

Kenya Anti-Corruption Commission



**Strategic Plan
2006 - 2009**

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KACC

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**KENYA ANTI-CORRUPTION COMMISSION
(KACC)
STRATEGIC PLAN
2006 - 2009**

KENYA NATIONAL ASSEMBLY

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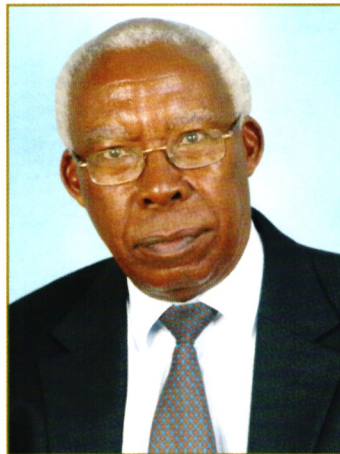
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ABBREVIATIONS AND ACRONYMS

ACPU	Anti-Corruption Police Unit
AG	Attorney General
AU	African Union
BSC	Balanced Score Card
CRA	Corruption Risk Assessment
ERS	Economic Recovery Strategy
GJLOS	Governance, Justice, Law and Order Sector
GoK	Government of Kenya
ICT	Information, Communication and Technology
IEC	Information, Education and Communication
IAOs	Integrity Assurance Officers
KACC	Kenya Anti-Corruption Commission
KBC	Kenya Broadcasting Corporation
KEMSA	Kenya Medical Supplies Agency
KRA	Kenya Revenue Authority
MI	Measurable Indicators
NSIS	National Security Intelligence Service
PEST	Political, Environmental, Social and Technological
PSIP	Public Service Integrity Programme
SWOT	Strengths, Weaknesses, Opportunities and Threats
TRAG	Training, Research, Advocacy and Governance
UN	United Nations

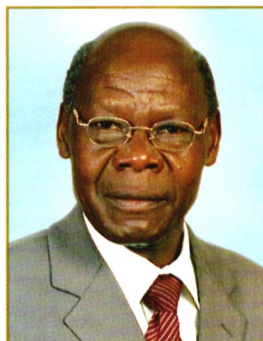
MEMBERS OF THE KENYA ANTI-CORRUPTION COMMISSION ADVISORY BOARD



Allan N. Ngugi - Chairman
Rep. Kenya Association of Manufacturers



Shehnaz N. Sumar-Vice Chair
Rep. Federation of Kenya Employers



Charles Kariuki Wambugu
Rep. Joint Forum of Religious Organisations



Francis Atwoli
Rep. Central Organisation of Trade Unions



Mariamamu El-Maawy
Rep. Architectural Association of Kenya



Kipng'etich K. Bett
Rep. Kenya Bankers Association



Anna Muchungu
Rep. Association of Professional Societies of East Africa



Richard Boro Ndung'u
Rep. Institute of Certified Public Accountants of Kenya

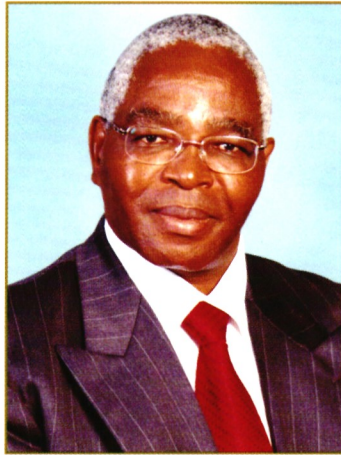


Prof. Alfred V. Otieno
Rep. Institution of Engineers of Kenya



Prof. Miriam Were
Rep. Kenya Medical Association

KENYA ANTI-CORRUPTION COMMISSION MANAGEMENT TEAM



Justice Aaron G. Ringera
Director/Chief Executive



Fatuma Sichale
Deputy Director/Asst. Director, Legal Services



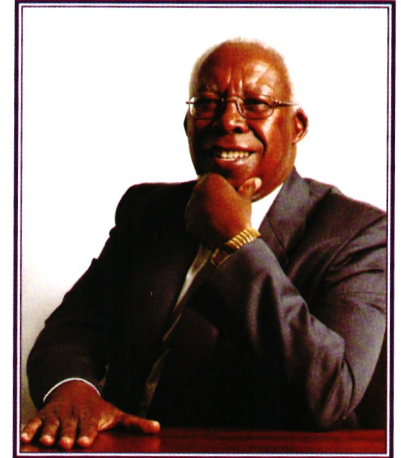
Dr. John P. Mutonyi
Asst. Director, Investigations and Asset Tracing



Dr. Smokin Wanjala
Asst. Director, Preventive Services

STATEMENT BY THE CHAIRMAN, KENYA ANTI-CORRUPTION COMMISSION ADVISORY BOARD

The Kenya Anti-Corruption Commission is the vanguard institution in Kenya's war on corruption and economic crime. The Commission was established by the Anti-Corruption and Economic Crimes Act 2003 with the responsibility to discharge a broad anti-corruption mandate of investigation, prevention, advisory services, public education and restitution. It was not, however, until the end of 2004 that the Director and Assistant Directors came on board.



Allan N. Ngugi - Chairman

At the apex of the Commission is an Advisory Board that is established as an unincorporated body comprising thirteen members. These are individuals recommended for appointment to the Advisory Board by the Law Society of Kenya, the Institute of Certified Public Accountants of Kenya, the International Federation of Women Lawyers, the Kenya Association of Manufacturers, the Joint Forum of Religious Organisations, the Federation of Kenya Employers, the Kenya Bankers Association, the Central Organisation of Trade Unions, the Association of Professional Societies of East Africa, the Architectural Association of Kenya, the Institution of Engineers of Kenya, the Kenya Medical Association and the Director and Chief Executive of the Commission who is both a member and the Secretary of the Board.

The Advisory Board is the linkage between the executive management of the Commission – Director and Assistant Directors – and the Kenyan public. While the actual management of the Commission is undertaken by the Director, the main role of the Advisory Board is to advise the Commission generally on the exercise of its powers and the performance of its functions under the Act.

The composition of the Advisory Board also serves to ensure that the major constituencies of Kenyan society are represented and have a say in the conduct and direction of the war on corruption and economic crime.

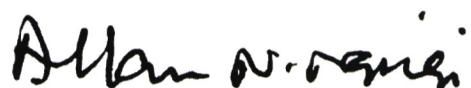
It is my singular pleasure to note that the Advisory Board has undertaken its duty enthusiastically and efficiently. Through regular scheduled meetings and many ad hoc consultations with the executive management of the Commission, the Board has kept a close watch over the activities and operational direction of the Commission.

One way of ensuring that the Board can effectively oversee the operational direction of the Commission is through the effective execution of the Strategic Plan. This Plan was developed and prepared by the Commission with the full participation of Advisory Board members. In it, the Board has endorsed the view and operational approach that the war on corruption must be comprehensive, balanced and all-inclusive. This has meant placing sufficient emphasis on corruption prevention, advisory services and restitution, while commensurately and appropriately contextualizing the overwhelming public interest in investigations and prosecutions.

We are convinced that the Plan is balanced, takes account of other necessary actors in the war on corruption and economic crime and appropriately distributes roles and responsibilities in this endeavour across the body politic. The Board has no doubt that the Plan is a good road-map towards the desired end of a nation with zero tolerance to corruption.

Our concern as Kenyans is to walk along the same road with the Commission for the achievement of the stated strategic objectives. I invite all Kenyans to take up this challenge, and to continuously challenge the Commission towards the timely attainment of the milestones marked out clearly in the Plan. This Strategic Plan is a significant tool for use by the Advisory Board in executing its statutory mandate of generally advising the Commission on the exercise of its powers and performance of its functions under the Anti-Corruption and Economic Crimes Act 2003.

I wish to conclude with an emphatic assurance that the Commission and the Advisory Board have both the will and the determination to ensure that those who rob our society of the resources which rightfully belong to the public, will never sleep easy. The process of bringing them to account, of necessity being a legal process, may take time, but we shall not falter. With the support of all Kenyans who want to see the cancer of corruption eradicated from our society and body politic, we should be able to wrestle the deadly dragon to the ground and finally slay the beast.



Allan N. Ngugi, OGW
Chairman
Kenya Anti-Corruption Commission Advisory Board

STATEMENT BY THE DIRECTOR/CHIEF EXECUTIVE KENYA ANTI-CORRUPTION COMMISSION

The launch of the Commission's Strategic Plan for the next three (3) years marks a fundamental milestone in the short life of this institution. The Plan offers a strategic direction on how the Commission will undertake the war against corruption in a scientific, professional and sustainable manner.

The strategic planning process began over a year ago following the legal constitution of the Commission with the appointment to office of an Advisory Board, the Director and the Assistant Directors.

Having taken office in September 2004, my colleagues and I have had to grapple with the twin needs of executing the mandate of combating past and emerging corruption while at the same time establishing a Commission worthy of the needs and desires of the nation of Kenya for an effective public institution to spearhead the country's war on corruption and economic crime.



*Justice Aaron G. Ringera
Director/Chief Executive*

I am pleased to inform the Kenyan public, that the process of institution building has largely been achieved. The Commission is operating at reasonable strength and has completed the fourth phase of organisational strengthening through strategic recruitment to address operational needs. The Commission is also seeking with Government support to acquire its own premises that are customized to its needs.

The Commission's output since its inception to date is a matter of public record as its work and achievements are published in the Annual Report, and in Quarterly Reports, all of which are freely available on the Commission's website, www.kacc.go.ke

The need for strategic planning has been informed by the realisation that, in order to successfully steer the country towards a culture of zero-tolerance to corruption, the following have to be done:

- That the Commission has strategic operational direction,
- That the Commission has a comprehensive plan of action to address corruption and economic crime in all their manifestations in Kenya,
- That the Commission matches its mandate and competencies with the resources available to it for the purpose of ensuring the most efficient and best possible Return on Investment for all Kenyans, and
- That the Commission draws on the collective experience of its leadership, stakeholders and staff to ensure that its programmes are grounded on achievable realities and not wishful thinking.

The Commission has walked through a comprehensive and participatory process of strategic planning leading up to the Strategic Plan we have just launched. The Advisory Board, Senior Management and staff have all contributed to the development of the Strategic Plan.

The Plan contains immediate, medium and long term strategies that will guide the Commission in the execution of its mandate. The development of the Plan was guided by a comprehensive analysis of the Commission's operating environment. It is based on a clear vision, mission and a broad set of values. It provides a solid foundation for a sustainable war on corruption.

The Kenya Anti-Corruption Commission does not wish to suffer from an insular view of itself, its capacity, its capabilities, its operating environment and the needs of Kenyans. Instead, the Commission desires to ensure that its Strategic Plan is balanced with the external environment in which it operates, and that it is in harmony with the investment and expectations of its clients – Kenyans. The Commission therefore went the extra mile to disseminate the contents of the Plan in its draft form to a wide variety of external stakeholders who offered critical input which informed the final product.

The Kenya Anti-Corruption Commission's Strategic Plan is now a public document. I commend it to the readership of all the Kenyan people here and abroad. To facilitate as wide a readership as possible, we have posted the Plan on the Commission's Website, www.kacc.go.ke

Let the Kenyan people judge the Commission on the basis of their expectations as well as the realistic targets set out in this Plan.

Most importantly, I urge the public to join the Commission in the war against corruption, for together, we shall certainly slay this dragon.



Justice Aaron G. Ringera
Director/Chief Executive

EXECUTIVE SUMMARY

1. The Philosophy and Principles Underpinning the Plan

This *2006 -2009 Strategic Plan*, as the first Plan by the Kenya Anti-Corruption Commission, articulates the Commission's operations and outlines measures to be implemented to achieve the set objectives and to foster a culture of zero-tolerance to corruption in Kenya. The Plan sets the Commission's way forward and outlines our medium term strategies to ensure effective enforcement of anti-corruption legislation and facilitation of corruption prevention in Kenya. The proposed measures and activities are expected to facilitate efficient and effective implementation of government development policies and improve the overall well-being of all Kenyans.

While preparing this Plan, we have been guided by the need to uphold our vision, key operational values, realize our mission and commitment to ensuring zero-tolerance to corruption in Kenya. The key elements of the Plan are:

- A Vision of becoming a World-Class Institution Fostering Zero Tolerance to Corruption in Kenya,
- A Mission to Combat Corruption and Economic Crime through Law Enforcement, Prevention and Public Education,
- Upholding Values of Integrity, Professionalism, Fidelity to the Law, Courage, Excellence in Service, and Teamwork.

2. Background

The Commission has implemented various measures over the last one year, which have laid a firm foundation for the enforcement of the Anti-Corruption and Economic Crime legislation and prevention of corruption in Kenya. This Plan, therefore, builds on this experience, while accelerating the implementation of measures to build institutional capacity of the Commission, including rationalizing and modernizing its operations. In addition, the implementation of this Plan will, among others: (i) mobilize public support to collectively fight corruption; and (ii) facilitate improvement in governance and efficiency in the implementation of government development programmes.

3. Operating Environment

While building on recent developments covering; enforcement of the anti-corruption law, corruption prevention, and public education, the Plan recognizes that the Commission operates in an environment dictated to by external and internal socio-economic, legal and political factors, which directly and indirectly impact its operations. Such an environment creates demands and challenges on the part of the Commission, which must be addressed. The achievement of the Plan's objectives will largely depend on how we enhance the internal strengths, exploit the existing opportunities, manage the weaknesses in our operations, while controlling those factors that pose a threat to the achievement of our planned activities.

4. The Strategic Direction

During the Plan period, the Commission will develop its institutional capacity to effectively enforce the law and prevent corruption in Kenya. Towards this end, we will specifically pursue three strategic goals, namely: (i) Enforcing the anti-corruption law; (ii) Facilitating prevention of corruption; and (iii) Building the Commission's institutional capacity. To achieve these goals, we shall focus on people and processes both within the Commission, and the public and private sectors, while at the same time; (a) rationalizing and modernizing our operations to ensure efficiency; (b) facilitating simplification of procedures and processes in public and private sectors, and (c) monitoring and evaluating the implementation of the proposed reform activities.

5. Plan Implementation

The implementation of the proposed strategies will develop the institutional capacity of the Commission and enable it to build synergies to mitigate both external and internal challenges. The Plan implementation will also provide the actual process through which our strategic goals will be achieved during the Plan period. Through their operations, Departments and Divisions will translate the strategic goals into reality by developing Operational Plans and Annual Work Plans underpinned by the implementation of Directorate Business Plans that aim at ensuring zero-tolerance to corruption in Kenya.

6. Budget and Cost Estimates

The proposed Expenditure Plan reflects intended outlays to key priority areas of our operations, including preventive initiatives that will be proposed in a number of public and private sector agencies considered prone to corruption. Management of our resources will be guided by operational rationalization and modernization of key processes, while cost saving measures, including creating partnerships with other agencies dealing in governance and anti-corruption, will be implemented to strengthen our financial resource base and to ensure a sustained fight against corruption.

7. Monitoring and Evaluation

The Commission recognizes that the success of the Plan's implementation largely depends on how the envisaged activities and outputs are effectively monitored and evaluated. This entails the active participation by agencies identified as prone to corruption, stakeholders, and the public at large. The monitoring of the Commission's proposed activities will be an on-going process based on the measurable indicators set out in the Implementation Matrix. A Monitoring and Evaluation Committee established to oversee the implementation of the Plan will review the quarterly implementation progress reports submitted by the Directorates and make its report to the Management.

8. Conclusions

Overall, this 2006 – 2009 Strategic Plan seeks to provide a coherent, systematic and sustainable road-map on which to anchor our operational initiatives aimed at fighting corruption. Achieving this will require the Plan to be dynamic and adaptive to changing circumstances. With an effective monitoring and evaluation underpinning the proposed activities and continuous refocusing and re-orientation of our strategies, the Plan will provide effective guidance to our operations both in the immediate and medium terms. While we will ensure efficient operations through rationalization of our resources and modernization of our processes to achieve the stated strategic objectives and goals, we shall be counting on the support of all stakeholders, and especially the continuous support from the Government, the people of Kenya, various sectors, including the civil society and the international community.

CHAPTER ONE: THE PHILOSOPHY AND PRINCIPLES UNDERPINNING THE PLAN

I. Introduction

Kenya's development challenges became more apparent after the first two decades of independence during which the economic performance deteriorated markedly, largely due to, among others; external shocks, weak institutions of governance, pervasive corruption, and inefficient use of public resources. Arising from corruption-related weaknesses, the economy lost competitiveness, which in turn reduced investments and its growth potential. The failure to generate adequate economic growth and development increased poverty and worsened social and economic conditions.

In recognition of the negative impact of corruption on Kenya's past economic development and the need to vigorously reduce it in order to achieve the medium-term objectives of broad-based rapid economic growth and poverty reduction, the Government has in the recent past implemented various measures aimed at strengthening governance and building capacity of anti-corruption institutions in Kenya. These include:

- Enactment of governance and anti-corruption related legislations¹;
- On-going sector-wide reforms covering governance, human rights, justice and law and order under the GJLOS reform initiative;
- Implementation of anti-corruption strategy Action Plan²; and
- Development of a National Anti-Corruption Plan to mobilize national resources towards fighting corruption.

The implementation of these measures is expected to improve governance, transparency, accountability and efficiency in the management of public affairs, and as a result, make the public sector more effective in its delivery of services. These administrative, policy and legislative interventions by the Government will not in themselves eliminate corruption. Concrete and systematic actions based on reform proposals are needed. To this end, the Kenya Anti-Corruption Commission³ has developed this Strategic Plan to facilitate the Government's efforts towards enhancing good governance in order to stigmatize corruption within the public service and to ensure effective implementation of development programmes.

This 2006–2009 Strategic Plan, being the first Plan⁴ by the Kenya Anti-Corruption Commission, articulates our operations and corruption prevention initiatives in the fight against corruption in Kenya. The Plan outlines measures to be implemented by the Commission to foster zero-tolerance to corruption in Kenya. In particular, it sets the Commission's way forward, spells out its purpose⁵, identifies and defines the

-
1. Among the legislations enacted in the recent past to enhance governance and facilitate the fight against corruption in Kenya include: (i) the Anti-Corruption and Economic Crimes Act 2003, establishing the Kenya Anti-Corruption Commission, (ii) the Public Officer Ethics Act 2003; (iii) the Financial Management Act 2004; (iv) the Public Procurement and Disposal Act 2005; and (v) the Privatisation Act, 2005.
 2. The Action Plan was developed and endorsed at a Consultative Meeting between the Government, Development Partners and other Stakeholders in April 2005.
 3. The Kenya Anti-Corruption Commission was established by the enacted Anti-Corruption and Economic Crimes Act, 2003 as a body corporate.
 4. Corruption has been an issue of concern in Kenya for a long time. Efforts have been made in the past to create institutions that would lead the fight against corruption. These efforts yielded limited success. First came the Anti-Corruption Police Squad, which was disbanded before making significant progress in tackling corruption. This was followed by the establishment of the Kenya Anti-Corruption Authority. This institution, after being challenged in court, was also disbanded. These initiatives made little impact on reducing corruption in Kenya.
 5. As defined by the Anti-Corruption and Economic Crimes Act (2003).

current status on the fight against corruption, and develops medium term strategies for ultimately achieving zero-tolerance to corruption in Kenya, including mobilizing the collective support of the public through education and awareness creation.

The primary aim of this Plan is therefore to combat corruption through enforcement of the anti-corruption legislation and implementation of appropriate corruption prevention strategies in Kenya. The proposed measures and activities are expected to ensure efficiency and effectiveness in the operations of the Commission towards achieving zero-tolerance to corruption, facilitating the implementation of government development policies and as a result, improve the overall well being of all Kenyans.

. The Philosophy and Principles Guiding our Operations

We recognize that as an organisation, we must anchor our operations on certain principles and values. The implementation of the proposed activities will be guided by Our: (i) Vision; (ii) Mission; and (iii) Core values.

Figure 1: Vision

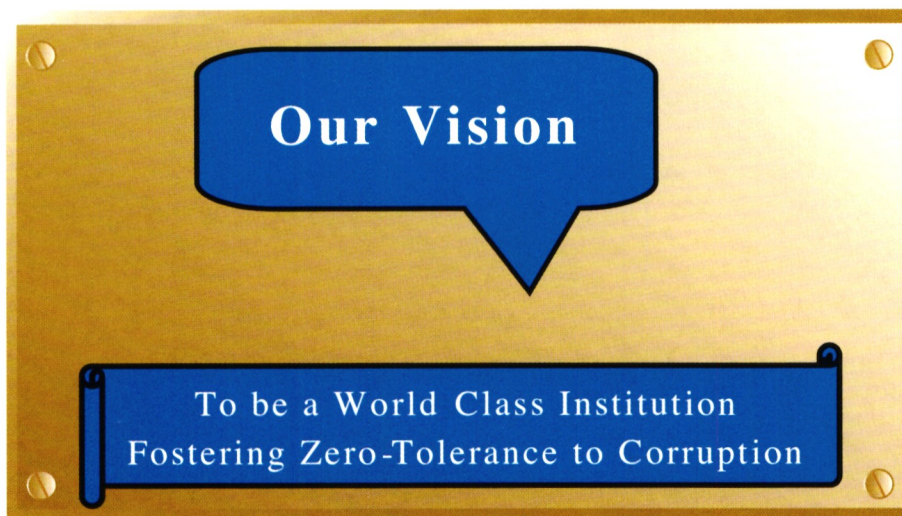


Figure 2: Mission



Our strategic theme during the Plan period will be "Combating Corruption in Kenya." To this end, we shall:

- Build institutional capacity of the Commission,
- Enforce the anti-corruption legislation,
- Facilitate implementation of appropriate anti-corruption strategies in the public and private sectors, including creating awareness among Kenyans, advising on anti-corruption reforms, and building anti-corruption partnerships with relevant organisations both domestic and foreign.

III. Process adopted in the Plan Preparation

While preparing this Strategic Plan, we paid due attention to the need for ownership. The Staff were fully involved in the development of KACC vision, mission and the formulation of objectives, goals and the medium-term strategies. The strategic goals, objectives and initiatives outlined in the Plan have been developed through a consultative process with Staff, Advisory Board, and stakeholders under the guidance of an independent Management Consultant. The process we followed entailed:

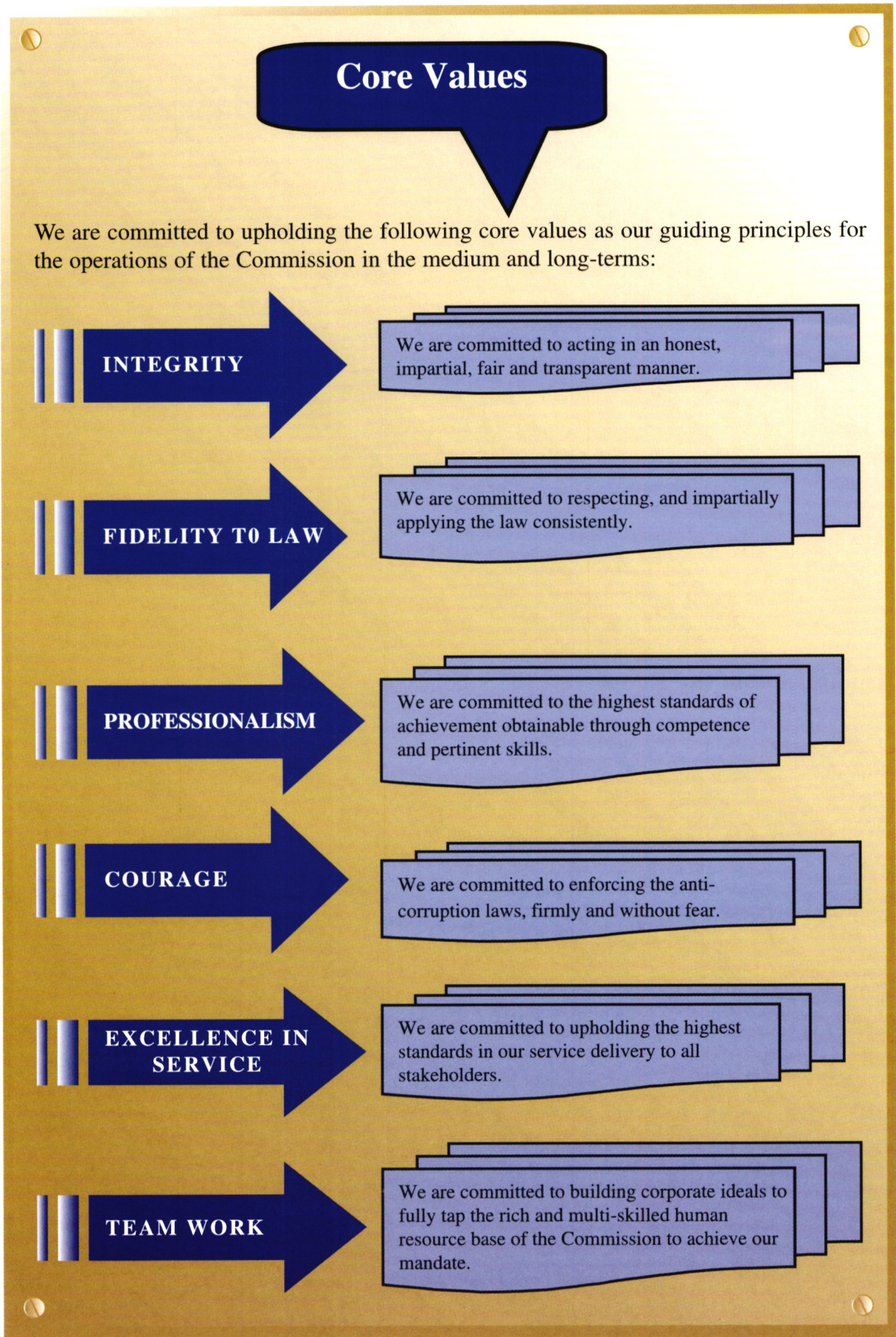
- Establishment of a Commission's Planning Taskforce drawn from all the Directorates,
- Preparation of a Concept Paper by the Taskforce, which informed the planning process and provided a roadmap to the development of the Strategic Plan,
- Retreat for Management, Advisory Board members and senior Commission staff to develop a Framework for a Draft Strategic Plan,
- Retreat by the Commission staff to discuss the draft Strategic Plan,
- Finalization of the second Draft Strategic Plan incorporating comments from staff and stakeholders,
- Preparation of the Final Strategic Plan.

IV. Organisation of the Report

This Strategic Plan is presented in Eight Chapters as follows:

- Chapter One discusses the grounding philosophy and principles informing the Plan.
- Chapter Two outlines the background including the legal structure, recent developments in the enforcement of the Anti-Corruption and Economic Crimes legislation, the Commission's staff establishment, and the expected impact of the KACC Plan implementation.
- Chapter Three provides a review of both the internal and external environments, including the assumptions made to achieve the proposed goals.
- Chapter Four outlines the strategic objectives and specific goals to be achieved through implementation of various programmes.
- Chapter Five highlights what activities will be implemented over the three years to achieve the strategic objectives,
- Chapter Six outlines the budgetary cost estimates of the proposed activities, including the cash-flow statement,
- Chapter Seven outlines the monitoring and evaluation framework to be adopted in order to ensure the proposed activities are implemented in a timely manner, while
- Chapter Eight presents a conclusion to the Plan.

Figure 3: Values



CHAPTER TWO: BACKGROUND TO THE PLAN

I. Introduction

The Kenya Anti-Corruption Commission was established⁶ in 2003 by the Anti-Corruption and Economic Crimes Act 2003 for the purposes of:

- Investigating corruption and economic crime,
- Preventing corruption, and
- Educating the public.

As a young organisation, KACC has experienced challenges, largely in the area of operations, which needed to be addressed in order to develop a robust administrative infrastructure for corruption prevention in Kenya. In line with its mandate, the Board and the Management of KACC have since its inception spent time and resources setting up systems, procedures and operational capacity for:

- Law enforcement through investigation, asset tracing and recovery;
- Prevention of corruption through identification and elimination of opportunities for corruption in systems and procedures of public bodies; and
- Public education aimed at enlisting public support towards the fight against corruption.

The 2006 – 2009 Strategic Plan therefore provides a framework for addressing past operational challenges, charts the Commission's course of action over the next three years and identifies objectives and key results to be achieved. The Plan lays the foundation for building the Commission's institutional capacity, including the realisation of our vision, mission, core values and the achievement of our medium term goals. It articulates the strategies and activities to be implemented over the Plan period to realize the Commission's mandate and achieve our set goals of reducing corruption in Kenya.

II. Legal Structure and Mandate of KACC

The Kenya Anti-Corruption Commission was established in May 2003 with the enactment of the Anti-Corruption and Economic Crimes Act, thereafter the Commission was operationalised in the following order:

- 11th August 2003: The Advisory Board is gazetted after appointment of its members as per The Anti-Corruption and Economic Crimes Act 2003,
- 30th September 2003: The Advisory Board is inaugurated by the Hon. Attorney General following election of a Chair and Vice-Chair of the Board,
- 23rd December 2003: The Advisory Board forwards the names of its nominees for the positions of the Director and Four Assistant Directors to the National Assembly,
- 5th August 2004: The National Assembly votes and approves the names of the Director and Four Assistant Directors for appointment,
- 10th September 2004: H.E. The President formally appoints the Director and Three Assistant Directors. They are sworn into office the same day,
- 13th September 2004: The Director and Three Assistant Directors formally take up office.

6. Although the Anti-Corruption and Economic Crimes Act was enacted in May 2003 establishing the Kenya Anti-Corruption, the actual appointment of the Director and Assistant Directors was made in September 2004, marking the formal inception of the Commission. Upon their appointment, the management soon thereafter embarked on the recruitment of officers of the Commission. There was therefore a gap between the legal (de jure) and the factual (de facto) state of affairs.

The Commission is established as a Body Corporate for the purposes of:

A: Investigation of corruption and economic crimes: Specifically,

- To investigate conduct constituting corruption or economic crime,
- To investigate the conduct of any person that is conducive to corruption or economic crime,
- To assist any law enforcement agency in Kenya in the investigation of corruption or economic crime.

B: Prevention of corruption: Specifically,

- To advise and assist organisations on ways in which to eliminate corrupt practices,
- To examine the practices and procedures of public bodies in order to facilitate the discovery of corrupt practices and to secure the revision of methods of work or procedures that, in the opinion of the Commission, may be conducive to corrupt practices,
- To advise heads of public bodies of changes in practices or procedures necessary to reduce the likelihood of the occurrence of corrupt practices.

C: Education on corruption: Specifically,

- To educate the public on the dangers of corruption and economic crime and to enlist and foster public support in combating corruption.

D: Restitution of corruptly acquired assets and property: Specifically,

- To trace, recover and reconstitute corruptly acquired public property; specifically to:
 - (i) Institute civil proceedings against any person for the recovery of such property or for compensation; and
 - (ii) Recover such property or enforce an order for compensation even if the property is outside Kenya where the assets could be used to satisfy the order outside Kenya.

III. Functions of the Advisory Board

The principal functions of the Advisory Board are:

- To recommend the appointment of a person as the Director or Assistant Director of the Commission to the National Assembly,
- To recommend to the President the termination of the appointment of a person as Director or Assistant Director for being adjudged bankrupt or upon conviction for an offence under the Penal Code or the Anti-Corruption and Economic Crimes Act,
- To recommend to the Chief Justice the establishment of a Tribunal for the purpose of considering the removal of a person as Director or Assistant Director for inability to perform his functions or for involvement in corruption, and
- To advise the Commission generally on the exercise of its powers and the performance of its functions.

IV. Organisational Structure of KACC

The mandate of KACC as articulated in the Anti-Corruption and Economic Crimes Act necessitates the establishment of functional directorates. The organisational structure of the Commission therefore reflects its mandate, past experience in the fight against corruption and the need to infuse new strategies, structures and work ethic aimed at achieving the goals and objectives for which KACC was established. The Commission consists of the following Four Directorates:

- Investigation and Asset Tracing
- Legal Services and Asset Recovery
- Preventive Services
- Finance and Administration

Each of these Directorates is responsible for implementation of specific programmes.

A: Investigation and Asset Tracing Directorate

The Investigation and Asset Tracing Directorate is responsible for the investigation of corruption and economic crimes; leading to criminal prosecution, and asset tracing. Headed by an Assistant Director, the Directorate is comprised of four departments namely: (i) Forensic Investigation, (ii) Special Operations, (iii) Intelligence Production, and (iv) Report and Data Analysis. The functions of the Directorate include:

- Investigating any person's conduct that is deemed to be conducive to corruption or economic crime,
- Assisting any law enforcement agency in Kenya in the investigation of corruption or economic crime,
- Investigating the extent of liability for the loss or damage to any public property for purposes of recovery or compensation, and
- Arresting and arraigning suspects of corruption or economic crime in Court.

B: Legal Services and Asset Recovery Directorate

The Legal Services and Asset Recovery Directorate provides legal services leading to prosecution of corruption cases and recovery of corruptly acquired assets and property. Also headed by an Assistant Director, the Directorate comprises three departments, namely: (i) Civil Litigation and Asset Recovery, (ii) Crime Reading and (iii) Research and Documentation. The functions of the Directorate include the following:

- Providing legal advice to the Commission and undertaking litigation on behalf of the Commission, either on its own behalf or on behalf of a third party,
- Instituting civil proceedings for compensation against any person involved in corrupt activities,
- Instituting civil proceedings for the recovery of assets or property acquired through corrupt activities,
- Undertaking legal research so as to enhance the Commission's capacity to carry out the foregoing activities, and
- Recommending to the Attorney General to institute criminal proceedings against any person involved in corrupt activities.

C: Preventive Services Directorate

The Preventive Services Directorate provides technical and advisory services to Public and Private Sector Institutions with the objective of preventing the occurrence of corruption. The Directorate also fosters public support against corruption through education and awareness programmes. Headed by an Assistant Director, the Directorate comprises three functional departments, namely: (i) Department of Prevention; (ii) Department of Education; and (iii) Department of Research. The functions of the Directorate include, among others:

- Conducting systems reviews, examinations and risk assessments and making recommendations to prevent corruption in the public and private sectors,
- Providing advisory services to both public and private sectors on anti-corruption and good governance,

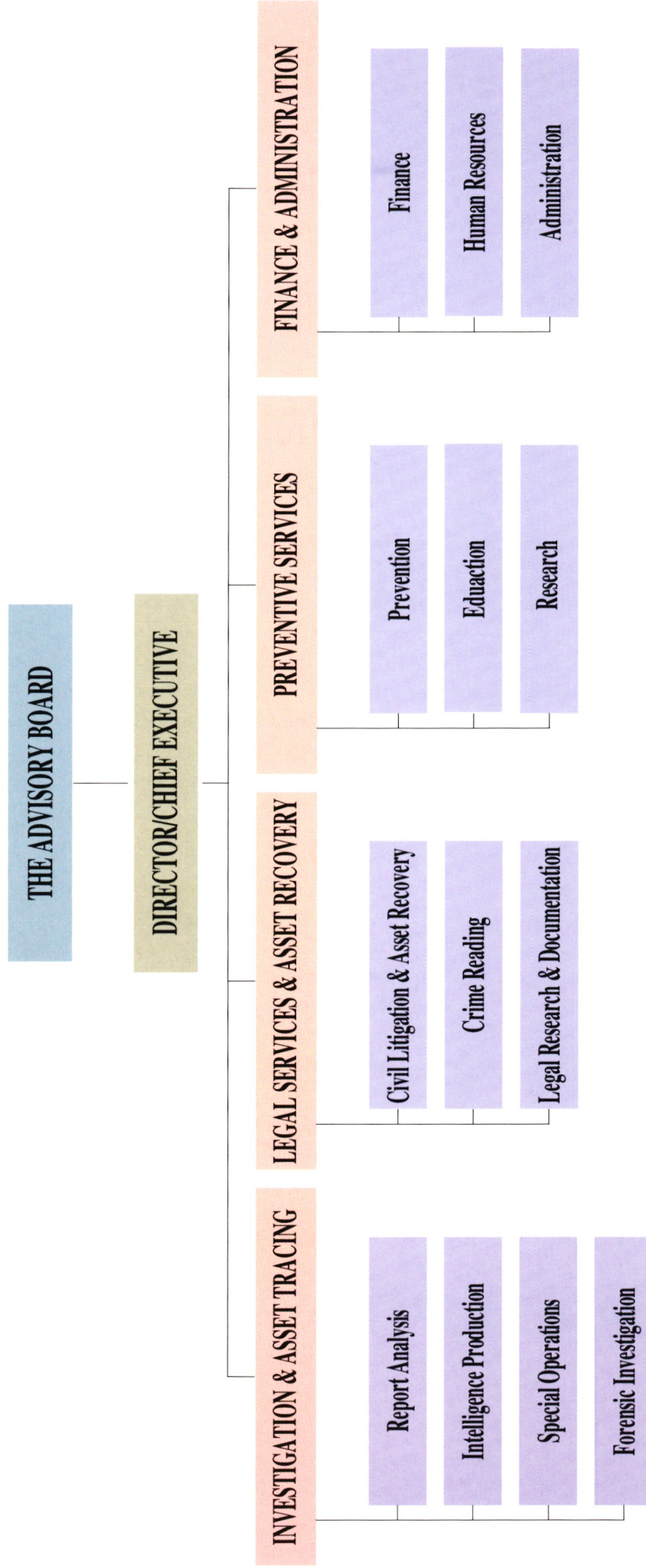
- Training integrity and quality assurance officers in public and private sectors,
- Conducting ethics and integrity education in the public and private sectors,
- Creating and disseminating awareness on corruption prevention in Kenya,
- Conducting research into corruption, economic crimes and related activities,
- Making policy and operational reform recommendations to prevent corruption in public and private institutions, and
- Building partnerships with other agencies involved in the fight against corruption.

D: Finance and Administration Directorate

The Finance and Administration Directorate provides common administrative services to the other directorates and facilitates their performance. It comprises three departments namely: (i) Administration, (ii) Human Resources, and (iii) Finance. The Directorate is charged with the responsibility of performing the following functions:

- Providing efficient and effective human resource management, including staff training and development, staff remuneration and personnel administration,
- Managing the financial resources including budgeting, sourcing of funds, and maintaining proper books of accounts,
- Procuring all goods and services for the Commission in accordance with the procurement and supplies regulations,
- Providing general office management, which includes, office accommodation, telephone and transport services, and
- Building an ICT capacity to enable the Commission to operate more efficiently.

Chart1: KACC Organizational Structure



CHAPTER THREE: OPERATING ENVIRONMENT

I. Introduction

As already stated, the Kenya Anti-Corruption Commission is established by statute as the lead agency in the fight against corruption in the country. It is mandated to combat corruption through law enforcement, corruption prevention and public education. In the performance of its duties, the Commission is independent and reports only to Parliament. It is important that the Commission operates in an environment, which is free from any interference so as to ensure impartiality and fearlessness in the discharge of its mandate. The Act that establishes the Commission also establishes an Advisory Board, whose membership is drawn from professional institutions, private sector, civil society and religious organisations⁷. The principal function of the Advisory Board is to advise the Commission generally on the exercise of its powers and the performance of its functions under the Act. The Advisory Board is also independent in the performance of its functions and reports only to Parliament.

Given the pervasive and complex nature of corruption in our society, the law recognizes the need for the Commission to work in cooperation with other persons and agencies in the performance of its functions. Such persons and agencies include the Controller and Auditor General and the Director of Criminal Investigation Department. Other Government and Semi-Autonomous Government Agencies include the Ministry of Justice and Constitutional Affairs, the Attorney General and the Office of the Director of Public Prosecutions, the Efficiency Monitoring Unit, the National Anti-Corruption Campaign Steering Committee, the Kenya Revenue Authority, the Kenya National Audit Office, the Kenya National Commission on Human Rights and the Electoral Commission of Kenya. The Commission may also work in cooperation with any foreign government, regional or international organisation. It must be emphasized that the Commission is a public institution and that all the Kenyan people have a stake in its operations. The powers with which the Commission is by law vested are meant to enable it carry out its mandate in the public interest.

II. Recent Developments

Although just over one year old since the formal appointment of the Director and three Assistant Directors in September 2004, the Commission has implemented various measures, which have laid a firm foundation for the enforcement of the Anti-Corruption and Economic Crimes legislation and prevention of corruption in Kenya. Some of the recent developments in this regard include:

A: Enforcement of the Anti-Corruption and Economic Crimes Act

Investigation and Asset Tracing

Through its Investigation and Asset Tracing arm, the Commission received 10,578 corruption related reports as at the end of June 2006 out of which 1,488 reports were corruption related and taken up by the Commission for investigations. 9090 reports were forwarded to other investigative and relevant agencies. To date there are 188 cases pending before court out of which 172 cases are at various stages of hearing.

7. These include: (i) The Kenya Law Society; (ii) The Institute of Certified Public Accountants of Kenya; (iii) The International Federation of Women Lawyers (FIDA) Kenya Chapter; (iv) The Kenya Association of Manufacturers; (v) The Joint Forum of Religious Organisations; (vi) The Federation of Kenya Employers; (vii) The Kenya Bankers Association; (viii) The Central organisation of Trade Unions; (ix) The Association of Professional Societies of East Africa [APSEA]; (x) The Architectural Association of Kenya; (xi) The Institution of Engineers of Kenya; and (xii) The Kenya Medical Association.

Corruption Prevention Initiatives

Through its Preventive Services, the Commission, as at the end of June, 2006 had completed examination of systems, procedures and policies for two Government Ministries, two Government Departments, one State corporation (KEMSA), one department in a Parastatal (KRA), one Local Authority, while a Corruption Risk Assessment (CRA) was conducted in one local authority. These examinations and CRA were carried out with a view to providing practical solutions for minimizing opportunities for corruption in the organisations. The institutions are at various stages of implementing the Commission's recommendations.

Advisory briefs including training on corporate governance were offered to 10 public and private institutions. The briefs dealt with various aspects of corruption prevention. The Commission also trained 351 Integrity Assurance Officers (IAOs) from 50 public sector organisations. These officers are responsible for offering technical advice to their organisations on corruption prevention strategies. In addition, the Commission carried out a countrywide assessment of the IAOs training programme. The Report will inform the Commission and stakeholders on the best framework for training.

Consultative meetings with 12 umbrella organisations representing the private sector, religious organisations and civil society were held on possible areas of partnering. The Commission also initiated activities with key Government departments aimed at preventing corruption.

Education and Awareness

The Commission mainstreamed anti-corruption, ethics and integrity content through curricula and sponsoring the National Drama and Music Festivals. Through the TRAG and PSIP training programmes, the Commission sensitized a total of 109,976 officers in various public and private sector organisations. These officers are responsible for initiating anti-corruption, ethics and integrity programmes in their institutions. Through its Outreach Programme, the Commission sensitised a total of 42,831 people and distributed 44,500 IEC materials at the Agricultural Society of Kenya Shows.

In re-engineering attitude and behaviour change, the Commission developed a variety of Information, Education, and Communication (IEC) materials and proactive Communication and Media Programming. A total of 98,763 IEC materials consisting of: Frequently Asked Questions; About the Commission; and Integrity for Schools were distributed by June 2006. In order to enhance ordinary citizens' understanding of Anti-Corruption laws, the Commission has simplified the Anti-Corruption and Economic Crimes Act 2003; the Public Officer Ethics Act 2003; the Public Procurement and Disposal Act 2005; and developed an illustrated Training Manual that exemplifies crimes and offences in these Acts.

Media Programming has sensitised over 20 million listeners and viewers by broadcasting anti-corruption, integrity and ethics content on major radio and television media houses.

Research

Research is one of the most efficient and reliable sources of knowledge, new facts, their correct interpretation and practical application. The Commission uses research findings to inform and advise all its strategies, programmes and activities. By June 2006, the Commission conducted:

- The National Corruption Perception Survey 2005, and
- The National Enterprise Survey 2006.

B: Establishment

Since its establishment, the Commission has conducted staff recruitment in all the management and operational positions to make the Commission fully operational. Although the full establishment was initially estimated at 212, currently the Commission has 270 members of staff. The increasing workload will require expansion in resources, including manpower, financial and physical facilities. Ways will be explored to establish mobile service delivery centres countrywide, train community-based corruption monitors and create countrywide anti-corruption networks and partnerships with other arms of government, development partners, civil society and community-based organisations.

III. SWOT Analysis

The Kenya Anti-Corruption Commission recognizes that it operates in an environment dictated by external and internal socio-economic, legal and political factors, which directly and indirectly impact on its operations. Such an environment creates demands and challenges on the part of the Commission, which must be addressed. The achievement of the Plan's objectives will largely depend on how we enhance the internal strengths, exploit the existing opportunities, manage the weaknesses in our operations, while controlling those factors that pose a threat to the achievement of our planned activities. In developing this Plan, the Commission conducted an extensive Situational Analysis of its internal Strengths, Weaknesses, Opportunities and Threats (SWOT), which is summarized below:

A: Strengths

The STRENGTHS of the Commission are those endowments, including resources and capabilities that enable us to accomplish our mandate and achieve our strategic objectives. These include, among others:

(i) Advisory Board

- The current Advisory Board of the Commission is a multi-disciplinary and multi-skilled team of professionals which brings to the Commission diverse educational, technical and social experiences and competencies. The Board is drawn from a broadly representative platform of private, professional, religious and civil society sectors.

(ii) Management Team

- The Commission's Management comprises qualified and experienced individuals in ethics, governance and anti-corruption spheres.

(iii) Institutional Framework

- The Commission is founded upon an institutional framework based on clear structures, and systems of governance that are largely de-personalized.

(iv) Staff

- The Commission has attracted highly skilled and multi-talented staff through a transparent and competitive recruitment process.

(v) Funding

- During its first year of operation, the Commission has enjoyed strong government financial support for its recurrent and operational functions.

(vi) Legislative Framework

- The Anti-Corruption and Economic Crimes Act which provides the main legal basis for the carrying out of the Commission's mandate is a more improved piece of legislation than the repealed Prevention of Corruption Act. It recognizes a diverse range of acts of corruption and economic crime.

(vii) Policy and Regulatory Framework

- In place are policies, rules and regulations and other operational systems of governance (including a Code of Conduct and Ethics) which guide the day to day operations of the Commission. These systems have infused a much needed measure of predictability in the workings of the Commission.
- Although the Commission has inherited offices, equipment and work in progress from the former Kenya Anti-Corruption Authority (KACA) and the Anti-Corruption Police Unit (ACPU), the management has consciously but creatively steered the Commission to a new beginning.
- The Commission's organisational structure is simple and clear for both internal and external communication.

(viii) Accessibility

- The Commission is located in an easily accessible location within the City of Nairobi.

B: Weaknesses

The WEAKNESSES of the Commission comprise deficiencies in resources and capabilities, which must be contained in order to realize the strategic objectives during the Plan period. These include:

(i) Lack of Prosecutorial Powers

- Although the Commission has a wide investigative mandate into suspected acts of corruption and economic crime, it does not have the concurrent mandate to prosecute the cases it investigates. It must forward the investigated files to the Attorney General who then decides whether to prosecute or not. If KACC had powers to prosecute, considerable expedition and expertise could be brought to bear on the prosecution process.

(ii) Absence of Local Networks

- The Commission is currently located only in Nairobi. It is beyond the reach of most members of the public who are daily afflicted by corruption. The people find it difficult to promptly report acts of corruption because of the distance. The Commission does not have any regional offices out of Nairobi at the moment.

(iii) Legal Processes

- The Commission has to carry out its work within the framework of the criminal justice system and the law of the land. The legal process has its own life, methods and procedures. More often than not, cases of corruption that are taken to court get stuck in these legal processes. Accused persons engage lawyers who as is to be expected make numerous applications whose effect is to delay the trial as long as possible. The time lapse between charging and trial makes it difficult to conclude cases against the accused persons in a timely manner. When cases take too long to be concluded, the public gets the impression that nothing has been done in the fight against corruption.

(iv) Learning Curve

- The Commission, although composed of highly qualified and multi-talented staff, is still in its formative stages. The Commission therefore experiences teething operational problems of which established organisations have devised pragmatic solutions. The management system and culture are still evolving. This means that certain mistakes are made from time to time thus affecting the delivery of service. There are day to day operational inefficiencies which largely stem from the infancy of the Commission and the intensity and pressure of work.

(v) Inadequate/Inappropriate Office Facilities

- Although the Commission's offices are strategically located in the City of Nairobi, the rented building which houses the Commission was not designed for the purposes of an anti-graft agency. The building was originally designed as a bank. The Commission continues to expend a lot of money in trying to customize the premises. The premises are also inadequate for the purposes of the Commission.

(vi) Information-technology/Research Facilities

- The Commission being a hybrid institution requires a wide range of hi-tech equipment which is very expensive yet necessary. The relevant equipment can only be acquired in phases. This slows down the operations of the Commission.
- The Commission does not have appropriate research facilities in terms of technology and physical infrastructure.

(vii) Human Capacity

- The Commission has a total staff establishment of 270 which includes management, professional, technical and support staff. This number is inadequate to effectively deal with the pervasive and rampant corruption in a society of 33 million people.

C: Opportunities

The OPPORTUNITIES are the operational potentials and external factors that the Commission will take advantage of in order to enhance its ability to achieve its stated goals and objectives. They include:

(i) Widespread Corruption

- The fact that corruption remains a problem and poses major challenges to the country's development efforts makes the existence and work of the Commission more urgent and relevant.

(ii) Other Law Enforcement Agencies

- The existence of other law enforcement agencies such as the Police, the State Law Office, the Kenya Revenue Authority, the National Security Intelligence Service and other institutions involved in the fight against corruption including civil society means that the Commission can forge partnerships and develop synergies with such institutions in the fight against corruption.

(iii) Legal Framework

- The much improved anti-corruption law can be consistently applied by the Commission in the war against corruption.

(iv) Abhorrence of Corruption

- The emerging national and international solidarity against corruption provides an enabling environment for the Commission to wage a sustained war against this vice.
- The official acknowledgment by the Government that corruption exists in the public sector and stated policy to eradicate the vice makes the Commission's work legitimate and official.

(v) Funding

- The demonstrated willingness by the Government and a number of development partners to fund anti-corruption efforts will enable the Commission to register visible gains in its war against corruption.

(vi) A Reforming Judiciary

- For the last two years, various reforms have been undertaken in the Judiciary. The reforms are transforming the Judiciary into a vibrant, impartial, free and fair justice institution. This development if sustained presents the Commission with the opportunity to vigorously pursue all cases of corruption with a view to recovering corruptly acquired wealth and ensuring that the guilty are punished.

(vii) Weak Systems

- It is now an established fact that one of the main causes of corruption is the existence of weak systems and procedures of work which offer loopholes for corrupt practices. Indeed corruption thrives best in an environment of weak management systems. Initial experience by the Commission so far indicates that public institutions are most afflicted by corruption due to weak procedures and practices of work. Enhanced anti-corruption interventions to address systemic weaknesses are therefore necessary.

(viii) Ongoing Public Sector Reforms

- The Government has undertaken far reaching reforms in the public sector in areas such as financial management, privatization, performance contracting, auditing and procurement. These reforms will make it easier for the Commission to detect and investigate acts of corruption in the public sector.

(ix) Increasing Public Awareness

- The public has exhibited heightened awareness and abhorrence of corruption. This affords the Commission an opportunity of fostering public support for its anti-corruption efforts through public education.

(x) The Media

- The media in Kenya today operates in a freer environment than in the past. The media have been at the forefront in exposing grand corruption in recent years. The media can be important partners to the Commission in the fight against corruption.

(xi) Information/Communication Technology

- The information and communication revolution that is sweeping through the country such as mobile telephony, the internet among others, makes it is easier to send and receive information about corruption quickly.

D: Threats

The THREATS are the internal and external operational challenges that make it difficult to realize the Commission's set objectives. These include:

(i) Constitutional Grounding

- Although the Commission is established by law with a wide ranging mandate and security of tenure for top management, it is yet to be anchored in the Constitution of the land. This leaves it exposed to the vagaries and whims of Parliament.

(ii) Legislative Framework

- The Anti-Corruption and Economic Crimes Act is robust in its exposition of corruption and economic crime. But it is a unique and largely untested piece of legislation. This means that it will be constantly subjected to applications that seek to challenge its constitutionality within our legal system. Consequently the judiciary could take some time to internalize the statute's juridical complexion.

(iii) Imposter Individuals/Institutions

- Many individuals and organisations have been posing as the Kenya Anti-Corruption Commission. They have purported to investigate cases of corruption. The real intention of such individuals and organisations is to extort money from suspects. This poses a threat to the work of the Commission as it does call into question the integrity of Commission.

(iv) Institutional Rivalry

- There are many public agencies whose function is to enforce aspects of public law in various fields. Corruption manifests itself in many forms. Quite often, the Commission finds itself in situations where it has to inquire into the conduct of employees of some of these institutions. Sometimes there are jurisdictional conflicts that arise. Instead of being viewed as a partner in the field of law enforcement, the Commission is either perceived as a rival or an enemy by sister institutions.

(v) Political Interference

- The Commission always faces political hostility in the course of its work depending on who its target is at what time. The tendency to politicize every aspect of life in Kenya has meant that the Commission is rarely portrayed as a professional body carrying out its mandate of combating corruption in the greater public interest. The person who is being investigated will always seek to portray himself/herself as a victim of political witch-hunt by his/her enemies or by the Government. It is not uncommon for such a person to find sympathy with the public.

(vi) Ethnicity

- What we have stated above about politics is also true of ethnicity. The syndrome of "our people are being finished" has been a constant impediment in the fight against corruption.

(vii) Corruption Networks

- Corruption is always a premeditated and conspiratorial act. This means that it always involves more than one person, institution or sector. Networks of corruption emerge over a period of time. They crystallize and become difficult to dismantle. The networks build alliances to frustrate anti-corruption efforts. They exist nationally, regionally and internationally. Such networks make the war against corruption long-drawn, expensive and frustrating.

(viii) Funding

- While the Commission has so far enjoyed solid Government support in terms of finances, there is no guarantee that such support will always be forthcoming. It will all depend on the existing political and economic will. The same is true of donor support.

(ix) Insecurity of Staff and Whistleblowers

- Fighting corruption is always replete with personal danger to all those involved. The corrupt do not lose their ill gotten wealth without seeking to exact revenge. Commission staff always operate in an atmosphere of insecurity and blackmail. This danger also attends those who supply information to the Commission.

(x) HIV - AIDS

- The HIV-Aids pandemic poses danger to Commission work just as in other institutions. Commission staff, informers, targets and other stakeholders all face danger of contracting and perishing from this scourge.

(xi) Misunderstanding of Commission Mandate

- It is evident that the mandate of KACC has been misunderstood by both the media and the public. For example the Commission is always put to task to explain why it has not prosecuted and convicted corrupt individuals. Yet, it should be clear that KACC has no prosecutorial powers and that even if it had, it would not be within its mandate to convict accused persons. That is the role of the courts.

(xii) Misrepresentation of Facts by Media

- While we laud the media for the role it continues to play in exposing corruption, the Commission is also aware of the sometimes irresponsible misrepresentation of the work of the Commission by various media. Quite often, the Commission is forced to place expensive paid up adverts to clear the misrepresentation. On most occasions, the damage will usually have been done.

(xiii) Unrealistic Public Expectations

- Corruption has impoverished the majority of the Kenyan people and enriched the ruthless few. It has caused untold suffering to innocent, and law abiding tax payers. There is justifiable public anger and impatience. The people want to see punishment being meted out against those perceived to be corrupt immediately. The Commission is under extreme pressure to act at the touch of the button. However, the bitter reality is that fighting corruption is not an event, but a process. Many actors and institutions apart from the Commission are and must be involved in the process.

(xiv) Poverty

- Poverty poses a great threat to the fight against corruption. It is as much a cause as it is a consequence of corruption. The victims of corruption are the poor and disempowered. Fostering public solidarity against corruption is always frustrated by poverty which is a more visible and urgent problem. The corrupt also play upon the suffering of the poor through artificial acts of charity to divert attention away from themselves.

E: Assumptions

The ability of the Commission to exploit the strengths and opportunities and manage the threats and weaknesses will depend on the following underlying assumptions:

- The Government continues to avail adequate funding to Commission's operations and programmes,
- The Government continues to demonstrate goodwill towards the fight against corruption,
- The Anti-corruption legislation is backed by appropriate Constitutional provisions and harmonized with other related legislations,
- The Commission adapts to changing technology, including developing capacity for computerized forensic audits,
- The Commission develops a framework for consultation and creates awareness among the public on anti-corruption, ethics and integrity,
- Operations of the Commission's directorates are fully rationalized to build synergy.

The SWOT analysis confirms the need for the Commission to focus on building a robust administrative infrastructure to enforce the anti-corruption legislation and to facilitate implementation of strategies aimed at preventing corruption in the public and private sectors.

IV. Strategic Issues

A: Introduction

These are fundamental issues that the Commission has to address in order to achieve its mission and move towards its vision. They arise from the situation analysis undertaken by the Commission and they could have a significant negative impact if no action is taken to address them. The strategic issues were identified to enable the Commission to focus on key challenges and policy choices. The Commission's strategic goals, strategies and activities were derived from the strategic issues.

After a comprehensive analysis, the following strategic issues were identified for action:

- Legal framework and reforms,
- Institutional capacity,
- Partnerships,
- Operations.

1.1 Strategic Issues Explained

1.1.1 Legal Framework and Reforms

The Commission is a creature of Statute. It is in the Commission's interest to ensure that this legislation is a 'living' legislation, with constant amendments and reforms to cater for the dynamic circumstances in which the Commission undertakes its work. In this regard, the Commission itself must be firmly anchored in law (the Constitution) to avoid disruption of its existence and operations. The law that the Commission applies in carrying out its mandate must be clear and all encompassing, in both substantive and procedural aspects so as to address the complex, and transboundary nature of corruption.

1.1.2 Institutional Capacity

The Commission having been established by law, was intended to evolve as an institution with a permanent existence. That is why the Act describes the Commission as a Body Corporate with perpetual succession. The Commission is capable of acquiring, owning and disposing of property. It can sue and be sued in its own name. The Commission must therefore grow as an institution that can outlive governments and individuals. To achieve this institutional identity and resilience, the Commission must anchor its operations on competent staff of impeccable character and integrity, state of the art information and communication technology, extensive outreach programmes and appropriate and adequate physical facilities. The Commission must be based on an Organisational Structure and System of Governance that is self perpetuating.

1.1.3 Partnerships

The pervasive and endemic nature of corruption in Kenya requires a systematic and all embracing strategy to effectively deal with the phenomenon. The war against corruption must be multifaceted, systematic and broad-based. The Commission therefore recognizes the need to enlist the support of key sectors and institutions at the local, regional and international levels in carrying out its mission. The Commission has to develop and implement a partnership policy that promotes collaboration with other relevant agencies including the Private Sector and Civil Society. Crucial to this policy will be the implementation of the recently launched National Anti-Corruption Plan.

1.1.4 Operations

This strategic issue gives an indication of the typical operation of the Commission. The Commission must aim to fulfill its mandate by efficiently and effectively using Prevention, Education and Law Enforcement operations and projecting a professional image. The Commission will therefore develop and implement programmes that enhance integrity, transparency and accountability in systems and processes within institutions, and inculcate positive behavioural change. It has to robustly apply investigative and restitutionary mechanisms so as to make corruption a painful and costly undertaking.

CHAPTER FOUR: STRATEGIC GOALS FOR 2006–2009 PERIOD

I. Introduction

During the Plan period, our operations will be guided by the need to develop the Commission’s institutional capacity to effectively enforce the law and prevent corruption in Kenya. To this end, we shall pursue three broad strategic goals, namely:

Figure 4: Strategic Goals



II. Strategic Goals

A: Enforcing the Anti-Corruption Law

One of the key strategic goals of the Commission during the Plan period is to *enforce the anti-corruption law* in order to reduce corruption, and subsequently improve public service delivery and overall development in Kenya. To achieve this, we will implement a number of initiatives including:

- Building litigation and asset recovery capacity of the Commission to effectively enforce the Anti-Corruption and Economic Crimes Act by, among other things:
 - (i) Developing capacity for litigation and asset recovery,
 - (ii) Building operational capacity for asset tracing and recovery through training and research,
 - (iii) Tracking, compiling and systematizing anti-corruption jurisprudence, and
 - (iv) Conducting legal research to facilitate the corruption litigation process.
- Building investigation and asset tracing capacity through the development and implementation of investigation and asset tracing strategy,
- Implementing a countrywide corruption investigation strategy, including building capacity for countrywide information gathering, corruption reporting, analysis and investigation.

B: Facilitating Prevention of Corruption

The second strategic goal to be pursued during the Plan period is the prevention of corruption in Kenya. Measures proposed in this Plan are therefore aimed at facilitating the formulation and effective implementation of appropriate corruption prevention strategies within public and private sectors, and especially in those institutions identified to be prone to corruption. Among the initiatives to be implemented during the Plan period include:

- Facilitating the implementation of corruption prevention strategies in public and private institutions through:
 - (i) Conducting reviews into the operations of those institutions prone to corruption to establish causes, manifestations and extent of corruption,
 - (ii) Formulating, in consultation with the institutions concerned and stakeholders, appropriate corruption prevention strategies for implementation, including system, processes, and procedures simplification, among others,
 - (iii) Developing an implementation action plan, a reporting framework and a monitoring and evaluation mechanism to enforce implementation of the proposed interventions and reforms,
 - (iv) Developing and enforcing the implementation of best practices, guidelines and modules in the public and private sectors, and
 - (v) Undertaking annual perception surveys, conduct policy reviews and operational research to inform formulation of appropriate corruption prevention strategies within the Commission and in those institutions prone to corruption.

- Conducting education and awareness creation among the public, including enlisting public support towards the fight against corruption by:
 - (i) Developing and implementing anti-corruption communication and dissemination strategies,
 - (ii) Institutionalising integrity programmes in formal and informal education,
 - (iii) Enhancing anti-corruption/integrity programmes in public education, and
 - (iv) Mainstreaming integrity in public sector work ethic.

- Building effective partnerships and coalitions with those institutions and stakeholders involved in governance and the fight against corruption through:
 - (i) Implementation of a policy of national, regional and international partnerships in the fight against corruption,
 - (ii) Creation of synergies in the national fight against corruption by building local partnerships and coalitions, and
 - (iii) Enlisting the support of the international community against corruption.

C: Building Institutional Capacity of the Commission

The third strategic goal to be pursued is building of KACC's institutional capacity in order to effectively enforce the anti-corruption law and facilitate prevention of corruption in public and private sectors. This will be achieved through, among others:

- Rationalizing use and access of Commission's resources and Modernising operational processes and procedures,
- Developing and enforcing a Commission-wide monitoring and Evaluation Framework to ensure efficient and effective implementation of the proposed activities,
- Mobilizing adequate financial resources and ensuring prudent utilization of financial, physical and human resources, and
- Developing an efficient internal and external communication system, including information management.

CHAPTER FIVE: PLAN IMPLEMENTATION

I. The Expected Impact of KACC's Plan Implementation

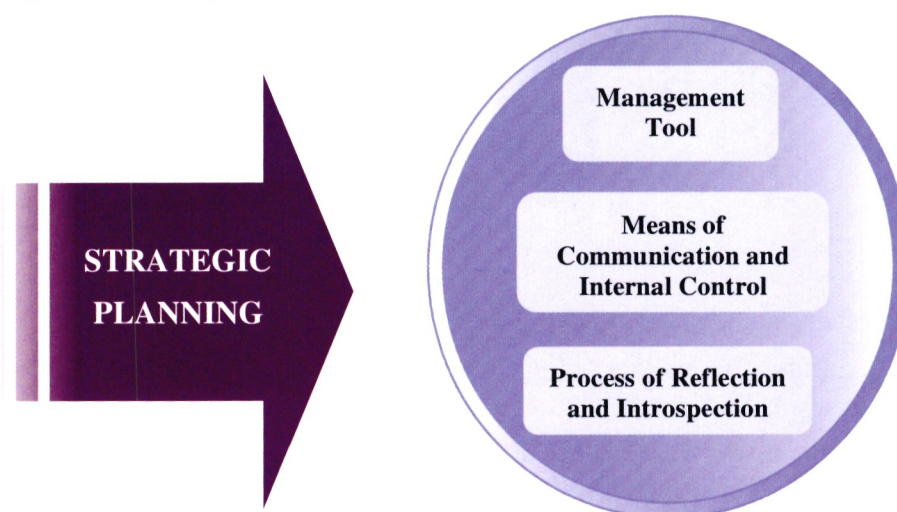
A: On the Economic Development Front

Given the negative effect of corruption on economic development, the implementation of this Plan during the 2006 – 2009 period is expected to improve governance, transparency, accountability and efficiency in public affairs management and facilitate effective implementation of government policies. It will also create awareness among the public and enhance a collective effort in the fight against corruption.

B: On the Operational Front

Internally, the Strategic Plan consolidates the gains already achieved in the fight against corruption, while focusing the Commission's operational initiatives to enhance the fight against corruption in Kenya.

Figure 5: Strategic Planning - Internal Processes

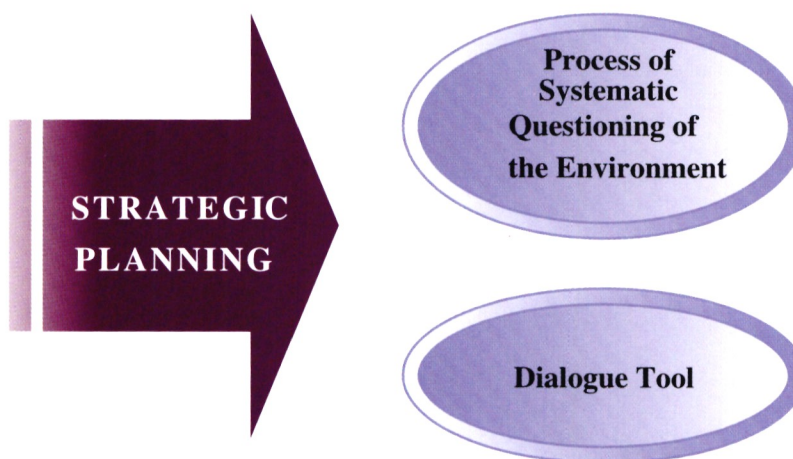


- As a Management Tool, the Strategic Plan helps us to:
 - (i) Define our orientations, strategic objectives, priorities and actions to be undertaken in the short to medium term,
 - (ii) Identify appropriate frameworks for coordinating our policies and activities,
 - (iii) Provide a framework of reference for results-based management, allocating our resources to priority areas, and
 - (iv) Initiate and implement Risk and Change Management.
- As a Means of Communication and Internal Motivation, the Plan allows us to:
 - (i) Inform our staff of the issues confronting the Commission and to make efficient use of human resources.
 - (ii) Help staff understand, assimilate and accept our orientations and strategic objectives.

- As a Process of Reflection and Introspection, the Plan helps us to:
 - (i) Anticipate changes in our environment,
 - (ii) Identify the threats and opportunities that exist around us and to develop strategies to take advantage of the opportunities and avoid the threats.

Externally, the Strategic Plan enables the Commission to build a strong synergy to mitigate external challenges:

Figure 6: Strategic Planning - External Processes



- As a process of systematic questioning of the external environment, the Strategic Plan helps us to:
 - (i) Understand the trends that impact on our environment,
 - (ii) Identify organisations that are driving the trends in our operational sectors,
 - (iii) Evaluate the impact of these trends on our threats and opportunities, and
 - (iv) Determine how best to position ourselves in the sectors.
- As a tool for dialoguing with various stakeholders, the Strategic Plan helps us to:
 - (i) Inform our partners and other stakeholders on our strategic choices, projects and priorities,
 - (ii) Partner with our stakeholders towards our development perspectives and priorities,
 - (iii) Demonstrate to stakeholders that we are playing an active part in the development of the operational sectors,
 - (iv) Develop, with stakeholders, partnerships based on a critical analysis of our strengths and needs.

Overall, the Plan will, among other things:

- Provide a logical way to execute the Commission's mandate,
- Provide a base from which progress can be measured and establish a mechanism for informed change when necessary,
- Secure budget, justify recruitment of staff and infrastructure upgrading,
- Enable stakeholders appreciate the Commission's need for support and benefits of partnerships; and
- Tap into the Commission's human resource talent and build consensus on its vision and mission.

II. Linkages with other Strategies and Plans

One incontrovertible conclusion from the situational analysis is the fact that the Commission's work will be affected either positively or negatively by a number of extraneous factors over which the Commission may have little or no control. The Commission will have to operate within the broader governance reform framework that is being undertaken by the Government. All Government ministries, departments and agencies are now required to factor/mainstream anti-corruption policies and measures into their core operational mandates. Indeed, this is the spirit of the National Anti-Corruption Plan which seeks to mobilize all public agencies, the private sector and civil society in the fight against corruption under the auspices of the Kenya Integrity Forum.

The Government is also implementing a number of sector-wide reform programmes. These programmes are intended to introduce far-reaching changes in the public sector so as to enhance good governance and rule of law and sound fiscal management through verifiable systems of accountability and transparency. Notable among them are the Public Sector Reform and Development Programme, the Public Financial Management Programme and the Governance, Justice, Law and Order Sector Programme (GJLOS). The Commission will ensure that the Strategic Plan is continuously linked to the overall work plans of these Programmes given the fact that their main objective is to institutionalize efficient and corruption free mechanisms of service delivery to the public. Towards this end, the Commission will establish consultative forums with these other initiatives to enhance synergy as it seeks to realize the Goals set out in the Plan.

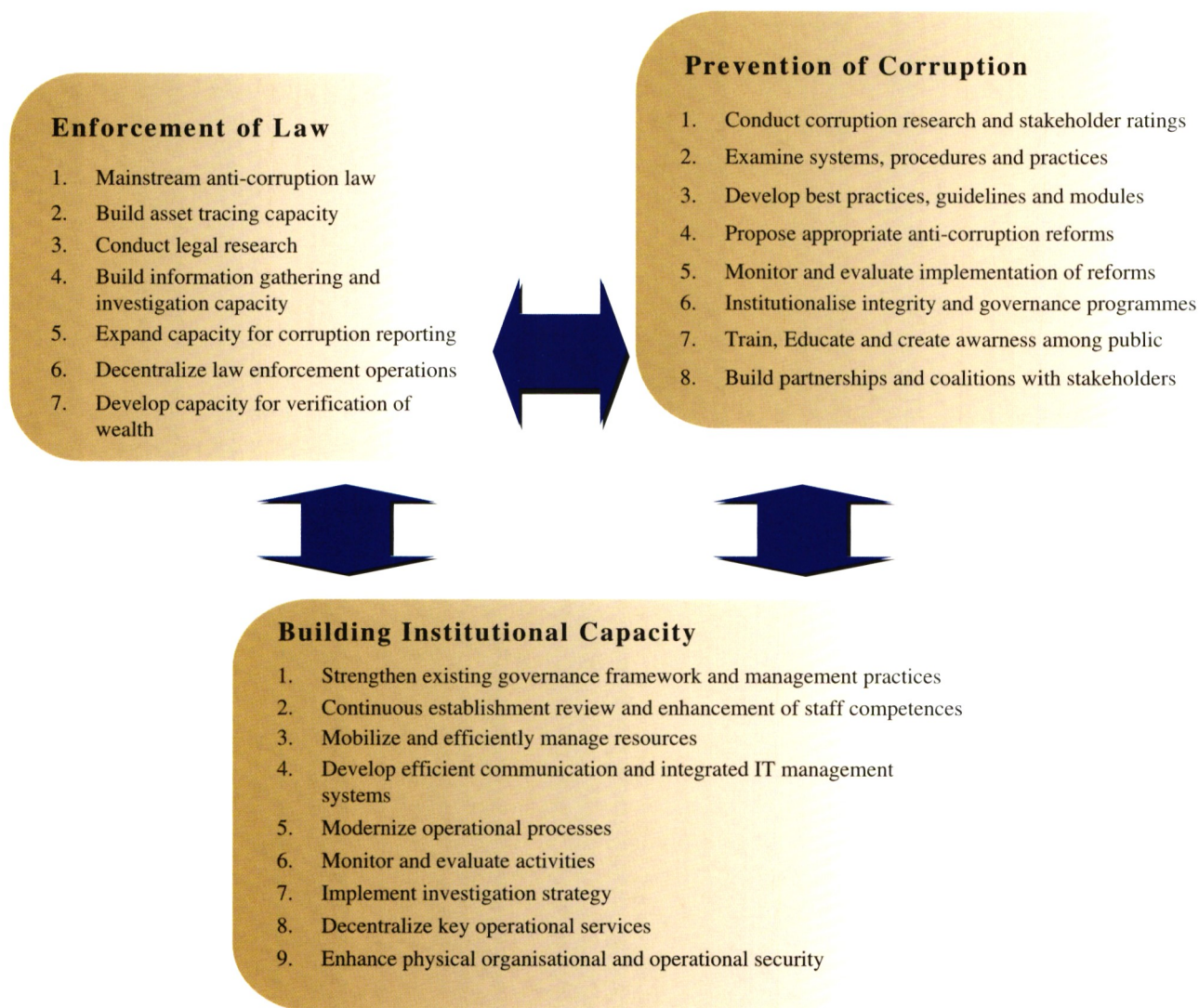
III. The Balanced Score Card (BSC) Implementation Framework

While developing the Plan, the Commission adopted a Performance Management Instrument framework known as the Balanced Score Card (BSC) to translate its vision and goals into strategies and activities. As indicated below, the BSC framework, which focuses on the organisational performance towards key deliverables, will be used to guide the implementation of the proposed programmes covering: (i) enforcement of the anti-corruption law, (ii) prevention of corruption and (iii) building institutional capacity of the Commission. The proposed BSC framework will also be used to focus departmental and divisional operations towards the achievement of strategic goals during the Plan period.

IV. Implementation Strategies

The implementation of departmental goals and targets provides the actual process through which the strategic goals of enhanced enforcement of the anti-corruption legislation and the prevention of corruption will be achieved during the Plan period. Through their operations, the departments will translate the strategic objectives into reality by significantly reducing corruption during the Plan period and building the capacity within the Commission to ensure zero-tolerance to corruption in Kenya. The achievement of these goals is, however, underpinned by the implementation of the Directorate Business Plans as indicated in Appendices 1A, 1B, 1C and 1D. The Directorates will use these Implementation Matrices to develop their detailed Annual Work Plans for the departments, divisions and officers under them. These Annual Work Plans will, in turn, guide development of the Annual Budget.

Figure 7: BSC Implementation Framework



CHAPTER SIX: BUDGET AND COST ESTIMATES

As already indicated, the Commission will rationalize its operations with a view to enhancing its law enforcement and prevention of corruption during the Plan period. Consequently, operational rationalization will be the guiding principle for our financial resource management. Cost saving measures, including creating partnerships with other agencies dealing in governance and anti-corruption, will be implemented to strengthen the Commission's financial resource base and to ensure a sustainable fight against corruption. The proposed Expenditure Plan therefore reflects intended outlays to key priority areas of our operations, including preventive initiatives that will be proposed in a number of public and private sector agencies considered prone to corruption. While efforts will be made to cost-rationalize the available resources in order to realize the stated objectives, the Plan acknowledges that the ability of the Commission to implement its programmes depends on the availability of adequate funding from the Government.

Proposed Budget

Table 1: Projected Funding and Expenditure (in KSh's'000)

	2006/2007	2007/2008	2008/2009
Projected Income from GoK	1,264,050,000	1,323,000,000	1,363,000,000
Projected Expenditure	3,121,494,294	2,634,769,040	3,049,886,270
Deficit	(1,857,494,294)	(1,311,769,040)	(1,686,886,270)

NB: If the resources are not increased to the levels anticipated, then KACC will have to scale down its proposed activities and may not meet all the set targets. The expected increment in personnel and acquisition of adequate office accommodation will be most affected.

CHAPTER SEVEN: MONITORING AND EVALUATION

The Commission recognizes that the success of the Plan's implementation depends significantly on how the envisaged activities and outputs are effectively monitored and evaluated. The Monitoring and Evaluation Framework proposed therefore takes cognisance of the need to effectively involve the agencies identified as prone to corruption, stakeholders, and the public at large to participate in the implementation and to referee the proposed anti-corruption interventions. On the basis of the Implementation Framework and Matrix of Indicators, a Monitoring and Evaluations System will be developed. A Monitoring and Evaluation Committee coordinated by the relevant Department in the Commission will take full responsibility to oversee the implementation of the Plan.

The committee will continuously monitor and evaluate all strategies, activities and outcomes with a view to advising the Commission's Management on the implementation status as well as offer feasible policy and strategy alternatives. Directorates will submit quarterly reports of the Plan implementation status to the Monitoring and Evaluation Committee. The Committee will review the reports and make appropriate recommendations to the Commission's Management. The evaluation of the results and the strategies will be an on-going process, which may require re-designing and sequencing of proposed activities and strategies in consultation with the implementing Directorate and with the approval of the Commission's Management.

CHAPTER EIGHT: CONCLUSIONS

This 2006 – 2009 Kenya Anti-Corruption Commission’s Strategic Plan seeks to provide a coherent, systematic and sustainable road map on which the Commission anchors its operational measures and initiatives aimed at fighting corruption. While recognizing the challenges arising from both internal and external factors, the Plan sets out practical measures to be implemented to enhance the Commission’s capacity to enforce anti-corruption legislation and to facilitate effective prevention of corruption in the public and private sectors in Kenya. To achieve this, the Plan outlines sequential and systematic initiatives to be implemented during the 2006 – 2009 period to effectively manage both the threats and weaknesses faced by the Commission and to take advantage of the Commission’s strengths and all opportunities at its disposal.

What follows in the Annex is a Detailed Statement and Schedule of Strategies and Activities that will be undertaken at directorate and departmental levels in the process of implementing the Plan. As can be seen at a glance, the proposed activities are forward looking and ambitious, perhaps too ambitious, but when dealing with a problem as deeply rooted and intricate as corruption, there can be no half measures. The Plan recognizes the need for quick wins in order to assuage the increasingly restless public. But it was not lost on the Commission that a successful war against Corruption couldn’t be waged on a short-term basis. It must be relentless both in the medium and long terms.

The Plan is therefore an initial step in a long but winnable war on corruption. Achieving this noble task will require the Plan to be dynamic and adaptive to changing circumstances. With an effective monitoring and evaluation underpinning the proposed activities and continuous refocusing and re-orientation of our strategies, the Plan will provide effective guidance to the Commission’s operations both in the immediate and medium terms. We will ensure efficient operations through rationalization of the Commission’s resources and modernization of our processes to achieve the stated strategic objectives and goals. The Commission is counting on the support of all stakeholders, and especially the continuous support from the Government, the People of Kenya, various sectors, including civil society and the international community.

APPENDIX: IMPLEMENTATION MATRIX
Appendix 1A: Implementation Matrix for Programme Delivery by Legal Services Directorate

Strategic Goals	Strategies	Proposed Activities	2006/07				2007/08				2008/09				Budget 2006-2009		Measurable Indicators	
			1	2	3	4	1	2	3	4	1	2	3	4	06/07	07/08		08/09
1. To enforce anti-corruption laws	To build capacity for litigation and asset recovery through: 1.1 Mainstreaming Anti-Corruption legislation	1.1.1 Undertake comparative analysis of all corruption related offences in other statutes and jurisdictions																Comparative Analysis Reports
		1.1.2 Review and recommend relevant amendments to anti-corruption laws to create a more enabling legislative framework																Memoranda submitted to AG
		1.1.3 Review and recommend harmonization of Anti-Corruption and Economic Crimes Act with other Statutes																Number of Statutory amendments
		1.1.4 Study the UN and AU Conventions against corruption with a view to strengthening the Anti-Corruption and Economic Crimes Act																Memorandum submitted to the AG
		1.1.5 Formulate criteria for pardon and plea bargaining																Pardon and plea bargain criteria
		1.1.6 Lobby for the enactment of other enabling legislation such as Whistleblowers Act, Anti-Money Laundering Act, Freedom of Information Act																
	1.2 Tracking, compiling and synthesizing Anti-Corruption jurisprudence	1.2.1 Compile local and international court decisions on Anti-Corruption and Economic Crimes Act																Catalogue of relevant court decisions
		1.2.2 Develop precedents and forms on Anti-Corruption and Economic Crimes Act																Precedents and forms developed

Strategic Goals	Strategies	Proposed Activities	2006/07				2007/08				2008/09				Budget 2006-2009		Measurable Indicators		
			1	2	3	4	1	2	3	4	1	2	3	4	06/07	07/08		08/09	
2 To facilitate prevention of corruption	1.3 Enhancing asset tracing and recovery capacity	1.3.1 Accelerating civil proceedings by:																% increase in civil proceedings	
		• Preparing and instituting suits for compensation and or recovery																	16 cases per month
		• Providing support for investigations geared towards recovery																	Number of Search Warrants obtained
		1.3.2 Intensify tracing corruptly acquired wealth through:																	Number of traced assets
		• Increased applications for warrants to investigate accounts and search premises																	Number of applications made
		1.4.1 Conduct research in support of civil litigation and asset recovery	1.4 To undertake legal research																4 Research Briefs annually
		1.4.2 Conduct research in support of crime reading																	4 Research Briefs annually
		2.1.1 Disseminate anti-corruption law as appraised	2.1 To disseminate and educate the public on anti-corruption cases																2 Newsletters annually
		2.1.2 Hold joint workshops with law enforcement agencies																	4 workshops annually
		2.1.3 Disseminate anti-corruption decisions																	2 Newsletter annually

Appendix 1B: Implementation Matrix for Programme Delivery by Investigation and Asset Tracing Directorate

Strategic Goals	Strategies	Proposed Activities	2006/07				2007/08				2008/09				Budget 2006-2009		Measurable Indicators
			1	2	3	4	1	2	3	4	1	2	3	4	06/07	07/08	
1. To enforce anti-corruption legislation	1.1 To enhance information gathering and investigation capacity	1.1.1 Implement appropriate investigation and information management															Number of Comparative Analysis Reports made
		1.1.2 Install appropriate investigation support tools including: <ul style="list-style-type: none"> • Technical surveillance equipment • Interview recording systems • High speed scanners • Investigation software • Camcorders and digital cameras • Document examination equipment 															Systems and equipment acquired, installed and operational
		1.1.3 Install an inter-agency information sharing platform															Inter-agency committee established
		1.1.4 Enforce the mechanism for gathering evidence															Quarterly meetings held
	1.2 To improve performance in investigation, intelligence production and asset tracing	1.2.1 Develop and enforce operational guidelines															Liaison office established
		1.2.2 Expand information gathering network and enhance analysis and production															Operational manuals developed
		1.2.3 Intensify the detection of corruptly acquired assets															Existing network enhanced by 30%
		1.2.4 Accelerate Mutual Legal Assistance Requests															Detection increased from 30 to 100 and thereafter by 10% annually
		1.2.5 Increase the clear-up rate of cases															No. of assistance requests made
		1.2.6 Increase sting and intelligence testing operations															Cases investigated increased from 100 to 220 and thereafter by 10% annually
																No. of integrity tests increased from 8 to 20 and thereafter by 10% annually	

Strategic Goals	Strategies	Proposed Activities	2006/07				2007/08				2008/09				Budget 2006-2009		Measurable Indicators	
			1	2	3	4	1	2	3	4	1	2	3	4	06/07	07/08		08/09
1.3 Expand capacity of corruption reporting facility		1.3.1 Implement an appropriate report documentation and referral procedure including: <ul style="list-style-type: none"> • Data collection forms • Report processing system • Recording system 																<ul style="list-style-type: none"> • Data collection forms developed • Reports processed and referral made within 14 days • Recording system installed
		1.3.2 Design and set up an efficient Report and Data Centre																<ul style="list-style-type: none"> • Expanded data centre operational • Toll free phones operational
1.4 Develop capacity for verification of wealth declarations		1.3.3 Establish and make operational appropriate Mobile Report Centres																24 mobile clinics conducted annually
		1.4.1 Implement information management system for storage and analysis of wealth declaration forms																Information management system installed
		1.4.2 Conduct training for all responsible commissions on use of the system																Training workshops held

Appendix 1C: Implementation Matrix for Programme Delivery by Preventive Services Directorate

Strategic Goals	Strategies	Proposed Activities	2006/07				2007/08				2008/09				Budget 2006-2009		Measurable Indicators			
			1	2	3	4	1	2	3	4	1	2	3	4	06/07	07/08		08/09		
1. To facilitate prevention of corruption	1.1 To examine policies, systems, procedures and practices prone to corruption	1.1.1 Conduct policy, legislation, system and procedure examinations in public and private sectors																4 institutions examined and proposed reforms and monitored annually		
		1.2 To develop best practices, guidelines and modules																	3 guidelines developed	
		1.2.2 Provide advisory services to public and private institutions																	5 advisory services annually	
	1.3 To provide integrity and good governance training	1.3.1 Conduct training of integrity assurance officers and managers in public and private institutions																	Number of IAOs and managers trained	
		1.3.2 Facilitate development and enforcement of codes of conduct in public and private institutions																	Number of Codes of Conduct developed	
	1.4 To build local partnerships and coalitions	1.4.1 Develop and implement policies on partnership and coalition by: <ul style="list-style-type: none"> • Developing a policy on partnerships and coalitions • Liaising with relevant government departments • Holding consultative for a with potential partners • Facilitate mainstreaming of ethics in professional training • Jointly publishing and disseminating anti-corruption information • Participating in partners' workshops and seminars • Sponsoring Best Practice Awards • Establish and make operational the NACP Secretariat 																	Policy developed	
																				Number of programmes implemented
																				4 MOUs annually
																				4 partners assisted annually
																				Quarterly journal published
																				5 events annually
																				Awards given
																				NACP Secretariat operational

Strategic Goals	Strategies	Proposed Activities	2006/07			2007/08			2008/09			Budget 2006-2009		Measurable Indicators			
			1	2	3	4	1	2	3	4	06/07	07/08	08/09				
2. To facilitate prevention through Education, Training and Awareness creation	1.5 To enlist international support against corruption	1.5.1 Identify and collaborate with international institutions fighting corruption													Number of collaboration mechanisms established with International Institutions		
		1.5.2 Share experiences through publication in international newsletters and journals														Bi-annual newsletters	
	2.1 Institutionalise integrity programmes in formal education	2.1.1 Incorporate anti-corruption curriculum in formal learning institutions by: <ul style="list-style-type: none"> Identifying curriculum content Developing anti-corruption curriculum materials Implementing the curriculum in partnership with stake holders 													Curriculum developed		
																Materials developed	
																	Curriculum implemented
																	4 MoUs signed with partner institutions
																	30 institutions trained annually
																	6 co-curricular activities undertaken annually
		2.1.2 Facilitating the promotion of anti-corruption activities by: <ul style="list-style-type: none"> Conducting education on integrity Facilitating formal learning institutions co-curricular activities 															
		2.1.3 Develop and disseminate Information, Education and Communication materials (IEC) for educational institutions and sectors by: <ul style="list-style-type: none"> Developing, producing and disseminating IEC materials Developing and disseminating school-based Radio and TV programmes 															
															IEC materials produced		
															Schools radio and TV programmes produced		

Appendix 1C: Implementation Matrix for Programme Delivery by Preventive Services Directorate (cont.)

Strategic Goals	Strategies	Proposed Activities	2006/07				2007/08				2008/09				Budget 2006-2009		Measurable Indicators
			1	2	3	4	1	2	3	4	1	2	3	4	06/07	07/08	
3. To facilitate prevention of corruption	2.2 Intensify anti-corruption integrity public	2.2.1 Implement public integrity educational programmes															Number and variety of programmes developed and disseminated
		2.2.2 Conduct anti-corruption outreach programmes to promote positive behaviour change															3 programmes developed and disseminated annually
		2.2.3 Spearhead National and International anti-corruption commemorations															1 commemoration annually
		2.2.4 Implement sector specific integrity educational programmes															4 programmes developed and disseminated annually
3.1 To establish through research the nature and extent of corruption in Kenya	3.1 To establish through research the nature and extent of corruption in Kenya	3.1.1 Conduct household and enterprise perception surveys															1 household and 1 enterprise survey conducted annually
		3.1.2 Conduct agency-specific policy and operational reviews to establish extent and nature of corruption															2 agency-specific reviews conducted annually
		3.1.3 Conduct action/operational research on specific issues															2 Action researches conducted annually
		3.1.4 Conduct government policy reviews															2 policy reviews conducted annually
		3.1.5 Undertake corruption research for publication															3 corruption research findings published annually
		3.1.6 Build, modernize and equip Resource Centre with reference and research materials															Resource Centre operational and equipped
3.2 To facilitate development of strategic plans in the Commission, public and private sectors	3.2.1 Coordinate the development of Commission's Strategic Plan and Implementation Work Plans															Strategic Plan and departmental implementation work plans developed	

Strategic Goals	Strategies	Proposed Activities	2006/07				2007/08				2008/09				Budget 2006-2009		Measurable Indicators
			1	2	3	4	1	2	3	4	1	2	3	4	06/07	07/08	
		3.2.2 In partnership with Prevention Department, facilitate the review and development of corporate plans for agencies examined															3 corporate strategies reviewed/developed annually
	3.3 To develop and enforce monitoring and evaluation of proposed programmes and reforms	3.3.1 Coordinate the monitoring and evaluation of the Commission's plan implementation															Quarterly and annual monitoring and evaluation reports
		3.3.2 Develop and make operational the monitoring framework for programme delivery to public and private sectors															Monitoring and Evaluation operational

Appendix 1D: Implementation Matrix for Programme Delivery by Finance and Administration Directorate

Strategic Goals	Strategies	Proposed Activities	2006/07				2007/08				2008/09				Budget 2006-2009		Measurable Indicators	
			1	2	3	4	1	2	3	4	1	2	3	4	06/07	07/08		08/09
1. To build institutional capacity	1.1 To strengthen governance and management systems	1.1.1 Implement performance based management system																Performance management system adopted
		1.1.2 Review and evaluate operational policies																Policy manuals produced
		1.1.3 Develop and sustain staff motivation																Number of staff welfare program initiatives implemented
		1.1.4 Develop staff competencies in specialised areas (e.g. forensic investigation)																No. of activities/initiatives undertaken annually
		1.1.5 Build staff complement strength to an optimal level																Staff complement expanded by at least 20% annually
	1.2 To efficiently use the mobilized budgetary resources	1.2.1 Prepare and timely implement appropriate budgets																Annual itemised reports and work plans produced
		1.2.2 Enforce compliance with all financial and procurement regulations																Compliance reports
	1.3 To deploy an efficient internal and external communication system	1.3.1 Develop and implement a communication policy																Communication policy adopted
		1.3.2 Review the institutional information and communication systems																Review report produced
		1.3.3 Improve physical and ICT infrastructure																Appropriate ICT infrastructure in place
	1.4 To enhance physical, organizational and operational security	1.3.4 Develop and maintain an information management system																Database established
		1.4.1 Develop and maintain comprehensive emergency/disaster preparedness response and recovery procedures																Disaster plans and procedures in place
		1.4.2 Install protection security systems and equipment																Systems installed
1.4.3 Acquire own premises to ensure security, confidentiality and harmonized operations																	Premises acquired	





KENYA ANTI-CORRUPTION COMMISSION
INTEGRITY CENTRE
MILIMANI/VALLEY ROAD JUNCTION
P O Box 61130 – 00200
Nairobi, Kenya
Tel: (254) 020 - 2717318, 310722
Cell: 0727 285 663, 0733 520 641
Hotline: 2717468
E-mail: kacc@integrity.go.ke
Website: www.kacc.go.ke