



DIRECTORATE OF INVESTIGATIONS AND ASSET TRACING

MONTHLY REPORT FOR SEPTEMBER, 2007

Introduction

The Directorate of Investigations and Asset Tracing is one of the four Directorates of the Kenya Anti-Corruption Commission. The Directorate is charged with the responsibility of investigating Corruption and Economic Crimes and other offences stipulated under the Anti-Corruption and Economic Crimes Act (2003).

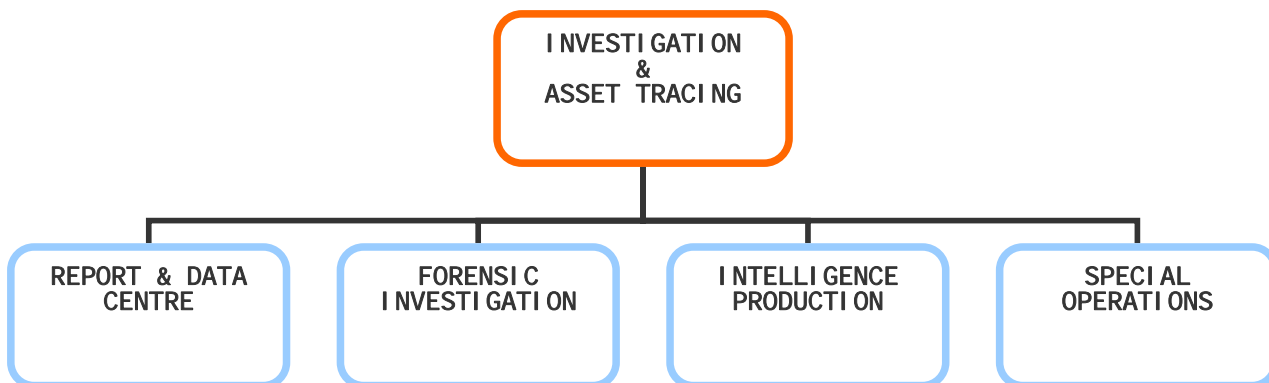
The Directorate is further mandated to investigate the extent of liability for the loss of or damage to any public property for purposes of recovery or compensation. This is besides investigating and tracing the whereabouts of corruptly acquired assets for purposes of recovery.

In addition, the Directorate is also mandated to assist any law enforcement agency in the country in the investigation of corruption or economic crimes.

The Directorate comprises four Departments namely:

- i. Reports and Data Centre,
- ii. Forensic Investigations (FI),
- iii. Special Operations (SO) and
- iv. Intelligence Production

Structure of the Directorate



Mombasa Office

The Mombasa Regional Office currently under the Directorate of Investigations and Asset began operations on 4th June 2007. All the four departments of the Directorate namely Reports and Data Centre, Forensic Investigations (FI), Special Operations (SO) and Intelligence Production are represented and have began operations. The office is yet to be officially launched.

REPORTS AND DATA CENTRE - NAIROBI

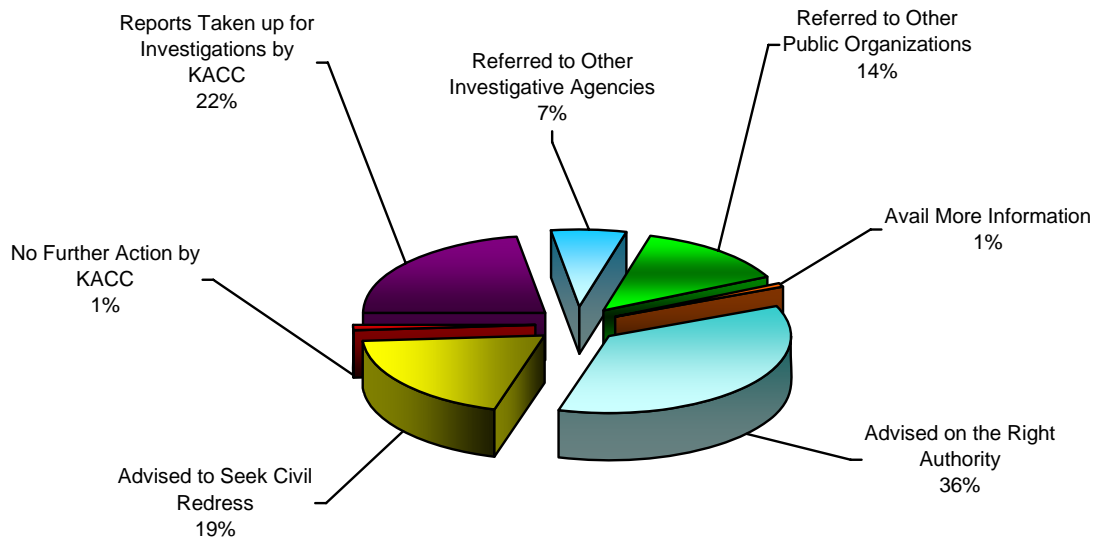
During the month of **September 2007**, the Reports and Data Department has processed a total of **487** (new) reports. After analysis and classification, **109** reports disclosed (possible) offences within the mandate of the Commission and were dealt with as follows: **30** cases were forwarded to the Special Operations Department for immediate action, **74** called for preliminary investigations and were consequently forwarded to the Intelligence Production Department, **2** cases were forwarded to the Forensics Department, **2** cases were forwarded to Legal Services and **1** other case was forwarded to Senior management.

The remaining **378** cases were found to be outside the Commission’s mandate and were disposed of as follows:

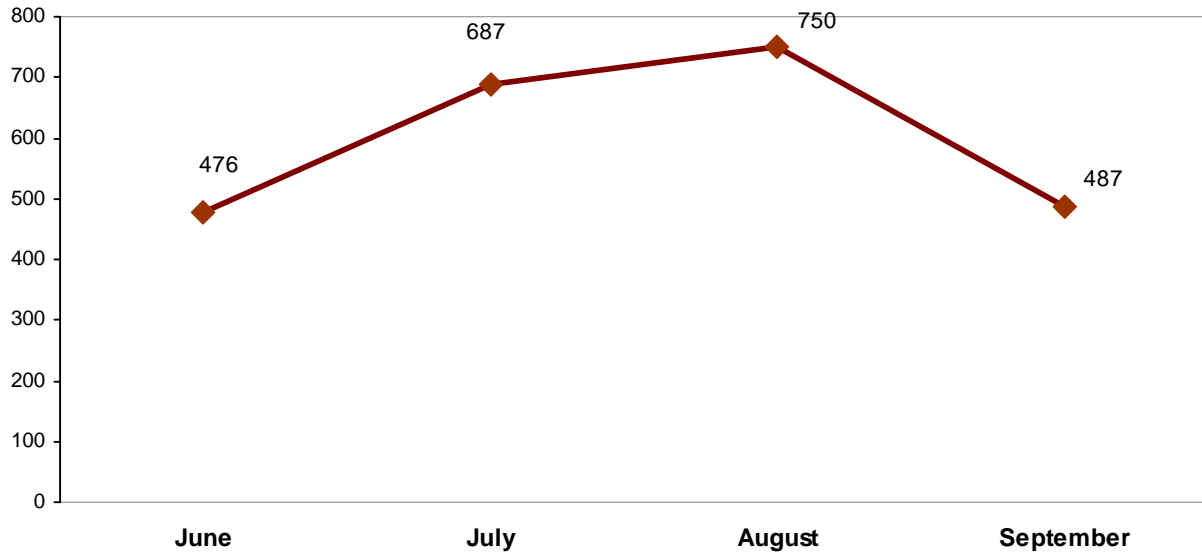
- i. **33** cases were forwarded to other investigative agencies for action- with the Criminal Investigations Department accounting for **13**, Police **7**, KRA **12** and the Immigration Department **1**.
- ii. **66** cases to various public service organisations for administrative intervention,
- iii. in **94** cases the complainants were advised to seek civil redress,
- iv. in **175** cases the complainants were advised on the right authority to report to,
- v. **6** after analysis were recommended for No Further Action, and
- vi. in **4** of the cases the complainants were requested to avail more details.

In the same period a total of 182 clients/informants visited the Department to lodge reports and /or seek advice. Of this number, 149 were visiting the Commission for the first time, while the remaining 33 were following up on their cases.

Categorization of reports Processed by KACC in September 2007



Comparative Analysis Showing the Cases received for the past 4 months.



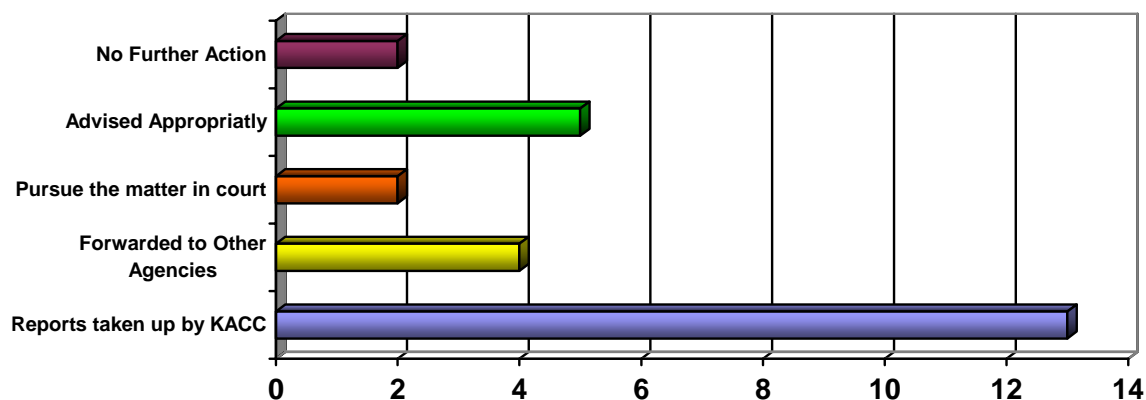
REPORTS AND DATA CENTRE - MOMBASA

In the month of **September 2007**, the Reports and Data Department (Mombasa Regional Office) processed a total of **24** new reports. Following is the breakdown and the manner of disposal after analysis:

1. Breakdown and Manner of Disposal of the Complaints Received

Graphical Representation of Cases Processed

	Referral Category	Referral Agency	No	TOTAL
1	Reports taken-up for action by KACC	KACC - Intelligence Productions	3	13
		KACC – Special Operations	5	
		KACC – Forensics	5	
2	Reports Forwarded to Other Investigative Agencies	Criminal Investigations Department	1	2
		Kenya Police (Regular)	1	
3	Reports Forwarded to Other Public Service Organisations	NHIF/ NSSF	1	2
		Ministry of Local Government	1	
4	Advised to Pursue the Matter in Court			2
5	Advised on the right authority to report matter to			5
5	Complainants to Avail More Information			0
6	No Further Action by KACC			2
Total				26



FORENSIC INVESTIGATIONS – NAIROBI

Summary of Cases as at 30th September 2007

Item	Description	No. of Cases	
		Segment	Total
1.PUI	Cases Pending Investigation	475	755
	Completed Files with the Crime Reader	19	
	Cases Pending Allocation for Investigation	261	
2.PBC	Cases Pending Before Court (PBC)	78	79
	PBC with Part Discharges	1	
	PBC With Prohibition Orders	-	
3.FINALISED	Cases finalised before court:		
	- Convictions	13	56
	- Acquittals	10	
	- Discharges	32	
	- 'Nolle prosequi'	1	
4. To A-G	Files Sent to A-G		
	With Recommendation to Prosecute	2	4
	With Recommendation for Closure	0	
	With Recommendation for Administrative Action	2	
5. From A-G	Attorney-General Advice		
Advice	- To Prosecute	-	-
	- For Closure	-	
	- For further Investigation	-	
	- Administrative Action	-	

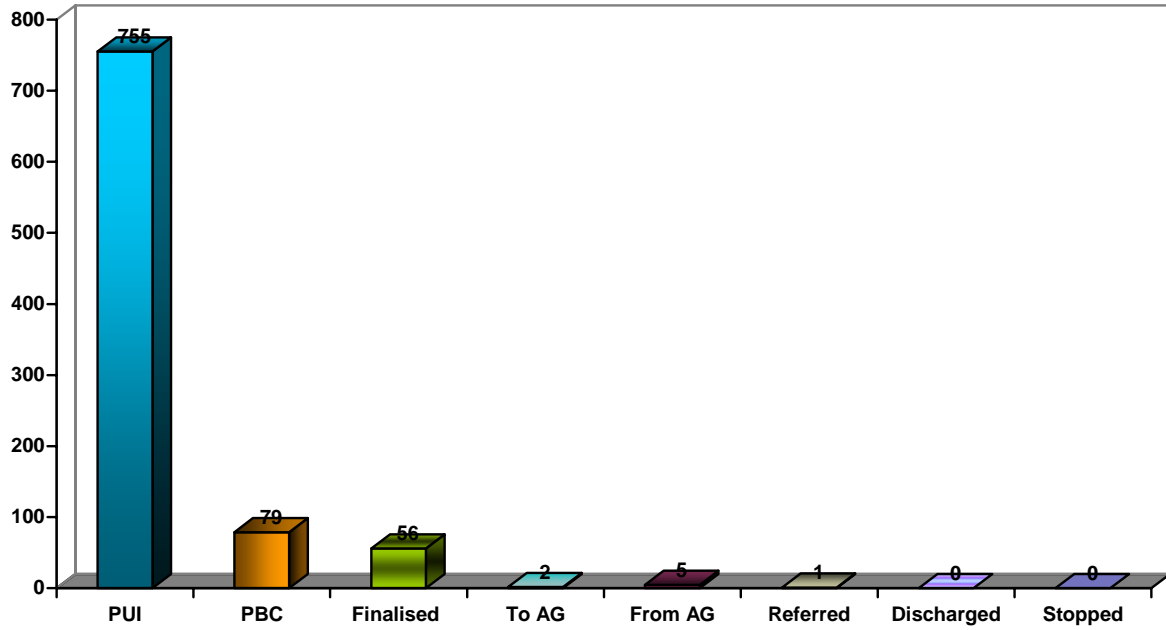
	- Consolidated Files	-	
6.REFERRED	Cases Referred to Other Agencies	-	-
7.DISCHARGE	Discharges under s. 87(a) for New Charges	-	-
8.STOPPED	PUI Cases stopped by Court injunctions	-	-
	Total Number of Cases		

Case Output For The Month Of September 2007

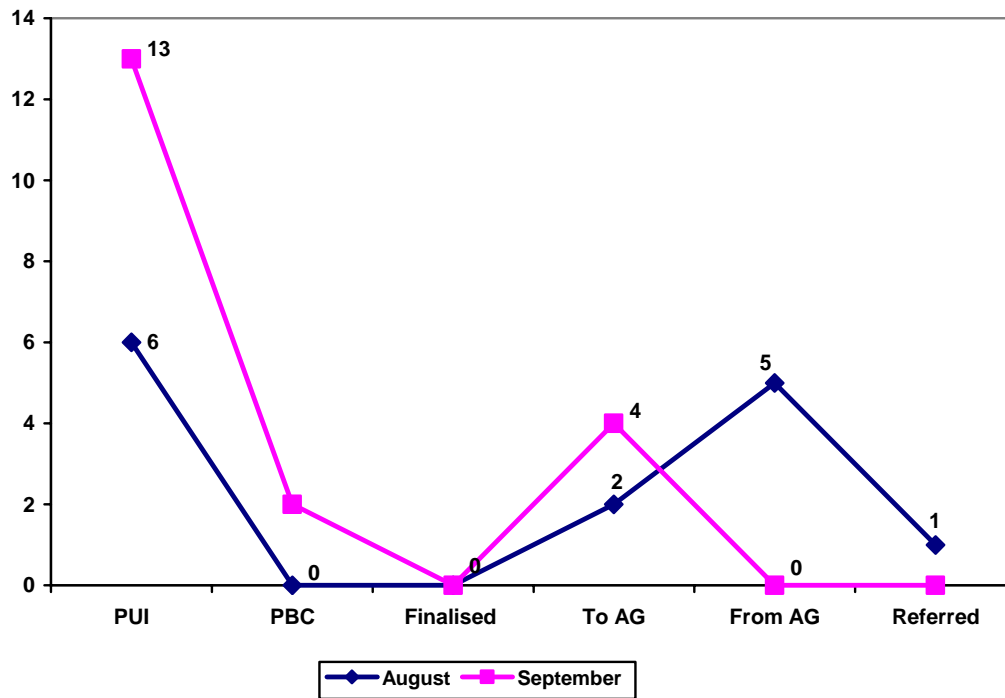
Item	Description	No. of Cases	
		Segment	Total
1.PUI	Cases Pending Investigation		
	Cases Received for Investigation	6	13
	Cases Assigned for Investigation	6	
	Completed Files Forwarded to Crime Reader	1	
2.PBC	Cases Taken to Court:		
	- Cases Taken for Plea	2	2
3.Finalised	Cases Finalized Before Court: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

* Bribe demand cases not included.

Graphical Representation of the Cases as of September 30th 2007



Comparative Analysis of Cases processed in August and September



FORENSIC INVESTIGATIONS – MOMBASA

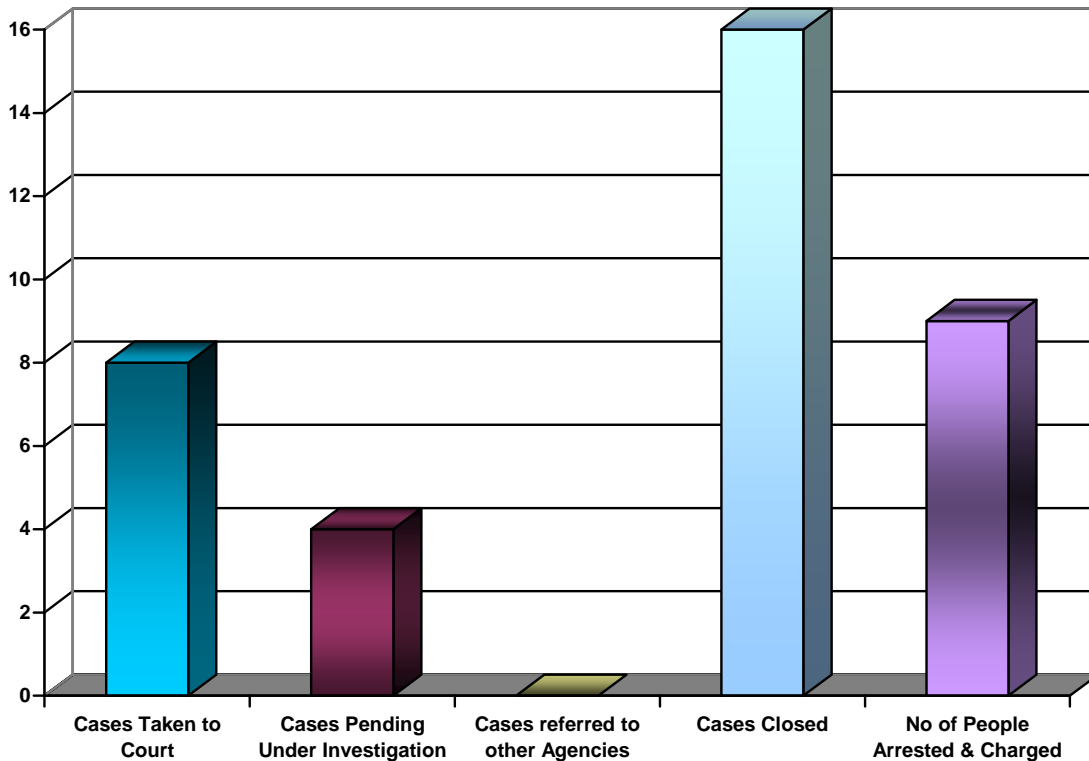
The Forensics Department in Mombasa received **5** reports in total. 3 of the reports came from the Reports Centre in Nairobi.

SPECIAL OPERATIONS – NAIROBI

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

Category		Status	No. of cases
1	Bribery	Number of cases taken to court	8
		Cases pending under Investigations	4
		Cases referred to other agencies	-
		Cases Closed, No Further Action	16
TOTAL			29
Number of persons arrested and charged			9
PAKA (Pending Arrest Known Accused)			1

Graphical Representation of the cases processed.



SPECIAL OPERATIONS – MOMBASA.

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

	Category	No of Cases
1	Cases finalized	3
2	Cases PUI	2
3	Cases PBC	Nil
	Total cases reported during the month	5

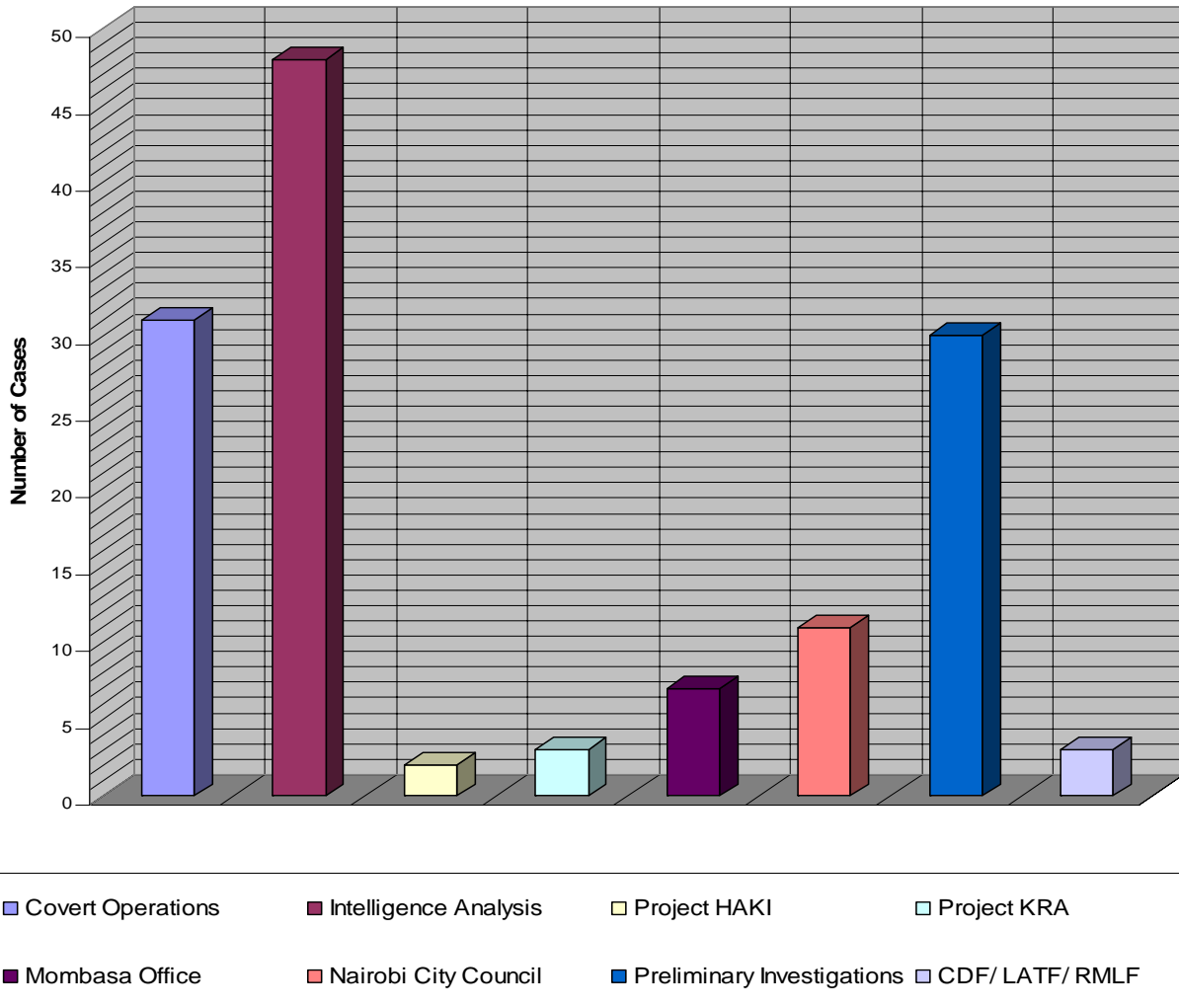
INTELLIGENCE PRODUCTION – NAIROBI

The Intelligence Production Department undertook the following activities during the month under review:

Category			Number
		Total number of cases	135
1	Intelligence Production Department	Cases for Preliminary Investigation	30
		Cases for Covert operations	31
		Cases for Projects(KRA,CDF,HAKI,Health,NCC)	19
		Cases referred to the Mombasa office	7
		Cases for intelligence purposes	48
2	Preliminary Investigation	Total number of Cases received for PI	27
		Cases under preliminary Investigation	18
		Total number of Cases Completed	15
		Completed cases recommended for closure	2
		Completed cases forwarded for full Forensic Investigation	3
		Cases referred to Mombasa office	8
		Cases referred to other agencies for action	2
3	Covert operations	Total number of Cases received	31
		Self-generated Cases	4
		Number of cases completed	6
Special Desks			
5	Nairobi City Council Project	Total Cases Received during the month	11
		Cases pending under inquiry	11
6	KRA Project	Total Cases Received during the month	3
		Cases pending under inquiry	3
7	CDF / LATF and RMLF	Total Cases Received	3
		Cases pending under inquiry	3
9	Operation Haki	Total Cases Received	2
		Cases pending under inquiry	2

10	Project General	Total Target study and Risk Analysis Initiated	6
		Completed Target Study and Risk Analysis	3
		Ongoing Target Study and Risk Analysis	3

Graphical Representation of the cases received



INTELLIGENCE PRODUCTION – MOMBASA

Introduction

During the month under review, the Intelligence Team maintained focus on key revenue collection areas at the Kilindini Port and the Old Port.

As a result, several containers which were suspected to be either under declared/and or misdeclared at both the One Stop Centre and the Scan Centre were seized awaiting verification by a joint team of KRA and KACC and further necessary action by the Forensics Team. This focus also led to team learning that a consignment of assorted goods that was seized by a joint KACC/KRA team on 28th August 2007 following information from the Intelligence Team was irregularly released from a KPA go down before any verification of the contents was done thereby sabotaging investigations.