

# Investigation Strategies used by EACC in Corruption Eradication among Traffic Police Service in Nairobi County, Kenya

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**Abstract:** This study focused on investigation strategies used by Ethics and Anti-corruption Commission in corruption eradication among traffic police service in Nairobi County, Kenya. This study used mixed methodology approach by adopting descriptive research design utilizing both qualitative and quantitative methods of data collection. The study target respondents were 710 officers working at Ethics and Anticorruption headquarters and Traffic Police headquarters in Nairobi County. Stratified random sampling was employed in selection of respondents obtained by 30% size calculation of the target population. The main research instrument used was questionnaire for data collection of the sample size of 213 respondents. Findings from this study were envisioned to inform policy and practice in efforts to combat corruption among the traffic police officers in Kenya. Major findings on investigatory strategies include; Public prosecutors identify particular cases and conduct their own criminal investigation, Community policing (the public or rather passengers) rely information about corrupt traffic officers through capacity building, Establishment of robust external supervision and accountability through dissemination of information on corruption matters and their control and relying on civil society. The study recommended that government to give the commission necessary support in battle corruption and also increase human capacity to ensure smooth sailing of their fight against corruption among traffic police department.

**Keywords:** Strategies, EACC, Corruption, Eradication, Traffic, Police Service

## I. INTRODUCTION

There are many types of investigations, and investigation entails the manner of generating manageable as well as noticeable situation alike that delivers a branded official with a chance for inappropriate or unlawful comportment (Haberfeld, Klockars, KutnjakIvkovich & Pagon, 2000). Investigations are generally agreed to be the effective method of execution of law in general and anti-corruption to be precise. In corruption crimes committed by the police officers, a commission's officer conducts the criminal investigations only if they expose the leads.

For an effective performance during an investigation of a case involving corruption, the investigator needs a concrete

understanding of the techniques used in investigation and legal interpretation (Langseth, 2002). The Independent Commission Against Corruption in Hong Kong, is a universal model that has been proved successful in fighting corruption. It has been able turn a city that was once corrupt under the colonial government into one that is corruption free and today, it is one of places that are known to be corruption free in the world. It has been successful in this strategy because of its three-pronged strategy of fighting corruption though dissuasion, education and prevention (Haberfeld *et al.*, (2000).

## Statement of the Problem

Universally, corruption is experienced amongst police officers and this is a great threat to any nation's development. This is the reason why most nations are doing their best to implement strategies to help curb the issue for their nations to realize development (Ayodeji, 2015). In Kenya EACC is the organization that is mandated to fight corruption however, the vice has persisted over the year. The EACC has defended its record saying current statistics show that they have achieved 79 per cent convictions on all the cases they have investigated (EACC, 2018). According to the Open Society Foundations (2016), the commission has copiously found itself on the receiving end of adversarial judicial interpretation of its powers thus creating a deep challenge in the execution of its mandate. Other factors include top political will that is inadequate to fight corruption, inadequate resources for fighting corruption, low salary of police officers thereby encouraging their corrupt behavior. Anti-corruption agency may be less effective, lack of competence and willpower, and lack of assistance from the international agencies to deal with extra-territorial corruption and also help in tracking the corrupt assets.

## II. LITERATURE REVIEW

A study conducted in Japan by Delaney (2005), a public prosecutor has the authority to carry out crime investigations as they deem best. They also have the privileged of identifying particular cases presented to them by the police and carry out their

own investigations. Statistics of 1997 give a clear picture of the number of suspects interrogated by the police officers versus those interrogated by the public prosecutors. The results show that, those interrogated by the police officers' amount to 150 while those interrogated by the public prosecutors amounting to 20 suspects.

The number of suspects public prosecutors handle their cases is small yet majority of bribery offences are only reported when there is an independent investigation going on (Bruce, Newham & Masuku (2007). In South Africa, Investigation may be the most contentious method of the SAPS way on fighting graft. Regardless of the successes experienced in the previous acts in the Anti-Corruption Unit followed by media's protest over claims of corruption that involved a National Commissioner and it is an undeniable fact that it is less likely for members at the station level to commit crime compared to members of organized crime. This makes SAPS look set to retain the existent structure of crime investigation (United Nations, 2013).

A study conducted by Onyeozili (2010) show that the police are not excluded from the corruption that is affecting Nigeria. In fact, the sector is among the most visible sector whose level of corruption is known to most people and a normal citizen will be able to say that police officers collect bribes at every checkpoint in the country. Police corruption is beyond the stop checkpoints because criminal investigation is also affected because many crimes end up not being investigated.

This happens particularly when police use bribes to cover up suspects of crime including influential persons in the government. Despite the X-squad section of 1963, corruption still escalates in Nigeria police sector. According to Klockars, KutnjakIvkovich, Harver and Haberfeld (2007), The X-squad section is subject to the Force Criminal Investigation Department of Nigerian Police Force. This is a body that has the authority to carry out investigations in the police department while evicting fraudulent corrupt police officials. However, the X-squad seems to be dying even though still existing in the Nigerian Police Force organogram (Onyeozili, 2010).

A study done by Nyamu (2012) shows that in the Kenyan context, commissions have been formed; beginning with the former KACC, this has recently been thrived by the current Ethics and Anti-corruption Commission. The commission has been given the obligation to look into any misconduct relating to fraud, bribery, or economic crime, including the traffic police department. The Ethics and Anti-corruption Commission was also permitted towards helping other law enforcing agencies in the investigation s on corruption and other economic crimes. This help was to be extended to the traffic police department too.

The Commission emphasizes more on practical action against corruption as well as economic crimes to counterattack the activities of corruption. By this action, the money that would have ended up being used in corruption will have been saved

and made useful in other projects. Time and resources that would have been spend in conducting investigations and prosecutions will also be saved (EACC, 2012). According to Ethics and Anti-corruption Commission 2012/2013 Annual Report, stretching amongst July 2013 to June 2014 the Commission received reports from 4,485 complainants at the Ethics and Anti-corruption Commission headquarters in addition to other additional 359 reports. According to Ethics and Anti-corruption Commission (2015) reporting 2014/2015, the Commission had exhausted a number of 389 investigations.

These investigations as per the reports in Ethics and Anti-corruption Commission steered towards detention on 62 persons accused of these crimes. In explaining the act, the commission had involved international investigation bodies through the help of foreign agencies that covered jurisdictions from places like, Spain, United Kingdom, United States, Netherland, Switzerland, and Jersey who helped in the investigation progresses (EACC, 2015).

### III. RESEARCH METHODOLOGY AND DESIGN

This study used mixed methodology approach. Tashakkori & Teddlie, (2009). Kothari, C. R. (2004). considered mixed design to be a method that permits for both qualitative and quantitative data to be collected concurrently. In this study, the same instrument which composed of questionnaire / interview schedule was used to collect both qualitative and quantitative data.

Habib, Maryam & Pathik (2014) observes research design as an outline which simplifies the smooth operation of many researches, which makes the research more productive with minimum spending, time, exertion and generating maximum information. Mixed research design was adopted in this study, whose purpose was provision of relevant information and data with minimal exertion, money, resources, and time. This approach sought to enhance an accurate, valid, and reliable systematic description regarding the prevention strategies adopted in eradication of corruption in traffic police division in Nairobi County, Kenya by the Ethics and Anti-corruption Commission

#### A. Location of the Study

The selected sites for this study was the Ethics and Anti-corruption Commission headquarters in Nairobi and the traffic police headquarters department in Nairobi County. The traffic police headquarters department was selected because it comprises of a large population with all the traffic police ranks. For the Ethics and Anti-corruption Commission headquarters, the officers working at the site are the ones using the aforementioned strategies in the process of combating corruption in the police service as well as other government institutions. They are well versed with the information required as they are the ones carrying out the application part of the strategies to ensure that as minimal rates of corruption as possible are achieved.

**B. Target Population**

For this study, the target population was 150 officers working at Ethics and Anticorruption headquarters and 560 traffic police officers in Nairobi County. The officers selected for this study cut across different departments at the EACC and the traffic department. This included 50 investigation officers, 50 prevention officers, 50 implementation officers, 60 gazetted traffic police officers (Inspector and above) and 50 traffic police officers of other ranks

Table 3.1: Target Population

Category	Target Population
Investigation officers (EACC)	50
Prevention Officers (EACC)	50
Implementation Officers (EACC)	50
Gazetted Police Offices (Inspector and above)	60
Police Officers (Other ranks)	500
Grand Total	710

Source: EACC Headquarters (2018) and Traffic police headquarters (2018)

**C. Sampling procedures and Sample Size**

A sample refers to a subset or a set of units pinched from the complete set of elements defined by the sampling criteria (Balköse & Hamrang, 2015). Sampling thus involves the representative selection of a subset of the target population to enable generalization of conclusions to the entire population of interest (Bryman, Bell, Hirschsohn, Santos & Toit, 2014) thus resulting in reduced cost and greater accuracy of results. Moreover, it is equally emphasized that the sample reflects the opinion or the characteristics of an entire population of study (Kombo & Tromp, 2004).

In choosing an appropriate sample size stratified random sampling was used. According to Mugenda and Mugenda (2009), in Stratified Random Sampling, picking of subjects is done in a technique that the population sub-groups are in the sample well represented. Kothari (2004) observed that a randomly drawn sample is unbiased because there is no chance of selecting a population more than the other. Kothari (2004) also comments that sample size of 30% would be appropriate to give the required information for the generalization of a study population. Therefore, in this study, for each category, 30% of respondents were selected from the entire study population adopting Mugenda and Mugenda formulae. Hence; this study had a sample size of 213 respondents comprising officers serving at Ethics and Anti-corruption Commission Headquarters and the Nairobi county traffic police. The sampled population was stratified across the various categories of respondents. The sample was relevant to the study because the findings would be used for generalization. Table 3.2 summarizes the sampling procedure and sample size for this study.

**IV. FINDINGS**

**Response Rate**

The study’s objective was to Assessment of prevention strategies used by EACC in corruption eradication among traffic police service in Nairobi County, Kenya. The study aimed at gathering information from 213 informants that included 15 investigation officers, 15 prevention officers, 15 Implementation officers, 18 Gazetted police officers and 150 other ranks in Nairobi County. However, 154 respondents out of the 213 could be reached making up to a response rate of 72.30% which a good response for generalization and reporting of findings as per Mugenda and Mugenda (2012) assertions.

Table 4.1: Response Rate

Rank	S Size	Response	R rate %
Investigation officers (EACC)	15	7	46.67
Prevention Officers (EACC)	15	9	60
Implementation Officers (EACC)	15	11	73.33
Gazetted Police Offices (Inspector and above)	18	13	72.22
Police Officers (Other ranks)	150	114	76.00
Grand Total	213	154	72.30

Source: Field Data, 2018

**Gender**

Gender of the respondents was of great importance to the study since it determines how participants respond to questions in line with their gender identifier. Figure 2 illustrates gender distribution of respondents.

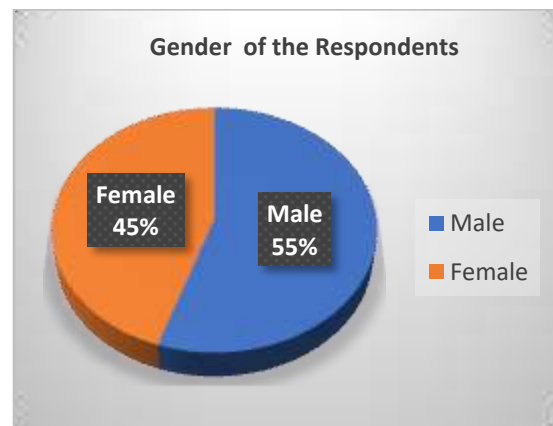


Figure 4.1: Gender

Source: Field Data, 2018

**Highest Level of Education**

Educational background of the participants was not exceptional since it’s a factor of great importance in establishing one’s understanding of phenomena Figure4 illustrates on the education level of respondent

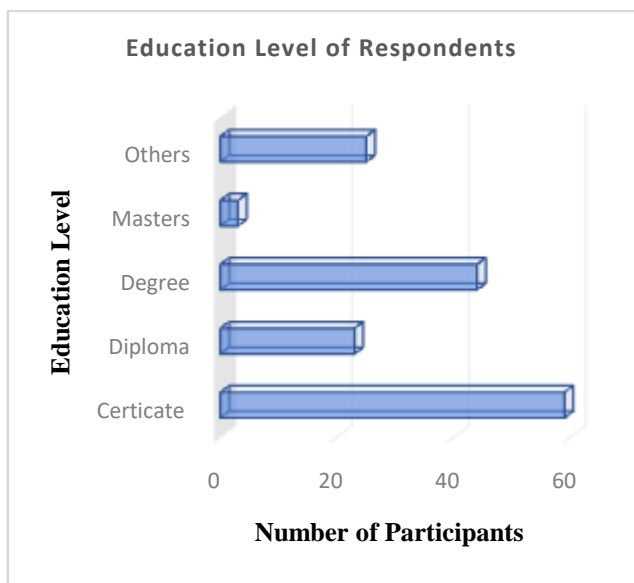


Figure 4.2: Education Level of Participants

Source: Field Data, 2018

*Length of Service*

Respondents' period of service is critical to the study since it determine how well one is acquainted with knowledge in particular area being investigated. Hence influence dependability on the study findings. Figure 5 elucidates on respondent's length of service in the police sector.

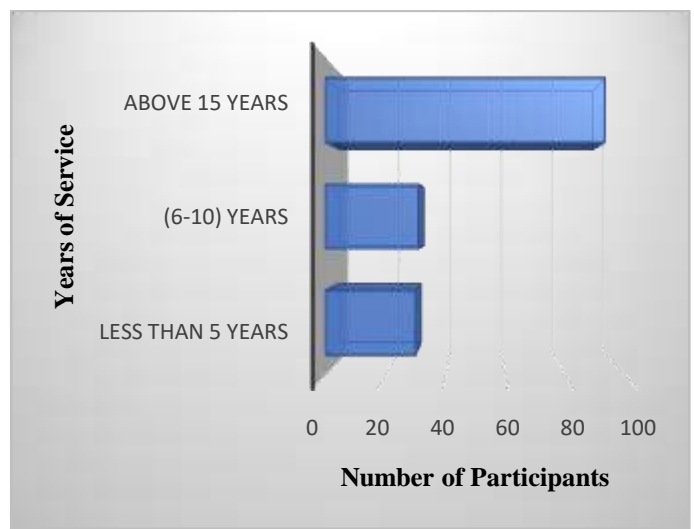


Figure 4.3: Length of Service of Participants

Source: Field Data, 2018

*Investigation Strategies that can be Used by EACC In Corruption Eradication Among Traffic Police Officers.*

The study first, sought after to establish extent of investigating strategies in combating corruption among traffic police department in Kenya. The outcome of the study is as illustrated in figure 6.

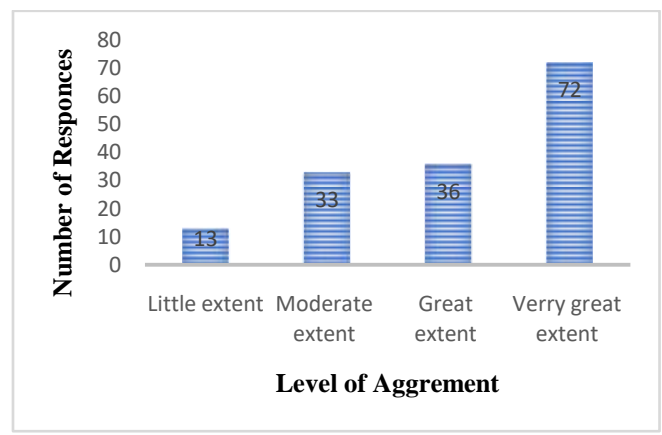


Figure 4.4: Extent of Investigation Strategies used in Combating Corruption Among Traffic Police

Source: Field Data, 2018

From figure 6 out of 154 participants, 72 shows that investigation strategies are to a very great extent help in curbing corruption among traffic police department. This is further underpinned by 36 and 33 participants indicted that the strategies are to greater and moderate extent help in combating corrupt practices among police officers respectively. On 13 out of the 154 informants revealed that investigations strategies hardly help in combating corrupt practices among traffic police department.

The study went deeper to explore effectiveness of the investigative strategies put in place by EACC in combating corruption among police officer. Figure 7 expounds on the findings.

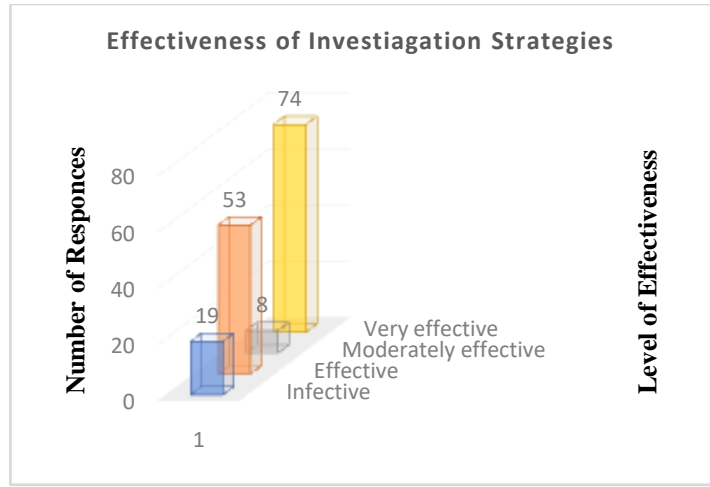


Figure 4.5 Effectiveness of Investigation Strategies

Source: Field Data, 2018

From figure 7, out of 154 participants 74 shows that investigation strategies employed by EACC are effective in curbing corruption among traffic officers. This also supported by 53 who feel the strategies are effective and 8 who are of the opinion the strategies are moderately effective in controlling and eradicating corruption. Therefore, this



explicitly deduce that EACC investigation strategies are effective in combating corruption crimes.

A further enquiry was carried out to explore the level of agree of participants with the outline strategies in combating traffic officers' corrupt practices. Use of Five-point Likert scale was done to measure responses, analyzed using standard deviation, means, and interpreted according to Likert scale. See table 4.

Table 4.2: Investigation Strategies

Investigation Strategy	Mean	Standard Deviation
Public prosecutors identify particular cases and conduct their own criminal investigation	3.66	1.062
Community policing (the public or rather passengers) rely information about corrupt traffic officers through capacity building.	4.04	0.892
Establishment of robust external supervision and accountability through dissemination of information on corruption matters and their control	4.01	1.032
Relying on civil societies through gathering views from the public (passengers) about corruption matters among traffic police officers	4.26	0.569

Source: Field Data, 2018

Findings in Table 4 indicates that respondent agreed that Community policing (the public or rather passengers) rely information about corrupt traffic officers through capacity building with a mean of 4.04, Establishment of robust external supervision and accountability through dissemination of information on corruption matters and their control with a mean of 4.01 and Relying on civil societies through gathering views from the public (passengers) about corruption matters among traffic police officers with a mean of 4.26 are viable in combating corruption among traffic officers. Respondents further were neutral on Public prosecutors identifying particular cases and conduct their own criminal investigation as shown by a mean of 3.66. Therefore, imply that respondents have not witnessed efforts rather public prosecutors have not done much as far as corruption among traffic police department is concerned.

From the interviews as asserted by interviewees it was that;

*Checking of M-pesa transactions, investigating bank accounts, monitoring traffic police along the road and mounting CCTV cameras deters corrupt traffic officers from engaging in corrupt practices and improves road safety for the general public. (Respondent 1).*

*Through vetting of traffic police department with particular interest on integrity before tasking them with traffic work. Camera surveillance and capturing what goes on the roads especially traffic police points. Intelligence gathering for instance using drivers to offer bribes to help in identifying culprits. Through scrutinization and training approach with emphasis on ethics and integrity (Respondent 2)*

Respondent 3 indicated that;

*EACC officials pose as passengers in public transport vehicles with particular attention on identifying corrupt officials among police officers, and utilization of long-distance cameras to capture event at traffic points without being noticed.*

From the above findings it is evident that EACC has investigative strategies in place to combat corruption among traffic police department however, corruption among traffic police continue to rise.

## V. DISCUSSION AND SUMMARY

On investigation strategies respondents agreed to a very great extent that anti-corruption strategies are mounted in place to battle corruption among traffic police officers (72 participants) passably supported by 36 and 33 responses from the questionnaire indicated that investigation strategies are utilized to great and moderate extent. Only 13 respondents indicated that the strategies are utilized to a little extent. Further an overwhelming number (127 out of 154 as indicated in the questionnaires) of respondents indicated that the strategies are very effective. Thus, implying that despite effectiveness of the investigation strategies corruption case among police offices continue to rise. From the interviews the study found that, checking of M-pesa transactions, investigating bank accounts, monitoring traffic police along the road and mounting CCTV cameras, thorough vetting of traffic police department with emphasis on ethics and integrity help in gathering intelligence information about traffic police officers.

## VI. CONCLUSION AND RECOMMENDATIONS

Conclusively, investigation strategies on corruption among traffic police offices helps in informing the anti-corruption agents on incidences of corruption among police officers. Additionally, establishment of robust external supervision and accountability through dissemination of information on corruption matters as well as their control, relying on civil societies through gathering views from the public (passengers) about corruption matters among traffic police officers are the most effective in combating corruption.

It is therefore recommended that there is need to increase human capacity at EACC to be able contain escalating corruption among the traffic officers and educate the community in understanding the need for embracing integrity and ethics.

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