



**DIRECTORATE OF INVESTIGATION AND ASSET TRACING**

**MONTHLY REPORT, SEPTEMBER 2011**

## EXECUTIVE SUMMARY

The Directorate of Investigations and Asset Tracing is one of the four Directorates of the Commission. The following is a summary of the Directorate's activities for the month of **September** 2011. The report covers activities in the Headquarters and the Regional Offices of Mombasa and Kisumu.

### Reports Centre

		July	August	September
1	Total Reports Received	772	690	<b>374</b>
2	Reports taken up for Investigations	309	282	<b>166</b>
3	% Relevance of Cases Received	40%	41%	<b>44%</b>

### Operations

		July	August	September
1	Cases finalized and taken to Court.	2	2	<b>2</b>
2	Cases Closed / NFA	29	24	<b>8</b>
3	People Arrested and Charged.	2	9	<b>1</b>
4	Cases pending under investigations.	20	16	<b>3</b>

### Forensic Investigations

		July	August	September
1	Investigations finalized and sent to the AG	4	3	7
2	Cases pending before court	9	5	2
3	Cases concluded in court	-	-	1
4	Cases pending under investigations	1,380	1395	1517

### Intelligence

		July	August	September
1	Reports under Intelligence Development	9	13	6
2	Tests Executed under ITP	14	11	1
3				

**PART I – REPORTS CENTRE**

**1.1 Summary of Cases**

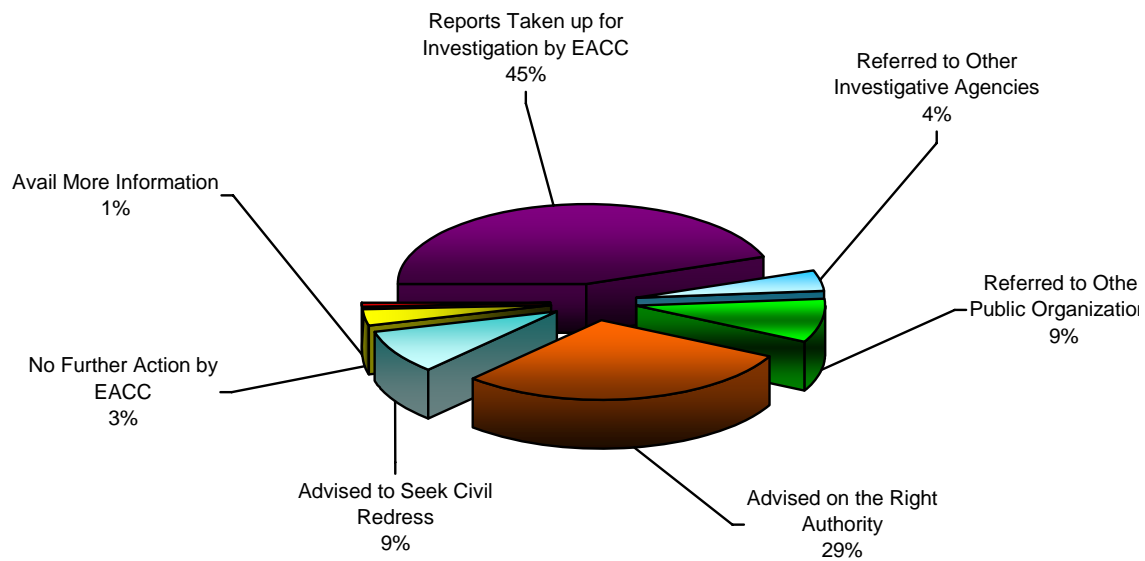
	Category	Referral Agency	No. of cases	Total
1	Reports for action by EACC	EACC - Intelligence Production	91	166
		EACC – Rapid Response	22	
		EACC – Forensics	51	
		EACC – Legal Services	2	
		EACC – Preventive Services	-	
2	Reports to Other Investigative Agencies	Criminal Investigation Department	3	16
		Kenya Revenue Authority KRA	3	
		Police	8	
		Immigration Dept	2	
3	Reports to Public Service Organisations	Ministry of Basic Education	6	33
		Public complaints Standing Committee PCSC	5	
		Ministry of Local Government	2	
		Ministry of Lands & Settlement	2	
		Ministry of co-operative Development	1	
		National Environment Management Authority (NEMA)	1	
		Ministry of State for Special Programs	1	
		Kenya National Examination Council KNEC	1	
		Other Public Bodies	14	
4	Advised to Pursue the Matter in Court			33
5	Advised on the right authority to report to			110
6	Complainants to Avail More Information			3
7	No Further Action by EACC			13
<b>Total</b>				<b>374</b>

During the month of **September 2011**, the Reports Centre (Nairobi, Mombasa & Kisumu) processed a total of **374** reports.

- **285** reports processed in Nairobi.
- **32** reports processed in Mombasa.
- **57** reports processed in Kisumu.

The following table highlights disposal of the reports.

**Categorization of reports processed by EACC in September 2011**



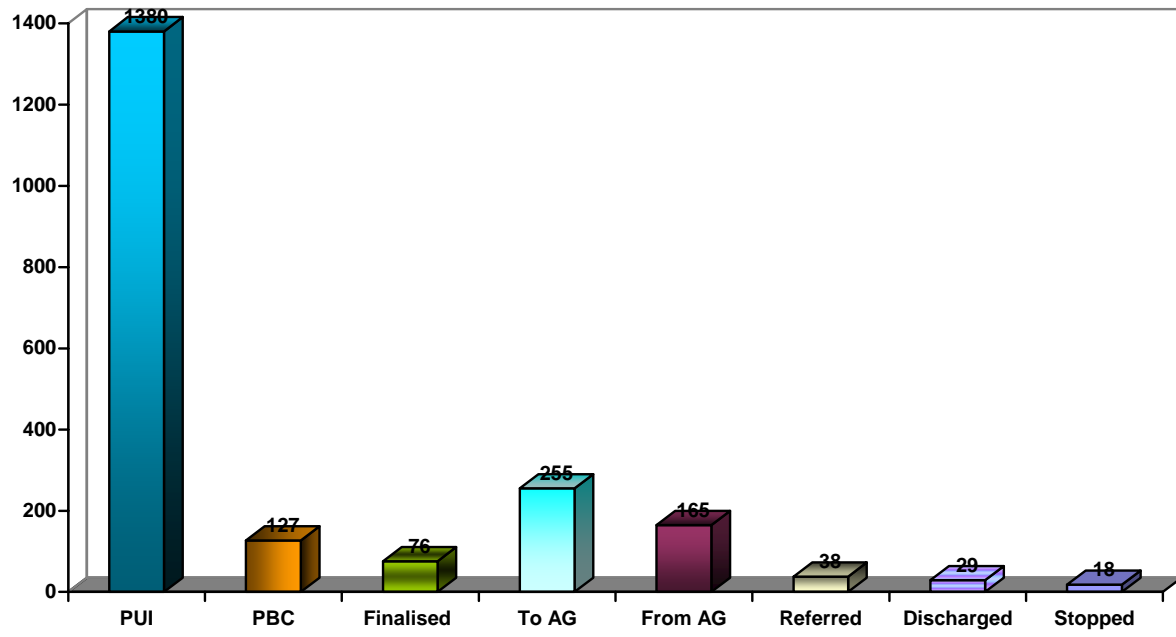
**PART II – FORENSICS INVESTIGATIONS**

**2.1 Summary of Cases**

<b>Item</b>	<b>Description/Status</b>	<b>Nbi</b>	<b>Msa</b>	<b>Ksm</b>
<b>1.Cases/ Reports</b>	<b>Case Status/Distribution</b>			
	New Cases Received during the month	<b>51</b>	<b>2</b>	<b>9</b>
	New Cases assigned for Investigations	<b>75</b>	<b>4</b>	<b>9</b>
	On-Going Investigations	<b>75</b>	<b>3</b>	<b>15</b>
	Cases awaiting allocation / PUI			<b>9</b>
	Files forwarded to Crime Readers	<b>1</b>		
<b>2.To A-G</b>	<b>Files sent to Crime Reader(s)</b>			
	With Recommendation to Prosecute	<b>3</b>	<b>3</b>	-
	With Recommendation for Admin Action		-	-
	With Recommendations for closure	<b>1</b>	-	-
	After Further Investigations	-	-	-
<b>3. From A-G</b>	<b>Files Received from the Attorney-General/Crime Reader(s)</b>			
	To Prosecute	<b>3</b>	<b>2</b>	
	For Administrative Action		<b>1</b>	
	For Consolidate			
	For Further Investigations			<b>1</b>

	To Close due to insufficient evidence	<b>1</b>		
<b>4. Court</b>	<b>Cases in Court:</b>			
	Cases Taken for Plea	<b>2</b>		
	Cases Before Court			
<b>5. Finalized</b>	<b>Cases Finalized During the Month</b>			
	Convictions	-	-	-
	Acquittals	<b>1</b>	-	-
	Discharges	-	-	-
	'Nolle prosequi'	-	-	-

**Graphical Representation of the Cases as of 30<sup>th</sup> September 2011**





## PART III – OPERATIONS DEPARTMENT

### 3.1 Summary of Cases

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

#### New cases received During the Month

Category		Status	Nbi	Msa	Ksm	Total
1.	Bribery	Number of cases taken to court	1	1	-	2
		Cases pending under Investigation		3	-	3
		Cases Closed, No Further Action	4	2	2	8
		PAKA		-	-	
		Cases Referred	2	-	-	2
2.	Sting			-		
			7	6	2	15
<b>Number of persons arrested and charged</b>			-	1	-	1

#### Running Summary of Cases 2011

The summary below shows the cumulative cases dealt with by the Rapid Response Division from January to September.

Status	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Total
Number of cases taken to court	3	8	7	4	5	4	2	2	2	<b>37</b>
Cases Closed, No Further Action	23	17	19	26	23	27	29	24	8	<b>196</b>
Cases Referred	2	6	7	8	4	2	4	4	2	<b>39</b>
Number of Persons arrested and charged	11	8	6	6	6	4	2	9	1	<b>35</b>
Cases Pending Under Investigation										<b>3</b>

## PART IV – INTELLIGENCE DEPARTMENT

### 4.1 Summary of Cases

The Department received **44** reports from the Report Centre, **5** Intelligence Reports (IR) from various officers and **1** report from the Integrity Testing Program during the month of **September 2011**.

#### Breakdown

			Nbi	Msa	Ksm	Total
<b>1</b>	Reports received	Reports Centre	34	5	5	<b>44</b>
		Confidential sources	2	2	1	<b>5</b>
		Integrity Testing	1	-	-	<b>1</b>
<b>2</b>	Intelligence probes Conducted	2	2	2	<b>6</b>	
<b>3</b>	Cases retained for Analysis and Production	3	2	1	<b>6</b>	
<b>4</b>	Cases Referred to Other Departments	-	3	-	<b>3</b>	
<b>5</b>	Integrity Tests conducted	1	-	-	<b>1</b>	

### 4.2 Monthly Activities

#### Mombasa

1. Surveillance on corrupt activities at Kilindini Port and tax evasion at the border entry point of Taveta with a view of conducting a sting operation. Investigations are on-going.
2. Intelligence probe on a consignment of condemned sugar lying at the Customs warehouse Kilindini whose destruction has been put on hold due to vested interests by senior KRA officers. Investigations are on-going.
3. Intelligence probe on the on-going storm water drainage works undertaken by the Municipal Council of Mombasa and the water rehabilitation projects done by the Mombasa Water and Sewerage Company.

4. Completed Forensic Investigations into allegations of misappropriation of Constituency Development Funds in Ganze Constituency.
5. The department completed and forwarded a file on the traced assets of a senior traffic police officer suspected to have acquired unexplained wealth.
6. Intelligence probe into allegations that some unscrupulous importers are colluding with Clearing Agents to evade payment of Customs Warehouse Rent in respect to over 100 over stayed vehicles.
7. Joint forensic investigations into allegations of collusion by lands officers and other parties to fraudulently acquire of a 25 acre beach plot in Kwale i.e. Block 151/Kwale Diani Beach plots.

#### **Kisumu**

1. Preliminary inquiries/investigations into alleged illegal/irregular alienation of various plots within Busia municipality some of which were reserved for public purposes.