

THE NATIONAL ANTI-CORRUPTION CAMPAIGN STEERING COMMITTEE

PROGRESS REPORT TO THE PATRON:

**HIS EXCELLENCY HON. MWAI KIBAKI, C.G.H., M.P.,
PRESIDENT AND COMMANDER-IN-CHIEF OF THE ARMED
FORCES OF THE REPUBLIC OF KENYA**

APPENDIX I

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INTRODUCTION

In order to be adequately informed of the occurrences and effects of corruption, NACCSC carried out field fact-finding visits and dialogue encounters all over the country. This basic data will be taken into considering in the committee's attempt to link the on-going anti-corruption campaign programmatic interventions with practical activities and events in the field.

During these visits, the committee attempted to establish:

- ◆ Corruption experiences in the districts
- ◆ Reasons why they take place
- ◆ Suggestions for fundamental solutions

Where possible, the committee sought audience with the Provincial Commissioner or District Commission at any given location. Thereafter, meetings were held with both public servants and local leaders drawn from the following organizations:-

- ◆ Religious Organisations
- ◆ Local Authorities
- ◆ Non-Governmental Organisations
- ◆ Civil society
- ◆ Business Community
- ◆ Community-Based Organisations

The encounters have been strategically implemented as a way of establishing campaign presence in the districts, creating partnership with the public servants and the leaders. They have been fundamental in introducing the Committee's mandate, strategic programmatic interventions and way forward. The encounters have also provided the single most important opportunity for both the members and staff to obtain first hand information on the extent to which corruption affects people in the grassroots, the dynamism and emotional sensitivity held by the public against the vice and what they think can be done about it.

At the programmatic levels, however, the encounters were integrated into our interventions as part of the over all 2006 – 07 performance contract for the Ministry of Justice and Constitutional Affairs.

The issues raised below are taken directly from the notes and interviews of these visits. Any allegations made have not been confirmed or investigated by the committee. The views expressed do not necessarily reflect those of the members of the committee or the NACCSC.

COAST PROVINCE

Meeting with Deputy PC and Provincial Heads of Departments

Date: 18th January 2006

- The Registration of Persons Act was said to be unfriendly
- There is a lot of corruption in Local Authorities
- Land issues are a big problem
- Salary structures in GOK which are not uniform encourage corruption
- The corruption which is experienced in the Province includes direct fraud, incompetence and lack of standards
- The Heads of Departments feared that no action would be taken even if they reported anything (many committees have gathered information and done nothing)

The Deputy PC stated the following:

- Corruption is caused by poverty
- Religious leaders should talk to their followers on bad things such as drugs and corruption
- GoK should address land issues seriously
- Tourism earns Kenya a lot of money but there is a bad side to it, the issue of beach boys, prostitution and drugs
- It is true there are some corrupt public servants who are known to be corrupt yet nothing is done about them – action should be taken

- The many NGOs in the country should state clearly what they do in the country and account for their huge budgets
- There is need for education for the female child
- There is a serious disparity in the salary structure in the public service which contributes to corruption
- Outdated regulations and a lot of red tape are still in use in the public service
- Promotions, transfers, training and national awards are done in unfair ways. Some officers have remained in one job group for a long time, some never get training unless they bribe, while others are transferred to better-paying stations because of nepotism or because they have bribed their way

Mombasa District

Date: 18th January, 2006

The DC had the following issues to report:

- There is alleged corruption in the issuance of National Identification Cards and other GoK Documents
- Evaluation and awarding of tenders is also subject to corruption
- The majority of complaints handled by the DC are on labour issues
- There is misuse of CDF funds

Meeting with Local Leaders - Mombasa

- Laziness on the part of public servants is causing corruption

- Corruption is high in law enforcement agencies especially police, the senior officers protect the wrong doers
- Police arrest and take innocent people to court on framed up charges while the criminals are let go
- Issuance of ID people pay bribes to have their documents processed
- CDF is full of nepotism and corruption
- City Council *askaris* arrest and harass hawkers for bribes
- The judicial system has caused corruption in the *matatu* industry
- Traffic police usually arrest people on Friday evenings intending to take them to court on Monday, but only release them after receiving a bribe
- Drug traffic is very high, the authorities know, have been informed of those involved yet they do nothing
- Drugs are transported in buses which police check and let go because of corruption
- The issue of drugs has contributed to prostitution and high HIV/AIDS infection rate in Mombasa
- There is corruption in CDF management, those in the committees need to be trained
- People pay for P3 forms at the police
- Police are demanding for Ksh.5000/= in place of a license to sell palm wine
- Arrested people pay cash bail which they never get back

- At court registry people pay Ksh. 3000 so that they are not taken to court on framed up cases
- Councilors misuse LATF
- There is a lot of land grabbing
- Lawyers do not pay their clients compensation, they are corrupt

Kenya Ports Authority

Date: 18th January, 2006

The authority has put in place internal controls to eliminate corruption including the following:

- Making the port an e-port
- Computerization of all systems
- Establishment of Corruption Prevention Committees
- There are many players in the port hence corruption may be perpetuated by any of the many players yet be blamed on KPA as the landlord.

It was recommended that the KRA offices be relocated out of the ports so that congestion would be eased and delays in clearing reduced.

Meeting with the Council Imams (Muslim Leaders) Mombasa

The leaders pointed out that any government that allows corruption does not prosper and pointed out corruption in the following areas, noting that they had a duty to speak out against corruption.

- Telkom Kenya officials demand Ksh3000/= bribe in order to install a telephone line
- Police solicity/extort money from those without national Ids
- There is discrimination in the issuance of ID's, especially for the Muslims
- Reported that KACC was in the City Council of Mombasa and unearthed a lot of corruption but so far nothing has been done
- Check, controls and supervision on service provision are not there, public servants do what they want
- Appointments and promotions in the government are given through corruption
- The judiciary is an organ for the leaders.

Recommendations:

- GoK should institute immediate measures to cut down on drug abuse by youth in Mombasa.
- GOK should also look into the issue of child labour and human trafficking that are rampant at the Coast.

Meeting with District Commissioner of Taita Taveta

Date: 17th January, 2006

- The District had established Corruption Prevention Committees from the sub-location level
- Corruption reporting boxes were in place but most of the reports were for settle scores

- The reports sent to KACC have not been responded to and this has discouraged people
- There is a lot of corruption in land allocation especially in Voi Division; there is concentration of land ownership in the hands of a few individuals
- Procurement is also open to abuse
- CDF has structural weakness and lack of experience in managing a fund of that magnitude
- The issue of Group Ranches, is the locals who gave out their land at a fee
- There is concern about Voi Teachers' Training College, which is 95% complete but not yet in use.

Meeting with Civil Society Leaders in Taita Taveta

- The leaders said that corruption is very high in Taita especially in land allocation
- County Council officials have allocated themselves plots at Buguta, Maungu, Mabomani, Ikanga and Mwananchi settlement schemes
- Most public servants are from one region and the locals are not given positions
- Corruption is also high in the police and the courts
- There is corruption in the tendering process; contractors come from Nairobi

- They accused the DC of falling forest trees and use a GOK vehicle to transport the timber
- Misappropriation of road construction funds
- It is alleged that the District Roads Engineer has a construction company which is awarded tenders
- Head teachers take 10% on all construction jobs
- The special fund for the disabled has been abused
- Misuse of certain GoK vehicles
- Asking bribes to be awarded tenders or give a blank receipt to the officer
- The DC is mining stones in a disputed land where he has placed police officers to guard
- CDF belongs to politicians who give it only to those close to them
- Councillors have misused LATF funds to the tune of 92,000/=
- Residents are drinking untreated water in the district. Scarcity of clean water is a great concern in Taita Taveta.
- Sale of relief food including, 77 bags maize, 30 bags of beans and oil. This was reported, but no action taken.
- Concern of land ownership in the district. Tsavo Park covers 68% of the land. A large % of the remainder is owned by 2 families.
- There is corruption in the issue of prospecting/mining licenses.
- Education standards are very poor in the district.
- Too many squatters. The locals are gearing up for clashes to reclaim land they believe is theirs. Some people have been

squatters for up to 60 years. Nevertheless there are many who are squatting but they had their own land and sold it.

- Environmental degradation caused by the cattle rearers is an issue.
- There is concern over the failed Teachers' Training College and what will be done with it.

Recommendations:

- GoK must look at land ownership in Taita Taveta to ensure equity in ownership, and establish a clear land ownership policy as regards the locals.
- A policy needs to be developed to determine how locals lease out their land to ranchers especially when those ranchers do not come from the district. There must be a checking system to monitor cattle that come in from other regions. Livestock should be transported by roads not through public land.
- The GoK should impose a limit on how much land an individual can lease to ranchers and how many cattle can graze per acre to avoid land degradation, particularly in pastoralist areas. (Nema).
- Because land ownership is limited to a few acres per family, we recommend that the locals get water from Tsavo National Water supply to irrigate their land.
- There is a lot of bad blood between GoK officials and the locals in the district which needs to be looked into.
- Consultation is needed in order to fight corruption

Meeting with the Kwale District Commissioner

Date: 19th January, 2006

- The Tiomin Mining Company has not addressed the issue of compensation to the local people exhaustively
- Human – wildlife conflict is still an issue
- There is high corruption on land issues
- Kwale people believe they can only get government services through bribing and therefore corruption is away of life
- The old generation do not know anything to do with anti-corruption
- Corruption is caused by poverty, people want to get rich quickly
- There are kangaroo courts to try those who are found drinking '*mnazi*'; chiefs and police collude to harass them

Meeting with Kwale Civil Society Leaders

- People report a lot of things and no action is taken. Therefore the people of Kwale have lost confidence in the authorities because when they report things in confidence the information is leaked out
- Senior people in the Government were in serious debts just the other day but today they are too rich through corruption
- Majority of the public servants in Kwale District come from upcountry to loot
- CDF funds which were allocated to needy cases have never reached them 4 years after

- The roads are bad yet road funds are given to every district
- The Tourist Police arrest the locals for being at the beach or for no reason
- There is corruption at the Education office and also at the land and settlement department in Kwale
- Some officers have over stayed in the District for far too long (eg. Livestock Officer)
- There are far too many NGOs in the District, one wonders why there is poverty at 62 – 70% if these NGOs were doing what they say they came to do
- Tenders Boards are filled with corruption
- There is corruption in the offices of lands, local authorities, procurement, CDF, LATF and roads fund.
- Recruitment to armed forces is biased against the locals. Even companies that hire security guards get them from upcountry.
- There is illegal logging. They allege that there was an order from above to get the prisons dept to get 'dead' wood to use for cooking in the prisons. People allege that the prison officers were illegally logging.

Meeting with Heads of Departments in Kwale:

- Tiomin has not addressed the issue of compensation for those losing their land to Tiomin.
- Human-wildlife conflict is a problem. Also when people are killed by wild animals the compensation process is too lengthy.

Recommendations:

- There needs to be a proper policy regarding compensation to landowners when they have to relocate for GoK projects.
- Develop a clear policy on compensation for families of those killed or injured by wild animals. Additionally KWS needs to do more for the communities adjacent to wild life parks/reserves.
- GoK should buy the animal corridors (migratory routes) from the locals and allow animals to co-exist with the local people.
- Should have handicapped people on the committee.

Meeting with the DC Kilifi District

Date: 20th January, 2006

- CDF is a big issue as the DCF committees are just a rubber stamp for the MP's
- Salary structure in public service, the salary give to chiefs not fair
- Land issues
- Traffic police
- Bursary awarding
- Government procedures are too long; they encourage corruption
- Promotion of staff
- Defending of wrong doers
- Politicians buying votes
- Procurement
- Prioritisation of development projects is poor and money is diverted from one project to another making them unviable.

- Procedures not followed during the tendering process, leading to tenders going to companies who lacked capacity and expertise.

Meeting with District Leaders in Kilifi

- There is no protection of whistleblowers
- The Integrity Assurance Officers are not working
- Concern was raised that Vipingo had not compensated land that they took from the locals.
- Allegation that there are many absentee landlords.
- Too much delay in the provision of services from the GOK
- Feeling that the bursary allocated to the district was inadequate.
- No action on corruption incidents that have been reported.
- Famine relief food is sold by those who have been entrusted to distribute it. Chiefs were the ones selling
- Land grabbing is rampant on the beach front. They alleged that no Giriama owns a beach plot. They claim that upcountry people and Europeans are the ones getting land.
- Capacity building for the community is a problem because the locals are difficult to deal with. They are very resentful of people coming from outside.
- The CDF is not being administered transparently and tenders were being over valued by bogus consultants.
- Police recruitment the locals felt that they were left out. The police also stay to long in one station.

Heads of Departments of Kilifi

- Promotions in the public service should be based on merit not bribery.
- Police admitted that there was corruption in the Administration Police. Both police and public should be sensitised on the same.
- Poor pay in the public service leading to corruption
- There is too much bureaucracy in GOK service: There are seven signatures before a cheque can be released to the contractor.
- Whistle blowers and diligent officers should be protected and rewarded.
- Prevention of corrupt activities is better than trying to take perpetrators to court.
- Hardship allowance should be harmonised and put in line with the levels of inflation
- Procurement officers said they were being victimised and forced to approve shady tenders. They say they are always being intimidated.
- The accountant claimed that auditors earn more than they yet they are of the same qualifications. It is demoralising.

Recommendations:

- The GOK should as far as possible use the local people for TOT because of the cultural contradictions pertaining to the district.
- We urge the GOK to take exceptional interest in the education of the girl child. Deliberate economic empowerment programmes need to be developed to combat serious poverty in the district.

Meeting with the DC Malindi

Date: 21st January, 2006

- Corruption has become a way of life
- There are many land issues, and many absentee landlords
- There is widespread use of drugs which are linked to inaccessible villas.
- There are 300 registered villas out an estimated 700. The villas are inaccessible even to GoK officers. Most of the owners of the Villas are of Italian decent.
- Child prostitution is rampant in Malindi.
- DC also said that children were working at the salt harvesting which is against the law by foreigner and Local companies.
- There is an issue with the Silversands campsite which appears to have been grabbed by some hoteliers in collusion with public officers.

Heads of Departments of Malindi:

- Salary contributes a lot to corruption
- Payment procedures also cause corruption
- Staffing is inadequate in most departments
- Jobs requiring unskilled labour should be given to the locals.
- It was alleged that many *matatus* are owned and run by heads of departments
- The GOK do not have boats to patrol looking for drugs, yet owners of Villas have powerboats that can cross entire oceans.
- Public perception is hostile to the public servants.

- There is conflict between the locals and foreigners over the buying of land. Because the locals are too poor to purchase the same.
- Laxity of enforcement of council by laws. Council vehicles being put to private use.
- The town clerk and treasurer run the council and the councillors are kept in the dark.

Meeting with Civil Society Leaders of Malindi:

- There is misuse of GoK resources
- Child prostitution is rampant in Malindi and other violations of children's rights
- Children work at salt harvesting for both foreign and local companies, which is against the law
- Public auditors are corrupt
- People are poor, and therefore sell their votes during elections
- Public allege that one must bribe to be allowed to bury someone in the Mulangani (Malindi) mortuary.
- There is a notorious roadblock at Gedi. They allege that police extort money from public and *matatus* there.
- Corruption in courts in Malindi is very high. Officers who have worked there leave as millionaires.
- The council does not promote social programmes.
- Youth both girls and boys follow tourists around harassing them and also the tourists use them to get sex and drugs.

- Cultural practices allow young girls to get married. They then miss out on education.

Chamber of Commerce of Malindi:

- The local authorities do not promote social services and the quality of service is poor.
- It takes too long to renew work permits.
- Corruption starts at the top. It is rampant in the judiciary leading to delays in hearing and completing cases.
- They requested us to have informers on the ground.
- *Bhang* is being grown on farms in Malindi.
- Many businesses are operating without being registered for VAT
- The business community has a lot of information on corruption but want to be protected before they give it out.
- They say the town clerks are changed too often. When one is found corrupt they are transferred only for another to come and do the same
- They are forced to bribe and this has even driven some business into the ground. To deal with some of these problems they formed the Malindi Residents Association.

Recommendations:

- Basic legal courses should be taught in secondary schools so that people understand their rights from an early age.

- GOK should pay public officers in advance for their leave to discourage corruption.
- Retraining of Public officers should be strictly by the book and by merit.

Meeting with DC and Heads of Departments of Lamu District

Date: 24th January, 2006

- Land problems abound and there are many absentee landlords
- Drugs lead to high drop out rates in schools and crime. The negative drug culture undermines the culture of the people
- Issue of Coast Development Authority being non productive
- Local Authority not performing
- Corruption in police
- Hardship allowance for public servants
- There is conflict between GoK officers and MP's when it comes to procurement

Meeting with Civil Society Leaders of Lamu

- Corruption in police; in particular they do not take action against drug peddlers
- CDF funds
- Duty free facility for MPs is corruption
- Corruption in the public service
- Judiciary and Police collude to compromise justice.

- Upcountry people have settled and been given title deeds yet many local land owners do not.
- They allege that an Australian company is prospecting for oil and they have not had an EIA done. What is in it for the community?
- What is the real status of ownership of Manda Island?

Heads of Departments of Lamu

- Liberalisation of markets has broken the backs of Mango farmers.
- There are very high taxes for property in Lamu but the locals don't realise the benefit.
- The existence of open sewers pose a constant health threat to residents.
- Hard drug use is widespread. More than trafficking.
- Acquiring second generation IDs is a problem. They must produce birth certificates of their grandparents which they often do not have.

Recommendations:

- The sewerage system in Lamu must be modernised and open sewers covered.
- There should be a policy for the council to collect garbage and to generally keep the town clean.
- All the boats must have adequate lifejackets and all passengers must wear them.

- Police must be better equipped with marine equipment (boats, life jackets etc).
- Nema must look into the cutting of mangrove trees on both the island and mainland and charcoal burning.
- GOK should form a policy to help farmers in the region market their produce in particular mangoes that grow very well there. Cooperatives should be set up to help add value to the sector.
- The road from Garsen to Lamu needs to be recarpeted and the marrum parts resurfaced.
- The pier on the mainland needs urgent overhaul. At Mokowe Pier there are no railings.

Meeting with the DC Hola

Date: 26th January, 2006

- CDF, LATF and bursary funds are plagued with corruption issues
- Marketing of mangoes is a problem in Hola.
- It is a vast district but little infrastructure. It is an ASAL district, with 15,000 people living on relief food. The district is affected by both floods and drought.
- Bura town has no power. Most people use generators
- The road Garsen to Bura is often impassable in bad weather.

Meeting with Civil Society Leaders in Hola

- Land/plot allocation
- Relief food needs to go to deserving people, but does not

- Water Projects
- National IDs
- Procurement of construction services
- ASAL money is misused. Where has all 300,000 million for 10 years gone? They have only built 8 water pans estimated at 1.5 million each.
- There is a district hospital without a maternity ward.
- They allege massive corruption in the Public works. Thieves killed a watchman guarding the public works depot and stole culverts.
- There are numerous cases of double allocation of plots in Garsen town
- Payment of cess is a problem
- Child labour is preventing children from going to school.
- Complaints about police recruitment. The locals were not being considered unless they bribe.
- There is too much delay in getting title deeds.
- In sexual offences the men are more often than not released. They use the elders system to arbitrate.
- Most land is open ranch land; very little remains for cultivation.
- Tana River County has almost half the land in Coast Province. They accused the county council of selling trust land.
- They accused people from Ijaara of grabbing land from Tana River District.
- They do not have adequate information on how the HIV money in the district is spent.

- They demanded an investigation into the activities and decisions reached by the District Steering Group with regard to disbursement of ASAL money
- They claimed that LATF was being used to pay salaries and it had made the council neglect collection of taxes and levies.
- Revenue collection must be transparent. They said they were not aware and had no way of finding out how much money the government sends to the district.
- There is a problem with the sale of Hola County Council land in which they accused surveyors of soliciting bribes of up to 70,000 to survey plots and no receipts issued.

Heads of Departments of Hola:

- Public officers complained that their hardship allowances were only KShs 1,200 yet teachers are paid 4,500.
- There is forgery in collection of county council cess and cattle cess. The collection cannot be monitored properly.
- The expectations for famine relief are not met. The food often ended up with people who did not require it.
- CDF bursaries are only for tertiary education. The public seem not to understand. Loopholes in the CDF act that allowed illiterate people to be members of the committee. It is normally referred to as '*Pesa ya Mweshimiwa*' The processing of money for CDF projects takes too long as the MPs are often in Nairobi.

- Grants through the ministry of Gender for social services are inadequate. They have over 3,000 CBOs.
- There is hostility between the public servants and the CDF committees because they do not want to get technical assistance from GOK
- CDF bursaries were being abused those children who were not needy were benefiting.
- There was an allegation Mp for Galole constituency hired consultants to design CDF projects at a cost of 1.5 million from Nairobi. They deliberately came up with an inflated budget for the projects.
- There were allegations that project management committee members award themselves tenders. There is a clear conflict of interest.

Recommendations:

- Money for arid lands should be used for drilling boreholes as a priority as opposed to the desilting of water pans and dams.
- Hola, being a district headquarter, should have electrification as a priority.
- The ministry should look into reequipping and restaffing the maternity at Hola District hospital. There is no gynaecologist there.
- Hola-Garsen roads needs to be completed as a matter of priority.

NORTHEASTERN PROVINCE

Provincial Commissioner, Mr. Aggrey Mudinyu

Date: 6th February, 2006

- The PC advised that heads of departments in the province have been sensitized on corruption issues, but there were still some problem areas, including those listed below.
- Security patrols at the borders
- Defiance of import regulations
- Relief food is expensive to distribute; it would be better to fund irrigation schemes using the available rivers like Tana River
- The types of relief food that come to the province are not sensitive to culture (for example ugali, which is a staple in Western Kenya but is unpopular in Northeastern and deemed as food for cows)
- Degradation of environment in refugee settlements

Garissa District

Date: 6th February, 2006

- Issuance of National ID cards and the vetting systems
- Birth certificate issuance is a problem
- Smuggling of substandard goods across the border of Somalia and Ethiopia, especially torches, batteries and cigarettes
- Relief food mismanagement and theft
- The issue of CDF, LATF, ARDF and Bursary Funds have administrative and structural problems leading to corruption

- Land issues
- Salary structures and hardship allowance, transfer and promotion for public servants
- Clannism and tribalism
- There is corruption in police, *matatu* people pay 400/=per day
- NGOs also are corrupt
- There is corruption in the Judiciary
- The town planning of Garissa is poor. People sell land they don't own to others (double allocation)
- It is very easy to buy firearms in the district. Out of town centres most people carry of have firearms in their houses. The security forces are of course compromised.
- On the bridge the police harass people and many aliens come into the country by bribing from Somalia.
- There are poor people in the refugee camps, and human trafficking is rife

Recommendations:

- The GoK should be proactive in taking measures to ensure dams do not overflow in the lower Tana region.
- The GoK should empower the northern region economically and socially by providing material assistance and initiating irrigation and other development projects to make the people self sufficient and stop them relying on relief food, as the people from the region are mainly pastoralists.

Mandera District

Date: 7th February, 2006

- A local teacher earns two salaries, as he was appointed to the Local Government but did not resign from teaching
- Police harass members of the public to get bribes
- There is corruption in the issuance of ID cards and Birth Certificates
- Prison food is sold across the border
- Relief Food is also sold by local NGO's/MPs
- Drugs at the local health centres are sold
- Land grabbing
- Insecurity across the borders, both from Somalia and from Ethiopia
- Locals tend to favour their clansmen when it comes to the provision of services (nepotism or clanism)
- There is a cultural problem among the northern people in which they believe they should give a bribe to anyone who provides a service, especially a medical service. They also do not believe in queueing, and are very impatient. This contributes to corruption.
- The civil servants complain that the salaries are too low and the hardship allowance ineffective. The place is very far and visiting ones family in other parts of the country can use all ones pay. They also feel that being deployed in Mandera used as punishment for errant civil servants. They are prepared to bribe their superiors to avoid going there.

- Illegal allocation of land took place in Mandera using fictitious letters of allocation and this is still going on today.
- Too much delay in judicial system. People stay in jail for months waiting to go to court.
- Children from across the border (Somalia and Ethiopia) come to school in Kenya and benefit from the free education denying Kenyan children places in schools. But it is difficult to identify them as they have no ID's.

Recommendations:

- Salary rationalization
- Mandera, being very remote, needs better services. Transport, medical, water facilities should be improved especially for the government officers. Since independence Mandera has only had 6 kms of road.
- Can River Dawa be harnessed for irrigational purposes to alleviate the long term food shortages and reduce poverty which promotes corrupt behaviour.

Wajir District

8th February, 2006

- The CDF projects in Wajir are a major problem. Members of the public have no access to information on the projects and locals are not involved in the project planning and implementation. The area MP constitutes the CDF Committees, the members are the MP's

close associates or relatives. There is no transparency and accountability in the tendering process, contracts are awarded to friends and relatives. CDF projects overlap with other donor funded projects through which money is stolen, made possible because there are no proper books of account, no project monitoring and no evaluations.

- The Constituency bursary fund is run in a similar way as the CDF. Those who support the politicians are nominated into the Committee and their relatives are the main beneficiaries. There is lack of transparency and accountability hence lack of information on the how funds are disbursed. Those who deserve bursaries do not receive any, yet there is no display of the names of beneficiaries, their institutions nor the amount given.
- Food made for the primary school feeding programme is sold to some business people
- The transfer of the D.E.O has been cancelled three times
- There is long delay of cases at the law courts until interested parties lose track and give up or the case is thrown out
- People pay for freedom in the range of Ksh 3000/= and the case is not taken before the court
- Relief food is being illegally sold by provincial administration to businessmen. Part of the reason for this is that the locals do not eat grain foods.
- Contractors inflate prices of goods they supply and have formed cartels so the government does not get value for money.

- The locals lack capacity to service government tenders and as such contractors are brought in from outside.
- Tenders for drought emergency are given without tendering and this encourages corruption.
- There are numerous security roadblocks and the security personnel extort money from them.
- A number of big companies were prospecting for oil in the region including Amoco. The people believe that nuclear waste was dumped there. They claim to have contracted strange diseases as well as having their cattle die. They believe it is cancer.
- The existing tendencies on corruption in the area may be attributed to the previous policy of containment making it very difficult for people to survive. They became reliant on cheap sub standard goods from across the border.
- 14 health centres were closed for lack of staff to manage them.
- The District Steering Group has become entrenched and powerful hence perpetuating corruption. They control all disbursement of government resources in the district and are not answerable to anyone.
- Some government officers have stayed in their stations for over 10 years. They become used to the locals and engage in business farming and other interests and easily engage in corruption.

Recommendations:

- Can the GoK investigate what the companies were doing and do test to ascertain that the area is free from radiation.
- The government should provide human resources in the district especially medical groups and NGO's should be encouraged to come to the plight of the Community.
- There should be a massive soil and water conservation effort in the region to counteract desertification. Tree planting should be carried out to reclaim arid land.
- The DSG must make all their policy decisions public and a selection of non-partisan members of the public sit in their committee meetings.
- GoK must strictly adhere to government policy on transfers so that officers do not stay in their stations for over 5 years.

EASTERN PROVINCE

Meeting with Deputy PC John Abduba (Embu)

Date: 17th March 2006

- Corruption prevention committees are not functional due to frequent transfer of trained Integrity Assurance Officers
- There are complaints that the committees have not been facilitated financially
- There is corruption in the logistics of relief food distribution; the funds allocated for the logistics are misappropriated.

- LATF funds are not well used.
- Unemployment rate is very high. The youth engaged in criminal activities as a result.
- Revive polytechnics to absorb school leavers.

Civil Society and Heads of Departments of Embu

Date: 17th March, 2006

- The mayor pointed out that traffic police asked him to give them a bribe of ksh.1200/- for speeding at 120km/h.
- Public servants were said to be corrupt because of low salary.
- Courts frustrate police when they release criminals and corrupt people presented before them.
- Developers have grabbed most land which could have been left for recreation for the young people.
- CDF funds do not reach the people at the grass root level.
- There is intellectual corruption when people write proposals for funding and other people steal the proposal and use them to acquire funds.
- Some projects are incomplete, this is corruption. Where did the funds go and how will they be accounted for?
- At the district treasury, payments are made against blank payment vouchers.
- Public officers are often late reporting for work.

- They questioned the planning of the education syllabus. And wondered why have to keep buying new books for the same class each year.
- The ACK said that exposure of corruption incidents minimises future corruption.
- Promotion of civil servants is shrouded in secrecy and promotes corrupt practices.
- Embu town stadium and Embu Municipal market were grabbed; only a small piece is left for public utility.
- Cooperative societies suffer from nepotism.
- AIE holders borrow from each other. This is unprocedural
- Prison officers are poorly trained.
- They claimed that prisoners are only those who are too poor to afford their freedom.

Recommendations:

- Empower people to monitor and audit projects on the ground
- Facilitate committees at the district levels
- Educate Kenyans to know that CDF is their money
- Pay public servants well to avoid tempting them
- Reward public officers for good performance.
- Blacklist those who are corrupt so the public can steer clear from them in public affairs.

Machakos District - Meeting with the D.C.

Date: 16th January, 2006

General issues:

- The DC explained that the district is faced by hunger and the government was supplying relief food. 41 educational zones are covered under the school feeding programme.
- There is poor planning of resources particularly the big water masses at the Masinga Dam which should be distributed to the people to make the area more productive, since the residents are hard-working.

Corruption Issues

- Kenyans have not understood the phenomenon of corruption and that corruption is seen as the preserve for the public servants
- There is also the problem of the membership of the District Corruption Prevention Committee where two members were said to be ex-convicts. There is need for proper guidelines on the selection of the members and also how the committee shall function
- Politicians put public servants in a tight corner by stating things that are not in place
- Land matters in Machakos District are a thorny issue. An individual converted 760,000 acres of government land into his own property, subdivided it and sold it to unsuspecting local members of the public at Ksh 7000 per acre

- There are 2800 land cases on Ministerial Appeal before the DC, who can only handle only a few of these. There is need for a policy to have these cases dealt with by elders so as to dispense justice quickly.
- The DC has no role in the administration and management of CDF. The fund has a problem in the way the provisions were made, giving the MPs total responsibility in the management of the fund.
- CDF bursaries in Machakos were given to non-deserving cases since the MP gave only to close people.
- CDF money was paid to a contractor who did only 30% of work contracted to do a dam while the person who did 70% was not paid as the MP was in favour of the one who did only 30% and ran away without completing the work
- The DC suggested that a National Committee be established to run the CDF fund and remove the politicians from the administration of the fund
- LATF is also being abused. The case of Ksh 45 million given to County council of Matuu was used as salaries and allowances and never accounted for
- Kenyans regard those who have amassed wealth through corruption as heroes, and often they are made elders
- Cases of corrupt police officers were mentioned

Recommendations

- The DC recommended that NACCSC should consult heavily with Provincial Administration for the success of the campaign
- That a meeting/workshop for all District Commissioners to sensitize and provide them with information on the campaign agenda would very instrumental for NACCSC.
- Whistle-blowers need protection.
- It should be necessary to provide evidence of finished projects for LATF and CDF.
- People from the armed forces who retire or are dismissed should be monitored lest they become dangerous criminals.
- The government should all remove barriers to make it difficult to investigate and prosecute rapists and child defilers.

Machakos District - Public officers and civil society

Date: 23rd August, 2006 (second visit)

- Grabbing of society land and sale of cooperative societies property by corrupt officials in Lukenya and Katelembu farms.
- Theft of 7.2 million shillings belonging to LATF within Mavoko Council.
- Issue of land grabbing and allocation of council plots without plan in Mwala town. Note: there are 12,800 pending land disputes
- Corruption within police department
- Sand harvesting is still a big problem

- Teachers are charging tuition fee, contrary to the Government Policy of Free Primary Education. It seems to be the business of Head Teachers and District Education officers.
- Secondary schools are not performing to the community's expectations, yet they admit very bright students with over 400 marks.
- Some Head Teachers collude with Board Chairmen and get tenders; they are not concerned with performance.
- Free primary education funds are used for school development, this is misuse.
- CDF bursaries are given to non-deserving children.
- CDF projects are awarded to contractors who do very little and charge a lot.
- Relief food is given to non deserving people.
- Public servants said that salary discrepancies are causing corruption.
- Violation of children's rights. Children suffer abuse and even neglect from their own parents. There is half- heartedness in the prosecution and prevention of child abusers. They are often set free without any charges yet the child has physical wounds and is emotionally traumatised. Men often pledge to give maintenance for their children but pay less than they are required to. Their wives (ex) or children's mothers think the child officer is cheating them.
- KenGen which is located in the district does not benefit the locals

- Problem of development activities in Athi and Ngong areas leads to contamination of borehole water and rivers in Machakos Relief food is being sold in shops and by the rich. The administration particularly chiefs should be divorced. The food goes from the Red Cross to the chiefs.
- Government support for children with HIV/AIDS is going astray. There is conditional cash transfer to orphans and vulnerable children by ministry of home affairs (a pilot project in six districts). The fund was late and the funds were mishandled
- Muslims are discriminated against. Getting ID cards is a headache. Especially if you are a Muslim even though you may be a Kamba.
- Sand scooping has reached alarming levels (they take everything). Sand harvesting leaves something behind. No sand is left behind when sand scooping occurs. Fragile ecosystems are destroyed and gullies result. Many reports have been made but no action because the administration also benefits from the scoopers/harvesters.
- Road carnage continues. The speed gadgets have been disabled or removed altogether. Those who inspect need to be investigated
- Many people have information but they are afraid of speaking.

Recommendations:

- The highway to Mombasa needs a hospital facility to cater for accident victims.
- Desilting of the dams need to be done more regularly.

- Whistle blowers. They need to be protected
- Ex-servicemen need to be monitored to curb crime. There should be a national listing of retired servicemen.
- GoK should remove barriers that make it difficult to prosecute and charge child abusers.
- Nema should carry out environmental impact assessment and the government should regulate development in the area
- There should be a law to synchronise the licensing of sand harvesting and charcoal burning, with transportation of the two.
- Set up a fund to allow people to access so that stop sand harvesting.

Isiolo District – Meeting with D.C. and Heads of Departments

Date: 24th March, 2006

- Isiolo is trust land (held in trust by Isiolo County Council) with the exception of a small portion of Isiolo town, and as such the whole town is unplanned. There are no titles and there is no land registry (these are located in Meru). There is a private surveyor who, on the strength of an allocation letter from the council, surveys and demarcates plots accordingly. He does this in conjunction with the district physical planners.
- The Simba account within the free primary education structure was raised as an issue Head teachers are taking advantage of the illiteracy of the committee to award themselves tender.

- During the drought the GoK gave money to the district through AFC to buy excess livestock. There was an allegation that only a small portion actually reached the district. Large numbers of cattle perished.
- There was an allegation by the judiciary that court clerks were demanding payment for succession forms from the public. The judiciary also noted that up to 50% of the cases filed in court ended in reconciliation.
- Uaso Nyiro development Authority complained that their level of funding was too low to enable them to implement their programmes.
- Registrar of persons suggested that Isiolo is an insecure district and consequently when people apply for IDs the vetting must be extremely thorough. They have been illegally approving non-Kenyans for registration. There was also a proliferation of brokers in the district including brokers purportedly assisting applicants to obtain IDs.
- The Police claimed to have a problem with cross border cases. Prisoners from Isiolo have to be transferred to Meru or Nairobi. It was difficult to take witnesses to testify because of inadequate facilitation. This of course compromised many cases.

Civil Society Leaders in Isiolo:

- It was alleged that there is a lot of corruption in GoK departments, in particular the survey department, who they claimed often fraudulently allocated council land.
- In order for the work of NACCSC to be successful, it will be necessary to do serious sensitisation of the citizenry and network with the civil society leaders.
- There are many NGO's and CBO's operating in Isiolo, but they are not transparent in their operations. They fall short of their intended objectives.
- There is nepotism in the appointment of CDF committees. An observation was made by one councilor that corruption has become a way of life in the district.
- Allegation that corruption permeated the land department in the district (the registry is in Meru but there is a lands officer in Isiolo)
- Auditors come and conduct audits but the reports are not forthcoming. They concluded that this was corruption fighting back.
- Though there are 20 elected councilors, 9 of these are nominated. This is above the GoK regulations and thus violates a statute.
- The Council was allocating land to persons from outside the district.
- There is no public toilet or other facilities in Isiolo town, yet the council continues to collect cess and rates from the traders.

- Patients who go to hospital are referred to private chemists to purchase their medication.
- When they report incidents to the police, the suspects are often released without charge.
- There are highway patrols yet un-roadworthy vehicles still ply the roads.
- When tenders were awarded they went to contractors from outside the district yet there were local contractors with the same capacity.

Recommendations:

- It was suggested that ministries in all development projects be involved in those projects from the time of inception.
- GoK must re-plan the town because of the problems of flooding and poor sewerage.
- Security in the whole area must be improved, which would possibly require an increased deployment of the security forces. More patrols are needed in the outlying areas. There should be monthly forums for the locals to express their security concerns.
- Set up a revolving fund to assist the Town council to purchase cattle from pastoralists during hard times.
- Immediately increase the capacity of the Police station in Isiolo and provide them with adequate vehicles and finance to transport suspects to Meru and Nairobi. There should also be facilitation for witnesses to travel to respective courts to testify.

Makueni District - Meeting with the District Commissioner

Date: 14th March, 2006

- The DC said that the district is large and some areas are very thinly populated.
- He reported that the Kamba people are loyal to the government, hence very peaceful and without many land disputes
- There is shortage of water and a large number of the population depends on relief food.
- There is a problem with the CDF.
- Poverty level is 75%.

Civil Society and Community Leaders in Makueni (2nd visit)

Date: 24th August, 2006

- Corruption is there in all working places, this is shown by the fact that people own property that does not correspond with their earnings.
- High levels of unemployment are also causing corruption.
- Boreholes are done at the MPs' homes.
- Both MPs and Councilors are corrupt.
- Valuers and the Physical Planners charge Ksh 2000 – 2500.
- There is corruption at the Hospital mortuary where people have to pay the attendants between Ksh. 1000 - 1200/= to have bodies take in, and for preservation, one pays an extra 800 to 1000 without receipt. They move bodies back and forth between the

mortuary and hospital. Sometimes young boys are employed in the mortuary; they take 500/- then put the body in a coffin and leave it in an estate.

- At the districts office, there is preparation of false claims and receipts.
- The police often release those arrested by chiefs for brewing illicit brews.
- There is a problem with the CDF management in Makueni, funds are only given to those areas that supported the MP and bursaries are given only to some areas.
- One child receives three or so bursary allocation because the parents are supporters of the MP.
- LATF bursaries are given only to friends and not those who deserve.
- There is overpricing in construction of buildings through public works.
- Overpricing is seen at the district hospital. People are conned due to lack of understanding.
- Under the Food for Work project, 8000 worked and were not paid 850 bags of food worth Ksh. 1,912,500. But the recipients of the food are known.
- At Kisau police post the police officers collect money from young boys who smoke bhang.
- Government officers come to work late on Mondays and leave early on Fridays.

- Tendering process in the Free Primary Education is not done properly, example Kyome and Ngunu primary schools.
- Chiefs are involved in illicit brew, bhang and land issues where they collect money from the involved.
- Thugs who are involved in highway robberies are known but not arrested.
- Rape cases are on the increase yet complainants do not seem to get assistance from police
- The land tribunals are corrupt
- Lawyers and auctioneers are conning Kenyans
- The drilling department in the ministry of water are corrupt, they drill half way and abandon the project, they claim full payment but they do not complete the drilling
- There was an issue of child poisoning which the police seem to cover
- In regard to relief food, Amref is the leading agency. But relief food ends up in wrong places. 400 bags of beans were removed from storage and disappeared.
- Water is a big problem. Creating water sources and directing these resources has become political. Appointments in the various water boards are made without consideration of the person's background with regard to the issues of water in the ASAL areas.
- Muslim Boys' School was given CDF 200,000 but the money disappeared.

- Lands office. You are taken around to get your title until you have to bribe.

Recommendations:

- Makueni has developed guidelines for sand harvesting. These should be replicated for other districts.
- CAP 265 needs to be revised so that councilors are empowered and can monitor and have say in the use of LATF funds.
- Funding for Nema needs to be increased.
- Chiefs and sub chiefs must be supplied with uniforms and made to wear them when on duty

Kitui District – Meeting with D.C.

Date: 15th March, 2006

- Rains have been unreliable and people depended on relief food for the last four years
- The GoK and some NGOs are assisting through food support
- Fruit farming was said to be doing well in the district

Heads of Departments of Kitui:

- It was reported that transporters and fuel suppliers collude with officers to cheat the government
- Officers tend to over stay in a station for too long.
- Lots of funds are directed to the desilting of dams. They felt that this was inappropriate as the dams should have desilting chambers.

- LATF is being used to pay salaries and debts.
- Fisheries department in the district is being allocated funds each year and nothing to show for it on the ground.
- Ministry of Public works allocated 72 million past 3 years little to show for it on the ground.
- The district gets 10,000 bags per month famine relief. This food was being distributed well. However, two Assistant Chiefs who were accused of misuse of relief food and were taken to court
- Suppliers and staff (secondary schools) collude when it comes to supplies to schools and money is misappropriated
- Whistle blowers need to be protected and public servants were overstaying in one station.

Civil Society Leaders of Kitui:

- Kitui Municipal Council is second in corruption in Kenya (by Transparency International). They said that corruption was real and present among them and that they needed to eliminate it not just control it.
- They complained of having many non- local public servants working in the District who come from other tribes
- The locals do not benefit from services from the police, lands and from procurement department
- The police department is poor in responding to distress, but is more keen in working at the road blocks. Each day the police collect Ksh

100/- in the morning and 100/- in the evening from the *matatus* on the roads

- Public transport vehicles are usually overloaded and the seat belts are not clean
- That relief food is not a solution, chiefs and some senior officers were stealing relief food
- There is a lot of land grabbing
- The CDF committee does not meet yet some people meet and approve funds. Therefore the CDF funding should be stopped until things are streamlined
- Corruption within public servants is caused by job insecurity
- Bursary funds benefit the rich and well connected.
- Voter bribing is the order of the day.
- Religious leaders in Kitui are a big let down in fighting corruption in the district.
- Environmental degradation is a big problem, and in particular charcoal burning.
- *Bhang* is being sold in the open market.

Recommendations:

- The people of Kitui should be encouraged to practice rain harvesting as a solution to the perennial waters scarcity.
- There should be GOK training programmes in livestock management and ranching to improve food security in the district.

- The GOK should look for ways of promoting the growth of cotton, silk harvesting, bee keeping and fish farming in the district.
- Alternative sources of energy (especially solar) should be explored for the district
- NACCSC should go down to the village level because people have a lot of information.

Mwingi District – Meeting with the D.C.

Date: 16th March, 2006

- Pointed out that poverty level was at 56%, and 60% of the population are youth
- The local community depends on relief food
- The government had given 70 million to be used to supply water for both human and livestock consumption, and another 4 million was given for buying hay for the animals
- The Government had also given 15million for the purchase of livestock
- Approximately 16 million had also been advanced for purchase of food through partnership
- The government had also given 310,000 metrics of assorted seeds for distribution to farmers as a way of ensuring food security
- There was high enrollment and retention in primary schools due to Free Primary Education and food provision in schools

- The 66 million CDF funds so far received in the district has assisted a lot in building school laboratories, dispensaries, water boreholes and road construction
- That there was a problem with the LATF, the councilors are many and the impact of what LATF funds have done is very little. It is too thinly spread
- The Corruption Prevention Committees have not worked well due to lack of link with the top and lack of support
- The DC pointed out that delays in procurement caused corruption
- That there was disparity in salary structure among different departments of government
- There was a problem of the local brew
- A chief was alleged to have stolen relief food.
- Suggestion boxes were put up but they are not serving the purpose.
- Need to protect the whistle blower.
- Environmental destruction. Lots of damage done due to charcoal burning and inept agricultural activities such as cultivating on hillsides. For example, on Kiomo Hills, agricultural activities have destroyed the hillside.

Heads of Departments of Mwingi:

- The CDF Act is inadequate. There is political patronage and conflict of interest on CDF management
- That there is collusion with traders to overprice and supply substandard goods and services

- There is no market survey hence goods and services are overpriced
- There is over employment of casual workers for road works, abuse of office and misuse of GOK property. There seems to exist a fictitious list of casual workers.
- There are loopholes in the process of procurement which is exploited by constructors to use substandard materials in construction work
- Public servants use official time for private work
- The Town Clerk pointed out that the government payment process is delayed so that suppliers can induce officers
- That land registrars influence the sub-division of land which is not theirs
- That the land registrars also influence decisions on land matters
- The officers also ask members of the public to contribute fuel money as they claim there is no fuel funds
- There is shortage of drugs and materials. This leads to patients paying bribes in order to get services
- There is acute shortage of medical personnel to the ratio of 1:20, which violates the recommended ratio of 1:6. As such the moral of the nurses is low.
- Clinical officers keep drugs in their drawers and ask money from patients in order to release the drugs
- There is also abuse of waiver on medical services

- The procurement procedures for the purchase of drugs, food stuff and other supplies is also abused
- The management of water supply has a lot of corruption, public pay money which is never accounted for.
- There is collusion in the supply of goods and services between suppliers and Public officers. Inflation of prices is an issue. As such sub standard goods are supplied. There are cartels of Suppliers who collude to fix prices with the illegal assistance of some public officers, in order to give themselves lucrative contracts
- People are unaware of the civic rights and requirements necessary for registration of IDs'. Acquisition of affidavits was riddled with corruption.
- Beneficiaries of land collude with surveyors to manipulate the demarcation of land to their advantage. This also unfairly influences land adjudication cases.
- Inadequate AIE compel public officers to ask *wananchi* to provide them with transport to and from the field hence an avenue for corruption.

Civil Society Leaders of Mwingi:

- There is collusion between market workers and traders, some traders avoid paying the correct revenue
- At the judiciary cases are delayed for long, some for as long as 5 years

- Public works officers inflate the cost of fuel for roads repairs and maintenance
- Relief food is stolen by public servants
- There is corruption not only in the management of CDF and LATF but in all ministries
- Corruption is more common in the procurement of goods and services
- Provincial Administration has corruption, chiefs ask for "*Usuu*" worth Ksh. 3000 to settle the smallest problem
- Police sell P3 forms for as much as 1000/=
- Patients are delayed for more than 3 hours before they get treatment
- Health workers are rude; some have their own clinics
- Boards of Governors in schools incur unjustifiable expenditure
- Public servants are given very low salaries which encourage corruption
- Auditing of school funds is never done
- There is selective awarding of contracts. It is only those who are 'known' who are allowed to tender.
- Traffic police collect Ksh. 500 per day from each *matatu* that operates on the roads to and from Mwingi. Overloading of vehicles is ignored by the police.
- Councilors are not involved in CDF projects within their wards

- Locals do not know that CDF funds are public funds, and therefore they cannot question how much money has been given for which project
- Primary education is supposed to be free but teachers charge 10/- tuition fee per child
- The teachers employ selective teaching which only benefits the children of those who can afford to pay tuition
- Duplicate Receipt books are printed through which revenue is stolen from GOK
- Land adjudication committee charges unofficial fee of Ksh. 2000/- to 4000/- from both parties
- It was alleged that some arrested people in police cells collect money from other arrested persons on behalf of the police men
- Police road blocks are alleged to be money collecting points.

Mbeere District - Meeting with the D.C.

Date: 18th March, 2006

- Corruption is common in the provision of services especially by the traffic police department.
- There was problem in the management of the public funds namely; CDF, LATF and the Road Fuel Levy Fee. The CDF Act is skewed. People are not trained to handle the process of managing the CDF funds, project identification and allocation of funds

- Land issues are a major concern in the district because of problems with surveying and the incomplete land demarcation process in the district. (they rely on survey department in Embu).
- Land brokers interfere with the process of land registration and hence promote corruption. Lawyers and magistrates collude to buy land that is the subject of disputes. Auctioneers use unorthodox means to sell peoples property. Most of the land in Siakago town was grabbed leaving no public utility land (the stadium, the bus stage and KARI land)
- The Issue of clanism is high (Ndamata and Muruli Clans). Clanism features in all issues in the district and is detrimental to development.
- While sale of *miraa* is an economic activity, rate of school drop out is high, the children drop out of school to pick *miraa*. Boys are especially affected. This may be linked to the high rate of rape and infertility and degeneration of the youth.

Civic leaders and Heads of Departments of Mbeere

- The civic leaders said that the local people perceive giving of gifts and/or money for a service a cultural habit.
- Appointments to government (people who hold several top government portfolios) are corrupt
- Many committees are powerless committees. One can be in a local committee such as the school board but have no say.
- Low salaries for public servants

- Many NGOs exploit the local people.
- Failure to regulate commodity prices. GoK departments procure goods that can be sourced within the district from without.
- The public servants who overstay in the station get sucked into local issues and lose track of their work ethics.
- Police take bribes to release suspects of brewing illicit brews.
- The land boards and tribunals are not given their allowances leading them to solicit bribes.
- They allege that visas to Canada and the USA as well as the US Green Card Lottery are a way of deliberately perpetrating brain drain.
- The high number of religious organisations registered raises concerns.

Recommendations:

- Waive VAT on agricultural implements.
- As a way of fighting corruption, information on all devolved funds should be displayed publicly.
- Recommend civic education for the people to know their rights
- Revision of public servants' salaries.
- Corrupt public officer should be charged in court and not transferred.
- NACADA should carry out education for the youth on drug abuse.

Meru South District – Meeting with the D.C.

Date: 20th March, 2006

- Relief food is still being distributed in some areas. Distribution of relief food had been given to a committee chaired by a local leader
- That there is a problem with the coordination, monitoring and evaluation of the CDF fund. The CDF committees do not give information on what the funds are for and the impact of CDF is yet to be felt in the district. Development of the infrastructure, including construction of roads and water, should benefit from CDF but disbursement of the fund is too slow
- On LATF there are some issues. Projects undertaken through the fund are unclear and the public do not fully understand the way the LATF fund is utilised.

Heads of Departments of Meru South:

- There is political interference in employment and transfers of public officers. This is often done without regard to their qualifications.
- There are great disparities in the salaries of public servants
- The process of licensing business is too length thus encouraging corruption
- Similarly acquiring of ID cards is also a very lengthy process and therefore corruption finds its way into it

- Police are accused of poor service delivery; there are delays at the police station
- Land issues are common but no corruption issues mentioned
- The Ndungu report has cases on *jua kali*, encroachment on public land and road reserves, the district hospital land and the DC's office
- Government departments are not involved in the management of CDF. Procurement in CDF has been done through single sourcing, this has made local traders to feel sidelined
- *Matatu* operators opt to pay a bribe of Ksh.100 rather than pay court fine which is high.

Civil Society Leaders in Meru South:

- Highway police are harassing Kenyans on the highways. They allege that the police in district only have one functioning radar gun.
- There is corruption in the courts of law. Some cases that have been pending for the last 21 years.
- The locals are not involved in CDF management, and politicians are very selfish on CDF funds and practice nepotism.
- In the education sectors, Head Teachers do not use the funds given for free primary education, the schools continue to suffer.
- The tendering process for GoK is lengthy and hence encourages corruption

- There is corruption in the Electoral Commission of Kenya, the officials recruit relatives
- There is need for a unit to check on the police and the politicians to control corruption.
- There is also need for a supervisory committee in schools to control corruption
- Police were accused of collecting bribes at a road blocks at Irumba. Also the police check at Kirubia is notorious for extortion by the Police.
- It was also alleged that the provincial administrators, the chiefs collect protection fee from illicit brewers.
- It was alleged that the police release arrested people in their custody through corruption.
- There is a conflict of interest among doctors and teachers who run private clinics and schools.
- There is bribery during selection of students to Form One.
- Most road reserves have been grabbed and repossession has been hampered by court cases.
- *Bhang* growing and logging is rampant in the Mt. Kenya forest.

Recommendations:

- Educate Kenyans to know their rights.
- Resolve the issue of illegal cattle grazing in Mt Kenya forest during times of drought.

- Vet those who are elected to boards of Agricultural Societies to ensure their integrity.
- GoK medical staff should not be allowed to be directors and or shareholders of private clinics.
- Quarrying should be stopped immediately on road reserves and strictly monitored elsewhere.
- Land grabbed in Chuka town should be repossessed. There is little if any public utility land.
- Cultivating river banks is illegal and this must be enforced.

Meru Central: District – Meeting with the DC

Date: 21st March, 2006

- The police department is corrupt, especially in the traffic section
- The Administration Police and the chiefs collect protection fee from those who deal with illicit brews. The law courts are also alleged to be involved in the illicit brew business by giving lesser sentences or fines which cannot deter the crime.
- The courts apply double standards
- The land office.
- The devolved funds

Civil Society Leaders of Meru Central:

- Land meant for fire station in town was grabbed. A fire-fighting vehicle donated by the British government is non functional.
- The high rate of homicide (up to 10 per month) is very worrying.

- Land meant for Ngakoromone market was grabbed. Physical Development Plan no Mru 1169/94/2 of 11 Nov 2003.
- Municipal council councillors employ their own children who are then given the job of cess collection.
- Lower Imenti forest should be taken to its original 1975 boundaries to protect the water catchment areas.
- 52 public plots since 1978 were sub divided and sold to individuals. It is captured in the Ndungu report.
- Nkuene Farmers Society land (300 acres valued at 93 KShs million), (a coffee society) headquarters and vehicles were sold by a liquidator. The members claim they do not know how much it was sold for and what was done with the money.
- A cotton ginnery in Meru Central was disposed of in a less than transparent manner.

Heads of Departments of Meru Central:

- Members of the public offer bribes to the prisons officers in order to skip the queue when they want to see their relatives. The public also offer bribes to have their relatives and friends moved to better prisons. They even offer to fuel prison vehicles.
- Farmers complained about the privatization of the artificial insemination services (AI). They alleged that the government officers who offer such services are paid privately yet they are on salary

- Public Health inspectors are facilitated to do inspections of slaughter houses by the owners. They are thus under pressure to pass the meat even if it is below quality. Additionally meat inspectors when facilitated will pass meat of dubious quality.
- The system of reimbursement at the district treasury is riddled with corruption
- Delays in payment in the district treasury is common
- There is also loss of revenue and payment vouchers
- District works office has issues of corruption especially with alteration of specifications at delivery, although all the contractors had been deregistered and a new list drawn
- The Town Clerk pointed out that there is collusion between revenue collectors, enforcement officers and the traders, especially *matatu* operators.
- The county council enforcement officers receive bribes from offending traders to forego taking them to court
- Low salaries have been a contributing factor in the council
- Land within the county council has been grabbed
- Corruption in the police department is in the eyes of the public at the road blocks.
- Police also harass people during investigations so that they can yield and give bribes
- Police also falsely accuse individuals who have land cases to put them in custody while their cases are being heard so that the land issue is concluded without one party.

- The traffic police are corrupt.
- There is loss of revenue at KWS through double receipting and abuse of smart cards
- There is a sensitive wildlife and human conflict, mostly elephants destroying crops and farmers not being compensated.
- Id cards take too long to process. Classification of fingerprints is hampered by lack of qualified personnel.
- Transportation of voters to other constituencies is a concern. Vote buying during elections.
- Teachers and bookshop owners collude to raise the prices of books to skim money on supplies for themselves. Transfer of teachers is also riddled with corruption. Secondary school principals tend to inflate school fees over ministry recommendations.
- Lands department is full of brokers because there is so much confusion.
- KRA revenue collectors in Meru are corrupt.
- County council revenue collectors collude with *matatu* owners in the main bus-park so they don't pay parking fees.

Recommendations:

- The GOK must institute civic education programmes to sensitise people on their rights.
- Speed up the resolution of land disputes as these are linked to the high homicide rate in Meru.

- Implement the ndungu report.
- Increase the number of judges sitting in Meru Courts.

Tharaka District – Meeting with the D.C.

Date: 22nd March, 2006

- The press does not cover the district.
- CBO's are very poorly organised as most of the committee members are old.
- Illiteracy rate is high in the district.
- CDF and LATF laws should be reviewed.
- Clerks in local authority are being recycled instead of being sacked when they caught in illegal transactions.
- Free education committees in the district are formed by the headmasters and they are often intentionally weak so the heads can misuse them.
- Taxes collected by the council do not seem to benefit the town (Marimanti)

Civil Society Leaders and Heads of Departments in Tharaka

- School heads have ways of manipulating the system when it comes to the supply of books and other school supplies. But people are ignorant and take no interest in what is going on in schools. The standards of education are very poor.
- Orphans in the district are without shelter.

- Teachers' recruitment is very poorly carried out in this district. Selection of teachers should be done by the TSC in Nairobi.
- A transfer to the district is considered a punishment by public officers. Public officers in the district cannot bring their families to live with them because of the lack of accommodation.
- They commended Plan International for the good work they done in educating orphans and a number of water projects.
- in the district.
- Community policing is being well received in the district.
- The money brought in by local leaders does not reach the local people.
- There is little or no accountability for the money used in most of the projects.
- The registration forms for ID's are not available and the ids take very long to get.
- The press does not cover the district and the KNA office is poorly equipped.
- The district has no court and it is expensive and time consuming to transport suspects to Meru and Chuka.
- Court fines for possession of illicit drink are too low and do not discourage the brewers.
- FGM is carried out. They recommend that those found doing it should be jailed without the option of a fine. Chiefs hide this if they know it is going on in their location.

- There is no tarmac road in the whole district. The roads are expensive to maintain.
- There is no power supply in the district.

Recommendations:

- The KNA needs to have a fully equipped and functional office in Tharaka.
- The locals should be encouraged to build accommodation which will suit the government officers and their families.
- The GoK must develop a comprehensive policy for monitoring the activities of NGO's and develop an index to ensure that a selected % of their project budgets is evident on the ground.

Meru North District – Meeting with the D.C.

Date: 23rd March, 2006

- Major economic activity in *miraa* is growing.
- Trained integrity officers were being indiscriminately transferred and consequently there is no continuity in the fight against corruption. However one of the achievements was the sensitisation of the public against the vice.
- There were at the time 5 pending corruption cases (3 in court and 2 under investigation)
- Some departments were notorious for corruption, for example the and adjudication department which started work in 1963 and to date have not completed their work.

- Land committees are corrupt and many people do not know where they are supposed to live.
- The police department is corrupt.
- Poor remuneration of public servants is one of the causes of corruption.

Civil Society Leaders in Meru North:

- There are too many roadblocks at which vehicles would have to part with 500 KShs. Failure to do this, the driver would be fined heavily in court. Consequently they prefer to pay the bribe.
- There are 14 roadblocks between Maua and Nairobi and at each one they were required to pay between 50 to 150 Kshs per vehicle (PSV and *miraa* vehicles).
- GoK lost the war on corruption because in 2003 the whole country had risen against the vice but along the way the GoK lost its will.
- In land disputes those who had more money to bribe would win the case (competing bribes)
- There were allegations that there is unwillingness amongst GoK officers to fight corruption because of the attendant benefits.
- It was also alleged that even when there was a registered objection against the sale of land, the sellers and land officers colluded to delete the objection and the land would still be transacted. For example, a son would even bribe his father to get a bigger share of the family land.

- In regard to domestic violence, when a man beats his wife he can bribe his way out of charges at the police station.
- Chiefs, Assistant chiefs and APs are paid protection fees by brewers to fore-bear any arrests and prosecutions. It was alleged that they collect money every Thursday.
- Mechanics have an established cartel with motor vehicle inspectors and they collect money from owners of commercial vehicles to be passed as roadworthy even when not.
- There was an allegation that in Police recruitment money changes hands well before the recruitment takes place and the recruit would have an agreed on 'mark' to identify him to the officers so he can be passed.
- The church alleged that land officers allocate themselves land in adjudication sections and then sell it. When people complained about the suspected officers they were either promoted or transferred.
- Corruption is seen in the registration of churches. Some churches will only sponsor schools if the heads are members of their denomination.
- The election of directors to the two tea factories in the district was fraudulent.
- Teachers having affairs with student girls are common and no action is taken against them by the police or DEO because they would bribe their way out.

- Land officers often give conflicting judgments on the same issue and this could only be because one has been bribed.

Heads of Departments of Meru North:

- Within the CDF there was a management problem because of poor funding to the line department to enable them to offer relevant technical input. At this time there were up to 193 ongoing projects that required monitoring and evaluation and this was not possible. They noted that District Projects Committees had not met since the inception of CDF.
- Councilors pressurised their officers to be allowed to supply materials for the projects in their wards.
- Identification of needy students for bursaries was abused because the poor and needy are not allocated bursaries unless they bribe.
- Head teachers force students to repeat classes and consequently there is a high dropout rate from pupils who resist the order to repeat. In many cases the money for students who have dropped out is not returned to the ministry.
- Since the members of CDC are nominated by the MP's in the event of any misconduct they will not raise it.
- GoK officers create dummy projects because of inadequate remuneration in order to line their pockets.
- District Officers, Chiefs and Assistant chiefs are often looking for schemes to siphon devolved funds to cushion themselves against their low remuneration.

- It was alleged that in the management of free primary education the heads and treasurers collude to supply goods and services to the schools inflated prices.
- The MOH claimed that expired drugs were often procured and often drugs that were not required were being procured.
- The district quantity engineer claimed that he does designs, drawings and estimates for CDF committees. He alleged that after submission, they disappear and the result was stalled projects due to poor supervision and monitoring by the technical line ministry staff.
- A majority of the youth have no primary identification certificates such as the birth and baptismal certificate to enable them to acquire IDs. They shy away from applying for IDs.
- The district has the highest number of land consolidation parcels numbering up to 80,000. The logistics of the exercise are enormous and create many loopholes for corruption by the committee. There were many instances of the public bribing officers to get judgment in their favour in land cases. Land brokers are the people who connect members of the public to the officers.
- Poor allocation of funds hampers resolving of land adjudication issues (there are 34 adjudication sections). The land owners bribe the officers so as to speed up the adjudication to their respective parcels of land. They claimed that since the minister of Lands was the sole arbitrator in lands appeals he could be subject to manipulation.

- Poaching is taking place in the gazetted GoK forest (11,018 hectares) and the guards and the DFO's were unlawfully selling forest products. One of the reasons identified for this was the poor remuneration of the two.
- Forest Produce movement permits were being given out through bribing of officers.
- The CDF committees did not have the capacity to design and implement the projects because they were not economists and there was not enough technical capacity in the district. They suggested that the CDF as an institution should hire its own technical staff.
- DCIO said that the public's ignorance of the law was exploited by public officers to extort bribes.
- Councilors influenced the determination of cases.
- There are brokers at the courts who mislead the public that they will be able to have cases decided in their favour at a fee to be paid to the court officials. There was also the issue of buying of witnesses who would then fail to appear in court to testify.
- Missing court files are common complaints. In most cases there is collusion between the court clerks and the parties.
- The police are compromised to abuse their powers to arrest and detain rivals (victimisation).
- Overstaying of officers at a station breeds familiarity to the extent that officers are compromised and it affects their judgments in decision making.

- There are cases of doctors demanding money in order to carry out and sign post mortem reports.
- Corruption is rampant in the traffic department. Police officers were openly taking bribes on the roads.

Recommendations:

- The land adjudication in the district must be looked into with a view of speeding up what is pending and completing the whole exercise in a transparent manner.
- GoK should explore ways and means of empowering the people of Meru North to find alternative agricultural income generating activities other than *miraa*.
- The DEO should be involved in supervising the local communities and setting up central vetting committees in order to avoid abuse and duplication in the awarding of bursaries

RIFT VALLEY PROVINCE

Provincial Commissioner, Mr. Hassan Noor

Date: 16th May 2006

- The provincial Commissioner thanked the NACCSC for their visit to the province, and appreciated H.E. the President for having appointed the committee.
- He stated that at the provincial level corruption prevention committees have been revived and are now functional, and that campaign is seen to be picking up.

- That his office will support the fight against corruption
- Land issues represent the height of all corruption problems in the province. Public servants who had been given powers to allocate land had abused their powers in land allocation, and there are double allocations of land parcels.
- Ordinary Kenyans see police officers receiving bribes
- Cattle rustling in the Samburu area is a big problem. Disarming of pastoralists is the solution but lack of political will from the local leaders. In Uganda it is working well.
- Suguta valley infrastructure is poor, with killings and tribal animosity becoming a big problem. It is a way of life.
- Poor education in the Samburu-Suguta area; many times 15-year-olds are out rustling cattle instead of going to school.

Recommendations:

- Suguta valley infrastructure should be improved and the valley opened up.
- Improve education in the areas of Suguta and Samburu.
- GoK should come out clearly on the Ndungu report; people are not sure whether it is to be implemented or not

Provincial Heads of Departments – Rift Valley Province

Date: 16th May, 2006

- There is a corruption prevention committee at the provincial, district and departmental levels

- NACCSC was in the right direction in war against corruption by going out and involving Kenyans. The committee is perceived to be the conscience of the country.
- There are some power cartels in the procurement process in government
- The war against corruption should target both the public servant and the private sector
- In order to get elected as an official in the cooperative societies, people have to bribe
- Issue of moral uprightness is important
- Kenyans have been conditioned to be corrupt; there are no role models in society. Emphasis should now be on change of attitudes among Kenyans
- There is a need to train public officers not to accept bribes and the public not to offer. Corruption must be made every Kenyans business.
- Land was allocated without due regard to water catchments
- There is corruption in the Judiciary system, a Service Charter was necessary
- Handling offenders by the corrective institutions is very bad that it was better for one to bribe to escape
- There is need to harvest goodwill from among the public while it still exists
- AIEs are released late in the year hence prompting corruption

Recommendations:

- Suggested that GOK should also improve on efficiency
- That NACCSC should come up with a policy on land ownership in terms how much land an individual can own
- It is important to empower public servants to fight corruption
- AIE's must be on time.
- Retrain Public officers.
- Issue of anti corruption should be made part of the schools curriculum.
- There should be a nationwide government office to reorganise the public records keeping with a view to computerising it in all departments.
- Need to harmonise all land acts in the country.
- Because Nakuru is located on a fault the planning should take that into account when doing building plans.
- Pollution of the lake should be checked, especially the releasing of effluent and as such the sewerage department should be modernised and expanded.

Nakuru District – Meeting with D.O. (representing D.C.)

Date: 16th May, 2006

The meeting involved the Departmental Heads and all other District leaders from civil society

- Participants indicated that corruption was a way of life

- That there was need to establish why members of the public give bribes
- Processes and procedures of doing things should be made easier
- Shortages of resources and opportunities should be taken care of
- There is need to look at societal values which have changed over time
- Corruption was also found in elections and in politics
- There was corruption involving altering of tender documents
- Evictions from Mau forests led to social instability and corruption. It also raises the issue of Social Justice.
- Lands office corruption abounds because of poor record keeping. Record keeping is manual. Agents masquerade as land officers. There is a parallel lands office issuing bogus titles, sometimes for free
- People don't question how the wealthy acquired their money. They are held in high esteem nevertheless which encourages corruption.

Recommendations:

- GOK should consider provision of loan facilities for low salaried people
- Trees should be planted and the burning of charcoal discontinued.
- Money that has been taken through illegal gains and stashed abroad should be returned to the district.

- Make mobile weighbridges. Carry out more regular and thorough inspections as overloaded vehicles have seriously damaged Kenyans roads
- Management of forests should be a priority as there are national repercussions, including weather change. Forests should be protected as a main water catchment area.

Koibatek District

Date: 17th May, 2006

- The DC pointed that major issue of corruption in the district is land. Dispensation of justice on land matters by elders was affected by bribery
- There were cases of rape where the accused bribes his way to freedom
- The local people believe that they must pay for services given by public servants

District Leaders of Koibatek

- Leaders stated that there were no projects undertaken using LATF and CDF
- They said the town had no sewage and roads were bad
- There is no equal land allocation. Justice goes to the highest bidder on issues of Land in conjunction with land tribunals.
- People have silencers on chain saws. They can log quietly. The forest officer would not even tell people where he lives for fear of

being killed. The department is under-equipped to effectively police the forest.

- Elders with title deeds do not pass on to children because they fear children will sell. When they die there is problem between family on who will get the title.
- Women suffer a lot when raped because they cant get justice as elders hold court and take money to silence the victim.
- Poor remuneration for public servants.
- Culture of giving money for a service is widespread in the district.
- Local MP was said to be the most corrupt
- That road construction projects are awarded to briefcase contractors
- That there is corruption in the *matatu* industry involving overloading, seat belts, speed governors and unroadworthy vehicles
- Bursaries were allocated to those who do not deserve them
- There were also double allocation of Bursary funds to the same beneficiaries, one gets Bursary from CDF and also from other funds
- Construction of the police lines was sub-standard
- Out of 30 million shillings allocated to the district due to the *E/ Nino* rains, only Ksh 10million was utilised
- Funds allocated for the Ravine Mortuary were misused

Recommendations:

- That CDF Act should be amended so that members can elect committee members
- There was need for land adjudication board members to be vetted
- Harmonise public servants' salaries
- The police department needs armed security and more vehicles.

Baringo District

Date: 18th May 2006

- District has a population of 350,000 people
- Corruption had reached very high levels in the Kenya and the district had also enjoyed its share
- There is a problem with CDF due to lack of proper policy
- There were reported corruption cases on Health facilities, CDF and Bursaries and the DCIO was investigating
- Government seminars in hotels are seen as party to corruption.

Meeting with public servants and civil society of Baringo

- That there was corruption problem with the CDF especially with the bursary allocation and appointment of committee members
- Land/plots were allocated to people from Nairobi and the locals did not benefit
- There are delays in handling of cases at the law courts; a case involving theft of Ksh 1.6 million six years ago has not been settled to date

- There were cases of double and triple allocation of land at Muchongoi Scheme
- Some people were allocated forest land and water/river reserves
- Cattle-rustling is rampant in the district. Much of it is commercialised. They take the cattle and sell in markets.
- People got used to the culture of handouts. Government seminars were mostly being taken there because its where the then President was from.

Recommendations:

- There is need to promote development that will pull people away from cattle rustling
- Mainstream anti corruption education throughout the country akin to the National HIV/AIDS campaign and include it in the school curriculum.

Elgeyo-Marakwet District – Meeting with the D.C.

Date: 19th May 2006

- Corruption is present in all sectors of our economy
- Soon after the new government came into power, Kenyans were ready to fight corruption, but they lost steam after reporting issues of corruption and nothing was done and have given up the fight due to poverty.
- The Director of KACC was bribed with a huge salary to fight corruption

- That allocation of resources particularly the devolved funds is causing corruption due to the unclear policies
- That land issues are a big cause of corruption, also that forest land was given out
- That there is illegal harvesting/logging of forest products

Public Servants and Civil Society in Elgeyo-Marakwet

- It is normal for councilors to bribe
- Police collect protection fee from illicit brewers and set up kangaroo courts for this purpose
- There is theft of money at the local council and that they had reported the matter
- Sale of bonded GOK vehicles is done in a corrupt way
- Some GOK vehicles are left in villages without security and that spares are removed
- Some locals gave land out for schools/other public utilities with a promise for compensation but this was never the case
- Mentioned lack of prioritization in LATF projects
- Police recruitment is not favourable to them
- Identification of needy cases for Bursary funds is not properly done
- There is grabbing of school land
- In Keiyo the maps done for land allocation were different from the situation on the ground. The officers ask for money to correct the anomaly

- Land tribunal cases take too long to finalise due to lack of resources

Recommendations:

- Police need to be trained on what to do when they recover illicit brew. Better equipped so they can transport suspects and exhibits to court.
- Kenyan attitude towards laws must be changed. They see rules and regulations as a hindrance.

Kapsowar-Marakwet District – Meeting with the D.C.

Date: 20th May 2006

- There is corruption in the district involving misuse of public resources especially the devolved funds namely CDF and LATF such that the impact is very minimal on the ground
- Other departments who have not signed performance contracts, still continue to do things the old way hence misuse of GOK resources
- The district forest officer stated that land was given to squatters at water catchment areas and politicians have made it difficult to move these people even though they are due for eviction.
- That forest guards are poorly paid hence they are easily compromised and do not have the capacity to deal with poaching

- The forest Act is not well supported by Cap. 365 to the extent that the magistrates do not award sufficient punishment to deter illegal logging. There are 65,000 hectares of forest in the district with 66 forest guards and only one vehicle
- That there is no Law Court in the district
- Land cases are interfered with by chiefs who influence decisions
- Land tribunal committees are not transparent
- Water from Chebarar Dam goes to Eldoret and the locals do not benefit from it.

Recommendations

- CDF management be given to committees at grass-root level and the provincial administration should oversee the implementation of projects
- That a Law Court be established in the district so that cases do not need to be taken to Eldoret
- That land demarcation be carried out to minimise land cases and killings
- CDF committees should have gender balance and involve youth

Uasin Gishu District – Meeting with the D.C.

Date: 22nd May 2006

- Corruption is an issue of perception and that there is need for continuous education for attitude change

Meeting with public servants and civil society

- That CDF committees are not known to the people, the committees are made up of supporters of MP's
- Members of the public do not know that CDF is public funds and that they have a responsibility in its management and monitoring
- That insecurity has increased and it seems like justice will never be given to the people
- There is corruption in Moi Referral Hospital, patient have to bribe to be treated
- Doctors also prescribe drugs and send patients to specific pharmacies in town
- There is corruption in the police department, they take bribes from matatu operators
- Secondary schools are charging tuition fee of up to 300/= without receipt
- CDF committee members are not trained to manage the funds
- HIV/AIDS patients are discriminated against and are not admitted into hospitals
- Corrupt KRA officials are taking advantage of the peoples' lack of knowledge on taxation laws
- Many bogus colleges are many in the town conning parents out of money
- There are also micro-finance institutions are conning locals out of money pretending they will give them loans
- some Head teachers who are compromised to give admissions

Recommendations:

- There is need to deal with the conflict between doctors and Pharmacists
- Ministry of education, any other relevant authority need to ensure that bogus colleges are not set up outside regulations. They need to regulate them more thoroughly

Trans Nzoia District – Meeting with the D.C.**Date: 23rd May 2006**

- The D.C. stated that corruption is now a way of life.
- The main corruption issue is land buying and ownership
- There is also the issue of professional squatters who keep on claiming that they are landless, when given land they sell it and start again

Trans Nzoia Civil Society Leaders:

- Public servants are very corrupt
- Police receive bribes from *matatu* operators
- HIV/AIDS funds are not properly used, there is cheating
- There are variations in the cost of commodities bought through tender
- CDF management has not involved the Muslims
- Cases of the grabbing of public land such as that of Kitale Prisons and KARI are well known.

- Forest land was allocated to squatters but some of the beneficiaries are top government officials

Recommendations:

- The Ndungu report should be acted upon. In particular in Trans Nzoia the issue of land allocation and squatters may be the most severe in the country.
- Cattle branding should be introduced in the district to reduce cattle rustling.
- The locals want the government to take care of the family of the late Masinde Muliro and make sure that their property is secure and any property lost since his death be returned.

West Pokot District – Meeting with the D.C.

Date: 24th May, 2006

- Corruption involving GOK officers is minimal as there are few GOK services in the district
- Insecurity is high in the district which makes it impossible to spend funds
- Some NGOs receive a lot of funds yet they do nothing on the ground, Sentinell is one such NGO which received Ksh 45 million for FGM

Local Leaders in West Pokot:

- The issue of ID cards has been thorny

- Turkwell project displaced locals without compensation. The project employed people from one tribe and not the locals and in the process there was a lot of nepotism and tribalism
- There is corruption among traffic police who collect between 50-100/= from *matatus*
- Pokots have been branded thieves by the government
- Unemployment is high among Pokots who have a big number of graduates
- The Ksh.10.6 million given for purchase of cows through AFC never benefited Pokots
- Relief food does not reach them
- Police arrest people and retain them for long hours over the weekend in order to solicit and receive bribes
- CDF is MPs' money, the committees are made up of supporters and relatives
- Locals pay Ksh 2000 for interviews into medical colleges and then unqualified people are taken for training
- There is corruption in the procurement process

Heads of Departments of West Pokot

- Recruiting teachers through the current process is tempting and hence encourages corruption
- Inspectors are bribed not to punish teachers who are involved in love affairs with students

- Prices of good and services are inflated in the GOK procurement process
- There are people who want to be paid without working
- Revenue collectors collude with businessmen not to pay revenue to the council
- There is limestone and gold in plenty in Pokot and this is being exported to Uganda without the locals benefiting.

Recommendations:

- The government should look into the setting up of a cement factory or other industry that can benefit the local community and make use of the regions vast natural resources.
- The district should not be treated as a closed of region.
- The government should change the public perception that the people from this area are just thieves and bandits. It creates a label for them and thus they feel cut off from the rest of the country.
- There should be a rationalisation of hardship allowances for all public servants.

Nandi North District

Date: 25th May, 2006

- The vetting process for issuance of ID especially for Muslims is a problem
- Kenyans fear police and judiciary hence get into corruption

- Corruption in land matters is impossible
- Corruption starts from the top as during elections a lot of money exchanges hands
- There is corruption in the police, they collect bribes everyday
- There is misuse of courts to block justice
- *Matatus* are tampering with speed governors
- Civil servants come late to work
- Chiefs ask for bribes to sign forms for IDs
- Police officers are also in *matatu* business hence they cannot enforce the law
- Lack of payment of allowances to land control boards is encouraging corruption
- The *boda boda* riders are arrested because they have no headlights on the bicycles and harassed by the police. As such they have to stop operations in the night.

Nandi South District – Meeting with the D.C.

Date: 26th May 2006

- There are many land-related issues in the district and locals who had been evicted during the ethnic clashes are now squatting at hilltops which are forest reserves and water catchment areas especially at Tinderet, Selengwani and Kapchomwa
- Others had been affected by the large scale tea farms and the sisal estate

Local Leaders and Public Servants in Nandi South

- Public servants pointed out that there was corruption in the manner in which AIEs are delayed and then released at the end of May thereby frustrating the AIE holders and pushing them to do things without following procedures to avoid returning the funds to treasury
- There is also societal pressure on the public servants when members of the public tempt them with money/bribes in order to speed service provision
- Members of public complained that they are not knowledgeable on how CDF, LATF and other devolved funds are managed and cannot know when corruption is taking place.
- Case files are known to go missing at the registry due to corruption
- There is corruption in the bursary allocation, funds are given to people who do not deserve
- Squatters should be settled by the government
- Locals wanted justice for the family of Sarone; their land and property were misappropriated in the previous regime
- The culture of goodwill/*bakshish* is rampant in the region
- There is corruption in the Free Primary Education; Head Teachers have devised ways of misusing the funds
- ADC Kimwani farm was allocated to those who were politically correct in the previous government and the squatters who were

there were left out. Finally they were given a little land on the tops of the hills.

- Town has poor or none existent sewerage system.
- Tinderet, Serengonik, and Kapchorwar forests have been invaded by squatters and allocated to individuals.
- Illegal brews abound because there are a lot of tea factories in the district and the workers buy *changaa* etc in the night.
- Locals wanted justice for the family of the late Sarone as their land was mortgaged to National bank of Kenya and the Bank kept the land after he died. The remaining land was invaded by squatters

Recommendations

- That locals be sensitised and empowered on devolved funds so that they can be involved in monitoring the administration of the funds
- Members of the Bursary Committees should be made known to the public and/or bursaries be handled directly by the schools to avoid corruption at the committee level.
- Let future studies be specific and not blame the whole police service as being corrupt, this is demoralising the good ones
- The local community should be told to stop narrowing the roads and grabbing road reserves

Laikipia District – Meeting with the D.C.

Date: 8th June 2006

Laikipia District covers an area of 9,697 square kilometers with a population of 412,299 people. There are seven divisions, 34 locations and two constituencies: Laikipia East and Laikipia West

- There are no Corruption Prevention Committees in the district due to the lack of trained Integrity Assurance Officers.
Furthermore, there are no guidelines to help in the fight against corruption, since the only existing handbooks are outdated.
- When the complaints box is opened, there are no corruption issues found, just complaints and allegations about individuals
- There have been no complaints about the use of CDF funds
- There has been established a Monitoring and Evaluation Unit to ensure that all funding to government projects is well utilized
- Crime rate in the urban centres quite low but high in other parts especially cattle rustling along Rumuruti and El Moran areas. The Government subsequently wants to develop these areas – boreholes, schools, dispensaries etc so that *wananchi* can settle in these areas
- There are too many resources used in security operations at the expense of development.
- There are many squatters on private ranches awaiting resettlement by the Government when land becomes available.
- The Government is encouraging internally displaced people to go back to their land as security has been beefed up.

- There are problems of farm produce poaching and burning of charcoal. There is also illegal logging going on.
- There are also problems with land-buying companies, with many cases of double allocations. This has resulted in numerous court cases. In cases the registered title holder and occupant of land differ.
- People coexist peacefully but conflict arises in times of drought when pasture becomes scarce.

Civil Society leaders in Laikipia:

- Doldol town (60 kms away from Nanyuki town) has no ambulance to cater for the sick in the area. They sourced one from St Johns Ambulance but it was later taken away and given to the Nanyuki District Hospital
- Not all the bomb victims were compensated by the British Army, unexploded ordinances are still lying in Doldol.
- Doldol areas are marginalized in development and poverty is very high. It has low school enrolment and high illiteracy; most workers' children on the big ranches do not attend school.
- Up to three quarters of the land in Laikipia is owned by settlers whose leases were renewed last year for another 999 years.
- Slums have sprung up in Nanyuki town as a result of overflow of people evicted by land buying companies. This occurs when the companies allocate one plot to several people.
- Idle youth engage in cattle rustling.

- There was an allegation that Naibor School was allocated 1.7 million from CDF but no corroborating evidence on the ground.
- Many unroadworthy PSV vehicles ply the Nanyuki Doldol road.
- The Mayor wants the law amended to make Full Council meetings open to the public, so that there is transparency and accountability in their operations.
- The mayor also wants to display all LATF and bursary details so that the public can easily access the information
- Famine relief food remains at the local Cereals Board depot for too long while people suffer hunger. Famine relief food is not going to the needy. There is evidence that some of the relief is being illegally sold.
- It is wrong that easy-come riches are still glorified in society
- Perennial drug shortages in Government health institutions a big problem
- Traffic police take bribes from owners/drivers of vehicles caught with offences, and release them without preferring charges
- The Nanyuki – Rumuruti road is often impassable, they want it fixed because it makes vital communication in the area easy
- An issue was raised on the method of nominating councilors to local authorities.
- The formation of CDF committees should be 'party blind' and incorporate all citizens irrespective of their party affiliation.

- They allege that the Council yard, bus terminus, a number of GoK houses, road reserves and jua kali land among others have been grabbed in Nanyuki town.
- Wildlife conflict has brought suffering to the community.

Departmental Heads of Laikipia:

- Some people are corrupting courts to subvert justice
- The Presidential Ban on forest harvesting was ill-timed because it has taken too long. No replanting has been organized
- They have circulars on the ground mandating respective Officers to repossess land mentioned in the Ndung'u Report e.g. Lands, Forests. But some 7,000 hectares of land were grabbed in the area, and the department has not been ordered to repossess it all. The Lands Department however claims still allowing transactions on the affected land due to lack of clear instructions on how to effect the recommendations of the Ndungu report.
- Land transactions are lengthy, and therefore encourage graft
- Due to numerous complaints on drug theft from Government hospitals, a raid will soon be organized to establish if this true. There is already an ongoing investigation to ascertain if it was true that the drugs meant for district hospital were ending up in private pharmacies as alleged
- The CDF Act needs urgent amendment to make it compliant
- The Doldol Health institution obtained an ambulance from St Johns ambulance through political influence while the District

Hospital had none. The MOH decided to take the ambulance to the district hospital to correct what he believed was an anomaly.

- Laws like the forest ban promote graft because people still need charcoal and firewood.
- There are no Government resources set aside to monitor and evaluate devolved funds, and no budgetary provision for the same.
- There is no designated dumping site within Nanyuki town, which causes a health hazard.
- The Environment Officer cannot implement the new (NEMA) Act because they are not empowered/registered
- The District Education Office denied allegations about Naibor (an old, well-established school) getting Ksh 1.7 million CDF funds. They have displayed all Free Primary Education and donor funds allocations outside each school.
- Relief food distribution from March 2006 was done by Red Cross and Caritas, NOT the Provincial Administration.
- The Government will to and resettle Kwa Mbuzi squatters.

Recommendations

- Politicians should respect Civil Servants who have the know-how, and need their support to work.
- They want the *shamba* system re-introduced because it has more benefits than negative aspects. Without this system, the forests have become good avenues for graft.

- Central Park should be provided with electricity and public toilets to benefit all who use it.
- The 300 metre road to Nanyuki Cottage Hospital plus the 70km Nyahururu – Nanyuki road should be constructed through joint funds from both CDFs and LATF. (However it was later established that the hospital is within Central Province, not Laikipia district).
- Misuse of Government vehicles should be curbed, not tolerated.
- Most laws should be evaluated; they should not give very high fines such that bribing is a cheaper option. The new law to curb smoking in public with a fine of Ksh 50,000 is a case in point.
- The Government must improve on its administration and accounting systems, and discourage any loopholes
- The Government must discourage the 'Godfather' syndrome which abets corruption
- All Civil Servants must be well-remunerated like those in KACC to deter them from indulging in corrupt practices
- Anti-corruption should be introduced as a subject in the education curriculum to help create a strong foundation in the youth from the early stages
- The government should incorporate the public in monitoring all public projects to ensure the money is well spent
- Anti-corruption committees should be established in all departments, churches, and schools to help curb the vice

- The public should be sensitized on all negative aspects of corruption, so that they will develop better morals.
- The Government should develop a resettlement programme which should include the setting up of schools, drilling of boreholes and establishment of dispensaries in El Moran, Rumuruti, Kinamba and Sipili areas so that wananchi can settle in these areas.
- Ranchers should be made responsible for building schools and clinics and employing teachers and nurses for the children of their workers as part of their social responsibility.
- All unexploded ordnance must be identified and safely disposed of with immediate effect.
- The government should put in place systems at district level to fight graft there, not just at a national level
- GOK should institute a special development plan for the alleviation of rampant poverty in this district.
- A Policy needs to be developed to address food security, to empower the locals to increase their agricultural productivity, to encourage cooperative ranching and a tree growing programme to re-afforest the denigrated part of Mt Kenya forest.
- Additionally GOK should explore ways and means of building up mutual trust and respect between the locals and the settler ranch owners.

Kajiado District – Meeting with the DC

Date: 25th August, 2006

- The DC said that the district corruption prevention committee is in place and Integrity Assurance Officers were trained
- The Heads of Departments and the public had been sensitised on corruption and the exercise is still continuing
- Performance contracting has helped a lot in service delivery
- There are some corruption-prone areas already identified which include the District Treasury, Registration of Persons, Police Department and particular traffic police, and the Land Tribunal.
- There is also corruption in the private sector especially group ranches in mismanagement of finances
- CDF committees also have malpractices
- Local authority has corruption issues also
- There too many NGOs and CBOs whose activities are not known.

Local leaders in Kajiado

- Corruption is deep-rooted in Kajiado particularly on land matters
- There is a cartel of buying land and a special land board with brokers who charge 30,000 to process title deeds in collusion with lands and council officers
- There is double or even triple allocation of land in Kajiado District
- There is poor and unequal distribution in Education in the district
- Human vs. wildlife conflict has never been addressed, KWS does not consider and compensate the locals

- Group Ranch officials are not educated but are very corrupt
- The National Aids Control Council gave out 200,000/= and not the 300,000/= signed for meaning that 150,000/= was used by the officials
- Corruption starts at the homes because Maasais educate boys only and not the girl child, and force girls to marry early.
- Female genital mutilation seems to be supported by government officials who do nothing about it
- There is charcoal burning and sand harvesting in the area
- Locals need medical care but the medical officers can not communicate with the local people in their language
- Land issues are a major problem in Kajiado
- The District Steering Group (DSG) is compromised because members are colleagues
- District land surveyor and Registrar issued title deed when the land matter was before the court
- In Stoney Athi, land belonging to the council was subdivided and sold to individuals
- In Kajiado there are no confirmed plans for the town. There are only sketches that are changed with any new administration that takes over the town council. Town council are liaising with Geomaps to do a satellite survey to improve town planning. Also they are going to introduce land by laws which have not existed. They will also declare some towns 'full' so that any further

expansion will take place in new designated places in the district to avoid overcrowding and poor planning.

- To date the Amboseli Park has not yet been taken over by the county council despite the gazette to that effect
- Water from Kilimanjaro passes through Kajiado and goes to the large flower farms.
- In the urban centre, who should be given land and by whom? What are the criteria used? If you transfer a lands officer or a surveyor they would rather resign. This shows the magnitude of corruption in the district.
- Human wildlife conflict is at alarming proportions due to shrinking wildlife habitat and growing human population. Wildlife also kill livestock and destroy crops. There is little or no compensation. But KWS are quick to respond if people kill any wild animals that threaten them or their livelihood.
- Land sold by councils and yet it is wildlife corridor. Imminent clash with KWS who want to repossess.
- Embuyangat group ranch and Kaptei. The beacons that were erected do not correspond to the ones registered with the land registrar.
- Brokers collude with registry officials and produce fake rates and water receipts so that they can bribe and transfer land. They have also tried to bribe the chairman of the county council. Brokers are sons of the Maasai in the district. Willing buying willing seller.

People need to understand the real value of their land so they don't sell it. They are not educated.

- Women have no rights on land ownership and inheritance.
- Briefcase NGO's have a lot of money and no interventions. Many NGO's use Kajiado name to get funding then they go and stay in Nairobi and do nothing.
- Inaccessibility to training and employment opportunities

Heads of Departments in Kajiado

- The officers said that lack of allocation of resources and low salary are contributing to corruption
- Low level of literacy is also causing corruption
- They also said that there is corruption in job placement, no hardship allowance
- There is inducement to get favours in education yet the people do not qualify, especially in bursaries
- Local politicians also bring lists of those who should be given bursaries and those who deserve never receive them
- There is corruption in the process of selecting students for Form One admissions
- Land is being allocated without due regard to water catchments
- There is a problem on CDF due to lack of proper policy
- allocation of resources particularly the devolved funds is causing corruption due to the unclear policies
- land issues are a big cause of corruption

Recommendations

- The war against corruption should target both the public servant and the private sector
- There is need for a Livestock Board to oversee livestock management in the region
- Privatization of Survey Services should be reversed as it has increased levels of corruption in land surveys
- The Amboseli National Park should be given to the local community so that they can benefit from the revenue
- Register both man and wife as owners of the land so the man can get consent from wife
- Educate Maasai on value of the land and the fact that soon they may soon have none left.
- Women should be protected so that can inherit their husbands land in case they die. Women need ownership rights so the land can be safe-guarded for schools and children.
- The Children's Act and other relevant laws should be enforced to prevent FGM, and awareness should be raised in the community and the dangers of FGM
- Vetting of NGO's and CBO's in the district to find ghosts.
- Need to harmonise benefits accruing from tourism and mining to benefit the local community.
- Subdivision of Langatawose should be stopped due to too much corruption

NAIROBI PROVINCE

Meeting with the Provincial Commissioner,

Mr. James Waweru

Date: 2nd June, 2006

- The PC stated that a number of Integrity Assurance Officers were trained but there is no continuity in the anti-corruption work
- Corruption is very common and all Kenyans are informed
- Land allocation presents a problem because the city council and the registrar of lands both allocate land
- There is corruption in the informal settlements where people want to get land/plots through politicians, councilors and chiefs
- The issuance of ID cards is another area prone to corruption especially with refugees bribing to get the Kenyan National Identification Card

Civic Leaders in Nairobi

- Some public servants collect protection fee from illegal business operators
- Hawkers bribe city council enforcement officers in order to be allowed to operate
- Members of Parliament appoint CDF committees
- Road repairs are not properly done hence roads are impassable
- Provision of services by public servants is low prompting people to bribe

- Chiefs and administration police receive bribes from those involved in illicit brew business
- Bursary allocation benefit the rich who do not deserve them
- Head teachers cheat on education funds
- Fines given by courts sometimes encourage corruption
- It was alleged that members of the outlawed Mugiki sect pay police 3000/- protection fee per day to avoid being arrested
- It was alleged that councilors claim to have repaired or constructed a road using LATF while the same road had actually been repaired using CDF funds

Provincial Heads of Departments of Nairobi

- Government of Kenya has no control over media ownership. For example, it was alleged that Royal Media owns many frequencies, a form of corruption
- It was alleged that the government funded a private organization to campaign for while Kenya News Agency was not funded
- Journalists are exploited by the media owners

NYANZA PROVINCE

Provincial Commissioner Mr. Paul Olando

Date: 20th June 2006

- The Provincial Commissioner stated that corruption is there in the province but it is taking a different turn in that people are aware of the fight against the vice.

- Corruption is present in both private and public sector alike
- That Corruption Prevention Committees had been established but effectiveness of these committees is wanting
- The committees are there because it is a government requirement
- The committees should be redesigned to have officers assigned for that work only.
- There is also the problem of lack of uniformity in the war against corruption, the public things that the public servants are not serious in fighting corruption
- That the training period of one week for Integrity Assurance Officers is not adequate
- Suggested the use of a new strategy to fight corruption like telling people that there are other ways of succeeding but not through corruption
- Stated that the high levels of poverty (67% in Nyanza) is tempting people to be corrupt
- That CDF is doing a good job in education and other areas
- Officers and leaders soliciting for bribes in order to offer services
- That a parent brought 30,000/= to have the son recruited in to the Administration Police
- Locals find it difficult to invest in Kisumu because Asains collude with one another and government officials to raise the entry level for most investment contracts. This prevents the locals from competing.

- The PC said that the Molasses plant was put to auction and bought by investors and is right now operational though it is on a go-slow. It is now employing people.
- Sewerage system is inadequate for the city. The world bank is funding a rehabilitation project but there is still a danger of pollution in the lake.
- The committee should partner with the Luo council of elders who are well respected, to help reduce corruption in Nyanza.
- The PC lamented that Luo professionals were hesitant to come home, The fear of being bewitched and the dilapidation of infrastructure in the area, coupled with elitism (they do not want to mix with the poor rural folk) keeps them away. He urged them to come home and help develop the area.
- Poverty, malaria, and HIV undermines development efforts in Nyanza.
- Politics and Political agitation have also played a part in hampering development efforts.

Kisumu Civil Society Leaders

Date: 20th June, 2006

- Corruption is both grand and petty in Nyanza
- There is greed among the leaders and that is why issues of corruption in CDF, LATF and other devolved funds cannot be solved

- Projects which were to be funded by CDF funds have never been funded
- People must bribe to be awarded bursaries
- There is a lot of corruption in the courts of law, files just disappear
- It was suggested that Leaders should accept responsibility for the mistakes done
- Local leaders want to see action not just words because corruption is a monster, but GOK can finish it by considering the causes which include greed, uneven distribution of resources, and low salaries for civil servants
- We need to create responsible citizenry through education, awareness is going to help fight corruption
- Corruption in the courts. Files disappear at will. This normally occurs to the favour of the wealthy.
- MPs are in parliament for personal gain. They challenged us to fight corruption from parliament and its shortcomings.
- There is no ice plant for the locals to store their fish catch, also there are some trawlers that harvest too much fish. The fish exporters are not paying cess. The by-laws on fish are too rigid. They are written by Minister of local government, which is too detached from the reality on the ground.
- To get loans from Cooperatives often one has to bribe the officials.
- Vote buying is a serious issue during elections in the district.

- The municipal council does not have the capacity to fight fire.
- There is no uniformity in implementation of the corruption prevention committees programmes.
- Suppliers do not understand GoK systems and seek to shorten processes of payment through bribes.
- Internal audits spend so much money in monitoring and then there is lack of money for services.
- They said that even with the money for road maintenance there are no roads to maintain.
- The dilapidated road system is the greatest hindrance to development in the district.
- Need to change the culture of wife inheritance.
- They are not involved in budgetary matters which are done from Nairobi.

Heads of Departments of Kisumu

- That corruption prevention committees had been established in some of the departments as required in the implementation of PSIP
- That corruption prevention committees are seen as a burden to most departments and that there no ownership
- That members of public look at civil servants with suspicion
- Mainstreaming anti-corruption initiatives is a problem
- Corruption prevention should be made a compulsory course in schools

- That there is need to create change in attitudes through education

Recommendations:

- The council should design and implement the by laws with regard to fishing sector.
- There is urgent need to reconstruct the road system in Nyanza. As a way of dealing with poverty. The province has potential in cotton, fishing, and sugar.
- The heads of department need to submit the budgets on time.
- The list of shame should be made public, for what is the point of the list if no one is taken to book.

Nyando District – Meeting with the D.C.

Date: 21st June 2006

- The DC said that there is corruption in Nyando both in the public sector as well in as in the private sector
- There are many complaints on the sugar industry
- While the government is continuing to provide services, there is still more to be done especially on procurement
- Punctuality is a problem, there is wastage of time and this is theft to the government
- There is a problem with the performance of chiefs in relation to local brew and kangaroo courts
- There is a problem of land issues, acquisition of title deeds

- Settling of cases takes a long time
- There is a large number of displaced people
- The issue CDF being seen as a campaign tool for some MPs
- Ministry of works has problem on roads
- Chemilil Sugar Company was given money and waiver on sugar importation but the money was misused
- The DC informed us that there were squatters in Muhoroni, who had been evicted from Thessalia farm in Kericho district.
- Muhoroni Livestock multiplication centre, 120 acres was carved off for resettling 'imaginary' squatters. The land was allocated to individuals instead.
- The DC said there were unresolved issues on the ownership of the Ahero Rice irrigation scheme.
- Land compensation for the Sondu Miriu Hydro problem has been a problem and has slowed the implementation of the project.
- The DC said there was concern over recarpeting of Awasi to Katitu.
- Delays in payments to sugar cane farmers can go up to 6 years.
- Negative impact of flooding has been reduced by desilting the Nyando River.

Meeting with Nyando Civil Society leaders:

- Corruption is present in all sectors, the public, private sector and the church
- Members of Parliament are corrupt

- Salaries given to officers of KACC are too high and this is affecting the budget
- Police are soliciting and taking bribes especially from matatus and illicit brewers
- It is a problem at the DC's office to get claims paid, some officers ask for bribes to process benefits for widows
- There is selective treatment at the hospitals, to get treatment from the hospital you must have a godfather
- There are far too many NGOs formed for survival, but not to benefit locals
- CDF management has no guidelines
- Transporting sugar cane has become very expensive for farmers
- Teachers ask for tuition, which the government had abolished
- There is corruption in the registrar of births and persons
- People pay 2000 to 20,000 to finish cases at the police station
- There is corruption at the council offices
- Proposed town council hall collapsed under construction. It was to cost 24 million.
- No action taken to settle land clash victims (Thessalia) to date.
- Mismanagement of relief food which does not reach the needy people.
- *Matatus* are owned by senior policer officers and GoK officers.
- Muhoroni/Londiani road is reported to be tarmacked on paper but in reality is not.
- Drunkenness among the youth is rampant.

- Chiefs are paid protection money by illicit brewers.
- Kisumu-Homa Bay road is literally unusable.
- Allegation that money was transferred from the Ministry of Local Government to the Nyando town council and withdrawn in collusion with local councillors.
- Forgery of title deeds is rampant
- The death rate from AIDS is very high and the process of getting death certificates is very complicated.
- Examples of corruption are exemplified by the buying of a used grader in poor condition at a cost of 14 million by the Nyando town Council. The case is being investigated.
- There are 70 registered NGOs in Nyando and the money they receive more often than not does not reach the intended beneficiaries.
- Farmers often bribe to get their cane harvested by Chemilil Sugar Company and additionally bribe to get jobs in the same factory.

Heads of Departments in Nyando:

- Junior officers overstay in their stations.
- Building by-laws are not being enforced.
- AIE's reach them too late in financial year to be of much use.
- Variations of contracts is commonplace as a way of increasing them and defrauding the GOK.
- The GOK officers find they are understaffed and as such are susceptible to bribes.

- Police complained that they are poorly paid and takes bribes to make ends meet.

Recommendations:

- The Committee should have offices in the districts to be able to monitor corruption in district properly
- A review of the training duration for integrity assurance officers.
- CDF committee members should be trained on procurement procedures, record and book keeping to enhance the funds capacity
- Strictly supervise building construction, given that it is a new district.

Siaya District – Meeting with the D.C.

Date: 22nd June, 2006

- The DC suggested that it is important to determine the causes of corruption which is rampant in the public sector
- Shortage of staff affects service delivery and there is laxity among public servants
- There is misuse of both CDF and LATF
- The poverty level at an index of 40%, without cash crop or fishing
- There is a shortage of 1200 teachers
- There is political interference in provincial administration
- The DC said that AIEs come too late

- He commended the dominion project. They have helped in road construction and the revival of the cotton industry.
- CDF the committee bought 3 tractors which are not viable
- The DC noted that frequent transfers among them hampered their work.
- Siaya standards of education have fallen from their old time high. He attributed this to Poverty and lack of teachers, The MPs he said have little interest in the sector.

Siaya Civil Society Leaders:

- The leaders said that they have not been made aware of who manages CDF and Bursary funds, politicians give the funds to those people who voted for them
- Revenue collection on small scale traders encourages corruption
- Hospital personnel usually ask for bribes in order to provide services
- There is corruption within Siaya Municipal Council, yet representatives complained that the money they receive is too little to provide for the municipality
- LATF has been used to pay staff salaries and not for the intended purposes
- In provincial Administration, the chiefs do not feel responsible to locals but the PS

- There is abuse of drugs in the district. Bhang is a problem in the district, exacerbated by the fact that In neighbouring Uganda, it is grown legally.
- Siaya Municipal Council representatives complained that the money they receive is too little to provide for the municipality.
- The upgrading of local authorities/municipalities has been haphazard and is often in conflict with their economic viability.

Heads of Departments of Siaya:

- CDF committees lack the capacity and technical know-how to identify projects for funding. That the fund had been used to buy tractors, a project they felt was not a priority area. The CDF committee pays 2000/= per person for consultation with the technical staff.
- The locals do not know anything about the Bursary component of CDF and the Bursary programme is greatly abused. About 3.8 million goes to the area MP who gives out the funds as he wishes and there is no documentation.
- There is duplication in terms of accounting for LATF as they officials cheat that they have started a project which they are funding yet funds come from other partners such as CDF
- District Development Committee is never informed about the projects identified and the funds allocated hence the office cannot audit the activities of CDF

- There is need for simplification of certain procedures to minimise corruption
- Teachers' check-off system has a problem. Teachers collude with hire purchase companies to obtain money under the pretext that they have bought goods on hire purchase. (unofficial loan) This is then paid off by the TSC by deduction their salaries. The teachers are so busy paying of loans that they absent themselves from school to find other work to pay the loans. Another consequence of the loan burden is they neglect their own families and when their salaries are attached to provide for their families they bribe TSC officials and get their salaries through the back door.
- Traditional brews are made for the elders are a must whenever they meet, which means breaking the law.
- The community recommended that the Bar Sauri millennium village is considered a success and should be relocated in the district.
- Abundance of illicit brews in Ugenya was noted as a problem.
- CDF money ends up in private schools illegally.

Recommendations:

- The high level of poverty in Siaya requires intervention at GOK level in order to empower people to cultivate traditional crops on large scale such as cotton, simsim, and soya beans
- TSC should enforce a requirement the new policy that the maximum a teachers salary can be deducted is by 65%.

Bondo District – Meeting with D.C.

Date: 23rd June 2006

- The DC said CDF is so strategic that it is changing the lives of people. However the funds are only in the hands of a few individuals and accounting and management of the funds is wanting. Poor accounting systems undermine the proper utilisation of devolved funds such as CDF and LATF.
- LATF is equally abused. There are no clear accounting systems in place. The committee does not discuss with the technical staff on projects they wish to fund.
- There is a lot of insecurity especially highway robberies
- Although a District Corruption Committee is in place, it is non-functional
- There is a high turnover of trained Integrity Assurance Officers
- There are no complaints in the reporting boxes at strategic places; the public is not keen on using the boxes; they prefer to mail their complaints.
- Land grabbing is a big issue
- The environment has also been affected by cutting trees
- He lamented the late arrivals of AIE's which put pressure on heads and money ended up being misused.
- Highway robberies have been reported because in increased economic activity relating to the fishing industry.
- Persistent power blackouts threaten industry in the district.

- The DC noted that frequent transfers among them hampered their work.
- The fishing industry earns 100 million US\$ of which as little as 20% remains in Nyanza.
- The intellectual competence of the head teachers far out weights those of members of the school committees. They can manipulate them and make gains for themselves through contracts.

Bondo Civil Society Leaders:

- The leaders said that corruption starts from the top when wrong instructions are issued
- There is corruption among police especially traffic police
- The funds for AIDS control in the district are not monitored yet its a lot of money
- CDF money has been misused in some areas like the scoping of dams, and some CDF projects are paid for before work is done
- There are far too many NGOs in the district and the work they do is not known
- National Aids Control council has given funds to the district for prevention education and support of those affected, but the funds have been used to buy chairs for funerals
- Public servants stay in Kisumu town and commute every day, thus they report late and leave early, which is theft of GOK time

- A bursar and a councilor were arrested for stealing school funds through double receipting, the same was transferred to another school
- There are over 4000 community based organizations within Bondo but they are doing nothing
- The Free Primary Education is badly designed and managed
- KNUT defends drunk teachers who absent themselves from school.
- There was concern with the management of CDF in Rarieda. Dams were built but at a very high cost.
- Recruitment of people to the disciplined forces is riddled with corruption.
- Muslims complained that there was no cemetery for them in the district.
- Middlemen in the fishing sector exploited the fishermen.
- Open bribery on the roads Ndori/Bondo by public to police.
- Representatives of the municipality complained that they had to pay VAT on the money they received from GOK

Heads of Departments in Bondo:

- Too many roadblocks between Kisumu and Bondo.
- Courts take too long to clear cases
- OCPD said that the police were ill equipped and compromised in their work.
- There is no public education on corruption in Bondo.

- The LATF money comes in too late and hampers progress on projects.
- Bondo District Hospital is understaffed. There is also a problem with referring patients to Kisumu because of no vehicle.
- They were only given 3,000 bags of maize and beans for relief which was inadequate and there was no lead agency for food distribution.
- DCIO complained that the pathologists were demanding money from public for post mortems and this interfered with their investigations.
- ECK said they lacked resources and that voters were bribed to vote or they would not turn out. Aspirants were bribing ECK returning officers.
- Weakness with CDF is the legal framework which gives too much power to the MP's.
- The GOK does not treat registration of persons as seriously as it should and the department is not well funded.

Recommendations

- There is need to build housing for Public officers in Bondo.
- Review and restructure free primary education to make it more efficient and seal loopholes for corruption.
- There is need to better staff the district hospital and ensure adequate provision of drugs especially for malaria.

Over arching proposal for Nyanza:

The GOK should institute a special development plan for the alleviation of rampant poverty in Nyanza which should include the revival of the sugar and cotton industries which should focus on repairing the dilapidated infrastructure and accelerating the rural electrification programme.

The Plan should include revamping and restructuring of the fishing industry to harmonise the incomes from the sector and reduce exploitation of fishermen. This should ensure the creation of competitive cooperative movements to cater for fishermen.

Additionally formulate a far reaching policy on the HIV pandemic in the province as well as increase funding for research into malaria control and treatment.

Vihiga District – Meeting with the D.C.

Date: 24th June 2006

- The DC said that they had sensitized most of the district heads and leaders on corruption and set committees but there is need to facilitate the office to undertake anti-corruption activities
- Police collect protection fee on illicit brew
- The law courts are not helping as they set offenders free on community service order or with a very small fine which cannot

deter the offenders from repeating the offences. For example, one offender was given a sentence of 3 hours of community service.

- There is collusion between *matatus* and police officers. *Matatus* are still overloading.
- There is corruption also in the procurement process
- Procurement and all financial procedures within the district need to be streamlined.
- Law courts are out of touch with reality. There are numerous reports of cases that are delayed or interfered with. Courts mete out lenient sentences that are not harsh enough to deter crime.
- Land remains a major issue. The land available in the district per family (seven people) is a mere .4 acres.
- The poverty index is 62% and unemployment is very high.
- Food insecurity is a problem. When 1 million bags of maize are required to feed the population, only 400,000 are available.
- Public are ignorant of their civic rights and therefore believe it is in order to bribe to get a service.

Civil Society leaders and Heads of Departments of Vihiga

- Overloading is the order of the day for *matatus*. Police and touts exchange money openly.
- Nepotism is an issue that needs immediate attention. There are instances of promotion of unqualified head teachers. This has demoralised the good performing teachers. This is the order with all other GoK departments.

- Food distribution is haphazard at best. Those who receive relief are the well connected.
- Employment depends on how much one can bribe and ones connections especially politician connections
- Political goodwill is absent in the fight against corruption. They cited Anglo Leasing and Goldenberg as cases in point that bred overnight millionaires and yet those guilty have not been prosecuted.
- Provisions do not exist for the disabled to access services. For example, there are no ramps alongside stairs. The disabled are not factored in the budget.
- The elite in the district have relocated elsewhere (like schemes in Kitale) and this leads to a lack of capacity on the ground
- People are afraid of taking credit because they fear losing their land and as such investment is very low. This results in poverty.
- Drug abuse is evident in the district.
- Remuneration from employment is so meager that people feel they must engage in illegal activities to boost their income before they retire.
- With the introduction of cost sharing, those who cannot contribute take shortcuts to access a service. Instead of paying the required amount they offer to bribe public officers in order to pay less.

Recommendations:

- Review the sentencing for illicit brewing and increase the fines. Also make a provision for spot fines and the immediate destruction of the brew.
- Let the GoK take immediate action to reforest areas like Kaimosi and southern parts of Kakamega forest that have been decimated by charcoal burning and illegal logging by GoK officers.
- GoK should carry out a feasibility study to determine whether an agro based industry can be initiated in the district.
- The GoK must take strict measures to eradicate the growing of *bhang* in Bunyore and Maragoli areas and sensitise the people on the adverse effects of drug-taking.

WESTERN PROVINCE

Provincial Commissioner Mr. A. K. Mwasserah

Date: 26th June 2006

- The PC said that most of the problems are related to agriculture and hence corruption cases are mostly related to land issues
- That corruption is common but the degree varies
- That complaint boxes have been placed at all strategic places and many complaints, both genuine and otherwise, have been dealt with
- He said public officers need to be educated, because they do not prepare adequately for retirement. He said there should be a program to help them learn how to invest and save for the future.

- He noted that environmental pollution was being caused by poor controls at the Pan Paper Factory, in particular the pollution of River Nzoia. Panpaper, however, gives 4000 seedlings to be planted every year.
- The administration is winning the war against charcoal burning in Kakamega forest.
- He said there was high unemployment in the district and most school leavers became *boda boda* drivers.
- Allow for citizens arrest when corrupt activities are detected.
- Farmers are often cheated out of their dues when the deliver cane to the factories by employees who underweigh the load.
- Aliens come in through Malaba, Busia, Bungoma from Burundi, Zaire and so on.
- There is corruption at the weighbridges throughout the district.
- Most misallocated land has been repossessed.
- The lake Victoria has receded by 1.5 metres in the last 5 years mostly due to deforestation of Mt Elgon.
- Not enough Guards to cover Kakamega forest effectively
- Problems with management committees of CDF. But he has engaged them and has issued instructions that they be monitored. They have also initiated a training programme for them.
- He is also taking the committees around to see what other committees are doing in their constituencies.
- Squatters were evicted from Mt Elgon 1600 in total.

Provincial Heads of Departments:

- They pointed out that some laws are not effective, for example for the non use of seat-belts, the fine is only 300/= but after being in court the whole day, people choose to give bribes instead of wasting time
- Procurement process has been abused, quotations are given to one contractor who varies prices at will
- The supervision of construction of houses and roads is not done properly because the officers concerned collude with the contractor
- There are head teachers and members of BOGs who supply food stuff to the schools they head
- They challenged us to provide people with creative education rather than go around telling people to stop corruption.
- Manipulation of the procurement process through one person submitting several quotations or tendering more than once.
- By public servants accepting lunches and transport from clients, corruption is perpetuated in the public service.
- Private colleges are registered illegally even when they lack facilities.
- Cost sharing is not working well as medical staff list patients names in books and do not issue receipts thereby denying the GOK revenue.
- There was alleged tampering with expiry dates on drugs which subsequently find their way into private clinics.

- Meat inspection officers lack transport and facilitation. This had undermined service delivery as clients bribe them to pass their product.
- Institutions that handle food (restaurants and hotels) bribe officers in department of public health to get the food handlers liscence (clean bill of health).
- A contractor with good contacts gets several contracts and gives to those he wants.
- The public servants accuse *Saccos* and Banks of colluding to offer loans which the public servants take and when they find it difficult to pay the bank will offer a bridging loan and the civil servant becomes trapped.
- Corruption has created an avenue for money laundering in the cooperatives.
- Municipal and county councils deduct money from their employees which they don't remit to the cooperatives.
- CDF projects are too thinly spread out and as such the failure and unsustainability rate is high
- Public complain about the police but yet the public will try to bribe senior police officers to get their relatives in the force transferred to traffic dept to make money through receiving of bribes.
- Collusion between public officers and contractors to certify shoddy work is rampant.
- Corruption is exemplified in the education system through bribes from parents for admissions into higher education institutions.

- A number of GOK vetting committees and not facilitated as such are easily swayed by bribes

Meeting with Civil Society leaders in Kakamega

Date: 26th June, 2006

- They wanted to know how different NACCSC was from other committees that have been formed in the past and did nothing
- At Sinyalu constituency, CDF money is not reaching the locals as there is no transparency in the committees
- There are Kangaroo courts at provincial administration chiefs' offices where people pay 2000/= to obtain freedom
- Police arrest approximately 40 people each day and take only 6 or so to court
- Those people who do not pay bribes of up to 2000/= are the ones taken to court
- Contractors of projects are conduits for stealing CDF and LATF money
- Police officers receive 100/= while courts fine up to 10,000/= hence it is cheaper bribe than pay fines
- At land registry, files are always missing but when you pay something your file is produced
- At the hospital doctors ask for 5000/= to undertake an operation
- One patient was taken to hospital at 9.00pm but was not seen by the doctor until the following day at 2.30pm

- There is corruption in payment for grazing as money may not be handed back to the exchequer and is instead pocketed by forest guards.
- School boards meetings are irregular. This does not help deal with issues in schools.
- Magistrates and lawyers collude to delay cases and charge clients more money.
- Those who apply for power are forced to bribe to get meters.
- They pay water bills and there is no water in the taps.
- Multiple allocation of the same plots abound in municipal council. Fraudulent transfer of land by senior officials. This has occurred with public utility land given by the public.
- Public are asked to buy pipes so that they can get water then the same pipes are used to provide water for all on that line and the payee is not refunded.

Recommendations:

- The National Anti-corruption Committee should start working at the grassroots level as soon as possible
- The committee can make use of provincial administration *barasas* to reach Kenyans down to the village level and, the PC's office is ready to facilitate this
- Officers should be trained in financial management because many public servants engage in corruption due to poor personal financial management

- PC added that the community policing programme was a success in the province. The hotline provided for the programme has made crime reporting easier and a number of such cases have been handled
- Officers should be trained on management of personal finances and to prepare for retirement.
- Allow for citizens arrest to help curb corruption.
- Provide welfare for the unemployed and vulnerable.
- Promotions must be on merit and diligent and hardworking civil servants should be rewarded.
- Provide mobile registration units for the district.
- Provide people with seedlings and fertiliser to empower them in food production.

Busia District – Meeting with the D.C.

Date: 27th June 2006

- The DC said that the main economic activity is agriculture and that sugar is doing good except for complaint on cost of
- That security personnel along the border are compromised to allow the movement of poultry products from Congo via Uganda but KEPHIS are inspecting the products
- Floods have been a problem, but NYS have constructed dykes that have improved the situation
- There is timber from Congo and Uganda which traders bring at night to avoid taxation

- Noted problem with management of CDF
- Smuggling across border of maize and other foodstuffs from Uganda into Kenya competes unfairly with the local farmers.
- He said that illegal firearms crossed from Uganda into Kenya escalating crime in Busia and its environs.
- Truck drivers prefer to stay overnight on the Kenyan side because of our favourable tax regulations, but this leads to congestion.
- Sese island is an issue because Kenyan fisherman are arrested and their fish and gear confiscated by Uganda Patrols when truth is that the border is vague.
- Timber is brought in from the Congo.

Meeting with Civil Society Leaders in Busia:

- Leaders said that corruption is caused by poverty and because the cost of things has gone up it attracts corruption
- They accused police of leaking information to suspects when members of the public report issues to the police, this is a risk they would rather not take
- There are far too many road blocks which are money collecting centres
- They wished that Ministry of Health would publicise when they supply drugs to local hospitals so that members of the public can go for treatment before the drugs expire as is the practice
- There is need to let people of Busia know the cost of land so that land valuers do not con them

- It was alleged that people pay to get ID cards
- That there is a lot corruption involving customs officials
- There delays in the courts where cases stay for over 3 years
- Bursaries are allocated to people who do not deserve them
- *Boda boda* are involved in too many accidents. Up to 8 are knocked down daily.
- The town is congested and planning severely compromised.
- They suggested the setting up of an ombudsman's office for addressing public complaints
- Too many blackouts. They claim it happens on certain days and times as a way of KP employees soliciting bribes.
- There is a problem of water in the town and boreholes being dug close to pit latrines.
- Public officers sell mosquito nets to be issued to the public, in Uganda.
- NGO's are too many in Busia and the benefits are not felt by the *wananchi*, especially AIDS-related NGO's.
- Land registry is slow and people bribe to get their land issues sorted out quickly.
- People complained that KRA collect so much money in Busia yet the town itself does not benefit. Meanwhile the lands department also collects revenue which goes to the KRA.
- *Boda Boda* drivers are arrested for carrying customers who are found with *bhangi*. But they did not know what their passenger was carrying.

Heads of Departments in Busia:

- Kenyans respect those with property even when it is not known how the property was acquired
- Those officers who remain in one station for too long should be transferred to avoid their getting too familiar with the locals
- There is an historical perspective that those who stole coffee made it in life, so corruption is beneficial
- Meat inspectors collect revenue but do not remit. They do not give receipts. There is no mechanism to monitor what they have collected. Some of them have parallel receipts.
- Serious shortage of staff hampers delivery of service in the district hospitals.
- Poor terms of service for civil servants leads to lack of moral opens avenues for corruption.
- There are brokers for all sorts of GOK services like registration of IDs.

Recommendations:

- Need to streamline the management of *boda bodas* into functioning cooperative to improve their income and empower them to regulate themselves.
- There is need to sensitise the community on the negative impact of smuggling, and the integrity committees that are already doing this should be strengthened.

- GoK should manage its borders given that they are the entry points for smuggling of firearms drugs and other negative influences.
- Incorporate modern technology in security at the border to enhance Kenya's internal security.

Bungoma District – Meeting with the D.C.

Date: 28th June 2006

- The DC stated that corruption is an issue being discussed at the local level
- That the police do not have the patience to investigate corruption issues
- That what NACCSC is doing is the right way to go especially in providing structures through which Kenyans down at the village level can address corruption. NACCSC should be established at the grassroots level.
- This is important because the corruption prevention committees formed under KACC are not effective. The DC's corruption prevention committee was in place but it has limitations as most trained Integrity Assurance Officers are transferred every so often
- He said though PanPaper have ISO they don't meet standards on the ground. They release waste into River Nzoia which ends up polluting the river and spreads to Lake Victoria.
- The trailers carrying sugar are pulled by tractors that are not road worthy. They cause many accidents. They get away with it

because the factory will not get any cane. The farmers are too poor to maintain their tractors properly.

- Tobacco growing depletes the soil.
- The old people protect communal land and will not give it to their children. They die and there are problems with ownership. At the land *barazas* only the elderly attend. The children are not interested because they know they will never get it.
- The Bungoma district hospital land was grabbed but has been returned though the title remains in another's name.

Meeting with Civil Society Leaders in Bungoma:

- Corruption is rampant in Bungoma; those who are involved are protected by someone
- CDF management in Kimilili is done badly; the community does not know what projects are being done. The area is said to have received 58 million yet there is nothing on the ground to show
- There is a lot of corruption at the municipal council; councilors keep on talking about projects they are implementing but there is nothing on the ground
- Councilors have decided not to follow the right procedures in handling LATF, instead they have opened their own accounts through which they pay people with their own personal cheques
- At one time, Ksh 600,000 was given for development but nothing was done; the councilors need to be investigated

- The people have nowhere to report corruption issues, KACC is based in Nairobi and when locals report corruption cases to KACC, no action is taken nor do they bother to acknowledge receipt of the complaints
- They need a place at the district level where they can report corruption and action is taken
- The CID is not doing a good job when it comes to handling corruption, that there is one CID officer in Kakamega who is doing things very badly
- Land issues are a problem
- The DC has no control over the activities at the weighbridge because it falls under the jurisdiction of the KRA and Public works.
- They allege that corrupt officers from the field tend to be taken to Nairobi and promoted.
- Delay of cases in court because of lack of judges.
- Sentences for some crimes are very light and as such not a deterrent.
- Bungoma county council handles LATF unprocedurally. There is corruption and falsification of projects done.
- The tendering system is flawed because it does not specify who should sit on tender committees.
- To qualify for money for AIDS one must have a proposal. When they take to the technical people to evaluate they rubbish it. One has to bribe them to write the project for you (an organisation) so it can be passed

Heads of Departments of Bungoma

- Land matters are made worse by the fact that 75 laws are in use on land issues, they have caused confusion and hence corruption; these laws need to be repealed
- There is also some problem with the procurement procedures, they should be specific as to who should be who in the procurement committee
- The CDF health centre projects have been done without consultation with the Ministry of Health, already the district has 4 hospitals, 20 dispensaries and the CDF projects have done 40 Health Centres of which 18 are ready, but there is a great shortage of personnel
- In CDF projects the technical people should be involved.
- When town clerks or county clerks mismanage funds the most that happens is that they are transferred to other municipalities.
- Prostitutes are arrested but the clients go free.
- Police were commended for community service.

Recommendations:

- That provision of education to create awareness is important
- GOK should consider introducing anti-corruption education in primary schools just like in the case of HIV/AIDS
- Parental involvement in child upbringing is also needed
- Children should be involved in farm work in order to be productive and create wealth

- The local people need to be made aware of their rights so that they can say no to corruption
- It is important to elect leaders with moral authority to lead
- There should be alternative crops grown to tobacco to replenish the soil.
- Tractors and trailers must be made to comply with traffic laws.
- Police should charge people immediately on road for traffic offenses

CENTRAL PROVINCE

Meeting with Provincial Commissioner, Mr Kiplimo Rugut

Date: 9th September 2006

- The Provincial Commissioner thanked the NACCSC for their visit to the province.
- The PC also gave apologies that it was not possible to meet the groups during the first visit early in the year, saying that the notice was short and they were preparing to receive the Head of State.
- He stated that the provincial corruption committee, that meets twice a month, involves the CID and the PC's office to investigate cases.
- The PC further assured the committee that his office will support the fight against corruption.

In the afternoon, members took time to meet with chiefs from five districts to discuss corruption issues and explain the campaign.

Meeting with Deputy P.C. of Central Province

Date: 21st August 2006

- Malpractice in the distribution of relief food.
- There is a lot of corruption in the Traffic police, as witnessed by ordinary Kenyans who see police officers receiving bribes.
- Education enrollment is erratic, and the school dropout rate very high.
- Land issues are a big corruption problem in the province. The Ndungu report is in need of implementation. Land buying companies are very active, but some are bogus.
- There are 10,000 squatters in Mathira, Tetu, Kieni East and West, due to an order by the government to move people from forests, all these are fed on relief food
- There were 200,000 colonial villages in Mathira, Tetu, Kieni East and Kieni West
- There is corruption in service delivery especially at the District Treasury and Registration of persons
- CDF projects are not done on time
- Nyeri has the highest forest cover in the country but Mount Kenya forest destruction by outsiders is a worrying concern
- Poaching
- Land buying societies

- There is a big problem of growing and trafficking bhang in the area especially deep in the forests
- The construction of the road towards Nairobi has taken a long time, but a technical team together with the Parliamentary Group had visited the site and a report is awaited
- Corruption had caused cooperative societies to break down
- A number of Government plots had been grabbed
- In King'ongo' area, there is child labour especially in coffee farms and quarries
- The issuance of ID cards has been affected by lack of resources in the department.

Meeting with Civil Society and Local Leaders in Nyeri

Date: 21st August, 2006

- There is duplication in the accounting of funds used in projects where money from LATF is spent on a project and then CDF officials claim they too have used money on the same project.
- No recreation/sports facilities in Nyeri town, making it easy for the youth to get involved in anti-social activities
- Residents pay water bills inclusive of garbage collection fee but garbage is never collected
- Rape cases are rampant but the police are bribed and so charges are not made.
- Police do not respond to distress calls nor act on reports given to them

- The highway patrol police in Tetu collect cash bails of 3000/= and Ksh. 1000/= from every *matatu* on a daily basis (Nyeri-Nairobi route)
- Administration police solicit and receive money from local illicit brewers as protection fee
- Police also demand money for scratch cards
- Coffee factories are adding fake weights on some peoples weights and later share the money
- Lack of sign language experts is making those who cannot talk suffer in the hands of police or administration
- Intelligence are not giving proper information to the government
- People are forced to bribe up to Ksh 8,000 to get a passport. The problem is due to middlemen.
- There is corruption in the district but coordinated from outside the district
- The vetting committees in the Department of Registration are corrupt.

Recommendations:

- Some officers have been interdicted due to malpractices involving relief food.
- The Government has identified where squatters are and has given allotment letters to formalise their settlement.

- An Assistant Chief has been interdicted over illegal logging allegations
- People are now serious with forest protection because 70 % of the water comes from this forest areas (Ndakaini Dam)
- Local communities are also planting trees
- Have arrested 100 people on *bhang* cultivation in the forests and destroyed 3 acres of *bhang*
- Some Cooperative societies were merged so that they can market their produce, the Government has also given them a waiver on loan and coffee sales have gone up
- KCC has now improved and receives 300,000 litres of milk
- The process of repossessing grabbed public land is on course
- Crime in Nyeri has been brought down by 60% through community policing
- CDF has helped put up some security units in most areas, in Othaya a police station was put up
- Police should publish the amounts of fines chargeable for corresponding traffic offences so that Kenyans are not forced to bribe them

Muranga District – Meeting with the D.C.

Date: 6th June, 2006

- The D.C. urged that the fight against graft should start from the top not the bottom. Most elected leaders lack are lackluster in

performance as they attained office through vote buying and are not concerned with real issues.

- Transfer of trained Integrity officers from the district adversely affects the fight against graft. The administration also does not make adequate budgetary provisions for the integrity officers to work. There is no structure for them to operate.
- Cooperative movements in the district need to be improved because politicians use them for their own ends.
- The crime rate in Muranga is exceedingly high. Most of the criminals who torment Nairobi commute to and from Muranga.
- The administration gets mixed signals from GoK on the status of Mungiki. This makes it difficult for them to address the group.
- There is a problem on inheritance of land. A dispute over even a metre can end in murder.

Civil Society Leaders in Muranga

- The CDF act needs an overhaul so that *wananchi* can be better integrated into the project selection and management.
- They allege that the town library is co funded through CDF, LATF Kenya national library services and as such to monitor their direct inputs is difficult. This can cover up incidents of corruption.
- Allegations were made that the local mayor got tenders for road repairs within Muranga town through his own companies, which is conflict of interest

- There are claims of police harassment. Police arrest people on trumped up charges, such as planting *bhang* in people's pockets then arresting them in the hope of getting bribed.
- Overloaded *matatus* drop off passengers just before police roadblocks.
- The new cigarette law was used to harass *wananchi* and detain them without charges in the hope the police could solicit bribes to release them
- NSSF need to be computerised to increase its efficiency.
- Convicts smoke openly in the prisons even though it is illegal
- There is an urgent need for GoK departments to display their service charters so that the public can know what to expect of them
- Junior officers in the lands department hide files and alter documents to their own ends.
- The local authority employees are often relatives of councilors and chief officers (nepotism)
- Procurement is not streamlined and procurement officers award themselves tenders using proxy companies.
- Officers deliberately work slowly in the hope that they will be bribed to give prompt service.
- The sewerage system in Muranga is inadequate.
- School leaving certificates are only released to students once they clear all outstanding fees. In particular Kenya National Examination Certificates are withheld by schools for same reason.

- Muranga District Hospital is supplied by only one supplier.
- Councilors meet without informing the public contrary to the requirements under the Local Authority Act. The public then have difficulty in accessing the minutes of the same.
- Enforcement of law against white collar criminals is hampered by the fact that the DC for example cannot reprimand an out-of-order MP. An officer cannot enforce the law against influential people.
- The criterion for awarding constituency bursaries is skewed in favour of gifted children. This makes it difficult to identify a child's real potential as they may be clever but, being poor, have been out of school intermittently and score low grades.
- There is a conflict between chiefs and police in that chiefs arrest *changaa* brewers and hand them over to the police to be prosecuted. The police take bribes and release them then the chiefs are sacked or transferred for not doing their jobs.

Heads of Departments of Muranga:

- Land grabbing is so rampant in Muranga that city planning is compromised.
- Overcrowding is compromising the quality of treatment in Muranga District Hospital. The mortuary is often full.
- There are too many roadblocks between Muranga and Thika that don't seem to serve any purpose.
- Composition of members of CDC's is questionable.

- Technical staff from GoK departments and not consulted over implementation of CDF projects, as should be the case. Information is withheld by the CDF committee and is not provided freely to the DDO who is the AIE holder.

Recommendations:

- The GoK should recruit and train integrity officers for each district. There should be a Training of Trainers function built into each district with this regard. The officers should have integrity monitoring as their sole function. GoK must structure this office into the administration and provide adequate budgetary provisions for the same in each district.
- NSSF need to be computerised to increase its efficiency.
- In determining which children are awarded bursaries the relevant committees should be guided by demonstrated potential as well as direct grades to avoid discriminating against poor children who may be gifted but have scored low grades because they have been away from school.
- Council meetings must be advertised and members of public invited. Any council meeting held without a public notice should be declared null and void.
- In fighting corruption, Kenyans are demanding that action be seen to be taken against the perpetrators of grand corruption in particular the Anglo Leasing and Goldenberg scandals.

- An environmental impact assessment needs carried out in Muranga district to identify the real extent of soil erosion and make recommendations on the resettling of those living on hills to reduce soil loss.

Kirinyaga District – Meeting with the D.C.

Date: 7th June 2006

Kirinyaga covers an area of 1,478 sq km with a population of 226,665 males, 230,440 females. This is however rapidly increasing, with 800 births and 300 deaths per month. The district has four divisions, 22 locations, 80 sub-locations, divided into four constituencies (Ndia, Mwea, Gichugu and Kerugoya-Kutus). 30,183 hectares under forest cover, most of indigenous and gazetted.

Issues Raised:

- The District Integrity Assurance Committees activated recently, all operational, to handle graft issues locally. These have held a lot of sensitization meetings and seminars for all Civil Servants.
- However the war against graft is far from being won, hence the approach must urgently be changed. The fight must be a concerted effort and involve everyone
- It is high time that the fight be mainstreamed in all the core functions and activities of the Government for effectiveness.
- Corrupt practices can be seen in all revenue collection offices: Lands, ID registration, Accounts etc.

- There are land problems due to the heavy presence of brokers.
- Even if the departmental Heads are transferred, the operatives and networks are left intact within the offices hence making corruption hard to eradicate.
- Action needs to be taken against perpetrators at the top so that *wananchi* do not take future government warnings for granted.
- A lot of corruption cases have been taken to court in the last five years, but no one convicted so far – people are despairing.
- There is need for financial and logistic support at the district level so that the units can train, set up offices, and sensitize people against graft.
- Misappropriation in bursary allocations; not all those who receive bursary are needy.
- A lot of crime, illicit brews and hard drugs in circulation within the district's main towns.
- Corrupt management officials within the tea *saccos* and coffee cooperatives embezzle and misappropriate funds.
- Community policing efforts are growing; people help the Police fight crime up to village level. The crime rate is exceedingly high and criminals go from Nairobi to Kirinyaga.
- There is the presence of Mungiki cells in the district.

Civil Society Leaders in Kirinyaga:

- Past injustices in the area have not been addressed. For example, there are cases of people displaced from their land with no compensation to date.
- Some leaders own companies that get tenders all the time
- Succession issues – women and children are marginalized
- Most of the people sitting on CDF Committees are sycophants, hence the devolved funds do not reach everyone in the area
- Hospitals are well-stocked with drugs but patients are hardly given these drugs, but are forced to buy the same
- *Wananchi* cannot see on the ground any projects said to be funded through LATF
- There are no street lights in Kagio town, and no rubbish collection even in the large market.
- Illicit brews rampant in the area, and police benefit from this trade. However, this ruins the youth
- A Councilor explained that LATF funds only allocated to projects identified and prioritized by local *wananchi*.
- In regard to roads, *wananchi* want to know who monitors the use of funds allocated to them
- Conflict in South Ngariama land – Kirinyaga County Council is the trustee of the land
- *Wananchi* want Church leaders involved in bursary disbursements for transparency

- Idle youth, high poverty levels and unemployment are major causes of escalating crime rates. Also illicit brews and drug-taking contribute to this menace
- *Wananchi* claim that police are too slow to respond to emergencies, and only visit areas too late after the thugs have left
- People are generally fatigued with promises of fighting corruption – cant see any action taken
- They want the Government to urgently repossess all land/material illegally acquired (refer to Ndungu report) so that they can be taken seriously by *wananchi*
- Some laws of the land need to be re-written to suit the current situations
- They alleged that the Children’s Department was seriously rocked by graft.
- Delay in court cases leads to corruption through desperation
- Security agents in the area are lax, there is urgent need for an overhaul
- There is high unemployment rates despite well-educated youth, but there are no social amenities like a public library. The youth hence end up in drinking dens, and engage in crime to enable them have money they can pay as bribes when seeking employment
- There were allegations that land in Kagio was compulsorily acquired by the Government and the people appropriately compensated. They however later went to Ardhi House where

they colluded and retrieved the new title deeds. They are now demanding their original land, where new people were settled. This issue was referred to the Ndungu Committee because the Lands Commissioner cannot find the title deeds, hence cannot resolve the issue.

- The Councils want autonomy from Ministry of Local Government to decide on appropriate trade license rates for each town
- On LATF use, *wananchi* were urged to access information from their Local Authorities to know how and where it is applied
- Local leaders were urged to divorce politics from development so that area residents can benefit.
- People have built permanent structures on road reserves. Men disposed of land without the knowledge of their families.
- Some of our laws tend to encourage corruption as they carry stiff crimes for petty offences and this tempts people to bribe to avoid incarceration. Court systems and procedures are too cumbersome and demanding and this encourages litigants to look for shortcuts by way of bribing officials.

Heads of Departments in Kirinyaga:

- There are five tea factories in the district, each uses 100 acres of fuel wood each year – they plant their own forests
- The Social Services department is mobilizing youth to form income-generating activities

- Police reported they have five new Land Cruisers for each of the Police Stations within the district.
- There are 800km of road within the district, most of it is graveled, hence the Road Fuel Levy funds are well-utilised here
- Facilitation of Government departments very poor; most Heads are therefore forced into corrupt practices to get vehicles, fuel and other basic provisions.
- Officers are demoralized because they cannot perform with limited funds and facilities.

Recommendations:

- Some of the leaders would want local brews to be legalized and licensed
- The civil society leaders requested NACCSC to design advocacy programmes for each district to cater for peculiar circumstances.
- Local Police should be fully equipped with the necessary gadgets, vehicles, adequate fuel etc to enable them fight crime
- GOK should institute a specific study on how the youth can be integrated into mainstream development and decision making process in the district. It was further suggested that they hold youth forums and engage other stakeholders to help solve the youth problems
- The Youth fund should take into consideration the high numbers of unemployed youth in the district and invest in technical and agricultural training facilities for them.

- The GoK should look into ways of absorbing the unemployed in the district into income generating activities to keep them from crime and drugs.

Nyahururu District – Meeting with the D.C.

Date: 10TH June, 2006

- CDF funds have helped in eradicating *harambees* which used to encourage graft. But poor structures encourage abuse of the fund.
- The whole district is a settlement area, except for some who have leases. There are a lot of land problems. There are subsequently many land-buying companies in the area that fleece *wananchi*. Double allocation of land is common
- The roads in the area are in terrible condition – poor network.
- There is very little illegal activity in the forests.
- High unemployment rates contribute to a lot of insecurity.
- There is a lot of insecurity along roads, but *wananchi* cooperate with the police (community policing) and are helping to stamp out the vice.
- The Mungiki Chairman hails from the district. But support for it is minimal in the district.
- Police in area corrupt – corrupted by *wananchi*.

Civil Society Leaders and Heads of Departments of

Nyahururu:

- The court process is lengthy, forcing people to get remanded during trial, thus forcing some to bribe the Police to evade this. Also congestion in police cells make people bribe to avoid incarceration
- Low enrollment in free primary education is very worrying.
- The FPE is district is riddled with corruption. The funds are being embezzled by schools heads and PTA chairs.
- Requested us to open offices at district/ provincial level.
- Cattle dips and even dams are being grabbed by individuals.
- LATF: works well all stake holders in 6 divisions are consulted to identify their priorities. Projects are completed with 74 cattle dips rehabilitated, classes put up according to priority. Every ward gets KShs 100,000 per year.
- Sexual abuse of girls is rampant. This is alarming.
- There is duplication in the disbursement of Bursary funds, between CDF, LATF and Constituency Bursary Fund as well as NGO's.
- People are being asked to buy back land from grabbers, that originally had community boreholes.
- Land encroaching has also resulted in blocked waterways and closed roads.
- Fake title deeds are being issued.

- Board appointments for Secondary schools are an issue. Some schools in the district have run without BOG's for up to 3 years.
- People glorify ill gotten wealth is worrying.
- Civil servants feel helpless in fight against corruption because of past misdeeds.
- Victims of tribal clashes allege that they have not been compensated or resettled.
- The public complained about gambling by youth in particular with regard to playing pool.

Recommendations:

- There is need for the establishment of a centre where reports on sexual abuse against girls can be made.
- There is need to harmonise all bursary disbursement schemes across the country to maximise their utility.
- GOK should improve the road network so farmers can easier access markets for their produce.

Maragua District

Date: 22nd August 2006

Members of the committee first met the DC, then held a combined meeting where all these issues were raised.

- The DC said he was glad that his district had been visited by NACCSC

- Maragua District has its own share of corruption just like other districts, but anti-corruption campaigns are going on. Changing peoples' attitudes has not been easy but a time has come that all must change with regards to the fight against corruption
- Reporting corruption is minimal because the residents are not convinced of the change in the public servants' way of doing things. Many people prefer to report issues in Nairobi.
- Land buying companies have remained the biggest issue in Maragua. The district is basically a settlement area, and there are up to 50 land buying companies. Issuing of title documents is a problem. There is only 1 divisional land registration officer, which is inadequate. When the district was created a lot of public land was subdivided and allocated to individuals, and now many plots have 2 or 3 purported owners.
- There are quacks who impersonate meat inspectors. Some officers overcharge and fail to remit revenue, or favour and give time to their friends to improve their premises. Many have trained but not been deployed so they find their own means. Certificates of transport are now the norm. Revenue collection in this area has increased as butchers see the benefit of certified meat.
- Quarrying endangers the stability of some roads even when someone is doing it in their own *shamba*. Siphoning of fuel takes place. Officials organise for fuel to be siphoned from graders tanks. (500 litres) Graders function like mobile fuel stations. Only put what is needed for that day. Problematic areas have been

rectified in terms of road maintenance. Kigumu though is still a problem. Using quarry waste to surface the roads. Vehicle maintenance is high as surface is rough. All parts of district are accessible by road.

- Coordination of environment activities is difficult because different organs play different roles. Nema. Charcoal burning is illegal, but charcoal usage is not. Where will the charcoal come from? It is not illegal to use a tree. It is illegal to use and not replace. The Ministry of Environment is charged with enforcement and compliance of environmental act. They must also carry out environmental audits. Conflict arises when a project may not be environmentally sound (Environmental Impact assessment) but the community feel that it will benefit them economically.
- Members of public register more than once in different constituencies so they can sell their votes. They still don't realise that the voter role is now computerised and it can be seen clearly from the role that they have registered more than once
- There is corruption in the traffic police department
- There is a lot of insecurity in the area, especially on Thika – Nairobi Highway.
- Unemployment is still a big challenge in this district as is the case in many parts of Kenya
- Issuance of National IDs is a problem, in particular film for photos. Public are told to come after 3 months yet the delay is at

headquarters. People think officers want a bribe. The ids are produced at the headquarters

- There are many NGOs conning the local people of their money
- There is vote buying in the local cooperative movement thus creating many corruption related problems, for example the leaders in the cooperative societies take loans and do not repay. Society property is sold irregularly.
- There is corruption in the procurement of education materials and there is doctoring of enrollment data so as to be awarded more money
- Chiefs claim that they do not have transport and therefore the solicit bribes to get from place to place to help *wananchi*.
- In artificial insemination and clinical services, (AI services have been privatised 42 licensed in district) farmers are conned by the service providers, to the extent that dead semen is given or cheated that semen is imported when it is local. Cattle dip fees are collected but not remitted by the officers.
- In regard to meat inspection, there are quacks who impersonate meat inspectors. Some officers overcharge and fail to remit revenue. Some officers overcharge and fail to remit revenue. Or favour and give time to their friends to improve their premises. Many have trained but not been deployed so they find their own means. Certificates of transport are now the norm. Revenue collection in this area has increased as butchers see the benefit of certified meat.

- There is corruption also in tick control, money is collected by the officers but never banked
- In Kenya Revenue Authority, there are long queues for registration of companies and obtaining compliance certificates, these long queues encourage corruption
- There is rampant corruption in elections with voters being transported from one place to another
- The bursary funds are abused by politicians
- Cattle dip fees are collected but not remitted by the officers.
- The CDF in Maragua is the best managed in the country.

Recommendations:

- Teach Kenyans to value their voters' cards and I.D. cards
- ECK should empower Kenyans to take part in the electoral process, and conduct voter education.
- Decentralisation of issuing of ID's. They should be issued at the district level or from the point of registration.
- Checking system of land registration/titles needs to be improved so as to avoid double or triple allocation.
- Facilitate chiefs to be able to move around. They need bicycles or money for fuel
- On land buying companies, there needs to be legal revision of the cases and improvement of hearing of cases