%).

c) Response to Corruption and Unethical Conduct in Public Offices

o Over the past one year, 59.8 percent of the respondents have observed or witnessed a corrupt act by a public officer.

o Of those who have witnessed a corrupt act by a public officer, only 6.6 percent reported the incident.

o Of those who reported the corrupt incident, 34.3 percent reported at a Police Station, 29.7 percent reported to the Provincial Administration Offices, 11.7 percent reported to the Ethics and Anti-Corruption Commission while 10 percent reported to the head of department of the concerned institution.

o Among the reasons given by those who witnessed a corrupt incident and chose not to report are; do not know where to report (18.7%), lack of assistance (14.1%), fear of victimization (11%), fear of police (10.3%) and time consuming (7.8%).

o About 20 of the respondents do not know where to seek a solution in the event they are a victim of corruption or unethical conduct and they want to complain. However, 23.6 percent would report to the Ethics and Anti-Corruption Commission, 16.3 percent would report to the Police and 13.4 percent would report to the provincial administration.

d) Level of Access to Ethics and Anti-Corruption Services

o Only 3.6 percent of the respondents have had access to ethics and anti-corruption services in the past one year.

o Of those who have accessed ethics and anti-corruption services, 53.1 percent accessed at KACC/EACC offices, 6.2 percent through the media, 5.1 percent at Provincial Administration offices and 5.1 percent from the Police.

o Over 64 percent of the respondents sought training services on ethics and anti-corruption, 16.7 percent reported corruption, 7.1 percent sought legal advice, 7.6 percent were involved in some investigation while 2.9 percent came for a clearance certificate as a legal and regulatory requirement.

o Whereas over 60 percent of the customers never encountered any challenges, 10.1 percent complaint of none- response to their requests, 7 percent cited poor services, 6 percent complained of time consuming while 4 percent mentioned deliberate misinformation.

e) Awareness and Impact of EACC Mandate

o Over 56 percent of the respondents are aware of EACC as opposed to 42.9 percent who indicated that they are not aware.

o Investigation of corruption is the most known service offered by EACC as cited by 67.8 percent of the respondents. Other services mentioned are; prevention of corruption (51.4%), public education, training and awareness creation on corruption (42%) and asset recovery (20.8%). A significant 14.3 percent of the respondents indicated that although they are aware of EACC, they do not know the type of services they offer.

o Over 85 percent of the respondents have never utilized any of EACC services at all.

o Whereas 48.2 percent of the respondents indicated that EACC is effective, 51.8 percent said that it is not effective.

o Public education and sensitization (55.2%) is rated as very effective as a measure of combating corruption and promotion of ethical conduct in the country followed by prosecution of corruption cases (52.8%), investigations (51.4%) and prevention of corruption (47.8%).

f) Recommendations

o   The Commission should escalate public education and awareness creation to enlist the support of the public in the fight against corruption and promotion of sound ethical standards in the country. This will go a long way to ensure corruption and unethical conducts are reported whenever they manifest.

o   The Commission should lobby for harsher punishment for corruption and unethical conduct offenders. This will act as a deterant to corruption and unethical conduct.

o   The Public complain that reporting of corruption and unethical conduct is time consuming and expensive. This calls for decentralization of Commission services to make easier for the public to access reporting services.

Background

1.1 Introduction

Good governance has become a critical component in the operations of modern governments. The effective and continuing legitimacy of governments everywhere is now judged by the basic principles of good governance. It is for this reason that the national leadership must demonstrably implement good governance principles and anti-corruption strategies that enhance national development. In doing this, government has to ensure that accountability, transparency, rule of law and integrity undergird the management of public affairs thereby earning and sustaining the trust and loyalty of the citizens[1]

In August 2010, Kenya promulgated a new constitution. Chapter six of the Constitution of Kenya provides the benchmarks for leadership and integrity for state officers against which all corruption and ethics programmes and activities are based. Article 79 of the constitution of Kenya provides for establishment of an anti-corruption body to enforce the provision of chapter six. The Ethics and Anti-Corruption Commission (EACC) is a creation of the Ethics and Anti-corruption Act 2011 in accordance to article 79 of the constitution. EACC has a mandate to fight corruption and promote ethics in Kenya as stipulated in sections 11 and 13 of the EACC Act 2011. The Leadership and Integrity Act 2012, under section 13 stipulates the moral and ethical requirement of state officers. In fighting corruption and unethical practices, the Commission is expected to persue measured geared towards reducing corruption and entrenching ethics and good governance in the country.

1.2 Problem Statement

Corruption is a universal problem that undermines growth and development by diverting resources away from development programmes thus increasing poverty, inequality and underdevelopment. It complicates sustainable development and hits the poor particularly hard. Corruption slows economic progress. Axel Dreher (as cited by Robert Klitgaard, Saturday Star, 27th March 2010), estimate that corruption is responsible for a reduction of 63% in per capita income in sub-Saharan

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1   **Report of the workshop on strategies to fight/eliminate corruption in the public service for permanent secretaries/accounting officers and chief executives of state corporations** held at the Kenya institute of administration on 5th – 6th February, 2010

Africa. A scientific research conducted by Klitgaard and Fedderke (University of Cape Town) in 2009, shows that, all things being equal, countries with more corruption have less investment, and each dollar of investment has less impact on growth. Moreover, bad governance has direct and negative effects on long-term outcomes such as infant mortality and educational attainment. Corruption hurts the poor; not the rich. It undercuts democracy lending it to dictatorship and corruption, both of which are two great sins of government.

Compared to international practice, elements of a good anti-corruption strategy exist in Kenya. Kenya has a solid legislative, regulatory and institutional framework, largely put in place since 2003. The Public Service utilizes good management practices, including a code of conduct, modern employment practices, financial disclosures, fair procurement and a progressive disciplinary system for ensuring economic utilization of all state resources.

It was in recognition of these principles in Kenya that His Excellency the President of the Republic of Kenya on the occasions of the 46th Anniversary of Kenyatta Day, on 20th October, 2009; Jamhuri Day celebrations on 12th December, 2009 and the 2010 New Year message to the Nation directed that Accounting Officers in the Public Service should institute sanctions including prosecution and sacking of any public officer under them who engages in corruption and unethical conduct. Consequently, a two day workshop for Permanent Secretaries/Accounting Officers and Chief Executives of State Corporations was held on 5th and 6th February 2010, at the Kenya Institute of Administration (KIA), Lower Kabete to underscore the urgent need to strengthen these principles of governance in the operations of public institutions[2].

It is against this backdrop that the Commission through its Department of Research and Planning undertook a National Survey on Corruption and Ethics in the 2012/2013 financial year. The Survey provides information on corruption and ethics from the perspective of the general public, the business community and the public officers. The data collected is indispensable in economic and social policy analysis, development planning, programme management and decision-making at all levels of governance.

1.3 Objectives

The overall objective of the survey is to monitor the progress in the fight against corruption and promotion of ethics in Kenya over time.

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[2] **Report of the workshop on strategies to fight/eliminate corruption in the public service for permanent secretaries/accounting officers and chief executives of state corporations** held at the Kenya institute of administration on 5th – 6th February, 2010

The specific objectives of the survey are to:

(i).   Establish the prevalence of corruption in the country (incidence, prevalence, likelihood, size, magnitude);

(ii).   Establish the prevalence of unethical behavior within the public sector (rank institutions at national and county level);

(iii).   Establish the level of awareness on what constitutes ethics and ethical conduct (causes, consequences, role in fighting and promoting ethical conduct, effect/Impact);

(iv).   Analyze how the public respond to corrupt practices and unethical conduct in public offices;

(v).   Establish the level of access to ethics and anti-corruption services (reporting, law enforcement, education prevention, awareness, challenges, institutions, suggestions on how to improve services, sources of information); and

(vi).   Suggestions on enhancing the fight against corruption and promoting ethical behavior in the public sector(role of citizenry, institutions, parliament, judiciary, Executive, anti-corruption agencies) etc

1.4 Scope of Work

The survey focused on aspects of corruption and unethical behaviour including anti-corruption measures; effects and causes of corruption; capacities of national institutions to deliver efficient and corruption free services, how to address the problem of corruption; and the level of public confidence and trust in government authorities and agents to address problems of corruption and unethical conduct.

The survey used a variety of methods including:
- o A representative nation-wide household survey of 4,190 households drawn from 42 counties in 7 provinces. The Survey excluded Garissa, Wajir, Mandera, Lamu and Tana River counties;
- o Interviews with 1,206 enterprises across the country;
- o Interviews with 1,348 Public Officers; and
- o Review of other surveys, and other relevant literature and research materials on corruption and unethical conduct.

1.5 Organization of the Report

This Report is structured into four parts. Part one, the background, lays the foundational basis of the Survey. Part two details the methodology applied in collecting data for this Survey. Part three presents the Survey findings, including levels of corruption, likelihood, prevalence, impact and average size of a bribe and unethical behaviour, response to corruption and unethical behaviour in public offices, awareness and application of ethics in the public service, level of access to ethics and anti-corruption services and awareness and impact of EACC functional mandate. Part four provides conclusions and recommendations. The demographic, social and economic characteristics of the Survey respondents are provided in the appendices.

Methodology

This section details the methods used in data collection, analysis and reporting. It explains the quantitative processes used to select respondents who took part in the Survey.

2.1. Households

The Survey targeted respondents aged 18 years and above for interview. The NASSEP V Sampling frame developed and maintained by the Kenya National Bureau of Statistics was utilised to select respondents for the Survey. The District Statistical Officers (DSO) and Enumerators based at the district headquarters were engaged to provide guidance on cluster location and identification.

The Sample was allocated based on multi-stage cluster[1] design. Each province constituted a stratum. The method of proportional allocation of the sample in stratified sampling was used in allocating sample clusters to each province based on the master sample. All the sample clusters were further sub-stratified into urban-rural domains such that the area of residence would be considered in the analysis. The said design allowed for first selecting a sample of geographical units, and then to construct lists of households only within those selected units. The samples of households were then selected from those lists.

It is important to note that the allocated clusters were selected from the list of clusters in NASSEP V frame using the Probability Proportional to Population Size technique. Estimates from this Survey are required not only at the national level, but also separately for each administrative region such as the province, county and the urban- rural divide. The sample based on NASSEP V was not self-weighting and therefore, it was necessary to weight the data to enable estimation of population parameters. Weighting was done using the selection probabilities from the master sample. The necessary adjustment for population change and non-response was done.

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1   Primary sampling units (clusters) consist of sets of households that are geographically clustered and as a result, households in the same cluster generally tend to be more alike in terms of the survey characteristics for example, income, education, occupation, etc. than households in general. The clustering system also reduces the cost of data collection considerably.

Table 1 below presents the Sample allocation by province.

Table 1: Sample Distribution by Province and location		
Province	Rural	Urban
Nairobi	0.00%	100.0%
Central	73.7%	26.3%
Coast	50.1%	49.9%
Eastern	81.3%	18.7%
Nyanza	86.7%	13.3%
Rift Valley	74.4%	25.6%
Western	91.4%	8.6%
Total	68.4%	31.6%

2.2. Entrepreneurs

The sample of entrepreneurs is representative of small, medium and large firms as defined by the number of employees. Based on face-to-face interviews with firm managers/CEOs or owners, the study generates comparative measurements in such areas as unethical conduct such as corruption, state capture, lobbying, and the quality of the business environment.

The sample of 1,206 respondents was distributed as follows based on the System of National Accounting in Kenya:-

Table 2: Sample Distribution by Sector	
Sector	%
Agriculture and Forestry	28.0
Transport and Communication	11.9
Wholesale and Retail	11.5
Manufacturing	10.5
Education	7.0
Real Estate, Renting and business service	5.2
Financial and Insurance	7.6
Construction	4.5
Other Community, social and personal Services	4.1
Health and Social Service	3.2
Hotels and Restaurant	2.7
Electricity and water supply	1.3
Mining and Quarrying	0.9
Fishing	0.8

2.3 Public Officers

The sample was based on representative sample of all public officials in public service. The public service was defined to encompass the civil service, the local government service, the police force, the prisons service, the judiciary, the teaching service, and the state owned enterprises. Employees of the central government are stationed in all parts of the country while those in the parastatals and local authorities serve in areas covered by their organizations. These aspects were taken into consideration in the sample design.

The sampling frame for the survey was developed from the records of the ministries maintained by the Ministry of Public Service, Teachers Service Commission, Local Authorities and Parastatals. The sample took cognizance of their distribution in districts, municipal councils and schools. The allocation of the sample further took account of the job groups of public offices.

The first stage was to ensure that the sample is distributed along the strata created in the table below and based on the number of employees in each strata.

The second stage involved selecting respondents based on their job groups.

Table 3: Sample Distribution by Public Service Strata	
Public Service Strata	**Sample**
Central Government	490
Teachers Service Commission	452
Parastatals Bodies	168
Majority Control by the Public Sector	84
Local Government	154
Total	**1,348**

2.4 Data Collection Logistics

2.4.1 Selection of Research Assistants

A team of 23 Research Assistants (RAs) was utilized in data collection while 15 took part in data processing.

2.4.2 Training of Research Assistants and Supervisors

A two day training briefing session was conducted on 19th and 20th September 2012 to equip the Research Assistants with relevant skills to undertake the Survey. Officers from Research and Planning Department of the Commission conducted the training.

2.4.3 Pre-Testing of the Questionnaire

A survey questionnaire was developed to ensure the questions address the objectives of the Survey. Before the actual field survey, the questionnaire was further pre-tested in Ngong town, Kayole and Woodley Estates in Nairobi. Necessary adjustments to the questionnaire were thereafter made to enhance its efficacy in meeting the set objectives.

2.4.4 Field Work

The field work for this Survey took 43 days from 24th September 2012 to 4th November 2012. The data collection was undertaken in two phases. Starting with Nairobi then proceeded to sampled counties. For logistical purposes, the survey was undertaken by 6 research teams each comprising of a Supervisor, a driver and 3 to 4 Research Assistants.

2.4.5 Data Processing, Analysis and Reporting

The data processing was done at Kenya Integrity Forum Offices in Nairobi from 12th November to 18th December 2013. Data entry was done in CSPRO software. The entered data were then analyzed using the Statistical Package for Social Sciences (SPSS). The results of the analysis are contained in the sections of the Report that follows. Experienced data entry clerks entered the data into the computers. During data entry, ranges and skip rules were defined appropriately to check entry of invalid data. At the end of each day, each data entry personnel performed checks on the data entered with respect to ranges. About 10 percent of the correctly completed questionnaires were validated and consistency test done so as to ensure quality control.

After merging files from all the entry terminals, final data cleaning was done before analysis was started. This was facilitated by the editing manual, which provided cleaning specifications. Invalid entries detected were checked from the questionnaires and necessary corrections made.

Survey Findings

3.1 Level of Corruption

This section of the Report discusses the survey finding focusing on perceptions and experience. It also provided respondents rating of corruption in the country with a focus on the spread, expectations and the commitment of the government in combating corruption.

3.1.1   Rating of corruption

From the figure below, 67.7 percent of the respondents rated corruption as very high followed by 21.7 percent who indicate that it is moderate while 8.3 percent of the respondents rate it as low.

Figure 1: Level of corruption in Kenya (%)
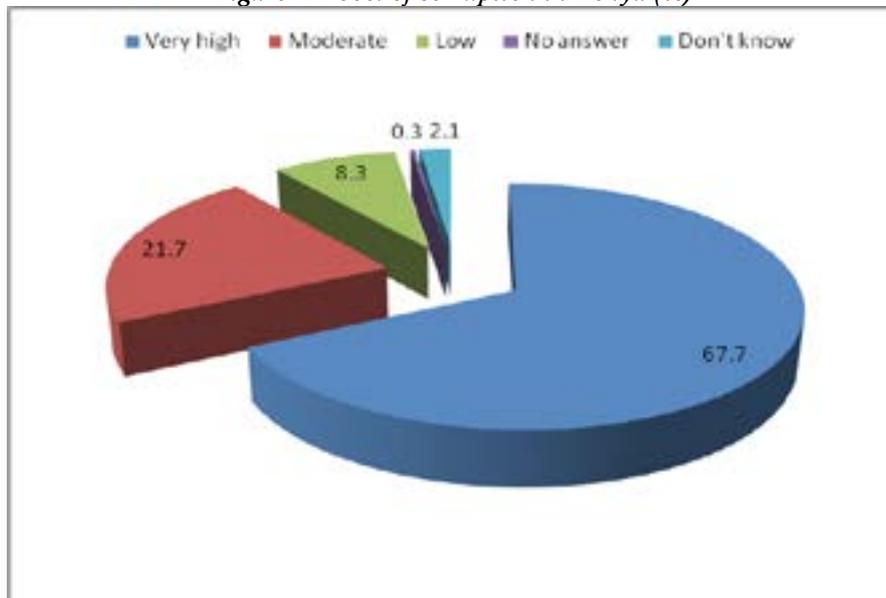
Further analysis by the three categories of respondents revealed that 74.2 percent of the general public and 68.5 percent of the business sector rate corruption as very high compared to 46.5 percent of the public officers. Among public officers, 38.9 percent rated corruption as moderate while 13.3 percent rated it as low.

Similarly, 48.3 percent of the respondents indicate that the level of corruption in the country is increasing as compared to 32.4 percent who think that the level of corruption is decreasing. Close to 16 percent of the respondents indicated that the level of corruption has not changed over the past one year as illustrated in the figure below.

Figure 2: Impression on Level of Corruption in Kenya (%)
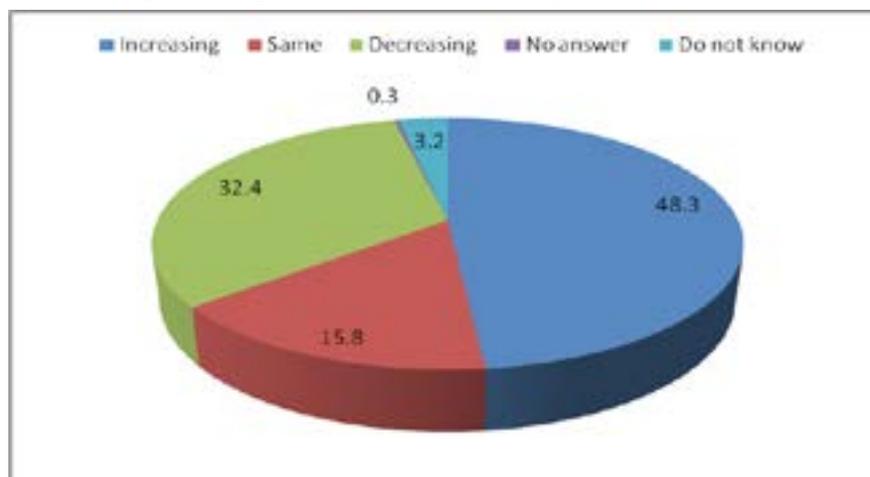
On further analysis by category of respondents, 56.2 percent of the household respondents indicated that corruption is increasing followed by 25.5 percent who said it is decreasing. Among the business sector respondents, 46.4 percent think that corruption is increasing while 34 percent think it is decreasing. Among the public officer respondents, 25.6 percent think corruption is increasing while 52.5 percent think that corruption is decreasing.

3.1.2   Spread of Corruption

Respondents were asked to state how widespread corruption is in Kenya. From the figure below, 64.1 percent stated that corruption is completely widespread followed by 27.3 percent who indicated that corruption is fairly spread while 3.4 percent said that it is negligible.

Figure 3: Spread of corruption in Kenya (%)
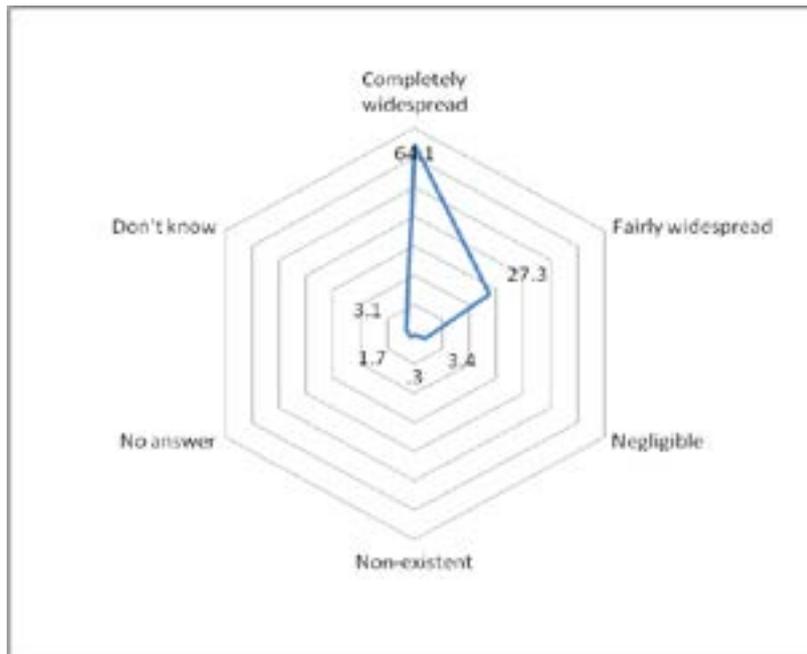
3.1.3 Expectations about levels of corruption

In the figure below, respondents provided information on what they expect in the next one year about levels of corruptions. From the figure, 31.8 percent of the respondents expect corruption levels to be low while 20 percent expect it to be very high levels of corruption. Significant to mention is that 26.4 percent indicated that they do not know what would happen to levels of corruption in the next one year.

Figure 4: Expectations about Corruption in Kenya (%)
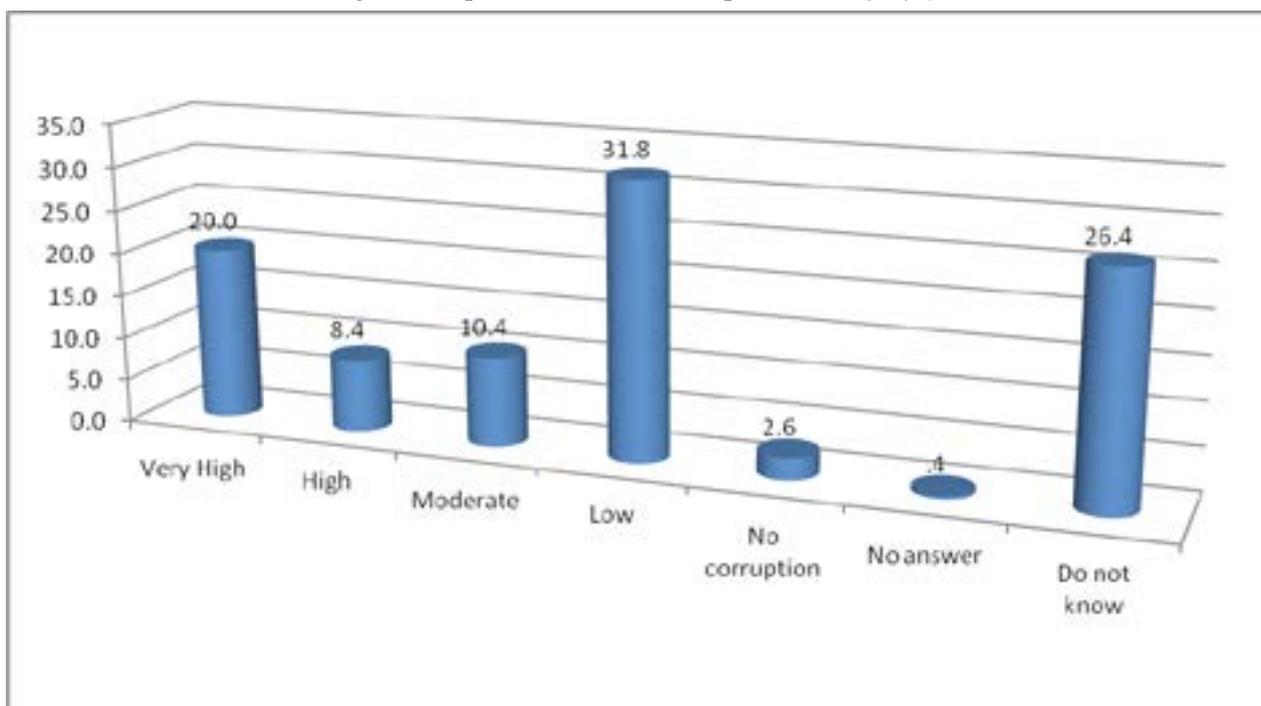
3.1.4 Government Commitment to Fight Corruption

Half the respondents indicated that the Kenyan government is committed to fighting corruption and promoting sound ethical behavior in the public service. On the other hand, 45.2 percent of the respondents indicated that the government is not committed to fighting corruption as shown in the figure below.

Figure 5: Government Commitment to Fight Corruption in Kenya (%)
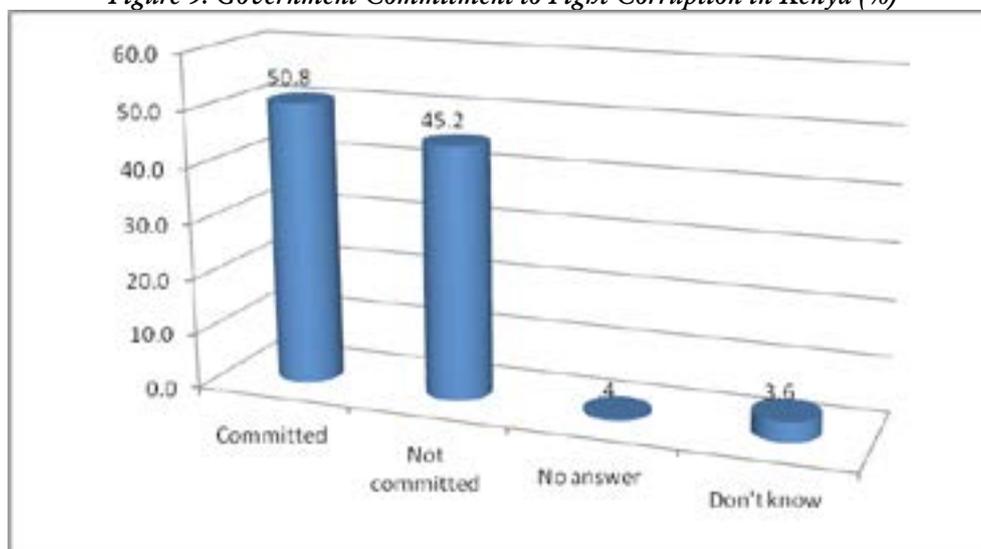
The table below provides respondents level of agreement with the statements in the table. From the table, 70.4 percent of the respondents agree with the statement that 'political leaders are involved in corruption'. Respondents are split on the other statements.

Table 4: Attitudes on Corruption and Unethical Conduct							
STATEMENTS	Totally agree	Tend to Agree	Tend to Disagree	Totally disagree	No answer	Do not know	Total
In the Kenya government, there is no sincere desire and will to fight corruption	28.8	24.7	26.7	16.1	0.5	3.2	6734
Kenya government anti-corruption strategies are effective	11.0	31.8	28.5	18.3	0.9	9.6	6726
There is demonstrated credible intent of political actors (elected or appointed leaders, civil society watchdogs)	8.1	30.1	28.0	25.1	0.9	7.8	6724
The anti-corruption agency (EACC) has adequate legal powers, resources and independence to fight corruption	10.2	16.0	20.3	20.8	0.9	31.8	6724
Political leaders are involved in corruption	70.4	16.8	3.8	5.0	0.6	3.4	6734
Political leaders do not side with one of their own when implicated in corruption	8.3	10.5	27.4	45.4	0.9	7.4	6729
In Kenya, the fight against corruption is a highly ethicized process	30.2	24.3	20.9	16.4	0.6	7.6	6734

3.2 Likelihood, Prevalence, Impact and Average Size of a Bribe and Unethical Behaviour

3.2.1 Introduction

This section addresses services sought in the public service, types of services accessed, bribe demands and satisfaction with services.

For the purpose of this survey, the term "ethics" refers to standards of conduct, which indicate how a person should behave based on moral duties and virtues arising from the principles of right and wrong. Ethics therefore involve two aspects: (1) the ability to distinguish right from wrong; and (2) the commitment to do what is right[1].

Ethical behavior is characterized by honesty, fairness and equity in interpersonal and professional relationships. It respects the dignity, diverse and rights of individuals and groups of people.

Under ACECA, 2003, "corruption" means- (a) an offence under any of the provisions of sections 39 to 44, 46 and 47; such as bribery; fraud; embezzlement or misappropriation of public funds; abuse of office; breach of trust; or an offence involving dishonesty- (i) in connection with any tax, rate or impost levied under any Act; or (ii) under any written law relating to the elections of persons to public office[2];

Under ACECA, 2003, "economic crime" means- (a) an offence under section 45; or (b) an offence involving dishonesty under any written law providing for the maintenance or protection of the public revenue[3];

3.2.2 Visits to Public Offices

In the past one year, 53.4 percent of the respondents have sought services from Public Offices either to ask for information/assistance, seek a document or as part of administrative procedures while 45.8 percent did not visit a public office in the stated period as presented in the figure below.

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1   GAUTENG Anti-Corruption Strategic Framework December 2009, pg. 5
2   The Anti-Corruption and Economic Crimes Act, 2003, pg. 5
3   The Anti-Corruption and Economic Crimes Act, 2003, pg. 6

3.2.3 Type of services sought

Services most sought by respondents include medical services (22.38%), identification card (10.69%), birth certificate (9.88%), land services (9.88%), made enquiries (5.24%), reported crime (5.04%), license renewal (3.83%), travel document (3.23%), motor vehicle services (2.42%), education services (2.02%), employment (1.81%), settle dispute (1.81%), followed up a complaint (1.61%), tax services (1.41%), bursaries (1.01%), legal redress (1.01%), permit (1.01%), police abstract (1.01%), registration (1.01%), and visiting remandee or jailed person (1.01%) among other services.

3.2.4 Bribe demands

Over 17 percent of the respondents indicated that a bribe was demanded from them by the service providers as opposed to 82.2 percent. Among the respondents who indicated that a bribe was demanded, 65.3 percent said it was demanded once, 15.3% was demanded twice, 9.8% was demanded thrice, 3.5 percent was demanded four times, 2.2 % was demanded five times while 4.1 percent was demanded more than 6 times.

From the figure below, Baringo County reported the lowest average bribery demands followed by Turkana and Marsabit counties.

Figure 6b: Times a bribe was demanded (Bottom Ten Counties)
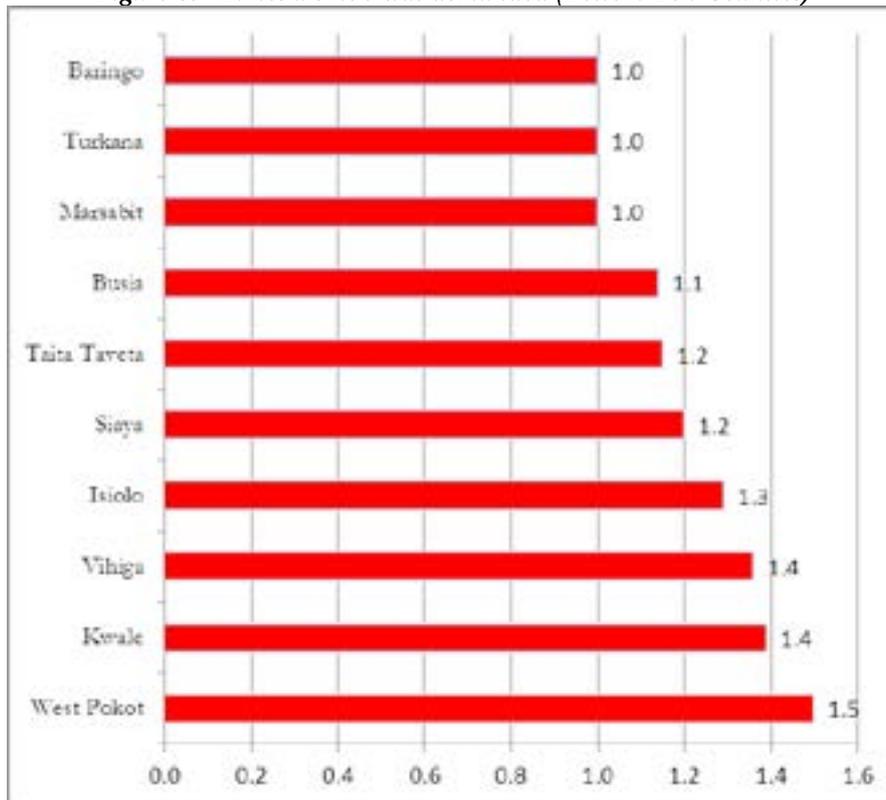
Similarly, Uasin Gishu county reported the highest average number of bribery demands followed by Samburu, Embu and Meru counties as shown in the figure below.

Figure 6c: Times a bribe was demanded (Top Ten Counties)
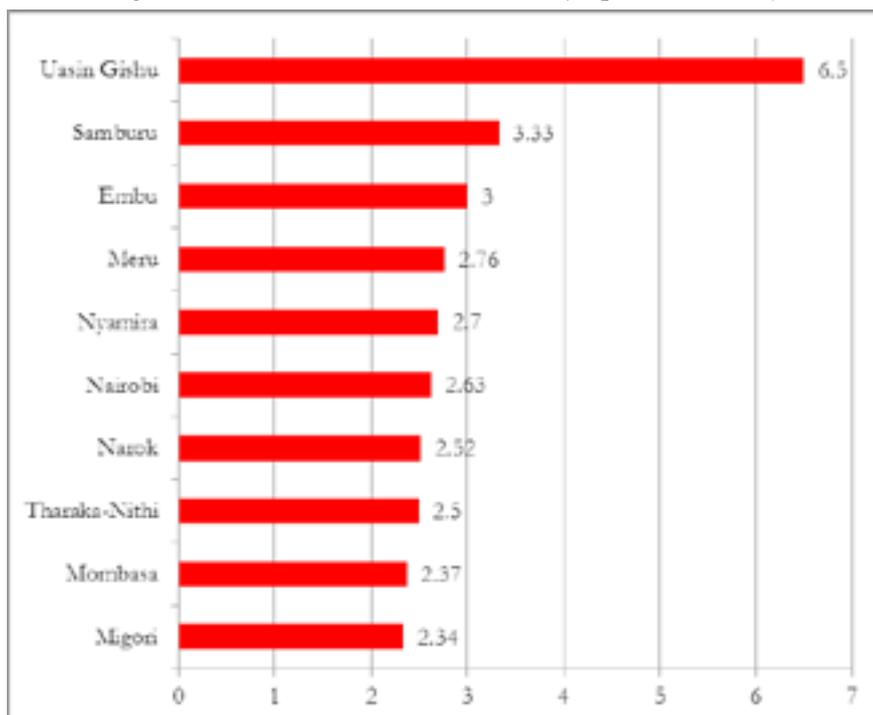
3.2.5 Average bribe paid

From those a bribe was demanded, 68.7 percent paid the bribe. Over 76 percent of the respondents paid the bribe once, 10.8 percent paid twice, 5.6 percent paid thrice, 2.2 percent paid four times, 1.9 percent paid five times while 3.2 percent paid more than 6 time.

The figure below presents the average number of times a bribe was paid by County. From the figure, Busia, Baringo, West Pokot, Turkana and Siaya had the lowest respondents who paid a bribe when it was demanded.

Figure 6d: Times a bribe was paid (Bottom Ten Counties)
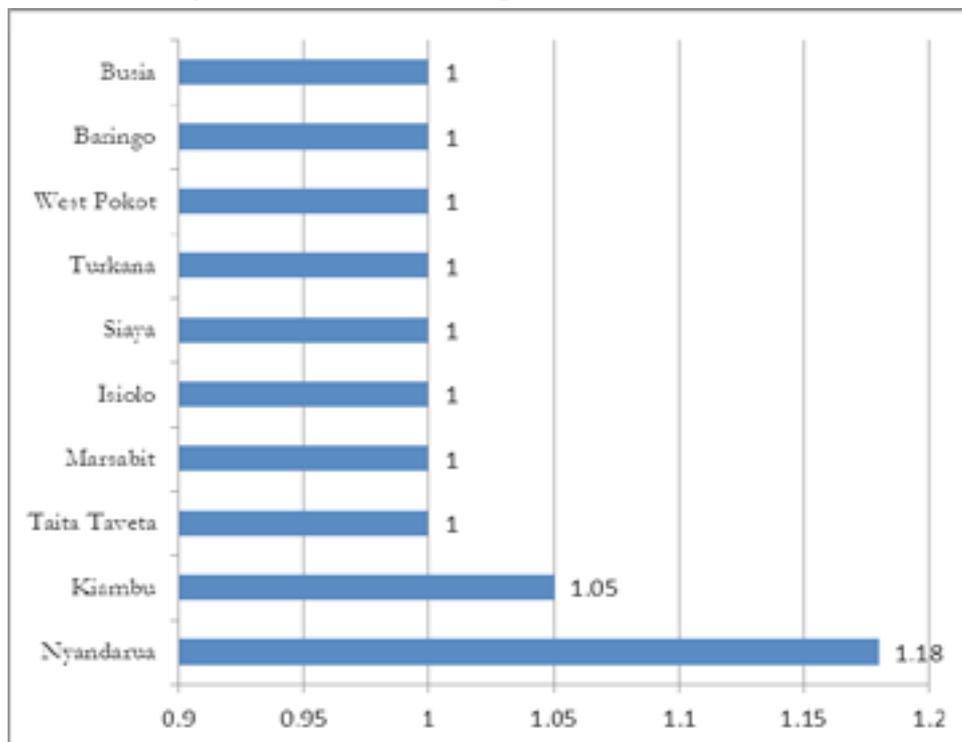
On the other hand, Uasin Gishu County ranked highest with respondents paying for the bribes demanded. This was followed by Nairobi, Narok and Kakamega counties as shown in the figure below.

Figure 6e: Times a bribe was paid (Top Ten Counties)
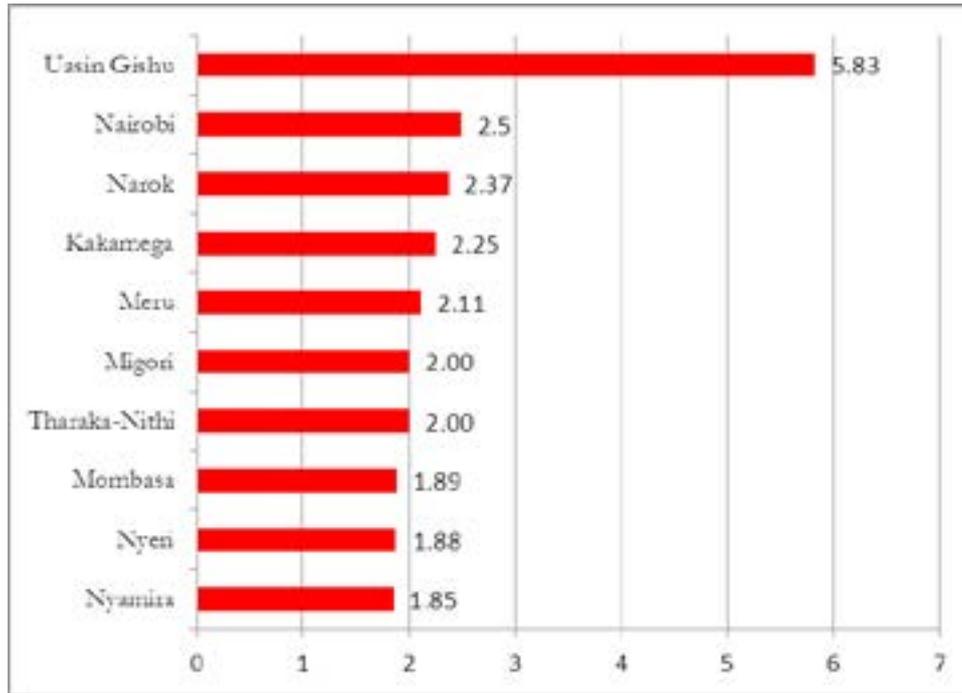
The average bribe is Kshs. 4,601.05. It is highest among the business respondents at Kshs. 8,693.62 and lowest among the household respondents at Kshs. 2,606.78. Among public officers, it stood at Kshs. 5,093.45.

Figure 7: Average Bribe (Kshs)
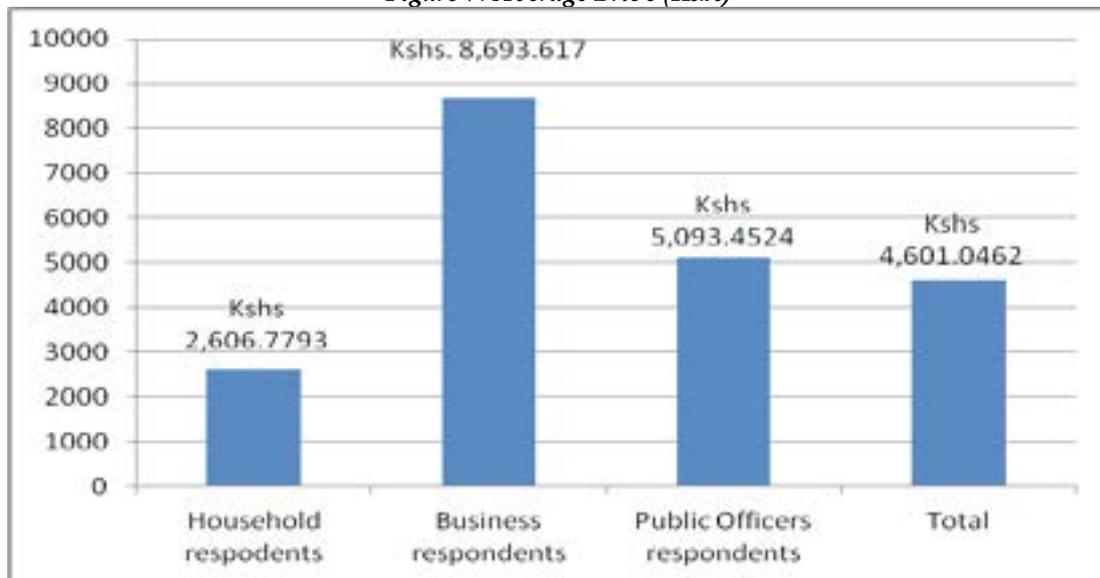
Further analysis by county reveals that, the average bribe is highest in Baringo at Kshs. 20,075 followed by Kirinyaga at Kshs. 15,914.29 and Nakuru at Kshs. 8,466.67. A complete list of county by average bribe is provided in the appendix.

Figure 8: Average Bribe – Top Ten Counties (%)
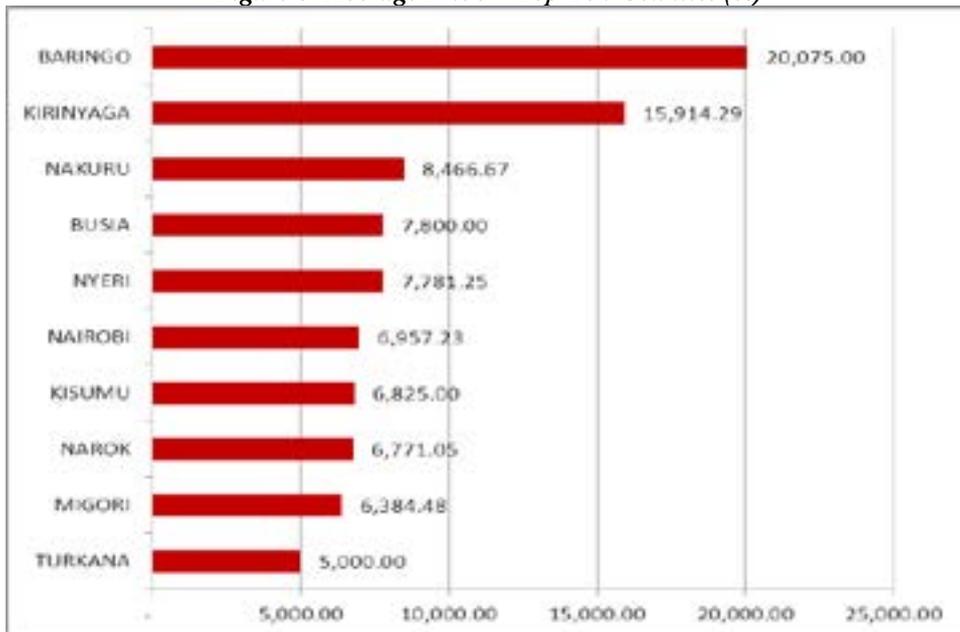
The lowest average bribe is Kshs. 300 as recorded in West Pokot County followed by Kshs. 500 in Marsabit and kshs. 571.67 in Samburu as further presented in the figure below.

Figure 9: Average Bribe – Bottom Ten Counties (%)
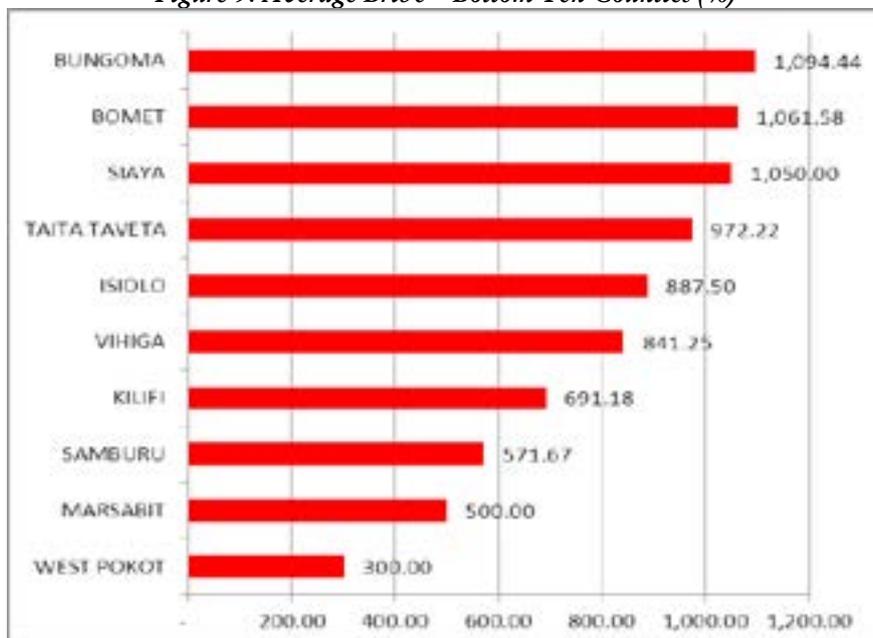
3.2.6 Reasons for paying bribe

The figure below presents the various reasons cited by the respondent's as to why they paid a bribe while seeking public services. From the figure, 71 percent indicated that it was demanded by the service giver followed by 15.8 percent who indicated that they paid due to too much delay in service delivery.

Figure 10: Reasons for paying a bribe (%)
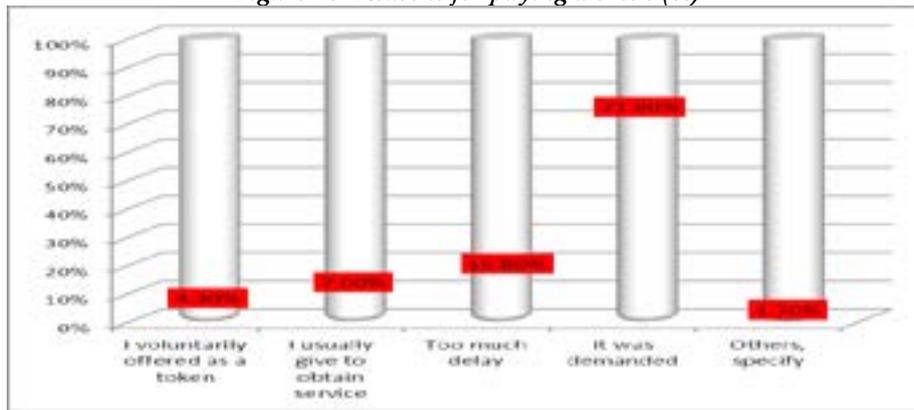
When further asked if they received the service after paying the bribe, 25.2 percent indicated that they did not get the service as opposed to 74.8 percent who received the service.

Figure 11: Did you get the service after paying a bribe (%)?
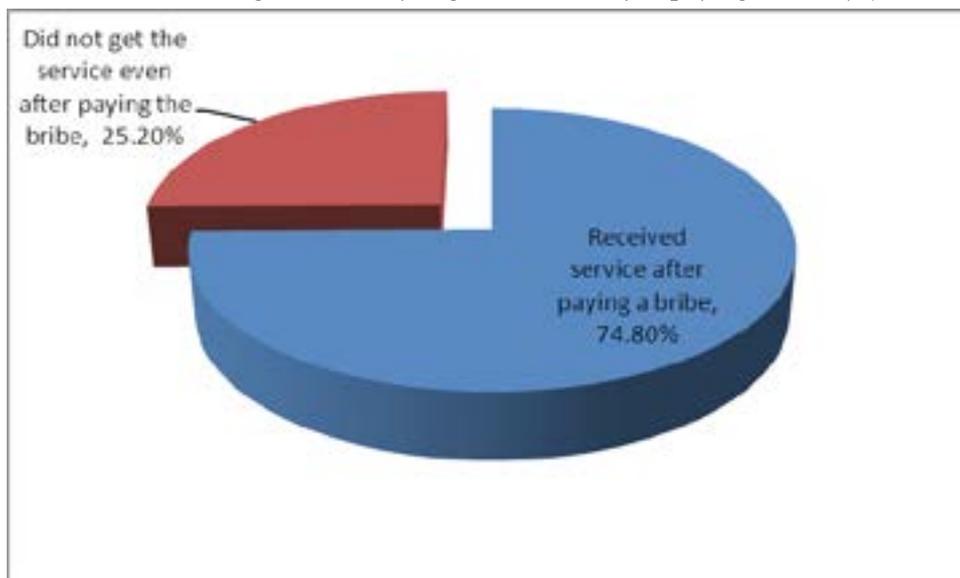
Among the reasons cited by those who never received the service after paying a bribe are; they wanted more money, someone else paid more money than they did, the process was interrupted, they were coned by a broker, the delay continued, the officer became arrogant among others.

3.2.7   Satisfaction with Services

Over 45 percent of the respondents were satisfied (extremely satisfied (6.5%) and satisfied (38.6%) after paying a bribe compared to 44.6 percent (extremely dissatisfied (19.8% and dissatisfied (24.8%)) who were dissatisfied even after paying a bribe to obtain a service as shown in the figure below.

Figure 12: Satisfaction with services after paying a bribe (%)
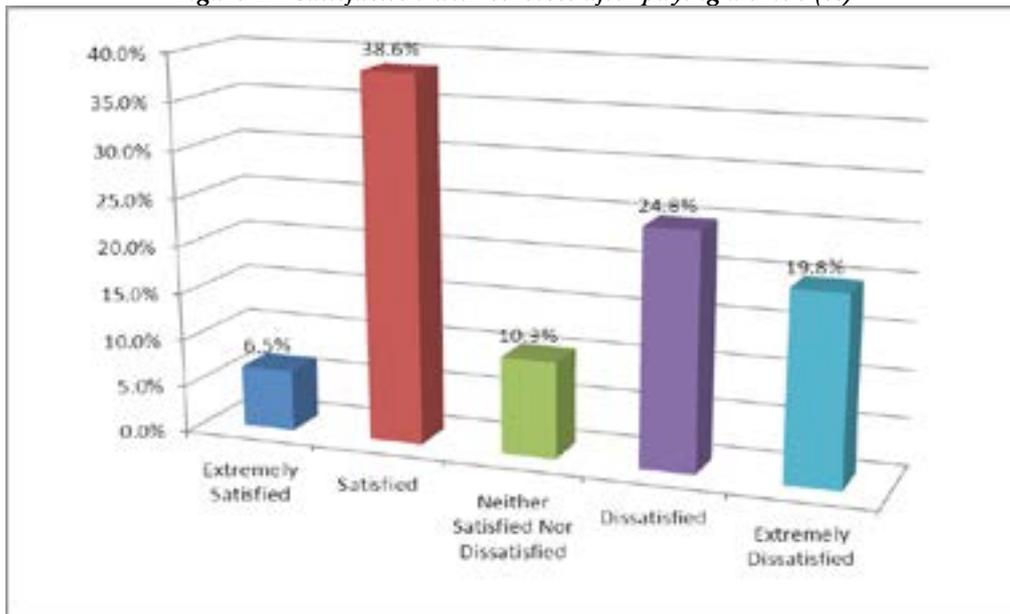
Overall, 25.7 percent of the respondents rated the services received as good followed by 21.9 percent who rated it as fairly good, 20.3 percent rated it as very poor while 19.5 percent rated it as poor as further presented in the figure below.

Figure 13 Overall Services Satisfaction levels (%)
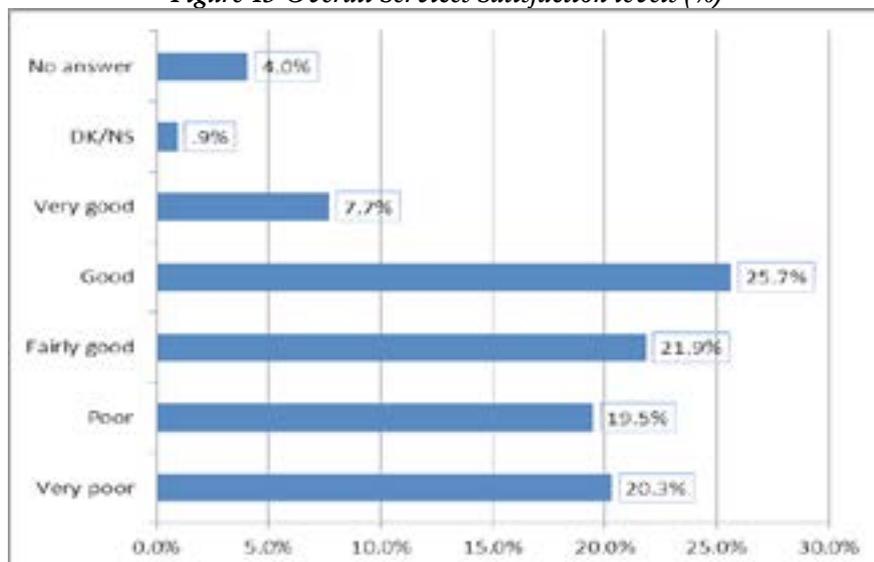
3.2.8 Most Common Forms of Corruption

Bribery was cited by 77 percent of the respondents as the most prevalent form of corruption witnessed in government offices. This is followed by tribalism/ethnicity and nepotism at 4.9 percent, embezzlement of public resources at 3.8 percent and abuse of office 1.9 percent. A significant 8.1 percent of the respondents indicated that they have not witnessed any form of corruption in public offices they have visited as shown in the figure below.

Figure 14: Most Common Forms of Corruption (%)
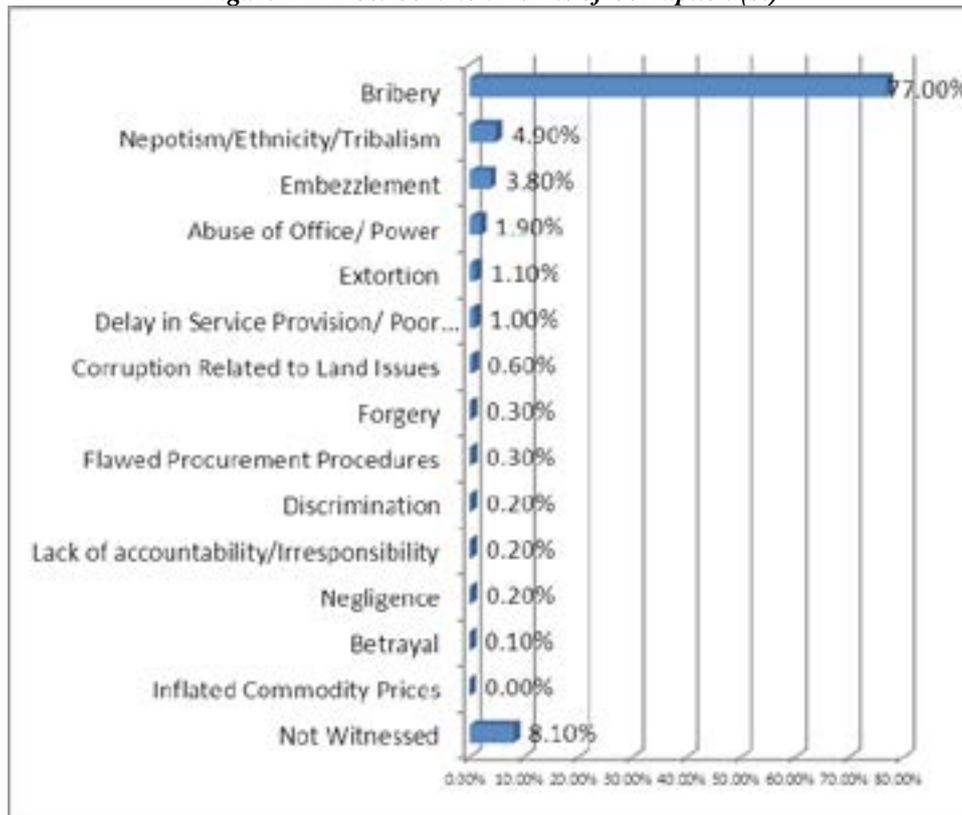
3.2.9   Main reasons for corruption

Greed is the leading cause of corruption in Kenya as cited by 35.2 percent of the respondents surveyed. This is followed by poor remuneration (12%), culture (11.9%), poverty (11%) and like for shortcuts in seeking government services (6.1%). Other causes cited are; poor governance (4.5%, inflation (2.8%), impunity (2.1%), poor service delivery (2%), ignorance (1.9%) and unemployment (1.9%) as shown in the figure below.

3.2.10 Main Effects of Corruption

Respondents provided information on the main effect of corruption in the country. They were required to mention the consequences or outcome of corruption. From the figure below, underdevelopment is cited as the leading main effect of corruption mentioned by 18.7 percent of the respondents followed by high poverty levels (18%), poor service delivery (14.3%), low economic growth (12.6%), lack of justice or oppression of the poor (9.5%), inequality (7.6%) and high inflation (2.8%)

Figure 16: Main Effects of Corruption (%)
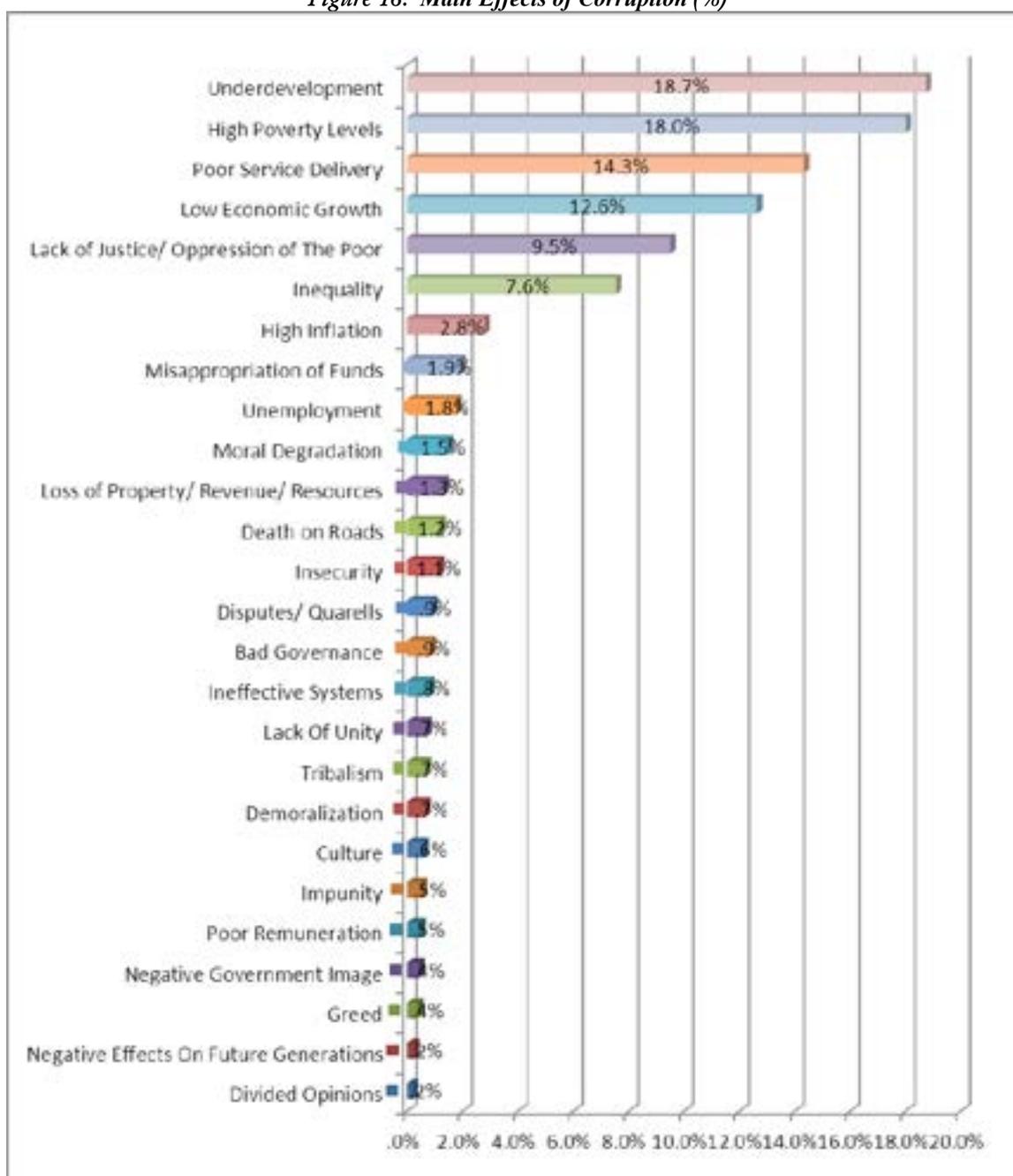
3.2.11 Violation of Government ethical standards

Respondents were asked to state if they have witnessed a violation of government ethical standards, regulations, policy or the law by public officers. From their response, 41.4 percent indicated that they have witnessed public officers violating government ethical standards while 35.6 percent indicated that they have never witnessed such an occurrence as shown in the figure below.

Figure 17: Violation of Government ethical standards (%)
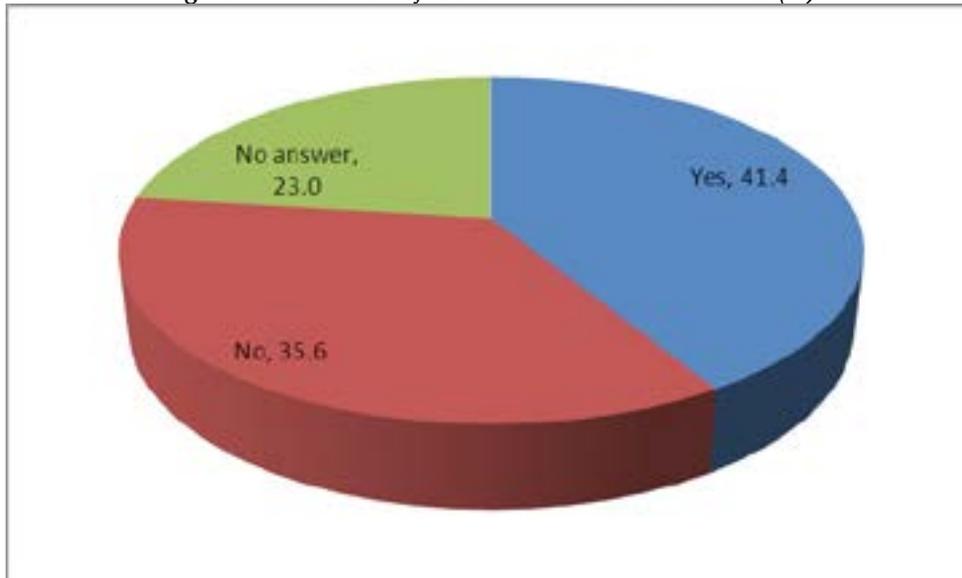
When those who had witnessed a violation of government ethical standards were asked whether they reported the act or not, only 10.6 percent reported the misconduct as compared to 89.4 percent who never reported the violation of the ethical standards.

Figure 18: Reporting of Violation of Government ethical standards (%)
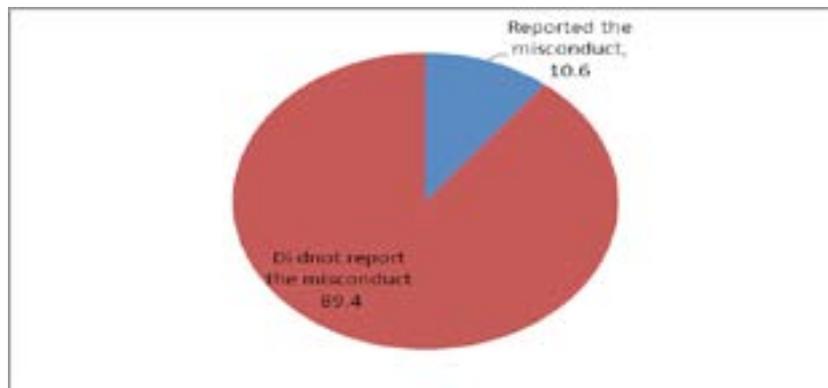
When those who never reported the violation of government ethical standards were asked to give reasons for not reporting, 21.9 percent indicated that they did not know where to report, 14.7 percent feared the consequences of reporting, 11.9 percent indicated that no one listens, 8.5 percent indicated that it is time consuming, 8.2 percent said they were not interested, 8.2 percent said that the officers to report to are corrupt while 6.7 percent said they do not trust the government. Other reasons cited are as presented in the figure below.

3.2.12 Most Corrupt Government Ministries

One is more likely to experience corruption in the Ministry of Internal Security and Provincial Administration as mentioned by 59.6 percent of the respondents. The Ministries of Lands (28.3%), Public health (19.2%), Local Government (19.20), Immigration and Registration of persons (18.3%) and Education (12.8%) complete the top list of Ministries one is likely to encounter corruption as presented in the figure below.

Figure 20: Most Corrupt Government Ministries (%)

Ministry	%
Ministry Of Internal Security	59.60%
Ministry Of Lands	28.30%
Ministry Of Public Health	21.30%
Ministry Of Local Government	19.20%
Ministry Of Immigration	18.30%
Ministry Of Education	12.80%
Ministry Of Finance	7.10%
Ministry Of Agriculture	4.90%
Ministry Of Medical Services	4.70%
Ministry Of Transport	4.40%
Ministry Of Justice	3.60%
Ministry Of Defense	3.20%
Ministry Of Water And Sanitation	2.80%
Ministry Of Roads	2.40%
Ministry Of Labor	2.30%
All The Ministries	1.80%
None	1.60%
Ministry Of Public Works	1.40%
Ministry Of Trade	1.00%
Others	6.30%

3.2.13 Most Corrupt Government Departments

The Kenya Police leads Government Departments perceived to be very corrupt in the country as mentioned by 48.1 percent of the respondents. The Traffic Police (18.7%), Government Hospitals (15.7%), Local Authorities (15.4%), Registration of Persons (13.2%) and Provincial Administration (10.3%) are Government Departments where one is most likely to encounter acts of corruption as further shown in the figure below.

Figure 21: Most Corrupt Government Departments (%)
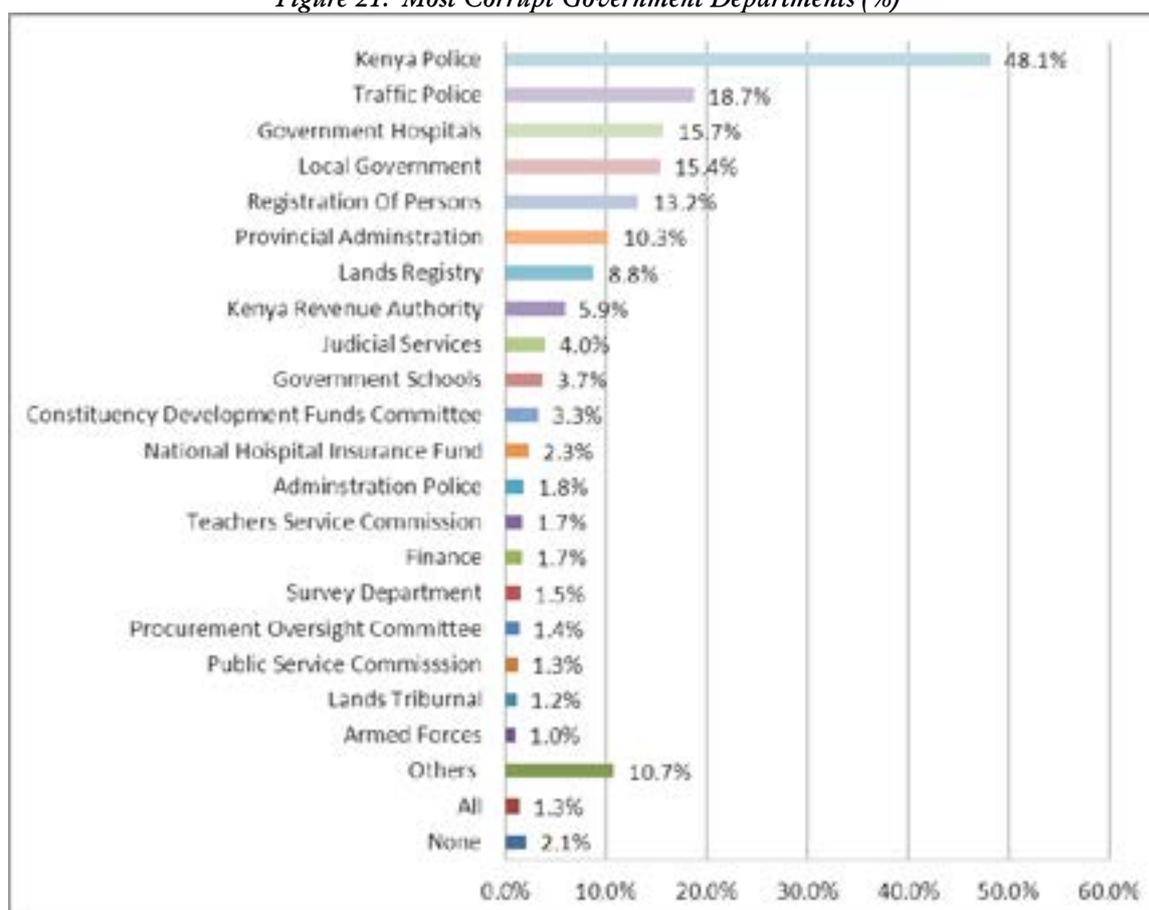
3.2.14 Most Prevalent Unethical Conduct

Slow service delivery leading to delays and frustrations is the leading unethical conduct in the public service. This was cited by 26.5 percent of the respondents followed by bribery (12.3%), discrimination (7.8%), tribalism (7.1%), unprofessionalism (6.1%) and harassment (5.8%) as shown in the figure below.

Figure 22: Most Prevalent Unethical Conduct (%)

Conduct	Percentage
Slow Service Delivery	26.50%
Bribery/ Corruption	12.30%
Discrimination	7.80%
Tribalism	7.10%
Unproffessionalism	6.10%
Harrassment	5.80%
Rudeness/ Arrogance	5.70%
Abuse Of Power	4.70%
Lateness	3.80%
Extortion/ Theft/ Misuse Of...	2.60%
Ignorance	2.60%
Foul Language	2.10%
Dishonesty	1.60%
Service Denial	1.50%
Absentism	1.20%
Impunity	1.10%
Inefficiency	1.10%
Intimidation	1.10%
Poor Relations	0.80%
Greed	0.70%
Drunkedness	0.70%
Mother Tongue	0.50%
Beauracracy	0.20%
Flawed Tendering Procedures	0.20%
Land Grabing	0.10%
Promiscuity	0.10%
Forgery	0.10%

3.2.15 Main Reason for unethical Conduct

Unethical conduct in the public service is fueled by greed/self-interest (13.10%) and poor remuneration (9.5%). Other reasons cited are; unprofessionalism (8.7%), organizational culture (6.6%), lack of supervision (6.5%) and demotivated staff (5.30%).

Figure 23: Main Reason for unethical Conduct (%)
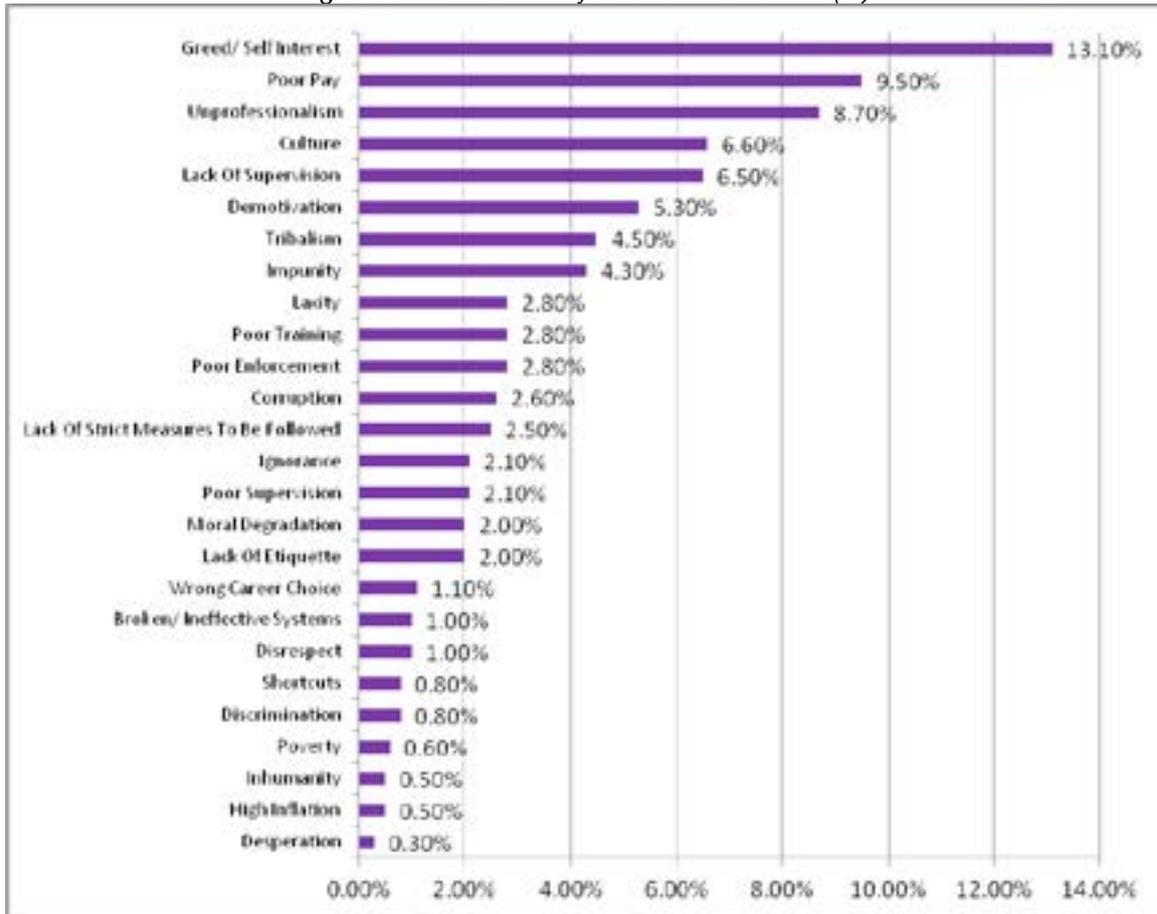
3.2.16 Main Effects for unethical Conduct

Poor service delivery is the leading effect of unethical conduct as cited by 39.4 percent of the respondents. This is followed by decline in production (18.1%), injustice and suffering for the poor (5.6%), denial of service (5.2%), high poverty levels (4.4%), it promotes corruption (3.9%) and oppression of the poor (3%) as shown in the figure below.

Figure 24: Main Effects for unethical Conduct (%)

Poor Service Delivery — 39.40%
Decline In Production/ Underdevelopment — 18.10%
Injustice And Suffering Of The Poor — 5.60%
Denial Of Service — 5.20%
High Poverty Levels — 4.40%
Promote Corruption — 3.90%
Oppression Of The Poor — 3.00%
Wastage Of Resources — 2.80%
Inequality — 2.30%
Lack Of Confidence In The Government — 2.20%
Time Wastage — 2.20%
Moral Degradation — 2.10%
Mistrust By The Public — 2.00%
Death — 1.70%
Tribalism — 1.70%
Loss Of Employment Opportunities — 1.50%
Dissatisfaction — 1.30%
Bad Government Image — 1.10%
Disunity — 1.00%
Insecurity And Fear — 1.00%
Hatred — 0.80%
Resentment Of Public Officers — 0.70%
Conflict In Offices — 0.60%
Impunity — 0.60%
Laxity In Government — 0.60%
Culture — 0.60%
Inflation — 0.30%
Discrimination — 0.20%
Poor Working Conditions — 0.20%
Industrial Action/ Strikes — 0.20%
Hinders Democracy — 0.10%

3.2.17 Frequency of unethical Conduct in the public service

The table below presents responses on how often respondents have experienced this unethical conduct when interacting with public officers. From the table, delays in service provision (33.9%), bribery (36.2%), non-compliance with rules and regulations (25.6%) and putting self-interest before public interest (25.8%) are often experienced by service seekers in the public service.

Sexual harassment (51.1%) and lying to employees (41.3%) are never experienced with public officers.

Table 5: Frequency of unethical Conduct in the public service						
	Never	Once or twice	A few times	Often	No answer	Don't know
Delays in service provision	7.9	20.6	14.8	33.9	21.8	1.0
Discrimination	24.1	19.7	13.0	19.5	21.6	2.1
Misuse of property	31.4	12.2	11.9	18.8	22.1	3.5
Putting self-interest before the public interest	20.3	15.3	14.2	25.8	21.9	2.5
Corruption activities (bribery)	13.4	12.3	15.1	36.2	21.6	1.5
Criminal activities (fraud, theft, embezzlement)	29.9	11.8	13.6	18.9	22.0	3.8
Abuse of power	26.9	13.9	13.1	20.8	21.9	3.5
Abusive or intimidating behavior	28.6	16.0	11.9	18.4	21.9	3.2
Lying to employees	41.3	12.8	7.5	10.9	22.0	5.5
Sexual harassment	51.1	9.5	5.5	6.3	22.1	5.5
Non-compliance with rules & regulations	20.6	14.6	14.0	25.6	21.7	3.6

3.2.18 Commitment to promoting ethical conduct in the public service

Respondents were asked to rate the extent of commitment by various leaders in promoting ethical behavior and addressing unethical conduct in the public service. From the table, the President (35.4%) and The Prime Minister (34.8) are rated as quite committed in promotion and addressing ethical conduct in the public service.

On the other hand, Members of Parliament (36%) and Local Government Officials (41.8%) are rated as very uncommitted in promotion and addressing ethical conduct in the public service.

Table 6: Commitment to promoting ethical conduct in the public service					
	Very committed	Quite committed	Quite uncommitted	Very uncommitted	No answer
The President	27.8	35.4	17.5	10.2	9.1
The Prime Minister	21.9	34.8	19.0	14.0	10.4
Ministers and Asst. Minsters	6.4	29.2	32.3	22.6	9.4
Members of Parliament	3.8	19.2	31.8	36.0	9.2
Permanent Secretaries	8.1	29.1	30.3	22.6	9.9
Senior public servants	7.1	28.4	31.2	23.5	9.7
Middle ranking public servants	7.4	28.6	30.7	23.8	9.4
Junior ranking public servants	8.5	27.4	30.0	24.6	9.4
Local government officials	3.8	17.5	27.4	41.8	9.5

3.2.19 Overall rating of unethical conduct in the public service

The public service is considered somehow ethical by 41.3 percent of the respondents surveyed followed by 22.3 percent who consider it somehow unethical, 13.5 percent consider it very unethical while only 4.2 percent consider it very ethical as shown in the figure below.

Figure 25: Overall rating of unethical conduct in the public service (%)
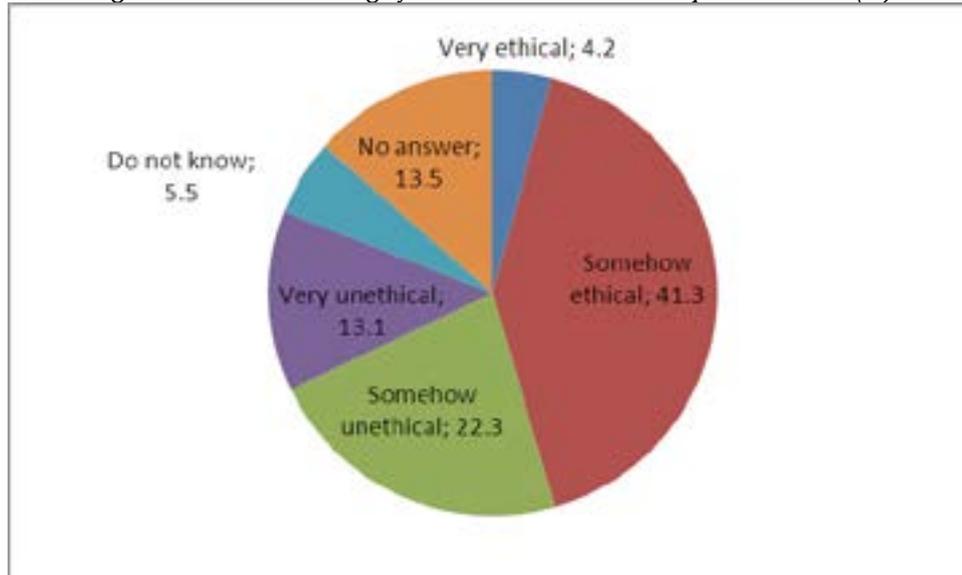
3.3 Response to Corruption and Unethical Conduct in Public Offices

3.3.1 Corruption Reporting

Over the past one year, 59.8 percent of the respondents have observed or witnessed a corrupt act by a public officer. Of those who have witnessed a corrupt act by a public officer, only 6.6 percent reported the incident as shown in the figure below.

Figure 26: Corruption Reporting (%)
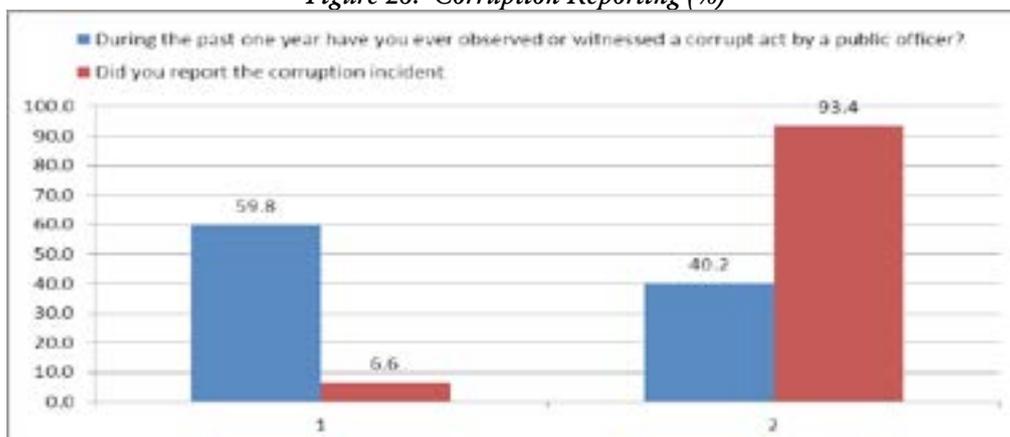
Of those who reported the corrupt incident, 34.3 percent reported at a police station, 29.7 percent reported to the Provincial Administration Offices, 11.7 percent reported to the Ethics and Anti-Corruption Commission while 10 percent reported to the head of department of the concerned institution as further illustrated below.

Figure 27: Where did you Report (%)

Reporting Place	Percentage
Police Station	34.3
Provincial Administration	29.7
EACC	11.7
Head Of Department	10.0
Ministry	3.8
Cid Headquaters	3.8
Judiciary	1.3
Political Leaders Office	1.3
District Education Board	.8
Media	.8
Government Hospitals	.8
Airport Commander	.4
Ombudsman	.4
Board Of Governors	.4
NSIS	.4
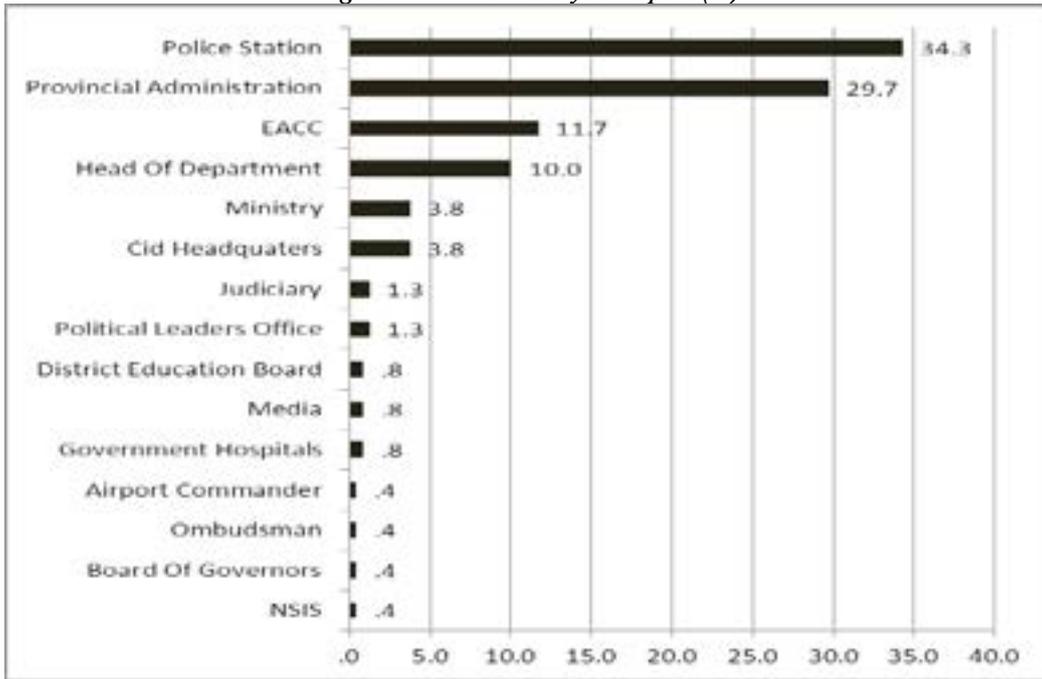
Among the reasons extended by those who witnessed a corrupt incident and chose not to report are; do not know where to report (18.7%), lack of assistance (14.1%), fear of victimization (11%), fear of police (10.3%) and time consuming (7.8%). This is further presented in the figure below.

Figure 28: Reasons for not reporting (%)

Reason	Percentage
Do Not Know Where To Report	18.7%
Lack Of Assistance/ No Action/ No...	14.1%
Laxity On The Side Of The Public	11.8%
Fear Of Victimization	11.0%
Fear Of Police	10.3%
Time Consuming	7.8%
Corrupt Officials	7.6%
Culture	7.3%
Lack Of Knowledge	5.0%
Lack Of Evidence	4.6%
Participation In Corruption	2.9%
Accessibility	2.7%
Travelling	1.6%
Cost Of Justice	1.4%

About 20 percent of the respondents do not know where to seek a redress in the event they are a victim of corruption or unethical conduct and they want to

complain. However, 23.6 percent would report to the Ethics and Anti-Corruption Commission, 16.3 percent would report to the Police and 13.4 percent would report to the provincial administration. This information is illustrated as follows.

Figure 29: Where to seek a solution if you are a victim of corruption or unethical conduct (%)
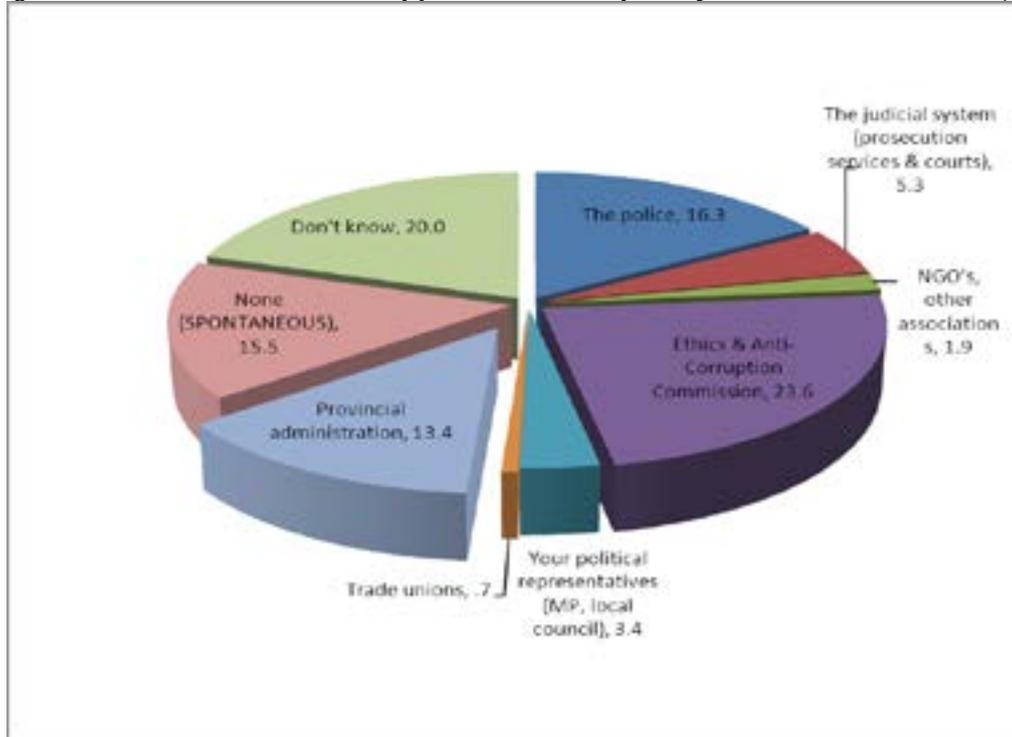
3.3.2   Individual role in fighting corruption

Respondents were given an opportunity to state what role they can play in the fight against corruption. From the table below, 33.3 percent of the respondents indicated that they would not engage in acts of corruption and unethical conduct, 32.7 percent would report such incidences to the relevant authorities, 13.6 percent would create awareness about corruption, 8.7 percent would do nothing while 7.5 percent would initiate activities to aid in the fight against corruption and promote ethics.

Figure 30: Individual role in fighting corruption (%)
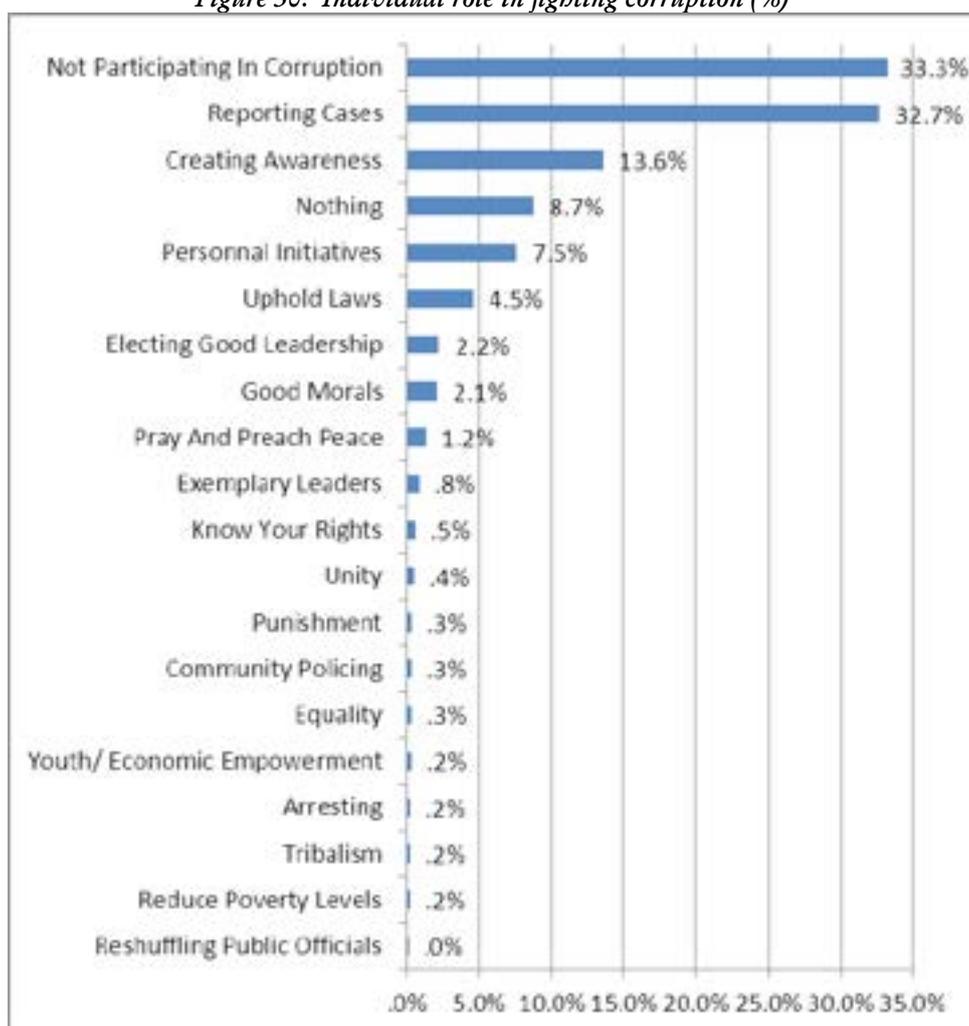
3.4 Knowledge, Awareness on and Application of Ethics in the Public Service

3.4.1 Awareness about Ethics

Close to 90 percent of the respondents in the public service are aware of ethics. From the figure below, 45.9 percent of the respondents understand ethics to mean code of ethics, 24.9 percent mentioned good morals, 11.1 percent mentioned quality service delivery, 10.4 percent mentioned fairness, 8.6 percent mentioned personal integrity while 7.3 percent mentioned transparency and declaration of wealth.

Figure 31: Awareness about Ethics (%)
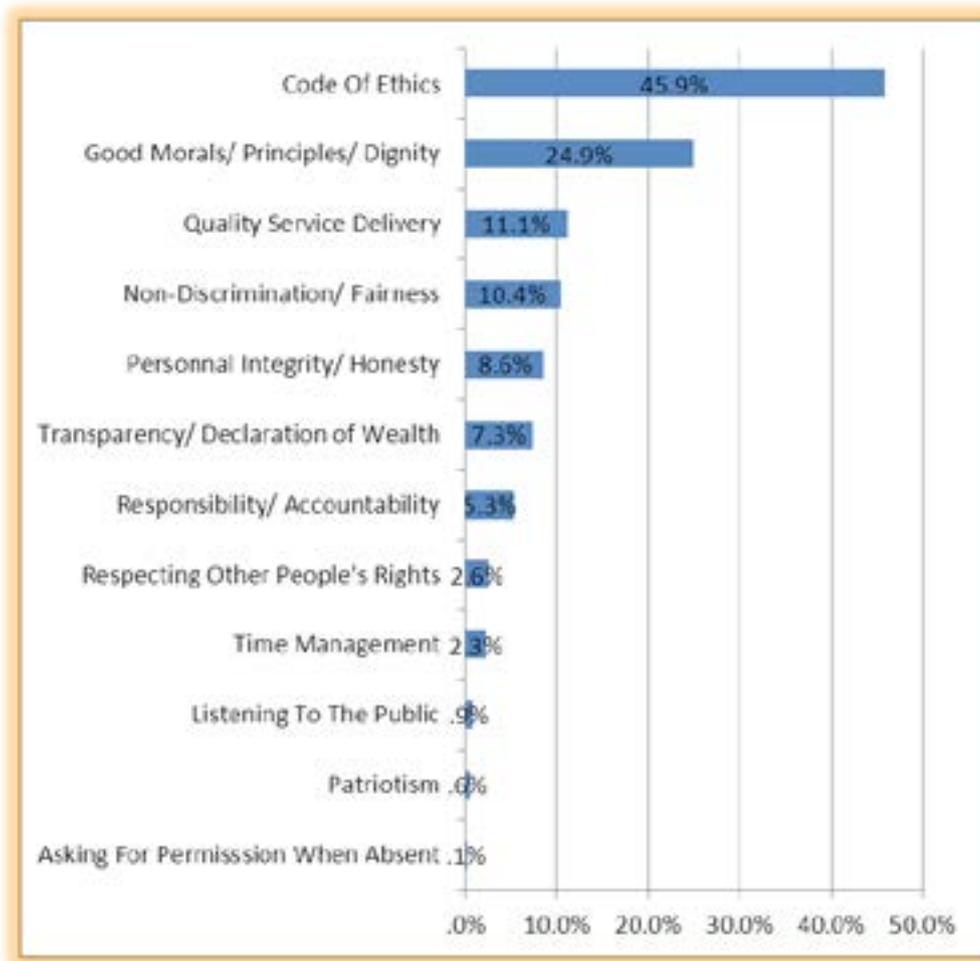
3.4.2 Code of Conduct

Over 54 percent of the respondents indicated that their organization has a code of conduct. From the figure below, among those who indicated that their organization has a code of conduct, 50.8 percent indicated that employees comply with its values and principles.

do the employees comply with these values and principles, 50.8

Does your organization have a written document that outlines its values and principles (code of conduct, 54.6
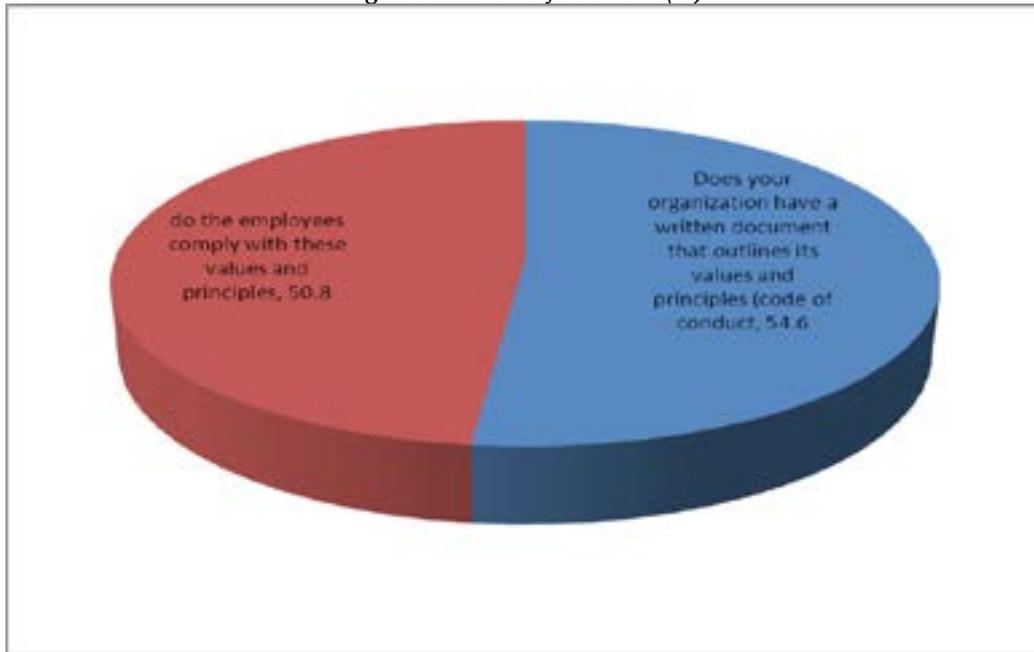
3.4.3   Compliance with Code of Conduct

Over 18 percent of the respondents indicated that they are aware of cases of unethical behavior in their institution. From the figure below, 14 percent of the respondents mentioned lateness as an unethical behavior noted in their institution. Other unethical practices mentioned are; fraud (14%), drunkenness (13.4%), bribery (9.7%), absenteeism (8.1%), abuse of office (7.8%) and harassment (5.6%)

Figure 33: Compliance with Code of Conduct (%)
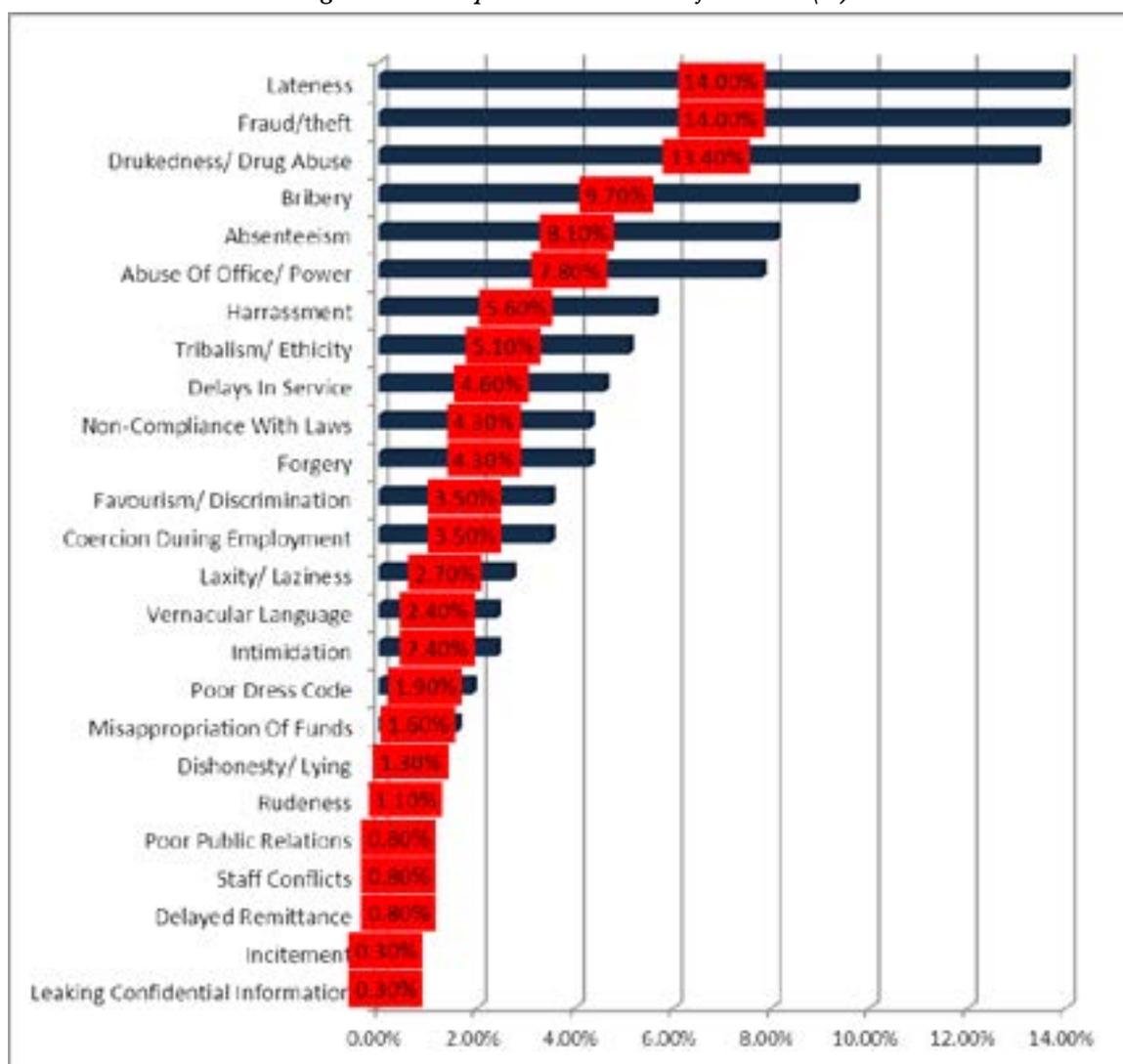
3.4.4 Guidance to ethical conduct

The table below presents responses regarding the guidance to the Public Service on ethical conduct which includes: - Code of Ethics and Conduct for Public Service, policies, regulations, laws and other procedures. From the table, 24.7 percent of the respondents tend to agree that guidance to the public service on ethical conduct is adequate.

Table 7: Guidance to ethical conduct						
	Totally agree	Tend to Agree	Tend to Disagree	Totally disagree	No answer	Don't know
Guidance to the Public Service on ethical conduct is adequate	16.5	24.7	9.7	4.5	42.9	1.9
Guidance to the Public Service on ethical conduct is effective	13.9	21.4	16.1	3.9	42.7	2.0
Guidance on ethical conduct is adequately enforced in the Public Service	11.7	21.0	15.8	6.8	42.9	2.0
Unethical conduct in the Public Service is adequately dealt with	12.3	13.5	16.7	11.7	43.3	2.4

3.5 Level of Access to Ethics and Anti-Corruption Services

3.5.1 Access to ethics and anti-corruption services

Only 3.6 percent of the respondents have had access to ethics and anti-corruption services in the past one year. Of those who have accessed ethics and anti-corruption services, 53.1 percent accessed at KACC/EACC, 6.2 percent through the media, 5.1 percent at Provincial Administration offices and 5.1 percent from the Police as shown in the figure below.

Figure 34: Access to ethics and anti-corruption services (%)
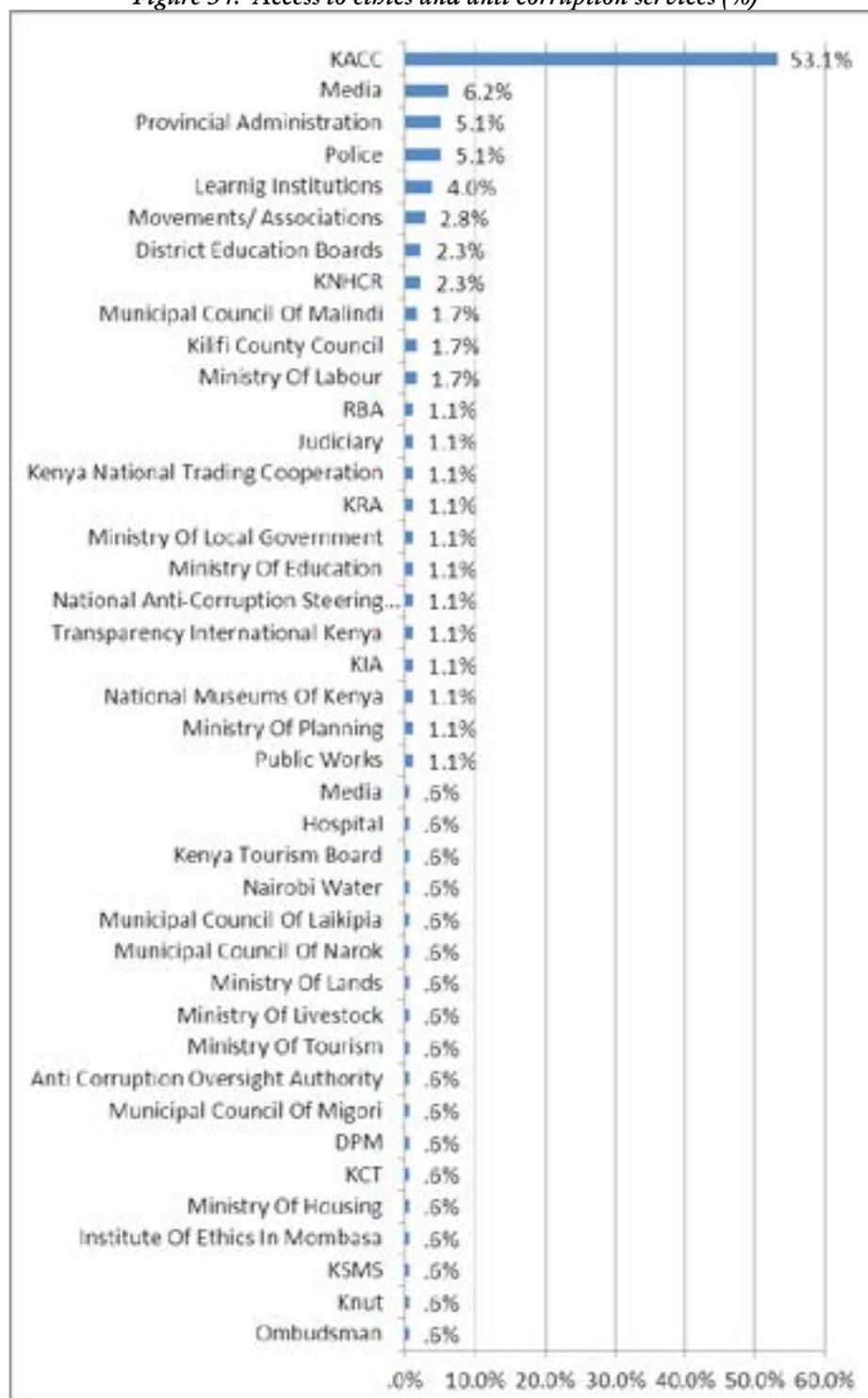
When further asked about the service they sought from the offices, 64.7 percent sought training, 16.7 percent reported corruption, 7.1 percent sought for legal advice, 2.9 percent came for clearance certificate while 7.6 percent were involved in some investigation.

Whereas over 60 percent of the customers never encountered any challenges, 10.1 percent complaint of none- response to their requests, 7 percent cited poor services, 6 percent complaint that it is time consuming while 4 percent mentioned deliberate misinformation as further shown in the figure below.

Figure 35: Challenges in seeking ethics and anti-corruption services (%)
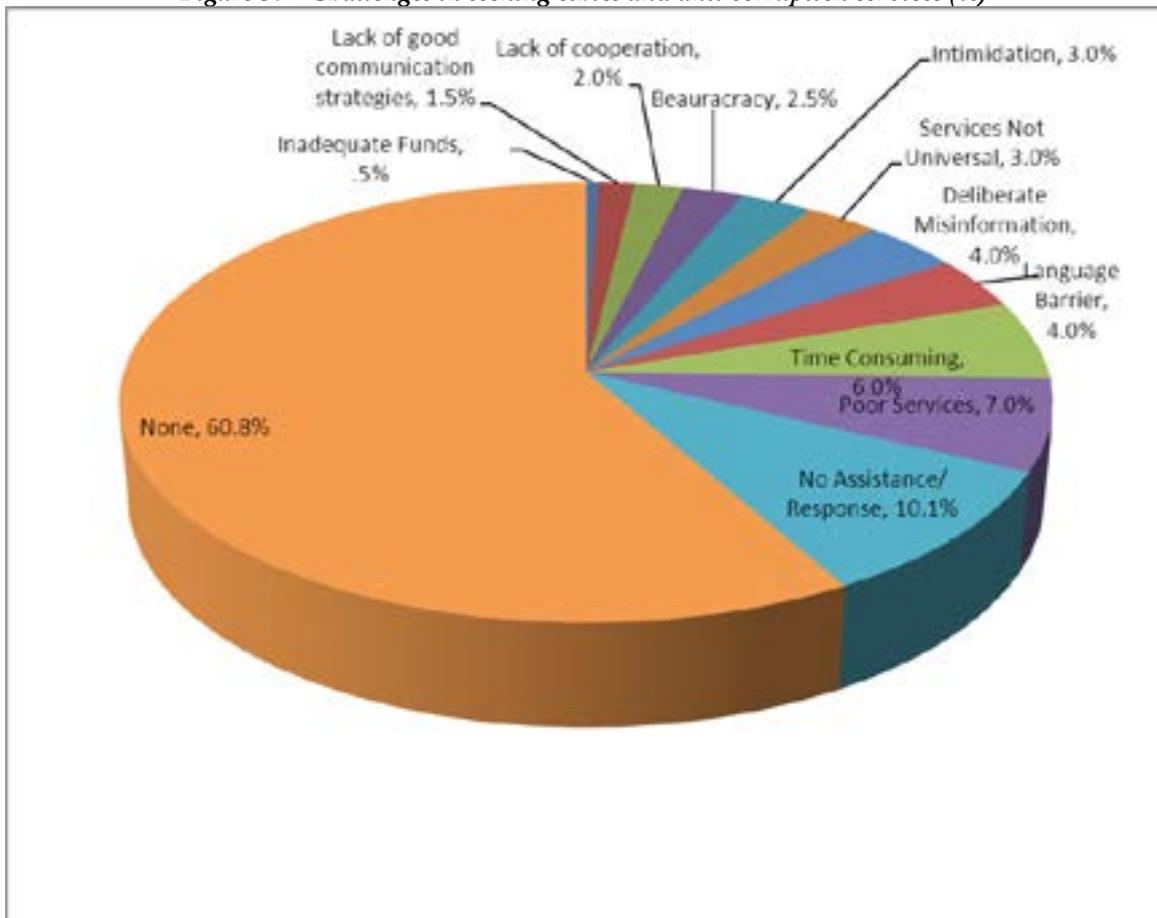
3.5.2 Suggestions to improve access to ethics and anti-corruption services

From the figure below, to enable ease of access to ethics and anti-corruption services, there is need for public education and awareness (36.7%), increased accessibility to the service points (29%) and better communication strategies (4.8%).

Figure 36: Suggestions to improve access to ethics and anti-corruption services (%)

3.6 Awareness and Impact of EACC Functional Mandate

3.6.1 Awareness about Ethics and Anti-Corruption Commission

Over 56 percent of the respondents are aware of Ethics and Anti-Corruption Commission as opposed to 42.9 percent who indicated that they are not aware of such an institution.

Figure 37: Awareness about Ethics and Anti-Corruption Commission (%)
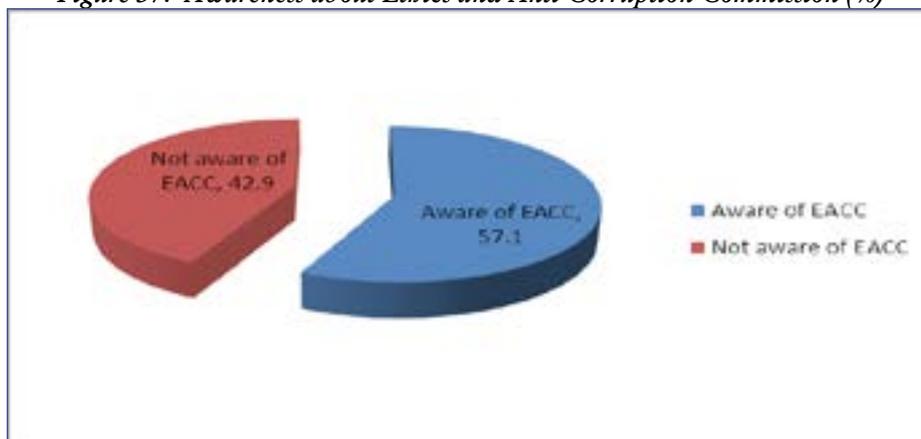
3.6.2 Awareness of EACC Services

Investigation of corruption is the most known service offered by EACC as cited

by 67.8 percent of the respondents. Other services mentioned are; prevention of corruption (51.4%), public education, training and awareness creation on corruption (42%) and asset recovery (20.8%). A significant 14.3 percent of the respondents indicated that although they are aware of EACC, they do not know the type of services it offers.

Figure 38: Awareness of EACC Services (%)
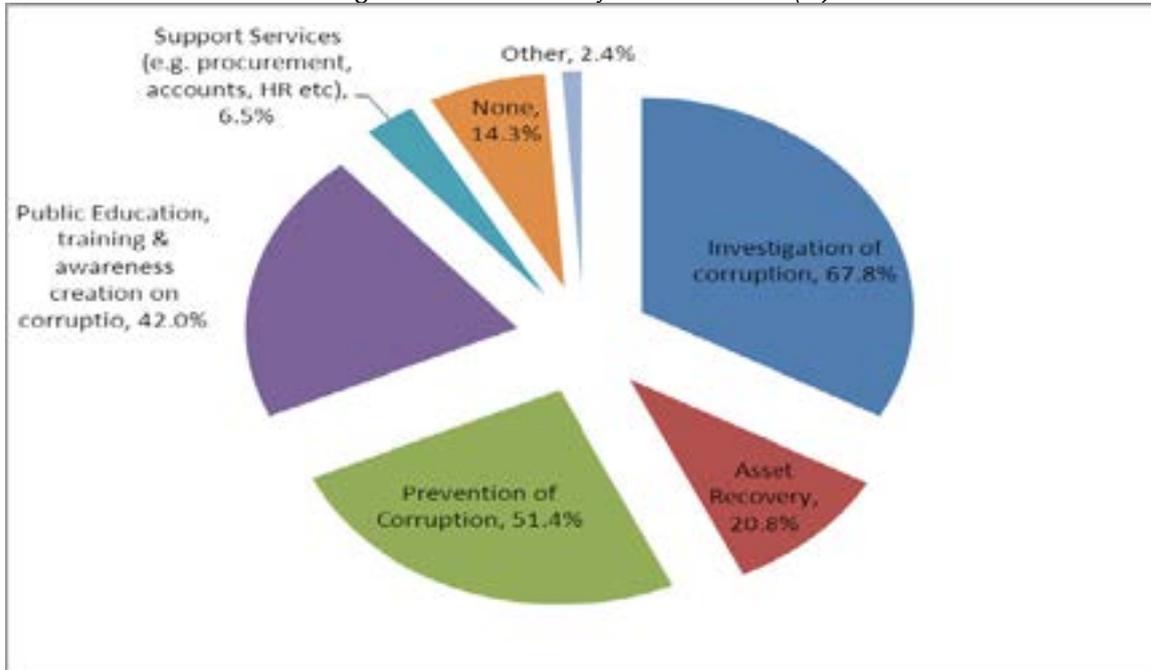
From the figure below, over 85 percent of the respondents have never utilized any of the EACC services at all. Slightly over 10 percent have utilized public education, training and awareness creation on corruption services as shown in the figure below.

Figure 39: Utilization of Ethics and Anti-Corruption Commission (%)
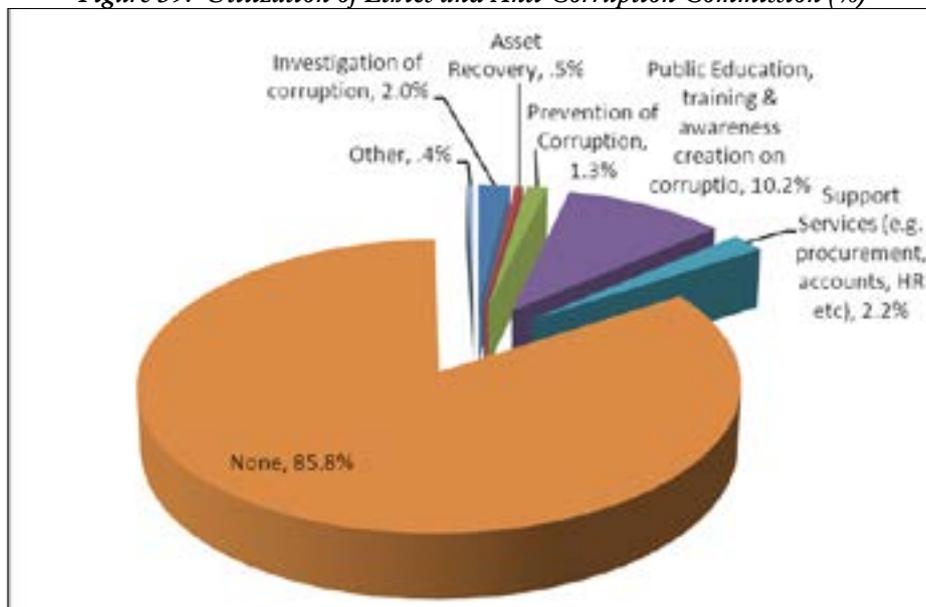
3.6.3   Effectiveness of EACC

Respondents were split when asked about the effectiveness of EACC in the fight against corruption and promotion of sound ethical standards. Whereas 48.2 percent of the respondents indicated that it is effective, 51.8 percent said that EACC is not effective in carrying out its mandate.

Figure 40: Effectiveness of EACC (%)
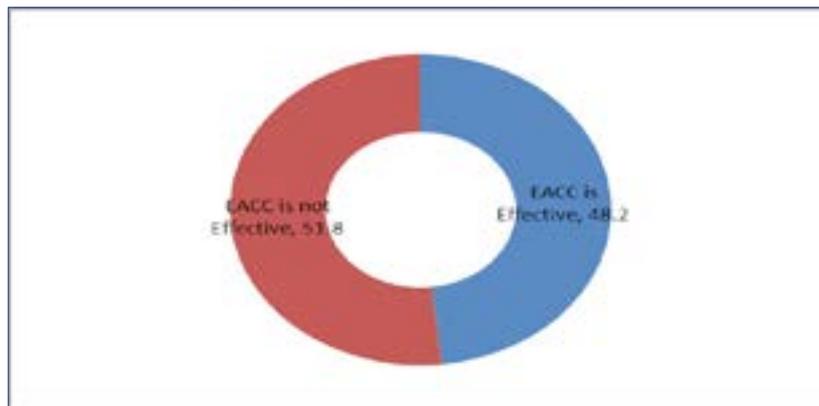
Among the reasons extended by those who indicated that EACC is effective in fighting corruption and promoting sound ethical standards are; effective EACC strategies (40.6%), creating of public awareness (16.7%), investigation (11.8%), arrests (7.8%), less bribery incidences (6.3%), media reports (5.1%) and streamlined government ministries (2.9%).

Figure 41: Reasons for Effectiveness of EACC (%)

On the other hand, those who indicated that EACC is not effective in fighting corruption and promoting sound ethical standards cited the following reasons;- corruption still exists (30.2%), political interference (14.9%), EACC does nothing (13.3%), lack of prosecution powers (11.9%), lack of access to EACC services (9.5%) and slow investigations (5%).

Figure 42: Reasons for Ineffectiveness of EACC (%)
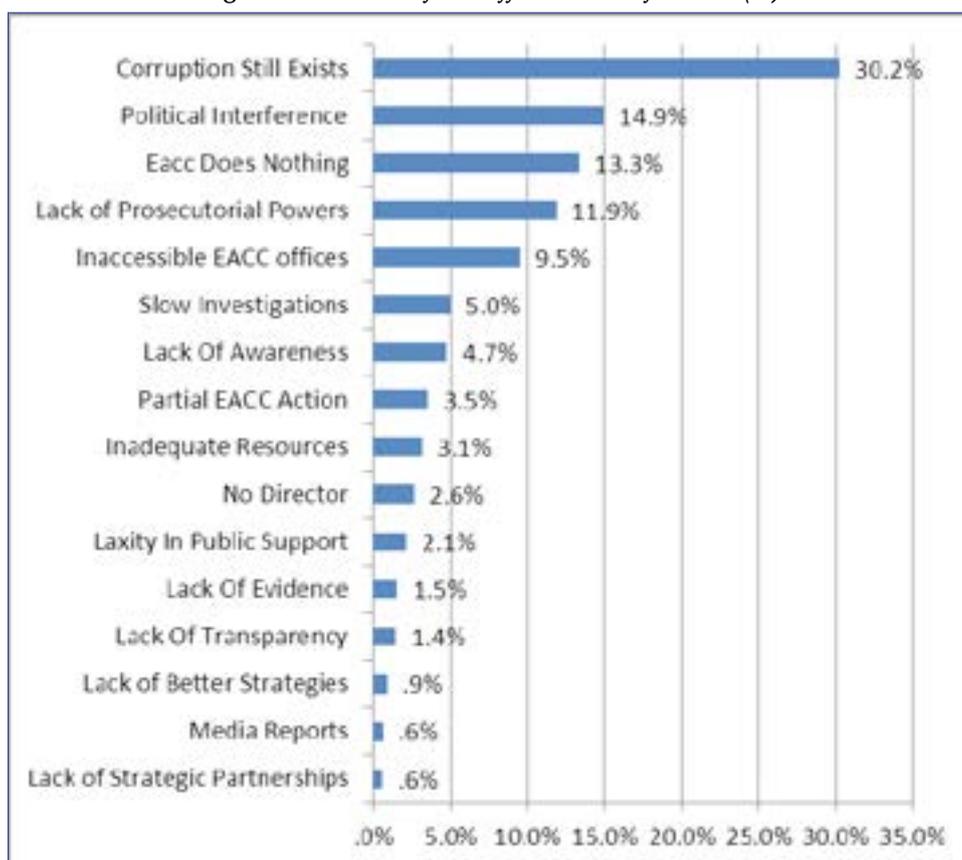
3.6.4   Effectiveness of anti-corruption measures

Public education and sensitization (55.2%) is rated as very effective as a measure of combating corruption and promotion of ethical conduct in the country. Other measures rated as very effective are: prosecution of corruption cases (52.8%), investigations (51.4%) and prevention of corruption (47.8%). This information is presented in the table below.

Table 8: Effectiveness of anti-corruption measures						
	Very effective	Moderately Effective	Least Effective	Not effective at all	No answer	Do not know
Public education/sensitization	55.2	28.2	6.8	4.9	3.0	1.9
Mobile Clinics	37.6	28.0	15.4	8.0	3.1	7.9
Prosecution of corruption cases	52.8	25.4	10.5	6.1	3.0	2.1
Investigations	51.4	29.8	10.8	3.1	3.1	1.7
Prevention of corruption	47.8	25.2	14.1	6.7	3.4	2.8
Asset Recovery (Restitution)	38.9	27.6	15.3	7.4	4.6	6.2
Partnerships and coalition of stakeholders in the fight against corruption	40.4	30.8	14.0	6.6	3.4	4.9
Decentralization	45.0	23.0	14.7	8.6	3.7	4.9
Administrative sanctions on public officials	42.4	30.3	11.9	7.5	3.5	4.5
Mainstreaming of anti-corruption into the education curriculum	49.8	23.7	10.5	7.4	3.4	5.1

3.6.5 Suggestions to improve EACC services

Over 30 percent of the respondents indicated that in order for EACC to be effective in combating corruption and promoting ethical behavior, they should decentralize their services. Other suggested measures are; creating public awareness (21.1%), empowerment of the people (16.5%), should be independent from political interference (13.5%) and should upscale its activities (5.9%).

Figure 43: Suggestions to improve EACC services (%)
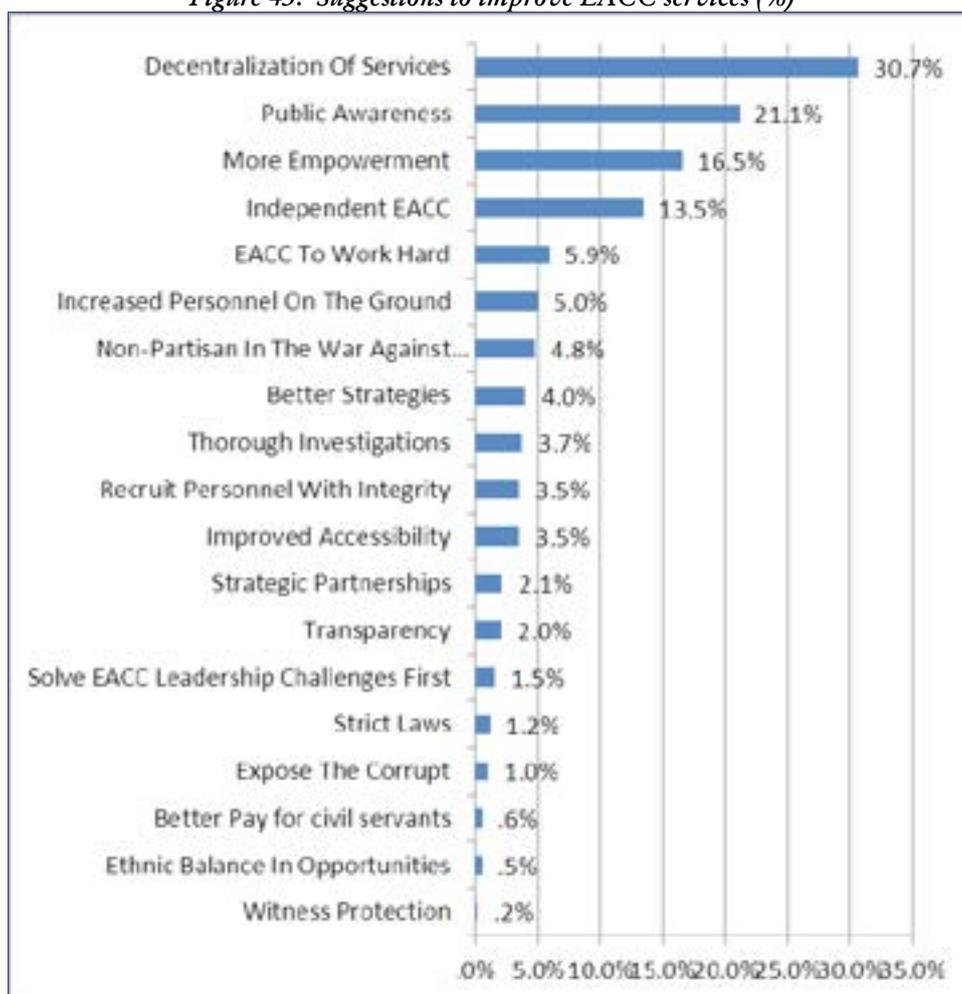
3.7 Suggestions on Enhancing the Fight against Corruption and Promotion of Ethical Behavior

3.7.1 Suggestions to promote ethical conduct

When respondents were asked to suggest ways that would help promote ethical behavior in the public service, 27.6 percent mentioned escalating public awareness, enhanced punishment for offenders (19.6%) sacking and replacing unethical officers (12%), better terms of service (11.8%) and enhanced supervision of public officers (7.5%).

Figure 44: Suggestions to promote ethical behaviour (%)

3.7.2   Suggestions to Fight Corruption

The figure below presents suggestions on how to enhance the fight against corruption in the country. From the figure, enhanced punishment and fair prosecution is mentioned by 31.9 percent of the respondents, public awareness on rights of people seeking public services (23.1%), enforcement of laws (7.8%), exemplary leadership (7.1%), and decentralization of EACC services (6.6%) and enacting of stringent laws (6.3%).

Figure 45: Suggestions to Fight Corruption (%)
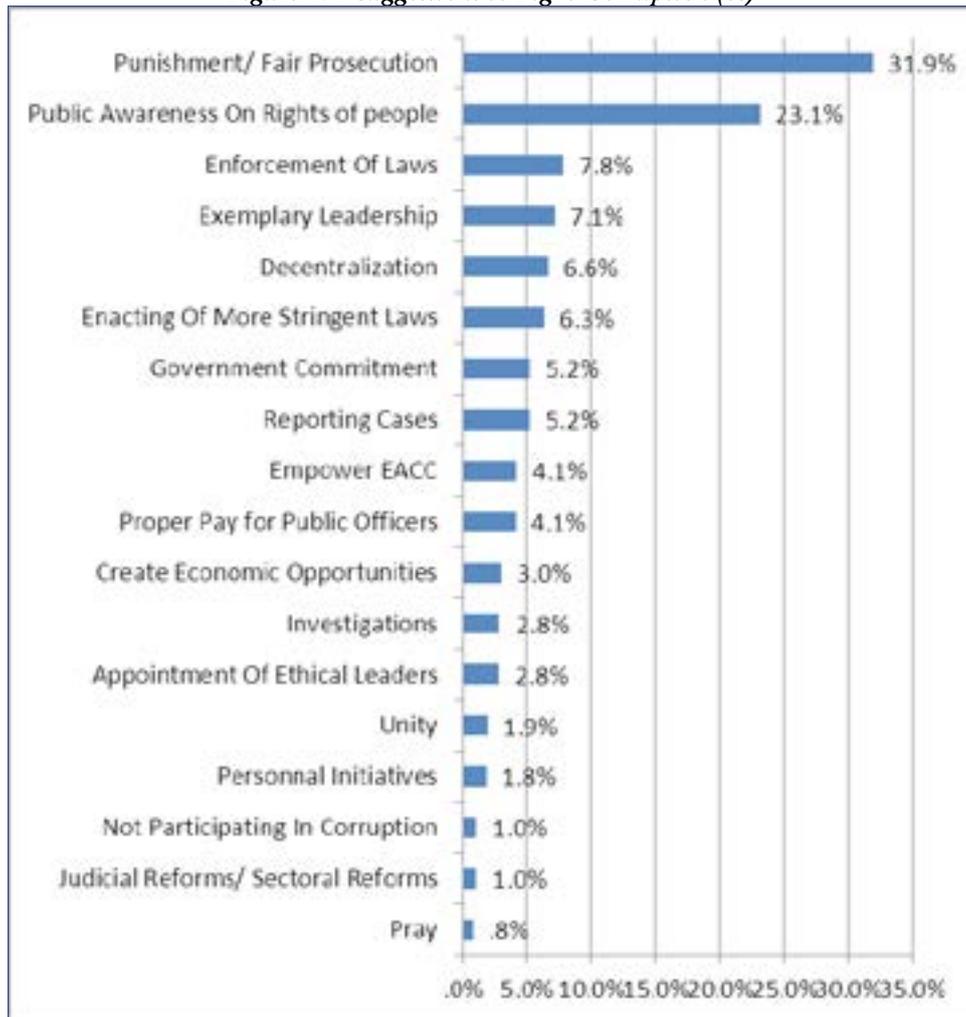
Chapter 4

Conclusion and Recommedation

This National Survey on Corruption and Ethics 2012 attempted to address the issues of corruption and unethical conduct from the perspective of general public in their homes, the business entities and the public officers. The Survey captures view on the level of corruption, the likelihood, prevalence, impact and magnitude of corruption and unethical conduct, response to corruption and unethical conduct in public offices, level of access to ethics and anti-corruption services, awareness and impact of EACC functional mandate and provides suggestions on how to tackle the problem of corruption and unethical conduct.

From the findings, the level of corruption in the country is high and widespread. Respondents expect it to continue increasing despite the fact that they think the government is committed to combating the vice. The survey reveals large public consumption of various government services and the huge hindrances they encounter as a result of corruption and unethical conduct. Majority of service seekers easily pay a bribe to receive services from public offices even when they know that it doesn't guarantee the service and that it is immoral. Corruption is fueled by greed, poor remuneration, poverty and the service seekers culture of urgent solutions or access to services.

Most Kenyans are not willing to report incidences of corruption and unethical conduct whenever they encounter them. Ignorance, lack of proper facilitation, fear of victimization and fear of authorities are the leading reasons as to why most people do not report incidences of corruption and unethical conduct. Seeking services from law enforcement agencies is low. In particular, there is general apathy as a result of perceived ineffectiveness of these institutions. People cite none response to complaints, poor services, time consuming and deliberate misinformation of clients as to why they do not take their tribulations to the agencies.

From the above observations the following recommendations can be made;

- o The Commission should escalate public education and awareness creation to enlist the support of the public in the fight against corruption and promotion of sound ethical standards in the country. This will go a long way to ensure corruption and unethical conducts are reported whenever they manifest.

o The Commission should lobby for harsher punishment of corruption and unethical conduct offenders. This will act as an incentive to people to report corruption and unethical conduct since there is a general feeling among Kenyans that the punishment for offenders is lenient.

o The Public complain that reporting of corruption and unethical conduct is time consuming and expensive. This calls for decentralization of Commission services to make easier for the public to access reporting services.

o Effective anti-corruption measures, including policy reforms, systems, procedures and practices should be reviewed towards addressing in corruption prone institutions. In addition, there should strict adherence to the code of conduct and ethics by all institutions and Ministries prone to corruption.

o Public institutions that have been highly ranked in the corruption index should implement results based initiatives to enhance citizens satisfaction with their service delivery thereby reducing inefficiencies that encourage corruption and unethical behavior.

o There is need to promote sustainable public sector Stakeholder partnership to create awareness on service delivery, manage expectations;and disseminate anti-corruption information. This will not only sensitize the public on their rights but also inform on where and how to report corruption and poor service delivery.

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Appendices

APPENDIX 1: Socio-Economic Characteristics

	Households %	Business Sector%	Public Sector %	Overall %
Gender				
Male	44.6	71.4	61.9	52.9
Female	55.4	28.6	38.1	47.1
Location				
Urban	31.6	96.5	95.6	56.1
Rural	68.4	3.5	4.4	43.9
Age Profile				
Below 20 years	3.1%	.6%	.1%	2.0%
20 - 24	14.9%	7.3%	1.9%	10.9%
25 - 29	17.9%	15.7%	7.3%	15.4%
30 - 34	14.4%	20.9%	13.7%	15.4%
35 - 39	12.2%	18.4%	16.4%	14.2%
40 - 44	8.7%	13.2%	18.2%	11.4%
45 - 49	7.7%	10.3%	17.9%	10.2%
50 - 54	6.5%	5.9%	16.7%	8.4%
55 - 59	3.9%	3.3%	7.6%	4.5%
60 - 64	4.4%	2.8%	.1%	3.2%
65 +++ years	6.5%	1.7%	.1%	4.3%
Highest level of Education				
None	8.2%	.7%		5.2%
Primary	46.7%	5.3%	.9%	30.2%
Secondary	31.8%	24.1%	17.8%	27.6%
College / Tertiary	10.1%	38.3%	42.5%	21.6%
Graduate	2.5%	25.4%	25.7%	11.2%
Post graduate	.5%	5.7%	12.6%	3.8%
Other, specify	.3%	.6%	.5%	.4%
Province				
Nairobi	11.6%	42.9%	39.8%	22.8%
Central	14.7%	8.0%	7.4%	12.1%
Coast	8.3%	5.9%	4.5%	7.1%
Eastern	15.3%	10.9%	16.1%	14.7%
Nyanza	14.7%	8.8%	10.2%	12.7%
Rift Valley	25.1%	17.2%	15.6%	21.8%
Western	10.3%	6.0%	6.5%	8.8%

Appendix 2: Other Household Characteristics

Household Status of Respondent		Household Religion	%
Head of Household	51.0	Christian	93.2
Spouse	40.5	Islam	5.3
Child	7.3	Hindu	.1
Other	1.2	Other	1.3
Main occupation of the household respondent		**Household Marital Status**	
Farmer	36.0	Single	16.4
Professional	7.5	Married	75.8
Technical worker	5.0	Widowed	5.8
Businessman/woman	20.0	Divorced/separated	2.0
Pastoralist	1.4	**Household Income**	
Laborer	7.9	Below Kshs 1,000	4.1
Domestic worker	1.3	Kshs 1001 - 5,000	18.8
Housewife	11.7	Kshs 5,001 - 10,000	12.8
Student	4.3	Kshs 10,001 - 25,000	10.1
Other	4.6	Kshs 25,001 - 50,000	3.6
		Kshs 50,001 - 75,000	0.8
		Kshs. 75,001 - 100,000	0.5
		Over Kshs. 100,001	0.8
		Not Stated	48.6

APPENDIX 3: Other Business Sector Characteristics

Headquarters of Business	
Headquarters	80.2
Branch	19.8
Type of Ownership of your firm	
Local	93.4
Foreign	3.6
Both	3.0
On average, what percentage of revenues do firms like yours typically pay per annum in unofficial payments to public	
0%	46.4
1 - 10%	35.5
11-20%	6.9
21-50%	2.4
Over 50%	1.0
Do not know	7.8
What is your position in this company/organization?	
Director/Chief Executive	4.7
Owner/Proprietor/Partner	40.4
General Manager	18.4
Chief Finance/ Operational Officer	16.1
Company Secretary	4.7
Others	15.2
Please give us information of the highest level of education about the most senior manager of your firm	
None	.7
Primary	2.9
Secondary	14.1
Tertiary	26.2
Graduate	39.6
Post Graduate	14.9
Others	.9

APPENDIX 4: Other Public Officials Characteristics

In which operational area do you work?	
Human Resources	21.3
Financial management	13.5
Internal Audits	4.9
Procurement	8.8
Other	51.5
How were you appointed to the present position	
Through an interview by Public/Teachers/Judicial etc Service	43.5
Through an interview by a Recruitment Firm or Commission	4.5
Through interview by Senior Management Official(s)	22.5
Through normal promotion	23.3
Through influence by friend / relative	1.6
As an Executive appointment	0.7
Elected/a political appointment	0.1
Absorbed from the casuals	1.6
Others	2.2
What are your Terms of Service?	
Permanent	93.8
Contract	4.2
Internship / Attachment	1
Temporary / Casual	1
Other	0.1
What is your current position?	
Head or deputy head of organization	7.8
Head or deputy head of department or office	19.6
Other senior management/professional/technical	11.7
Middle management	25.4
Junior management	15.3
Supporting staffs/administration	14.7
Other	5.7
What job group do you occupy in the organization?	
Below job group K	40.9
Job group L-M	19.5
Job group N-P	7.3
Job Group Q-S	3.4
Other	28.9

Appendix 5: Bribery Demands by County

County	Mean	County	Mean
Marsabit	1.00	Kisii	1.85
Turkana	1.00	Bomet	1.88
Baringo	1.00	Laikipia	1.94
Busia	1.14	Kisumu	1.96
Taita Taveta	1.15	Elgeyo Marakwet	2.00
Siaya	1.20	Nandi	2.00
Isiolo	1.29	Homabay	2.06
Vihiga	1.36	Kakamega	2.07
Kwale	1.39	Nakuru	2.20
West Pokot	1.50	Nyandarua	2.33
Bungoma	1.55	Trans Nzoia	2.33
Muranga	1.57	Migori	2.34
Kajiado	1.58	Mombasa	2.37
Makueni	1.63	Tharaka-Nithi	2.50
Machakos	1.65	Narok	2.52
Nyeri	1.70	Nairobi	2.63
Kilifi	1.71	Nyamira	2.70
Kitui	1.72	Meru	2.76
Kirinyaga	1.73	Embu	3.00
Kiambu	1.75	Samburu	3.33
Kericho	1.81	Uasin Gishu	6.50

Appendix 6: Bribery Incidence by County

County	Mean	County	Mean
Taita Taveta	1.00	Kirinyaga	1.50
Marsabit	1.00	Kisumu	1.50
Isiolo	1.00	Elgeyo Marakwet	1.50
Siaya	1.00	Nandi	1.50
Turkana	1.00	Muranga	1.54
West Pokot	1.00	Laikipia	1.54
Baringo	1.00	Kajiado	1.61
Busia	1.00	Kisii	1.64
Kiambu	1.05	Samburu	1.71
Nyandarua	1.18	Bungoma	1.78
Kericho	1.27	Bomet	1.80
Vihiga	1.29	Nyamira	1.85
Kwale	1.31	Nyeri	1.88
Makueni	1.31	Mombasa	1.89
Machakos	1.33	Tharaka-Nithi	2.00
Trans Nzoia	1.33	Migori	2.00
Nakuru	1.33	Meru	2.11
Kitui	1.34	Kakamega	2.25
Kilifi	1.35	Narok	2.37
Homabay	1.44	Nairobi	2.50
Embu	1.45	Uasin Gishu	5.83

APPENDIX 7: Average Bribe by County

County	Average Bribe (Kshs)	County	Average Bribe (Kshs)
West Pokot	300.00	Nyamira	3,561.54
Marsabit	500.00	Nyandarua	3,681.82
Samburu	571.67	Kisii	3,691.76
Kilifi	691.18	Homabay	3,752.94
Vihiga	841.25	Muranga	4,000.00
Isiolo	887.50	Elgeyo Marakwet	4,000.00
Taita Taveta	972.22	Kericho	4,110.00
Siaya	1,050.00	Meru	4,401.85
Bomet	1,061.58	Mombasa	4,474.29
Bungoma	1,094.44	Tharaka-Nithi	4,540.00
Makueni	1,097.86	Kakamega	4,688.89
Laikipia	1,126.92	Turkana	5,000.00
Nandi	1,357.14	Migori	6,384.48
Kwale	1,476.92	Narok	6,771.05
Machakos	1,545.65	Kisumu	6,825.00
Trans Nzoia	1,766.67	Nairobi	6,957.23
Uasin Gishu	1,816.67	Nyeri	7,781.25
Kajiado	2,161.11	Busia	7,800.00
Embu	2,936.36	Nakuru	8,466.67
Kitui	3,148.33	Kirinyaga	15,914.29
Kiambu	3,390.48	Baringo	20,075.00

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