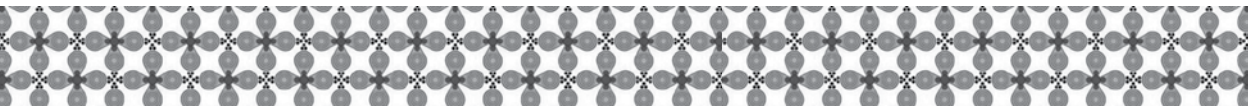


Effectiveness of Anti-Corruption Agencies in East Africa

Kenya

AFRICA REGIONAL OFFICE (AfRO) POLICY BRIEF 2016



**OPEN SOCIETY
FOUNDATIONS**

 Open Society Foundations 2016

This publication is available as a pdf on the Open Society Foundations website or the AfRO website under a Creative Commons licence that allows copying and distributing the publication, only in its entirety, as long as it is attributed to the Open Society Foundations and used for non-commercial educational or public policy purposes. Photographs may not be used separately from the publication.

Published by: Open Society Foundations

ISBN: 978-1-928332-09-1

For more information contact:

AfRO

PO Box 678 Wits, 2050 Johannesburg, South Africa

info@afro.org

www.afro.org

Open Society Initiative for Eastern Africa (OSIEA)

ACS Plaza, Lenana Road, Nairobi, Kenya

www.osiea.org

Layout and printing: COMPRESS.dsl | www.compressdsl.com

Contents

I	State of corruption in Kenya	1
II	Anti-corruption framework	4
III	Recommendations	8
	Annex: EACC performance and asset recovery	10

I: State of corruption in Kenya

Anti-corruption has been a major policy issue in Kenya since the early 1990s. At first opposed by the government as a foreign donor imposition, it was gradually adopted and even appropriated. Despite its domination of political competition rhetoric, corruption in Kenya's public sector remains endemic, even after a number of regime changes. Citizens report bribery experiences with great frequency. An NGO website contains records of citizen complaints about officials' bribery demands. Following the advent of multiparty democracy in 1992, the media and civil society have since frequently exposed corruption scandals in an environment that is less repressive – yet corruption continues with impunity. The laws and the institutions to combat corruption are in place and yet the situation does not improve.

In the decade since 2003, Kenya's score on the Transparency International Corruption Perceptions Index (TI-CPI) has never been higher than 3/10. According to the TI-CPI this indicates that corruption in Kenya's public sector is perceived by survey respondents to be rampant.

An empirical survey tool, developed in 2001 by the Kenya Chapter of Transparency International, documents the bribery experiences of Kenyans in their interactions with Kenyan public institutions. Each year, the Kenya Bribery Index observes that Kenyans frequently have corruption experiences in their interactions with national and local government institutions. The law enforcement sector and in particular the police are ranked as the most corrupt Kenyan institution in all editions of the TI-Kenya Bribery Index .

The Ethics and Anti-corruption Commission (EACC) also conducts regular anti-corruption surveys. For example, the 2012 National Survey of the Ethics and Anti-Corruption Commission surveyed over 6 400 respondents on the incidence, frequency, prevalence, size of bribes and unethical conduct (among other issues) in 42 of Kenya's 47 counties. The 2012 EACC survey found that the top six most corrupt public institutions are:

1. Kenya police (48.1%)
2. Kenya traffic police (18.7%)
3. Government hospitals (15.7%)
4. Local authorities (15.4%)
5. Registrar of persons (13.2%)
6. Provincial administration (10.3 %)

The EACC survey also reported that:

- 67% of the respondents believed that corruption levels in Kenya are high.
- 60% of respondents had 'observed or witnessed a corrupt act by a public officer' in the past 12 months but only 6% reported the incident. Of those who reported the incident, only 11.7% made the report to the EACC.

- 48% believed that the corruption levels are actually increasing, while 32% believed corruption levels were decreasing.
- 45% do not believe that the Kenyan government is committed to fighting corruption and promoting ethical behaviour in the public service.
- 35% believe that greed is the leading cause of corruption. Relatively fewer believe in other often mentioned causative factors such as low pay (12%), culture (11%) and poverty (11%).

Worth noting is that trust in the EACC and the police is so low that only 6% of corruption incidents are reported to them. This is likely to feed impunity. Also, given that the police are a key institution in accessing justice, the rampant corruption in this institution compromises the ability of citizens to access justice altogether despite the relative integrity of other justice institutions.

The Kenyan public widely believes that corruption is one of the primary causes for insecurity. The national assembly often echoes with statements to the effect that corruption has grave national security implications and in Kenya is recognised as a key driver of the collapse of border controls. Thus the joint committee inquiring into the Westgate Mall terror attack of 21 September 2013 (which killed 67 and wounded 200) concludes in its final report that:

Corruption has greatly led to the vulnerability of the country in many cases including where immigration officials are compromised thus permitting ‘aliens’ who could be terrorists to enter the country and acquire identification. This enables terrorists ease of movement and are therefore able to plan and execute attacks without the fear of discovery. Further compromising of security officials enables suspected individuals to fail to pursue suspected terrorists and enable them to secure early release when caught or reported in suspicious criminal activities.¹

Political economy of corruption

The prevention, suppression and punishment of corruption features in Kenyan political rhetoric frequently, but rarely is it matched by action. Kenya has seen consistent promises and attendant inaction on corruption since independence.

Analysts note that the levels of campaign financing indicate that the race for political office is partly profit-motivated. A report by Cambridge University² found that illegal funds were used to finance the ruling Kenya African National Union’s (KANU³) elections in the

1 Kenya National Assembly (2013) *Report of the Joint Committee on Administration and National Security; and Defence and Foreign Relations, on the Inquiry into the Westgate Mall terror attack, and other terrorist attacks in Mandera in North Eastern and Kilifi in the Coastal region September 27–December 5*. p. 15. Available at http://info.mzalendo.com/media_root/file_archive/REPORT_OF_THE_COMMITTEE_ON_WESTGATE_ATTACK_-4.pdf [accessed 21 September 2014].

2 *Journal of Modern African Studies* 46(2): 267–285.

3 The political party which formed the government after independence, from 12 December 1963 to 27 December 2002.

1990s. The funds were raised through the 'Goldenberg affair', whereas those aimed at financing the ruling Party of National Unity's (PNU) elections in December 2007 were to be raised through the 'Anglo Leasing scandal'. Corrupt campaign financing, therefore, poses a threat to democracy in the country. The democratic space created and expanded by multipartyism has, however, provided new opportunities for waging war against corruption. It is in the context of these arguments that the conclusion to this brief raises broader issues for corruption and democracy in Africa

In the Goldenberg scandal, the Kenyan government subsidised fraudulent exports of gold, by paying the company Goldenberg International 35% more (in Kenyan shillings) than their notional foreign currency earnings. It is also reported that no gold, or very little gold, was actually exported. It is estimated that the scheme cost Kenya the equivalent of more than 10% of the country's annual gross domestic product.

The opposition to KANU used parliament as a forum to expose the pervasiveness and magnitude of corruption in government. For example, the infamous Goldenberg scandal was first exposed by two opposition members of parliament who received whistleblower information from within the Central Bank of Kenya.

As the opposition consolidated itself, it used the public accounts and public investments committees of parliament (which, according to law, the opposition automatically chaired) to investigate corruption in the government with devastating effect on the ruling party's credibility. Thus in October 1999, the public accounts committee's report to the national assembly was acrimoniously debated in parliament when the speaker, a KANU sinecure, blocked the reading out of a list of shame detailing losses suffered ministry by ministry, even though the summary was extracted from the main public accounts committee's official report.

The public accounts committee's report claimed that the government had lost, or not collected taxes for, over half-a-trillion Kenya shillings (USD 8.2 billion).⁴ It was exposés like these that directly led to the eventual defeat of KANU in the December 2002 presidential election.

4 USD 8.2 billion at the prevailing average exchange rate of Ksh 70 to USD 1.

II: Anti-corruption framework

Kenya ratified the United Nations Convention against Corruption on 9 December 2003. On 3 February 2007, Kenya ratified the African Union Convention on Preventing and Combating Corruption. Kenya is a partner state and has expressed support of the draft East African Protocol on Preventing and Combating Corruption. The Kenyan Ethics and Anti-Corruption Commission is a founder member of the East African Association of Anti-Corruption Authorities (EAAACA). As of July 2014, Kenya's national assembly has passed laws to domesticate the UN and AU conventions, including the Leadership and Integrity Act (2012), Ethics and Anti-Corruption Commission Act (2011) and the Proceeds of Crime and Anti-Money Laundering Act (2009).

Kenya has one of the most progressive democratic and accountability-anchored constitutions in the world. It also has an impressive compendium of laws and regulations for fighting corruption and furthering accountability. These include the:

- Ethics and Anti-Corruption Commission Act (2011), which establishes the EACC and outlines its functioning, independence and oversight;
- Election Campaign Financing Act (2013), which is intended to provide for the regulation, management, expenditure and accountability of election campaign funds;
- Leadership and Integrity Act (2012), which enforces standards of ethics and integrity among public officers;
- Proceeds of Crime and Anti-Money Laundering Act (2009), which is part of Kenya's anti-money laundering and combating the financing of terrorism (AML/CFT) regime;
- Witness Protection Act (2006), which obligates the Witness Protection Agency to establish and maintain a witness protection programme and further provides for protection measures to be applied by the Agency;
- Public Officer Ethics Act (2004), which sets forth a code of conduct for public servants; and
- Anti-Corruption and Economic Crimes Act (2003), which contains a code calling for selflessness, financial probity, integrity, transparency and accountability.

Jubilee Manifesto

According to the ruling party's Jubilee Manifesto, corruption distorts the economy, frustrates progress and damages Kenya's reputation. The manifesto promises to stop corruption by introducing some of the toughest anti-corruption legislation in the world.

It promises to give the EACC the power to prosecute corruption cases, as happens in other African countries. It also promises to ban anyone convicted on corruption charges from working in government, in any public sector job.

The manifesto further promises to freeze the assets of Kenyan companies found guilty of corrupt practices by the courts and to ban foreign companies found guilty of corrupt

practices from operating in Kenya. It also proposes to introduce an automatic freeze on the assets of anyone indicted on corruption charges (with appropriate judicial approval).

Parliamentary oversight

Parliamentary committees are a potential bulwark against the grand corruption that plagues Kenya. However, the integrity of the house and its members has been brought to question. A 2010 integrity study of parliament by Transparency International Kenya found that:

- Companies offered inducements such as trips or bribes to influence MPs to vote in a certain direction on critical bills;
- Two MPs had spouses working in the Parliamentary Service Commission;
- MPs abuse their oversight powers to extort bribes and favours from public officers.

A 2015 report by the EACC has also revealed corruption and fraud in parliament. The report noted an MP who claimed mileage allowance for visiting his constituency when he had travelled to Australia on parliamentary business for six days.

The report noted that parliamentary committee chairpersons were paid a responsibility allowance of Ksh 150 000 a month, yet they still claim Ksh 10 000 per sitting. Falsification of mileage claims and members signing attendance lists on behalf of others were among the tactics the MPs use to receive cash from the Parliamentary Service Commission fraudulently.

Judiciary

A 2015 report by the International Governance Institute (IGI) notes that corruption is highly prevalent in the Kenyan judiciary thereby compromising its ability to fight corruption. The report notes that the impact of corruption in the judiciary as:

- Rule of law undermined;
- Capacity of the judiciary to be an independent and impartial arbiter compromised;
- Judiciary could not champion and safeguard human rights and the rule of law;
- Esteem of the judiciary as an institution lowered; and
- Contribution of the judiciary to national development reduced.

The then Chief Justice Willy Mutunga consistently warned judges and magistrates against engaging in corruption, noting that it had reached alarming levels. A 2015 study published by the Ipsos Synovate Group claims that public confidence in the supreme court had in 2015 fallen by 12% since November 2014, while confidence in the high court and local magistrate courts across the country fell by 7%.

The 2015 suspension of four senior judiciary officers who had been accused of corruption has further damaged public confidence in the country's court system. The Judicial Service Commission (JSC) has moved against judges and established tribunals. It has dismissed the accounting officer and five other top directors; and 65 staff members are undergoing disciplinary processes, 17 of whom are accountants or clerks on interdiction.

Civil society

Kenyan civil society is one of the most robust on the continent. It has consistently agitated for accountability and transparency since the early 90s. Their activism has however not produced the desired results, mainly due to the entrenched nature of corruption and impunity in government. For example, TI Kenya's Bribery Index has consistently ranked the police as the most corrupt public institution, yet little reform in police accountability has taken place. The incidences of corruption within the police force have not abated over the years.

Donors

The donor community has also been vocal against the levels of corruption in Kenya since the early 90s. A former British envoy, Edward Clay, in 2004 famously complained of the government of Kenya:

*But they can hardly expect us not to care when their gluttony causes them to vomit all over our shoes; do they really expect us to ignore the lurid and mostly accurate details conveyed in the commendably free media and pursued by a properly-curious parliament?*⁵

This was at the onset of the Anglo Leasing scandal earlier mentioned. Unfortunately, his and other donors' concerns were ignored then and continue to be ignored today. This can be attributed to the fact that official donor funding in Kenya constitutes less than 3% of the annual national budget.

Ethics and Anti-Corruption Commission

The Ethics and Anti-corruption Commission (EACC) was established under Article 79 of the Constitution of 2010. The EACC has consistently been destabilised or under threat of destabilisation since its inception. It is curious that most interruptions coincide with moments when the institution seems to be making progress on politically sensitive cases.

The EACC appoints, with the approval of the national assembly, a suitably qualified person to be the commission secretary. The commission secretary is the EACC's chief executive officer as well as the accounting officer.

The commissioners of the EACC are state officers as per the constitution. Commission staff are appointed through competitive, open processes and given limited-period contracts that are renewable. The commissioners have security of tenure, through certain constitutional guarantees. The EACC has its headquarters in Nairobi, Kenya's capital; and has five regional offices in major towns (Mombasa, Kisumu, Nyeri, Eldoret and Garissa).

The EACC has a clear mandate in terms of the prevention, sensitisation and education of the public in the fight against corruption. However, it is not widely relied upon by

5 See <http://news.bbc.co.uk/2/hi/africa/3893625.stm> [accessed 8 September 2016].

Kenyans in reporting corruption. For example, their 2012 survey found that whereas 60% of those surveyed had ‘observed or witnessed a corrupt act by a public officer’ in the past 12 months, only 6% reported the incident. The EACC has a public feedback mechanism where, after submitting a report, one has the option of creating an anonymous postbox for accessing feedback on the complaint’s progress. It operates a German-designed online whistleblowing system known as the BKMS (Business Keeper Management System), sponsored by the German government’s development agency, the GIZ, which facilitates anonymous online corruption reporting. The EACC and its predecessors have seen some success. It has investigated over 13 000 cases and successfully developed over 650 cases for prosecution between 2008 and 2013. The EACC also recovered Ksh 6.8 billion (USD 80.4 million) during the same period.

The EACC does not have prosecutorial powers. Such power is vested with the director of public prosecutions (DPP).

The EACC perennially faces the challenge of inadequate resources as it does not get allocated its annual budget request. This is mainly due to government resource constraints.

III: Recommendations

In line with its manifesto, the current government should act on corruption with the severity it has promised. It should also implement the specific asset forfeiture and prosecutorial powers it has promised.

The government, being the majority in parliament, should institute regulatory reforms to plug the weaknesses that compromise parliament's oversight role. It should institute a system of multi-stakeholder audits of its processes and decisions.

The judiciary should similarly institute a multi-stakeholder audit of its processes and decisions to ensure integrity of the EACC and its officers.

Further recommendations are made below.

Strengthen overall legal framework

The independent advisory board of the former anti-corruption commission played a useful advisory, control and oversight role which has been lost now that the EACC commissioners are executives. Ideally the EACC secretariat would have the benefit of an independent board appointed or nominated as per the old statute by stakeholders with an oversight mandate over the EACC and its secretariat (executives). Parliament cannot adequately play this role as it engages with the EACC ex post facto at the end of the year through the audit and budget process; and, in law, parliament is prohibited from having any role in the anti-corruption operations conducted by the EACC. It is obvious why this should be so; no-one would want parliament involved in the EACC's investigative work.

It is therefore recommended that the national assembly take the necessary legislative action to reinstate, with appropriate modification, an independent oversight body which would represent the public interest in holding the commissioners of the EACC accountable for their work. Rectifying the existing structural weakness will require the amendment of the Ethics and Anti-corruption Commission Act to reinstate the repealed part III provisions of the Anti-Corruption and Economic Crimes Act, and, with appropriate modification, re-establish an independent stakeholder nominated advisory board⁶ to work with the executive commissioners and their secretariat in ensuring public confidence and fidelity to the EACC's mandate.

It is necessary for the EACC to establish a presence at all county and sub-county levels if it is to adequately meet the expectations and needs of the majority of the population.

⁶ A review of the nominating bodies is necessary to ensure that the advisory board is as representative as possible. The old advisory board comprised 12 members nominated by the professional bodies.

Improve technology for enhanced public access

The EACC must find ways of enhancing the usage of its website both for corruption redporting as well as learning. It must invest in web-to-mobile application development to take advantage of the growing smart phone penetration in Kenya (67% of all new mobile devices sold⁷). The EACC last reports that as of 2012 its website handled 304 unique visitors daily, less than 20% of whom were using Kenyan IP addresses.⁸

Strengthen status of the EACC

The EACC should be listed in article 248 of the constitution, so that the question of interpretation does not arise. However, getting this done may require a referendum, and the supreme court should therefore provide an interpretation of what it would mean to include the EACC under article 248.

The EACC should be given powers to prosecute. This is in line with Jubilee Manifesto No. 3 and article 157(12) of the constitution, which allows for the delegation of prosecution powers by parliament.

The requirement for the DPP to take up a case once a citizen has begun prosecuting should be removed, and allow the citizen to carry the prosecution process to the end.

Strengthen EACC mandate and inter-agency collaboration

Asset recovery

The EACC should focus on asset recovery to win public confidence and to justify the resources supplied to it out of the consolidated fund. The current EACC is in its first year of operation and is struggling to earn the confidence of a public that is increasingly cynical about the official institutions charged with the fight against corruption in Kenya. Prior to the swearing in of the current commissioners on 5 August 2013, the EACC went without substantive leadership for two years, during which time public confidence in the EACC all but evaporated. The leaderless institution became moribund, and performed poorly. For example it recovered less than USD 0.5 million in these two financial years (2010/2011), compared to the previous recovery of USD 20.9 million in 2009/2010 and USD 6.19 million in the following year of 2011/2012.⁹ In the financial year 2012/2013, it reported the recovery of USD 6.6 million, mainly comprising land belonging to the government which had been illegally allocated to private entities. The EACC needs to convince the public that there is an anti-corruption dividend in terms of asset recoveries contributing towards the public fiscus.

7 Chris Udemans (2014, 21 April) 67% of phones sold smartphones – Safaricom. *HumanIPO*. Available at <http://www.humanipo.com/news/42985/kenyas-smartphone-penetration-at-67-safaricom/> [accessed 3 November 2014].

8 Ethics and Anti Corruption Commission (2012) *Annual Report 2011–2012*. p. 69. Available at <http://www.eacc.go.ke/docs/EACC%20annual%20report%20-%202011-2012-final.pdf> [Accessed 3 November 2014].

9 See Table 2 in the Annex on page 12.

Mutual legal assistance under the UNCAC

The EACC should seek mutual legal assistance under the United Nations Convention on Corruption for the purposes of prosecuting the Anglo Leasing suspects, both domestically and abroad. Until Kenya frustrated cooperation in 2009, the UK Serious Fraud Office (SFO) was investigating UK entities that had received Anglo Leasing-related funds from the government of Kenya. The SFO director at the time said he would consider reopening the investigation if evidence was received from Kenya in the future.¹⁰ Now that the EACC and the attorney general have given mutual legal assistance to the Swiss authorities, it is hoped the same will apply to the UK investigation, which has already obtained evidence from France, Spain and Switzerland.

Improve agency financing, independence and sustainability

In respect of financial independence, efforts are needed to make sure that there is enough budgeting and fund allocation to enable the EACC to execute its mandated functions without any delay. Key anti-corruption projects and programmes like the National Anti-Corruption Strategy and Action Plan (NACSAP) have been reliant on heavy donor funding and as such their continuity is not guaranteed. The study recommends that, to the extent possible, the EACC should be fully funded from internal resources to avoid the problems caused by the unreliability of donor financing.

Strengthen administration, staff capacity and infrastructure

The number of commissioners should be increased to five, with the CEO as an ex-officio member. This will reduce the risk of compromise and will also ease decision-making. There should also be mechanisms to ensure internal checks and balances, including having an internal team that mirrors the work of the EACC.

To reduce the risk of conflict by clarifying mandates, there should be a schedule to the EACC Act specifying the relationship between the secretariat and the commissioners.

¹⁰ Serious Fraud Office (2009) Anglo Leasing – SFO to discontinue probe into Kenyan contracts. Available at <http://www.sfo.gov.uk/press-room/press-release-archive/press-releases-2009/anglo-leasing---sfo-to-discontinue-probe-into-kenyan-contracts.aspx> [accessed 3 November 2014].

Annex

A. EACC performance

The EACC and its predecessors have investigated and developed cases, as illustrated below.

Table 1: Anti-corruption agency performance matrix

Year*	Complaints received	Investigations arising from complaints	Investigation files forwarded to AG/DPP†	Prosecutions approved by the AG/DPP (number)	Prosecutions approved by the AG/DPP (percentage)
2004	3 552	242	0	0	0
2005	3 234	384	35	23	65
2006	7 888	1 150	84	70	83
2007	8 188	1 611	111	70	63
2008‡	4 485	1 232	86	70	81
2009	4 335	1 270	122	87	71
2010	4 372	1 281	104	75	72
2011	7 106	2 445	134	95	70
2012	5 230	2 183	89	54	60
2013	3 355	1 688	32	28	87

* Data for the Years 2003–2006 taken from Mars Group Kenya (2007) KACC Independent Assessment. Nairobi: MG-Kenya. p. 14. Available at http://publications.marsgroupkenya.org/GAP_Report3_KACC/GAP3_Report_Web_Version.pdf [accessed 23 July 2014].

† After promulgation of the Constitution of Kenya 2010, the responsibility for public prosecutions moved from the office of the attorney general to the director of public prosecutions.

‡ 2008–2013 data from KACC/EACC annual reports. Available at <http://eacc.go.ke/default.asp?pageid=20> [accessed 23 July 2014].

B. Asset recovery

Between 2008 and 2013, the EACC and its predecessors reported to parliament that it had recovered property and cash amounting to Ksh 6.8 billion (USD 80.4 million). The table below analyses amounts recovered in the five years between 2008 and 2013.

Table 2: EACC asset recoveries summary 2008–2013

Year	Value of ongoing asset recovery enquiries during year	Value of assets recovered (Ksh)	Examples
2012–2013 [*]	16.38 billion (USD 192.7 million)	567 408 217 (USD 6.6 million)	Ministry of Health land valued at Ksh 145 million; and Uasin Gishu County Trust Land valued at Ksh 80 million
2011–2012 [†]	16.285 billion (USD 191.58 million)	526 641 044 (USD 6.19 million)	Including Mombasa's Uhuru Gardens, a public park
2010–2011 [‡]	771 710 000 (USD 9.078 million)	41 190 218 (USD 484 591)	
2009–2010 [§]	2.336 billion (USD 27.4 million)	1.78 billion (USD 20.9million)	Land reserved for the Kenya Broadcasting Corporation within the Ngong Road Forest Reserve, land forming part of Nairobi National Park and Kenya Railways Corporation Houses in Kisumu
2008–2009	5.61 billion (USD 66 million)	144.4 million (USD 1.69million)	Properties recovered were located in Nairobi, Nakuru, Tigoni and Kisii. Most belonged to the Kenya Agricultural Institute and the City Council of Nairobi
2007–2008 [¶]	[not stated]	3.779 billion (USD 44.45million)	Including recovery of the Grand Regency Hotel a luxury hotel built with Goldenberg corruption proceeds

^{*} Ethics and Anti Corruption Commission (2013) Annual Report 2012–2013. Nairobi: EACC. p. 15. Available at <http://www.eacc.go.ke/docs/2012%20-%202013%20Annual%20Report%20Final.pdf> [accessed 22 September 2014].

[†] Ethics and Anti Corruption Commission (2012) Annual Report 2011–2012. Nairobi: EACC. Available at <http://www.eacc.go.ke/docs/EACC%20annual%20report%20-%202011-2012-final.pdf> [accessed 21 September 2014].

[‡] Ethics and Anti Corruption Commission (2011) Annual Report 2010–2011. Nairobi: EACC. p. 21. Available at <http://www.eacc.go.ke/docs/KACC-ANNUAL-REPORT%202010-2011.pdf> [accessed 21 September 2014].

[§] Kenya Anti Corruption Commission (2010) Annual Report 2009–2010. Nairobi: KACC. p. 29. Available at <http://www.eacc.go.ke/Docs/Annual-Report09-10.pdf> [accessed 21 September 2014].

[|] Kenya Anti Corruption Commission (2009) Annual Report 2008–2009. Nairobi: EACC. p. 19. Available at <http://www.eacc.go.ke/Docs/KACC-Report-08-09.pdf> [accessed 21 September 2014].

[¶] Kenya Anti Corruption Commission (2008) Annual Report 2007–2008. Nairobi: KACC. p. 12. Available at http://www.eacc.go.ke/Docs/Annual_Report_0708.pdf [accessed 21 September 2014].