

**EFFECTS OF POLICE CORRUPTION ON TRANSNATIONAL ORGANIZED  
CRIMES IN NAIROBI COUNTY, KENYA**

**PIUS KIPYEGO NDIWA**

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NAZARENE UNIVERSITY**

**JUNE 2022**

**DECLARATION**

I declare that this document and the research that it describes are my original work and that they have not been presented in any other university for academic work.

**Signature:** ..... **Date:** .....

**Pius Kipyego Ndiwa**

**Reg No:** 19M03EMGP012

This thesis was conducted under our supervision and is submitted with our approval as university supervisors.

**Signature:** ..... **Date:** .....

**Dr. Kyalo wa Ngula**

Chuka University

**Signature:** ..... **Date:** .....

**Dr. Kenneth Onsate Nyangena**

Laikipia University

African Nazarene University

Nairobi, Kenya

## **DEDICATION**

This thesis is dedicated to my spouse, Esther, my children Lionel, Remy, Jayla, my parents, and my brothers and sisters for their inspiration, support and encouragement that always made me to keep hope alive.

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## ABSTRACT

The law enforcements are among the most paramount institutions within the society. They have the sole mandate of protecting the citizens even when that entails the utilization of aggression/violence. However, addressing the proliferation of transnational organized crimes has been a serious challenge within the policing fraternity. This study sought to evaluate the effect of police corruption on transnational organized crimes in Nairobi County, Kenya. The study was guided by the following objectives: - to examine forms of police corruption in Kenya, establish the challenges facing police corruption management and to analyze the opportunities of policing anti-corruption approaches on transnational organized crimes in Nairobi County. Public Choice and Broken Windows theories guided this research. It used mixed method techniques which integrate elements of both quantitative and qualitative techniques. The study targeted officers from departments namely; Cyber Crime Unit and Forensic Unit, Serious Crime Unit, Anti-narcotics Unit, Ballistic Unit, Anti-Terrorism Unit, Special Crime Prevention Unit, Anti-banking Fraud and land fraud unit. The DCI headquarters has a total population of 374 officers. Others include key informants from the ethics and Anti-corruption Commission (EACC), Independent Police Oversight Authority (IPOA), Ombudsman office and the Office of Directorate of Public Prosecutions totaling. The sample size of the study were 112 respondents. This study utilized stratified and snowballing sampling techniques. The study used questionnaire and an interview guide. Data collected from the field was analyzed using descriptive statistics. This study noted that bribery was the leading form of corruption within the policing fraternity while political influence was established to be among the leading challenges of addressing corruption within the NPS. Finally, this study noted that 36 (37.5%) of the respondents cited that civic education was one of the leading platforms being used in addressing the challenge of police corruption in the country and its subsequent effect on TOCs. In addition to this, 30(31.25%) of the respondents cited anti-corruption seminars, 16(16.67%) of the respondents cited corruption incidence reporting, 9(9.38%) indicated amendments of legal framework while 5(5.2%) of the respondents cited community policing. The findings implies that there is a need to sensitize the public on the possible implications of police corruption on TOCs and national security in the country. The response from Key informant interviews noted that such exercise should be conducted semi-annually by bringing all the stakeholders on board. In this regard, senior police officers and other ranks in Kenya need to engage periodically in regular trainings in a bid to improve their knowledge and comprehension levels in regard to organization rules. This will assist in lowering the various forms of police corruption such as bribery and extortion in the country as well as subsequent effect on TOCs. The study recommends finally that it is paramount to make ethics as not only to be taught in the police academy but more so be viewed to be practiced by the officers charged with the noble but daunting task of administering security in the country.

## **DEFINITION OF TERMS**

<b>Anti-Corruption Approaches</b>	The term anticorruption approaches in this study refers to the measures put in place to prevent, contain or detect instances of corruption thereby preventing TOCs (Treisman, 2017)
<b>Bribery</b>	This study defines bribery as offering, giving, receiving, or soliciting of any item of value to influence the actions of an official or other person, in charge of a public or legal duty (Wambua, 2015).
<b>Corruption</b>	Corruption is a form of dishonesty or criminal offense undertaken by a person or organization entrusted with a position of authority, to acquire illicit benefit or abuse power for one's private gain (Ruteere, 2011).
<b>Extortion</b>	Extortion is the practice of obtaining benefit through coercion. In most jurisdictions it is likely to constitute a criminal offense; the bulk of this article deals with such cases (Offe,2014).
<b>Forms of Corruption</b>	The term of corruption in this study is used to refer to the various types or instances of corruption involving police officers and their effect on TOCs (Onyeozili, 2015)
<b>Police Corruption</b>	Police corruption is a form of police misconduct in which law enforcement officers end up breaking their political contract and abuse their power for personal gain. This

type of corruption may involve one or a group of officers (Obianyo, 2016).

**Transnational  
Organized Crimes**

Transnational organized crime refers to those self-perpetuating associations of individuals who operate transnational for the purpose of obtaining power, influence, monetary and/or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption and/ or violence, or while protecting their illegal activities through a transnational organizational structure and the exploitation of transnational commerce or communication mechanisms (Maltz, 2014)

**ABBREVIATIONS AND ACRONYMS**

<b>CPIB</b>	Corrupt Practices Investigation Bureau
<b>DCI</b>	Directorate of Criminal Investigation
<b>DPP</b>	Directorate of Public Prosecution
<b>EACC</b>	Ethics and Anticorruption Commission
<b>EU</b>	European Union
<b>IPOA</b>	Independent Police Oversight Authority
<b>ICAC</b>	Independent Commission against Corruption
<b>KACC</b>	Kenya Anti-Corruption Commission
<b>NPS</b>	National Police Service
<b>NPSC</b>	National Police Service Commission
<b>SIS</b>	Special Investigative Service
<b>SPSS</b>	Statistical Package for Social Sciences
<b>TI</b>	Transparency International Kenya
<b>TOCs</b>	Transnational Organized Crimes

## **CHAPTER ONE**

### **INTRODUCTION**

#### **1.1 Introduction**

This chapter covered the study's background, the statement of the problem, the purpose of the study, objectives of the study, study questions, significance of the study, research assumptions, scope of the study, limitations of the study, theoretical framework, and conceptual frameworks.

#### **1.2 Background to the Study**

Corruption is a phenomenon which is widespread and has entrenched deeply into the societal epicenter and has become almost the usual norm of life. Among the organized crime syndicates involves nepotism, favoritism, extortion, embezzlement, fraud and bribery (Obianyo, 2016). Police corruption has been a serious challenge since the inception of modern policing by Robert Peel under the famous principles of democratic policing known as the Peelian Principle in United Kingdom in the year 1809 (Treisman, 2017). Police corruption involves the abuse of police power for individual gains. In the United States of America, since the founding of New York Police Department in 1844, corruption scandals involving police officers have led to formation of a number of commissions such as Lexow Committee of 1894 on police training and service delivery, Curran Committee of 1914, the Knapp Commission of 1970 as well as Mollen Commission of 1993 (Ruteere, 2011). The formation of the committees was a turning point for police professionalism and improvement of performance. Until 1980s, corruption among police officers entailed some form of extortion which involved payments to police officers to avoid being apprehended or prosecuted for a crime or violation. Moreover, in the late 1970s and 1960s, grafts

involving narcotics cropped up (Maltz, 2014). The narcotics and drug lords paid millions of shillings to the law enforcement officers in exchange for protection.

The law enforcements are among the most paramount institutions within the society. They have the sole mandate of protecting the citizens even when that entails the utilization of aggression or violence. More is expected of the law enforcement than majority of the modern professional duties. They are expected to be brave and not to show any form of human like surprise, shock, fear among others even in the face of serious tragedies such as deformity and death among others. Undoubtedly, security, safety and peace are both indispensable and necessary requirements for attainment and development of good quality life for the human society. Goldstein (2017) indicated that the corruption within the police is committed when police officials within the law enforcement fraternity knowingly do or do not do something which is not in line with their duty for personal or individual gains. Scaramella, Cox and Mc Camey (2017) propounded that police corruption entails a number of acts by law enforcement agents including placing their individual gains ahead of duty. This study focused on money-laundering, human trafficking, illegal sale of animal trophies and drug trafficking as some of the leading transnational organized crimes (TOCs) in the country.

A report by the European Commission from the CSD (2010) argued that the dearth of particular studies within the EU addressing the links between organized crime and corruption has various explanations: first, very few scholars studied the given problem and of those that do, findings and reports are often not published as a result of the content being considered to be self-discrediting or sensitive. Secondly, academic criminological research is premised on judicial or police sources. Thirdly,



crime experts among some states within the EU are not carrying out empirical studies premised on organized crime research and in other countries, those who conduct the studies, conduct them for the governmental institutions where the organized crime topic and corruption is not generally favored (Edelhertz & Overcast, 2017).

In North America, the nexus between TOCs and corruption have received a holistic analysis. Beare (2017) noted that actions considered to be corruptive made criminals to buy and seek for safeguards from policing agencies, eliminate competition and also amass capital. Organized crimes syndicate such as money laundering varies in regard to the extent to which they are in a position to get assistance and support through corruption: un-integrated and unsophisticated criminal networks lack the capacity, particularly during their early stages. The extent to which a group or individual is well integrated within the legitimate society shapes their ability to indulge in corruption.

In Africa, the government is normally the key force within the economy and in such given circumstances; it has been argued that the political office turns-out to be major route for generating individual wealth (Edwards & Levi, 2018). It seems that the democratization of most of the states in Africa has not gotten rid of the corrupt ways of neo-patrimony nor broaden greatly by political indulgence as elites of the state have basically upheld political process control. Today graft practices in the Africa continent has also a direct effect on the poorly formulated laws, distorted incentive structures and institutions (Levi, 2019). A number of states in Africa such as Nigeria and Ghana are marked by high corruption levels, entailing interwoven politician's networks, security sectors, bureaucrats and private sectors (Maltz, 2014).

In Nigeria, police corruption is the leading barrier towards economic and social development in the country (Beare, 2017). The previous military regimes like 1983-1998, vindicated their takeover of the government on the grounds of corruption. The former President, Olusegun Obasanjo additionally noted that during his first term investiture speech cited corruption as the biggest problem in the country in addressing of transnational organized crimes, which pervades all the human life aspects: from the home to both private and public institutions (Igbuzor, 2018; Akintola, 2017). These corrupt practices have led to great ramifications on good governance, political stability and national development which results to severe hardships, poor service delivery, the aggravation of inequality and poverty, high unemployment rates, severe hardships, for example in the provision of water and electricity.

In East Africa, the Crime Report in 2013 cited 19 cases in which law enforcement agents were under suspected human trafficking crimes (Uganda Police, 2013). Uganda is ranked among the countries which are more corrupt according to Corruption Perceptions Index in 2018 (Transparency International, 2018) and the Ugandan Police leads in the corruption index (Wambua, 2015; Basheka, 2013; Transparency International-Kenya, 2013). Findings from a number of surveys including the Uganda's National Service Delivery Study in the year 2015 (Paoline & Terrill, 2015) and the older surveys conducted by the Commonwealth Human Rights Initiative (2016) between 2015 and 2008 indicated that most of the citizens in Uganda have rated consistently the law enforcement agencies as the most corrupt institutions within the country. The findings in Uganda serves as a comparative data to evaluate the progress made in Kenya in addressing the issue of police corruption and TOCs. Periodical surveys and annual reports carried out by such institutions like the Transparency International Kenya (TI-Kenya, 2013) and Ethics and Anti-Corruption

Commission in 2018 identified the National Police Service to be among the leading corrupt public institutions in the country.

The policing institutions in Kenya seems to have embraced the corruption culture after gaining independence from British colonial masters in 1963 (Wambua, 2015). This is among the justifications why the populace of Kenya fought for the second liberation for a period of 20 years which led to the new constitution of Kenya promulgation in the year 2010. The new economic crimes legal framework has succinctly highlighted the significance of integrity in quality delivery of service in all the corners of the Kenyan society. This is through legal acts such as Proceeds of Crime and Anti-Money Laundering Act, 2009 which deals with acts of money-laundering, The Public Officers Ethics Act which deals with ethical values for public officers, The Public Procurement and Disposal Act, 2005 which regulates procurement issues, The Anti-Corruption and Economic Crimes Act, 2003 which forms the basis of addressing corruption in the country, The Leadership and Integrity Act 2012 which addresses public officer integrity issues, Public Officer Ethics Act, 2004 and Election Campaign Financing Act, 2013 which regulates spending on election campaigns as well as financing.

Corruption and accountability among public officers are among the leading challenges in ensuring socio-economic growth and achieving strategic and long-term goals. Over a number of decades now, corruption has become a monumental reality within the proportions of Kenya. Since 1970s, the government of Kenya through Anti-Corruption programmes pursued the perpetrators of economic crimes with insignificant results. Kenya has enacted a number of legislations to curb instances of poor financial governance with little success, especially on socio-economic

development in the country. In the recent past, the EACC has not been successful in seeking to have the powers for prosecution of suspects as a means of improving investigations (Mushanga, 2016).

Stringent reforms mechanism within the police is constitutionally inculcated and they are on-going currently. But the people of Kenya have come to the reality that mere changes such as top police officers vetting do not translate to integrity culture within the force. Gimonde (2017) noted that corruption is rampant among the police officers; hence ensuring that the much-hyped police reforms are realized and remains elusive. Unfortunately, policing fraternity in Kenya faces also serious corruption scourge which has greatly impacted on its attempts to address TOC such as drug trafficking and human trafficking. There are limited local studies highlighting on this phenomenon.

The Transparency Kenyan Team (2013) unearthed an exacerbation at all the levels. For instance, a traffic police officer may stop drivers and seize their correlated documents or driving licenses; extortion would occur in the form of exchanging money for the license and other exchanges which are non-monetary (Transparency International, 2018). Some officers have been accused of conspiring with drug traffickers and human traffickers in exchange of bribes to protect their operations. In 2014-2016 the Kavuludi led team from the National Police Service Commission (NPSC) was shocked on how some officers had acquired millions of shillings which they could hardly account for. This led to a significant portion of the senior police officers being dismissed from the service. With such graft related cases together with other political grafts among office holders, Kenya has a long way to be at economic par with countries such as Singapore and Malaysia which it shared with same

economic conditions back in 1970s. Hence making the need of this study which sought to evaluate the effect of police corruption on TOCs in Nairobi County

### **1.3 Statement of the Problem**

Police corruption is a serious challenge among developed and developing countries. It affects the social and economic development of a country. Failure to address police corruption leads to widespread of gross violation of human rights, insecurity, fear of crime and great reduction in foreign and domestic investment (Transparency International, 2018). Extortion by the police is a leading challenge because most of the crimes and victimization are never reported. For example, the police have been accused in developing countries of favoring the affluent and powerful people in society at the expense of desperate magnitudes (Gimonde (2017). In some of these countries such as Kenya, drug lords and money-laundering racket cartels are offered state protection and only a clique are arrested for prosecution. This is not good for the socio-economic growth of the country (Transparency Kenyan Team, 2013).

Despite the fact that transnational organized crimes are a serious challenge in Kenya (Wambua, (2015), there is a paucity of studies linking police corruption to the vice. Majority of the studies conducted (judicial corruption and organized crime by Della Porta and Vannucci, 2014; corruption in the military and organized crime by Davis *et al.*, 2016; in prisons and organized crime by Edwards, 2008; police corruption and crime management by Miller, 2017; Van de Bunt, 2014) hence pointing to a serious scholarly knowledge gap which the current study sought to address. The study by della Porta and Vannucci (2014) on judicial corruption and organized crime failed to address the trigger factors on corruption, Davis *et al.* (2016)

study on corruption in the military and organized crime failed to address the prevalence of corruption in the military sector, Edwards (2008) study on prisons and organized crime failed to address the corrective measures on addressing corruption within the prison facilities while the study by Miller, (2017) and Van de Bunt (2014) on police corruption and crime management failed to address various forms of police corruption and the implications on crime management.

This study sought to evaluate the effect of police corruption on TOCs management in Nairobi County, forms of police corruption in Kenya and their effect on transnational organized crimes, challenges facing police corruption management and their effects on transnational organized crimes and opportunities of policing anti-corruption approaches on transnational organized crimes in Nairobi County.

#### **1.4 Purpose of the Study**

The purpose of the study was to evaluate the effect of police corruption on transnational organized crimes in Nairobi County with a view of making recommendations on how best Kenya can handle the issue of widespread police corruption and adopt a number of policy recommendations.

#### **1.5 Objectives of the Study**

##### **1.5.1 General Objective**

The general objective of this study was to evaluate the effect of police corruption on transnational organized crimes in Nairobi County, Kenya.

### **1.5.2 Specific Objectives of the Study**

The specific objectives of the study were to:

- i.** To examine forms of police corruption in Kenya and effect on transnational organized crimes in Nairobi County
- ii.** To establish the challenges facing management of police corruption and effect on transnational organized crimes in Nairobi County
- iii.** To assess the opportunities of police anti-corruption approaches on transnational organized crimes in Nairobi County.

### **1.6 Research Questions**

The following research questions informed the study:

- i.** What are the forms of police corruption in Kenya and their effect on transnational organized crimes in Nairobi County?
- ii.** To what extent do challenges facing police corruption affects management transnational organized crimes in Nairobi County?
- iii.** How effective are police anti-corruption approaches on transnational organized crimes in Nairobi County?

### **1.7 Significance of the Study**

In any developing or developed country, corruption is not only a critical impediment to political and social development; but also has an implication on national security and leadership. A report by Transparency International in 2013 cited that corruption is linked to; lower quality of the public infrastructure, lower expenditure on maintenance and operations, lower revenues by the government and a higher public investment. The study's findings may be helpful to policy makers in

terms of policy reforms on anticorruption policy management and managing of TOCs in Kenya and Africa as a whole.

Additionally, the study also sought to fill knowledge gaps from previous empirical findings (Davis *et al.*, 2016, 2018, Miller, 2017 and Van de Bunt, 2014). At the national level the study is expected to benefit the EACC, Central Bank, NPS and the DCI on making policies whose aim is to ensure transparency and accountability in service delivery. On the global level, study findings may inform the World Bank and International Monetary Fund in making sound regulations and policies which shall address issues of graft and corruption among the developing countries such as Kenya. Lastly, the study anticipates to benefit future scholars and body of literature as reference material to supplement further studies.

### **1.8 Scope of the Study**

According to Mugenda and Mugenda (2003), the term scope of the study refers to how wide and deep the study is anticipated to be. The study focused on the effect of police corruption on transnational organized crimes in Nairobi County. It sought to examine; forms of police corruption in Kenya and their effect on transnational organized crimes, challenges facing police corruption management and their effects on transnational organized crimes and opportunities of policing anti-corruption approaches on transnational organized crimes in Nairobi County. This study adopted a descriptive research design. Mixed method techniques which integrate elements of both quantitative and qualitative techniques was also adopted in this study. This study was conducted between August to December 2021 within Nairobi County.



### **1.9 Delimitation**

According to Welman (2005), delimitations refer to choices which a study should mention. They indicate the boundaries that a researcher has set within a study. This study evaluated the effect of police corruption on transnational organized crimes in Nairobi County, Kenya. The study was strictly guided by the three objectives and did not address any other peripheral issues which might be pointed out by the respondents in the process of data collection. Instead, such observations formed the basis for research gaps. The study was conducted within Nairobi County. This study was informed by Public Choice and Broken Windows theories. This study adopted a descriptive research design. Target population is acquired on the grounds of exclusion and criteria for inclusion which links to the variables under study. This study targeted officers from departments namely; Cyber Crime Unit, Forensic Unit, Serious Crime Unit, Anti-narcotics Unit, Ballistic Unit, Anti-Terrorism Unit, Special Crime Prevention Unit, Anti-banking Fraud and land fraud unit. The DCI headquarters has a total population of 374 officers distributed within the ten departments.

### **1.10 Limitations of the Study**

The term limitations of the study according to Crenshaw (2000) refer to the study's influences which are beyond the control of the researcher. Among the key challenges which the study anticipated was classified information on transnational organized crimes as well as accessing some information relating to police corruption in the country. The study anticipated that the respondents were not ready to offer this information due to the sensitivity of the topic as well as fear of victimization from their seniors. This is due to the fact that corruption is among the serious challenges facing Vision 2030 and Big Four Agenda in the country. The researcher however sought to address this limitation by assuring the respondents of their anonymity and

reiterating that the main aim of the study was academically oriented with no any ill motives. Moreover, the fact that the DCI has close to ten units or departments presented key challenge in the process of collecting data which was addressed through seeking assistance from data clerks for ease of data collection for about one week. The study also faced a challenge of dearth in empirical literature review since this was the first study to address the issue of police corruption effect on TOC specifically in Kenya. This limitation was addressed through reviewing of secondary sources of data (journals, articles, newspapers and publication) and drawing comparative analysis from other countries such as Nigeria and Uganda which share similar plight on policing graft and TOC scourge.

### **1.11 Assumptions**

The term assumptions of the study mean the variables which to a greater extent beyond the control of the researcher, the absence might render a study to be irrelevant (Creswell, 2009). The study made the assumption that Nairobi County being the capital city of Kenya is the best research site for studies of such nature. This study assumed that there are various forms of police corruption in Kenya which has led to great effect on transnational organized crimes in Nairobi County. Secondly, the study assumed that there are challenges facing management of police corruption. This study also assumed that there are various opportunities of police anti-corruption approaches on transnational organized crimes in Nairobi County. Additionally, this study assumed that it is in a position to document appropriately on how police corruption leads instances of transnational organized crimes citing various instances and case scenarios.

## **1.12 Theoretical Framework**

This study was informed by Public Choice and Broken Windows theories;

### **1.12.1 Public Choice Theory**

The Public Choice Theory was opined by Geoffrey Brennan and James Buchanan (1985). The proponents denoted that the regulations which seek to regulate the activities of the individuals within a given society are key and are a fundamental determinant over how individuals and organizations carry out themselves. The public choice theory views corruption and other economic crimes to be a post-constitutional opportunism aimed at drawing gains for individuals or groups at the broader society expense. Anchored on some form of economic theory, the public choice theory presents great tenets which are key in understanding economic crimes. The first tenet refers to utilization of a person as the decision-making common unit (Mbaku, 2014). As a result of this, no decision is made since there is no resolution made wholesomely by the aggregate.

The second issue involves the utilization of the markets in the political systems, which was argued to be a return to true economics. The final is the self-interested nature among all the individuals within the political systems (Osterfeld, 2016). As per public choice theory, the extent and scope of corruption within a nation is marked by the institutional arrangement of that country and not particularly by the behavior of politicians and civil servants. Theorists of public choice denote that the conduct of entrepreneurs and bureaucrats who bribe them can be effectively analyzed only within the existing rules and regulations scope (Breuning, 2005).

Hence, without any clarity in comprehending the country's institutions and laws, any interventions to understand or analyze corruption within the society may

turn-out to be unrealistic. Public choice theory opines that bureaucratic governance is not actually suitable option. Those running the agencies want to keep their work. They actually need more pay. They strive to acquire more prestige. They want more superiority. Pursuing the policy optimally will make their mandate obsolete or even narrow. What's more, diverse interests of special groups now have a lever which actually they can push: particular policies will reduce competition or benefit particular players within the industry, creating economic rents (Alam, 2016).

Now, these groups can be involved in rent seeking through policies lobbying that benefit them as compared to their competitors. The current programs on Anti-Corruption in Africa in an attempt to control TOCs suffer various challenges and legal loopholes. To begin with, they are being conducted within nonviable and inefficient rules. Secondly, it involves attempts to manipulate the outcome within the rules existing via policing. Thirdly, the agencies counteracting tasked with the policing and law enforcement as well as the bureaucrats who serve under those particular agencies which are not restricted adequately by the laws (Macrae, 2014). Finally, majority of the bureaucrats cannot be relied upon to offer the proactive policing demands needed to fight the TOCs, effective corruption intervention initiatives therefore need to start with rules reform to ensure that the results created within the laws are those which conform well with the mainstream society (Afrobarometer, 2005).

This theory is suitable for the study since it explains some of the challenges in regard to anti-corruption policing measures as well as the possible loopholes facing the police and the country in addressing the issue of police corruption. For instance, one of the challenges facing police in addressing the levels of corruption in the country is public approval and acceptance of policing activities in the country.

However, this theory fails to show how laxity among the security agencies and other government agencies such as EACC may lead to increase in various forms of TOC which the second theory sought to fulfill.

### **1.12.2 Broken Windows Theory**

The proponents Broken Windows theory are Wilson and Kelling (1982). The broken windows theory was further developed by Kelling and Coles (1996). The tenet of broken windows theory presumes that minor disorders, if not seriously taken and compressed earlier, would lead to reduction in fear of crime, and increase in crime and informal social control (Offe, 2014). Physical incivilities and social incivilities (abandoned cars, graffiti, junk and trash, empty lots and vacant buildings) lead to communal deterioration. The broken windows theory significantly assists in explaining the scenario of corruption within a society. Giving of bribe to an official of the government is a sign that government has no consideration over the welfare of the public and that conduct which is disorderly shall go unchecked within the society (Treisman, 2017).

The broken windows theory is ideal for cases of police corruption; it is merely a metaphor for the idea that the resolution by government on petty police graft indicates a commitment in addressing concerns which are more serious in regard to the welfare of the public. There are a number of studies which confirms the link between corruption and issues surrounding social trust. The theory of broken windows is paramount in expounding on the social costs of the various types of corruption. In regard to issues involving trust within the law enforcement fraternity, it is actually a serious mistake to hold the assumption that offences involving corruption are considered to be less serious than the mega graft. Broken windows theory reiterates

that a society dedicated to addressing police corruption is linked also with pursuing of other goods of the public (Dionisie et al., 2008).

The corruption battle sends a strong signal over the commitment of the government to actually champion the general welfare. There is a confounded empirical finding backing up a positive correlation between initiatives on anti-corruption and other goods of the public. Notably, there has been an improvement on the legal environment in addressing corruption globally within the recent past. Laws on Anti-corruption have been adopted and enforced in most of the countries (Johnston, 2018). Disturbingly, in spite the many public gains linked with tackling of corruption, countries which are developing still lag far behind the countries which are developed.

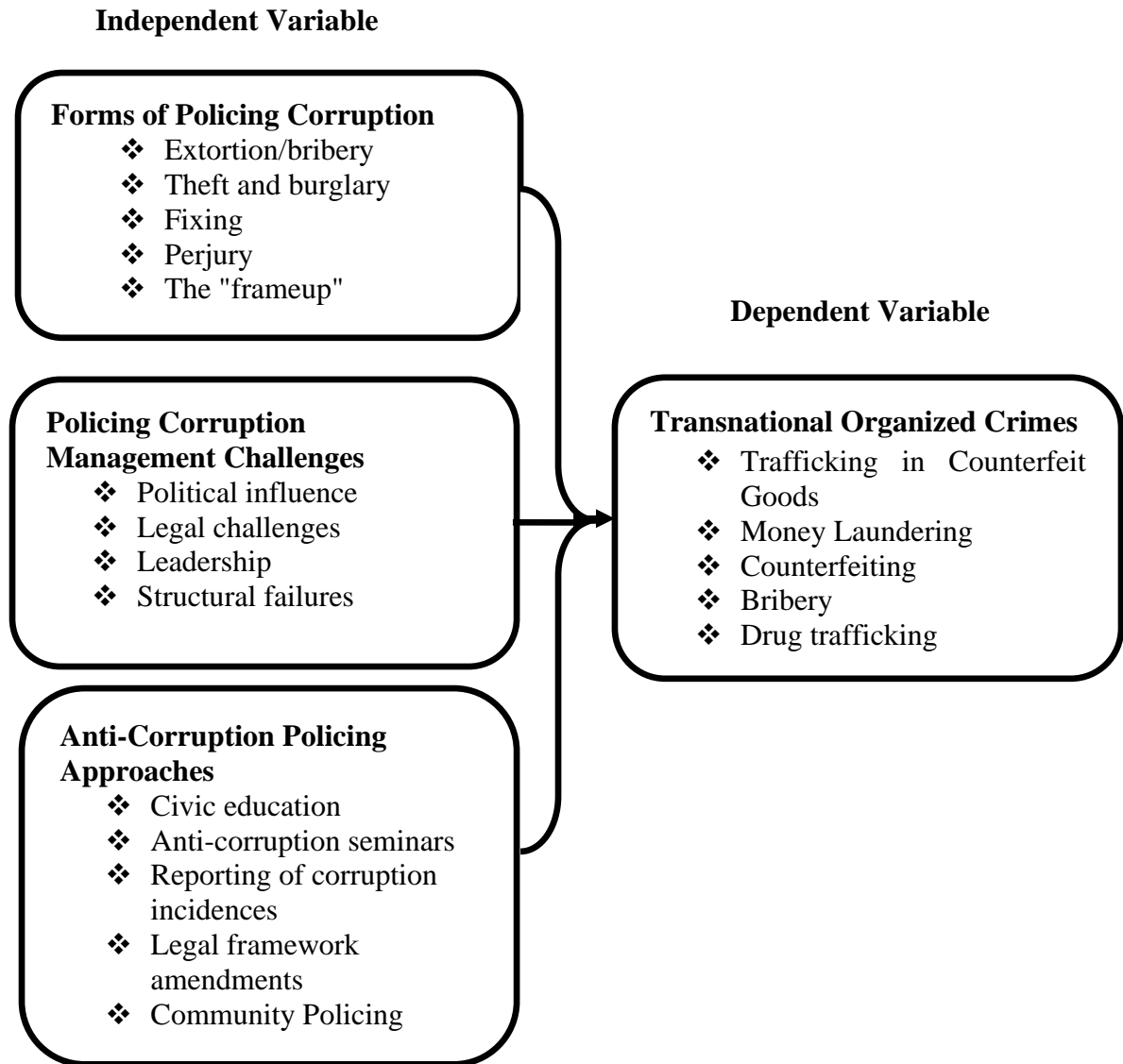
This theory is suitable for the study since it denotes that broken windows provides policy recommendations to change the legal landscape on Anti-corruption law, approach on broken windows would reframe and redefine corruption as disorder and distrust a gap which the first theory failed to address. Secondly, a broken windows approach would actually supplement the contention over corruption with significant reiteration on petty briberies and thirdly, a broken windows theory may lay significant reiteration over partnership between the private and public sectors such as the NPS to tackle corruption. Moreover, this theory plays a paramount role in understanding that failure to address minor instances of police corruption such as favoritism may lead to widespread of TOCs since majority of the citizens would shy off from reporting such crime instances since they have a feeling that police are part of the rot in the community. Finally, the failure to address structural and systematic

failures within the NPS may serve as an exacerbating factor in the widespread of TOCs.

### **1.13 Conceptual Framework**

Conceptual framework refers to the guide or the blueprint for a given research (Grant & Osanloo, 2014). It is a framework premised on a theoretical field which is linked or mirrors the study's hypothesis. It is a blueprint which is borrowed often by the researchers to build their own research inquiry. It's the foundation which forms the basis of the research. In this conceptual framework the dependent variable is transnational organized crime.

The independent variable is police corruption which is operationalized in terms of various forms of policing corruption, police corruption management challenges and policing anti-corruption approaches while the dependent variable is transnational organized crimes which operationalized in terms of Trafficking in Counterfeit Goods, Money Laundering, Counterfeiting, Bribery and Drug trafficking. The conceptual framework shows that a change in transnational organized crimes (dependent variable) affected by the change in independent variable which is police corruption. The conceptual framework is presented in Figure 1 below



**Figure 1. 1: Conceptual Frameworks**

Source: Researcher (2022)



## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

This chapter presents the literature related to this study including; forms of police corruption in Kenya and their effect on transnational organized crimes, challenges facing police corruption management and their effects on transnational organized crimes and opportunities of policing anti-corruption approaches on transnational organized crimes as well as Summary and Research Gap

#### **2.2 Empirical Literature Review**

This section presents empirical literature review of the study based systematically on the specific objectives of the study

##### **2.2.1 Forms of Police Corruption and Effect on TOCs**

Yearly reports as well as other surveys conducted periodically by various institutions such as Transparency International Kenya (TI-Kenya) and Ethics and Anti-Corruption Commission (EACC) have always marked the National Police Service as among the most corrupt public institutions. Conversely, various studies on Kenya's police practice on police mandate in elections, road transport and on security indicate that misconduct among police officers centrifugally tends to take on the top-down pressures. These evidences particularly correlate to misconduct among police officers; for instance, police brutality to tendencies of patronizing by personalities who are influential and individuals who are well connected politically who abuse the institution for group or personal endeavors (Ruteere, 2011; Jones, et al., 2017).

Additionally, the police have been in most cases accused of aggression and impartiality in enforcing of law (Gimode, 2017). Studies also indicates that the police

are not managed professionally as it is dominated by individuals who are less educated and not highly qualified personnel; majority are those who did not perform well in their secondary education. This situation has changed over the past decade, majority of police officers are now acquiring tertiary level of education in various fields. The NPS also recruited police cadets recently in an attempt to improve police professionalism and also improve quality service delivery to the public. Although, this is now changing, the situation of under-qualified personnel has across the years led to unfavorable police reforms. A study conducted by Osse (2016) agreed that such factors and the surrounding policing socio-political environments in Kenya can deliberate on the aspect of resistance to the policing reforms which seeks to better their response to merging TOCs.

Particularly, this has led to problems of incubated accountability within the NPS across the years oblivious of the formation of oversight policing agencies such as the National Police Service Commission (NPSC) and the Independent Police Oversight Authority (IPOA). Additionally, Osse (2016) asserted that even the police reforms which have been introduced serve the goals of those who are in power only to a constrained extent and since the law provided directions are ambiguous in some instances, there is ample space for deliberating on authorities and mandates, hence diminishing further the police reforms potential gains. Hence, a police misconduct culture in Kenya can be said to bear intricate interaction between the contexts of the institution's variables and economic and sociopolitical factors. These cumulatively taken have led to more progress of administrative culture backing up of police corruption or misconduct than change within the NPS.

Various findings and reports from the 2016 police vetting exercise by the NPSC actually shows that the law enforcement agents live under poor conditions and survive significantly on illicit business, which involves bribery, human trafficking, extortion and drug trafficking. Asingo and Mitullah (2017) noted that EACC reports also correlate with high organized crime rates due to police corruption in form of bribery and favoritism where the police apply the laws of the country selectively. This have been countered by establishment of state agencies such as IPOA which has assisted in acting as watchdogs on police corruption and misconduct.

Kibwana, Wanjala and Owiti (2016) propounded that policing corruption can be grouped in two forms: external and internal. Internal corruption is a form of corrupt agreement which can occur among a group of law enforcement agents and might entail key changes or administrative decision policies which are illegal and inappropriate. Unjustified removal of officials and internal politics or conducting a behavior with a prison scenario which might be entirely legal or even releasing of prisoners through accepting of a bribe given to various police officers are all part of internal corruption. This leads to formation of corruption culture within the policing fraternity.

External corruption is considered to be illegal agreements or acts with the members of the public and such illegal arrangement may be among the police officers and members of the public (Ruteere 2011). Kanyinga (2019) recommends that three distinctive elements of police corruption should exist simultaneously and this involves: misuse of personal attainment, misuse of official capacity and misuse of authority. External corruption can be in terms of payoffs to police through non-criminal elements such as bribes payment for traffic rules repeated violations,

prostitutes making payment to police officers, narcotic peddlers and indirect bribes where exclusive favors are offered to law enforcement agents to acquire special service in turn.

### **2.2.2 Challenges Facing Police Corruption Management and Effect on TOCs**

Ruteere (2011) cited that addressing the issue of police corruption proves to be more challenging in societies which are seen to be less democratic owing greatly to the culture of governance and neo-patrimonial structures that is linked to historical power abuse by security agencies and police as major agents of political repression (Jones, et al., 2017). All in all, this has led to complicated social and political environments for policing as well as influencing the oversight efficacy and the justice systems of the organizations. Therefore, the policing behaviors scope can be framed largely within the realms of existing supervisory gaps emanating from both formal and informal elements of police personnel discretionary behaviors (Asingo & Mitullah, 2017).

In a number of states Commissions for Anti-corruption serve primarily as an investigative duty. The anti-corruption commission investigatory powers vary significantly from state to state, specifically with regard to the scope. For instance, the powers of the Commission normally include the evaluation of public official's assets or the procurement process for government agencies and might extend to the private sector. The powers of investigation may as well be subjected to another entity approval of the government and efficient investigation may require safeguards to safeguard individuals who report the abuses. As a result, the majority of the commissions have a process for conducting an assessment as to whether or not to begin investigations (Kanyinga, 2019). Hong Kong and Singapore, for example, have

commissions for Anti-corruption with massive authority and power. Investigatory authority and wide powers of discretion are vested upon Singapore's Corrupt Practices Investigation Bureau (CPIB).

The CPIB powers entail the right of seizing the civil servants' assets charged over corruption as well as the power of establishing the punishment terms and conditions. However, in Kenya is a different case, most of the civil servants charged with corruption allegations are not easily convicted and some even enjoy state protection. The Asset Recovery Agency has had minimal success with regard to acquiring civil servants' assets which were fraudulently acquired. The same to Singapore, the Independent Commission against Corruption (ICAC) in Hong Kong is a commission with significant powers and authority to pursue and investigate both the private and public sectors (Transparency International, 2013).

In comparison, Lithuania's Special Investigative Service (SIS) authority is more restricted to its scope. Only cases on corruption can be investigated by SIS among the officials of the state and the civil servants, but unlike ICAC Hong Kong, it may basically fail to explore private sector misconduct. Similar to the restricted scope of Sis of Lithuania. In India, India's Central Vigilance Commission has the mandate of conducting the majority of the functions of investigations via the Delhi Special Police Establishment (Kibwana, Wanjala, & Owiti, 2016).

The institutional framework currently is that EACC conducts investigations, forwards subsequently the files to the Director of Public Prosecution. In the majority of the instances, the DPP normally returns the file on the grounds of inadequate evidence or calling on deeper investigations. The process seems not to be frustrating only but weakens significantly the Commission position however much it is actually

convinced it has evidence it cannot go on to prosecute everyone ones a decline by the DPP is made (Amukowa, 2013).

The DPP is on record stating that some of the files presented for prosecution were not well investigated and there was no adequate and water-tight evidence to nail the perpetrators of economic crimes (Kibwana, Wanjala, & Owiti, 2016). This could be a challenge of incompetent and ill-trained investigators at the EACC as well as the NPS. KACC was authorized to investigate corruption acts or codes of conduct violation and any matter which is enshrined within Chapter Six of the Kenyan constitution. It is provided by Chapter Six of Kenyan Constitution for roles and behalf of such kind of officials. Following the promulgation of the new constitution in Kenya in the year 2010, there was the formation of the independent office of Director of Public Prosecutions (Amukowa, 2013).

The mandate of the office is driven by the Constitution Article 157. Within the dictates of the constitution, the DPP is behooved to exercise powers of prosecution by instituting and engaging in criminal proceeding undertakings against any individual. The institution of these proceedings before any law court other than martial court; continuing and taking over any criminal proceedings undertaken or instituted by another authority or person; and discontinuation at any given stage delivery of judgment in any given particular criminal proceedings. Notably, the Inspector-General of the National Police Service is also directed by the DPP to investigate any allegation or information of criminal conduct and to affirm the due regard to the interest of the public, the administration interest of justice and avoidance and prevention of legal process abuse as opined by Mushanga (2015).

Upon the establishment of EACC, the only agency for combating practices of corruption was the judiciary at the Attorney General behest in his capacity as the Director of Public Prosecution. Other DPP functions entail advising the law enforcement on possible prosecution, public prosecution undertaking of cases forwarded by all agencies of investigation entailing the: Banking Fraud Investigations Units, Criminal Investigations Department, Police, Kenya Anti-corruption Commission as well as taking over from private prosecutors, representing the state in every criminal case, criminal appeals and applications and advising the departments, government ministries and corporations of the state on issues relating to the criminal law application (Kibwana, Wanjala, & Owiti, 2016).

EACC lacks powers of prosecution and can recommend only to the DPP prosecution of any corruption act or codes violation of ethics. While there are diverse determinants that could play a mandate in highlighting the rate of conviction, the lack of in-house specialized prosecution unit and lack of cooperation and coordination among the inter-agency between the DPPs office and the EACC (Kibwana, 2014). EACC lacks powers of prosecution and requirement that all the allegations it litigates can only be prosecuted upon and by the DPP militates sanction against its independence and deters the war on corruption (Amukowa, 2013). It may lead to delays which are unnecessary in disposal and commencement of cases, positions inconsistencies taken over the evidence by diverse actors and inadequacy of effective cases control in the trail course (Amukowa, 2013).

### **2.2.3 Opportunities of Policing Anti-Corruption Approaches and Effect on TOCs**

It is actually up to this regional and global trend as well as Kenya internal situation that the successive regimes in Kenya have attempted to adopt strategies

touching on Anti-corruption (Branch, 2018). Nye (2017) acknowledged that the legal framework for tackling graft in Kenya is associated with global efforts for preventing and combating the graft which subsequently has been ratified in the country. The fight against graft in the country was rejuvenated with power acquisition in the year 2002 (Branch, 2018). In fact, making the assumption of power after much outcry of the public over corrupt dealings of the regime of Moi, practices of the graft were crucial to the political agenda of Kibaki for Kenya. Since the year 2002, a number of laws as well as legal frameworks were enacted to combat corruption (Jabbara, 2016). The new constitution promulgation in 2012 in Kenya has been seen as a key step in the fight against graft in the country (Gould, 2019).

The 2010 constitution is aimed towards among diverse other items, emboldening of political rights as well as civil liberties by restricting the executive as well as giving the legislature more impetus and the judiciary. The Public Officers Ethics Act of 2003 and Leadership and Integrity Act, 2012 are legal provisions for combating corruption which is stipulated within the new constitution which demands a declaration of wealth for all the civil servants (Mbaku, 2014). Notably, the provision also adopts the code for the public servants and advocates regulation for meritorious recruitment and public officer's appointment. Protection for whistleblowers over potential recrimination is enshrined within Anti-Corruption and Economic Crimes and the Witness Protection Act. The act noticeably further provides for the protection of both public and private employees against disciplinary action for their whistleblowing actions (Kimenyi, 2017).

In the year 2015, there was the adoption of the Public Procurement and Asset Disposal Act. In line with this, the government of Kenya formed the Commission for



procurement with the key role of micromanaging all issues of procurement and recommended very tough sanctions on violation of the Act. The Supplies Practitioner's Management Act was adopted in Kenya in the year 2007, a legal framework for training, certification and conduct of all public procurement officers.

Noticeably, in the year 2009, the parliament of Kenya adopted the Proceeds of Crime and Money Laundering Act (Gould, 2019). It is contended by Jabbra (2016) that this legal document was adopted due to international pressure. Under the new Constitution chapter 6, the new constitution sets very high standards for ensuring integrity for advocates and civil servants for self-regulating ethics and sovereign as well as Anti-corruption commission (Kenya Anti-Corruption Commission, 2010). It is further championed by the constitution on the strengthening and the safeguarding of political privileges and civil liberties by restricting powers of the executive and increasing the powers and authority of the judiciary.

Further, the constitution indicates that the Controller of the Budget and Auditor General are independent public institutions. While it was endeavored by the Kenya government to combat graft since the Kibaki's leadership onset in the year 2002, it actually astonishes that corruption instances of corruption have proliferated rather than decreasing. Nevertheless, the Statute Law (Miscellaneous Amendments) Act enactment in 2003 limited the newly created Ethics and Anti-Corruption Commission acts of corruption conducted before 2003 May was a great setback. Questions are raised by the Miscellaneous Amendments Act over the progress that has been made within the country with regard to the fight over corruption having provided the perpetrators of the country's worst graft an amnesty de facto for their corrupt dealings (Kimenyi, 2017).

The measures on Anti-corruption are perceived of having been more reliable as the presented data by the Global Corruption Barometer cites that graft had reduced in the last three years prior to the year 2006 (Amukowa, 2013). All in all, despite these indicators and many policies that have been adopted by the government of Kenya, practices of corruption within devolved governments in Kenya is still very rife. Conversely, Beare (2017) acknowledges that corruption has failed to cease to the failure of the government to prosecute senior public servants who have been linked to dubious graft dealings since the case on Goldenberg and the Anglo-Leasing scandals.

### **2.3 Summary and Research Gap**

The literature review shows that there exists a gap between police corruption and managing of transnational organized crimes (TOCs). Notably, there is also inadequate empirical literature on the nexus between strategies of anti-corruption at the within the policing fraternity in Kenya and the effectiveness of these interventions. The review of the literature shows that corruption is a result of bureaucratic multiplicity traditions as well as policies (Kimenyi, 2017). Conversely, in Kenya, there are a number of conducted empirical studies on corruption but very few have been conducted within the policing fraternity oblivious of security being paramount in achieving the Vision 2030 goals as well as the Big Four Agenda. None of the study looked into police corruption and its effects on TOCs. Moreover, empirical studies have only identified three corruption forms in Kenya, namely; political corruption, grand corruption, bureaucratic corruption and petty, this does not actually appreciate the corruption transpiring within the policing sector. Notably, the cited studies do not look at the policing corruption counter-measures on TOCs, hence justifying the need of this study.

## **CHAPTER THREE**

### **RESEARCH DESIGN AND METHODOLOGY**

#### **3.1 Introduction**

This chapter focused on the research design, research site, and target population, sampling methods, data collection methods and research data collection instruments. It addressed as well the data analysis and the legal and ethical considerations.

#### **3.2 Research Design**

According to Castellan (2010), research design refers to the conceptual construct within which research or a study is to be carried out. This study adopted a descriptive research design. Mixed method techniques which integrate elements of both quantitative and qualitative techniques was also adopted in this study. Mixed method study builds on the research strength (Crenshaw, 2000) and lowers the setbacks (Creswell, 2009) of both quantitative and qualitative approaches to draw some kind of inferences which might lead to an increased comprehension of the topic being researched on. This design is more appropriate since it entails gathering of information from a particular cross section on the selected respondents within the study area. Consequently, it provides the study with the advantage of concentrating on particular characteristics or description where opinions and attitudes of respondents towards a particular phenomenon.

#### **3.3 Research Site**

The site of the study was Directorate of Criminal Investigations headquarters within Nairobi County and is located along Kiambu Road which is opposite the Kenya Forest Service Headquarters, north of Nairobi CBD (6.4 kilometers). As

National Police Service Branch, the Directorate of Criminal Investigations is controlled by the Director who reports to the NPS Inspector General. The DCI has the mandate of; gathering and providing criminal intelligence, carrying out investigations on serious offences such as organized crimes, cybercrimes, piracy, economic crimes, terrorism, money-laundering, human trafficking, narcotic crimes and homicide among others, maintaining of law and order, preventing and detecting crime, arresting of offenders and criminal records maintenance, carrying out forensic analysis, carrying out directions given to the IG by the DPP pursuant to Article 157(4) of the constitution, coordinating local affairs and operations of Interpol carrying out investigations on matters referred to by IPOA and conducting any other duties conferred to it through the constitution. Appendix VI represents the map of the area of study

### **3.4 Target Population**

A population is termed as the complete group of elements or objects which are considered to be relevant to specific research project or study since they bear information which the study is fashioned to analyze and collect (Babbie, 2013). Target population was acquired on the grounds of exclusion and criteria for inclusion which links to the variables under study. This study targeted officers from departments namely; Cyber Crime Unit, Forensic Unit, Serious Crime Unit, Anti-narcotics Unit, Ballistic Unit, Anti-Terrorism Unit, Special Crime Prevention Unit, Anti-banking Fraud and land fraud unit. The DCI headquarters has a total population of 374 officers distributed within the ten departments. The number and ranks of law enforcement agents are captured in the Table 3.1 below; others include key informants from the EACC, IPOA, Ombudsman office and the Office of Directorate of Public Prosecutions which was arrived at through purposive sampling and the fact

that some are former police officers who are familiar with the prevalence of police corruption and subsequent effect on TOC The distribution of the target population is captured in Table 3.1 below (overleaf).

**Table 3. 1: Distribution of Target Population**

	<b>RANK</b>	<b>Target Population</b>
<b>Gazetted Officers</b>	Deputy Inspector General (DIG)	1
	Senior Assistant Inspector General (SAIG)	1
	Assistant Inspector General (AIG)	1
	Commissioner of Police (CP)	3
	Senior Superintendent of Police SSP	6
	Superintendent of Police (SP)	8
	Assistant Superintendent of Police (ASP)	10
<b>SUB-TOTAL</b>		<b>30</b>
<b>Members of Inspectorate</b>	Chief Inspector of Police (CI)	15
	Inspector of Police (IP)	28
<b>SUB-TOTAL</b>		<b>43</b>
<b>NCOs and Other Ranks</b>	Senior Sergeant (SSgt.)	55
	Sergeant (Sgt.)	70
	Corporal (Cpl.)	78
	Police Constable (PC)	98
<b>SUB-TOTAL</b>		<b>301</b>
<b>Key Informants</b>	EACC	10
	IPOA	8
	Ombudsman office	6
	ODPP	14
<b>SUB-TOTAL</b>		<b>38</b>
<b>TOTAL</b>		<b>412</b>

**Source: Human Resource Record DCI Headquarters, 2022**

### **3.5 Sample Size and Sampling Procedure**

#### **3.5.1 Sample Size**

The sample size acceptable minimum for an explorative or descriptive research is 10% of the total population (Mugenda & Mugenda, 2003). This study employed Mugenda and Mugenda (2003) formula of calculating the sample size

which is normally 30% of the target population. The sample size which is 123 respondents is represented in Table 3.2 below.

**Table 3. 2: Sample Size**

	<b>RANK</b>	<b>Target Population</b>	<b>Sample Size %</b>	<b>Sample Size</b>
<b>Gazetted Officers</b>	Deputy Inspector General (DIG)	1	30%	-
	Senior Assistant Inspector General (SAIG)	1	30%	-
	Assistant Inspector General (AIG)	1	30%	-
	Commissioner of Police (CP)	3	30%	1
	Senior Superintendent of Police SSP	6	30%	2
	Superintendent of Police (SP)	8	30%	2
	Assistant Superintendent of Police (ASP)	10	30%	3
	<b>SUB-TOTAL</b>		<b>30</b>	
<b>Members of Inspectorate</b>	Chief Inspector of Police (CI)	15	30%	5
	Inspector of Police (IP)	28	30%	9
<b>SUB-TOTAL</b>		<b>43</b>		
<b>NCOs and Other Ranks</b>	Senior Sergeant (SSgt.)	55	30%	17
	Sergeant (Sgt.)	70	30%	21
	Corporal (Cpl.)	78	30%	23
	Police Constable (PC)	98	30%	29
<b>SUBTOTAL</b>		<b>301</b>		
<b>Key informants</b>	EACC	10	30%	3
	IPOA	8	30%	2
	Ombudsman office	6	30%	2
	ODPP	14	30%	4
<b>SUB-TOTAL</b>		<b>38</b>		
<b>TOTAL</b>		<b>412</b>		<b>123</b>

**Source: Field Data, 2021 (According to Mugenda and Mugenda, 2003)**

### **3.5.2 Sampling Procedure**

#### **3.5.2.1 Quantitative Sampling**

Sampling refers to the process of selecting various individuals for a given study to represent the overall group from which they are selected upon (Babbie, 2013). The study employed both probability and non-probability sampling techniques. This study utilized stratified sampling methods for the targeted officers. The strata were grouped into Gazetted Officers and Members of Inspectorate. The decision is informed by the fact that there is essence of identifying officers involved in dealing with TOCs or those who are knowledgeable under the topic of study within the DCI. Kothari (2011) cited that stratified random sampling offers information which is detailed. The DCI is hierarchical in terms of structure hence the essence of having sample categories. A simple random sampling technique was used to arrive at sample size of NCOs (Senior Sergeant, Sergeant, Corporal and Police Constable) plus members of the inspectorate who forms a major chunk of the DCI population. Ranks and job numbers was the basis of simple random sampling in this case.

#### **3.5.2.2 Key Informant Sampling**

Key informants and Gazetted officers were sampled through purposive sampling techniques which is a non-probability sampling technique and was subjected to an interview schedule. The study used snowballing sampling technique for the two groups since accessing such individuals to take part in the study might be hard due to the nature of their job and only good will from their colleagues through referral can be banked on to collect data and each member of the EACC, IPOA, Ombudsman office and the Office of Directorate of Public Prosecutions identified two members of their institution to be selected to participate in the study.

### **3.6 Data Collection**

The study utilized both primary and secondary data. The primary data was collected by use of questionnaire and key informant interview guide while secondary data was obtained from documents, journals and publications.

#### **3.6.1 Questionnaire**

According to Creswell (2009), data collection refers to the collection of information required in addressing of a particular research problem. Questionnaire was adopted as the as the main instrument of data collection and was administrated through the assistance of eight data clerks. The questionnaire was paramount in the collection of quantitative data. The pros of using questionnaire in this research is that it assists in contacting respondents who are inaccessible. This widens the response rate due to the perceived anonymity as well as assisting in expeditious collection of data. The structured study questionnaire involved questions which are close-ended with feedbacks which are well classified and in orderly manner. In the first section (A), the study captured socio-demographic data while other remaining sections (B, C and D) were thematically organized based on specific objectives. The study decided on this instrument since close-ended questions are very easier to administer as well as analyze. The questionnaire was issued out to Gazetted officers and members of the NCOs.

#### **3.6.2 Key Informant Interview**

The study used key informant interviews to collect qualitative data from members of EACC, IPOA, Ombudsman office and the Office of Directorate of Public Prosecution. The key informant interview schedule was guided by the research questions and the general knowledge on the topical issue. The key informant



interview areas of concern involved forms of police corruption in Kenya and the implications on TOCs, challenges facing police corruption management in handling of TOCs and how effective are police anti-corruption approaches on transnational organized crimes in Nairobi County.

### **3.6.3 Pilot Testing of Instruments**

Creswell (2009) cited that a pilot study is carried out to test the validity and reliability of the data collection instruments. A pilot study is done to test the reliability and the validity of the data collection instrument. The study carried out a pilot study at Financial Investigations Unit (FIU) among 12 officers which is 10% of the sample size. Cooper and Schindler (2010) and Mugenda and Mugenda (2003) asserted that a sample of not less than 10% of the population is normally acceptable in a pilot test. This is because the unit plays a key mandate in investigating financial organized crimes such as money-laundering.

### **3.6.4 Reliability of Instruments**

Castellan (2010) noted that reliability refers to the extent to which a given statistical test measures consistently whatever it aims to measure. It is the ability to produce constantly similar results when measurements are repeated or taken under similar conditions. In order to ensure reliability, the researcher ensured that the interview questions drawn from the study are accurately coded. The study sought peer review to ensure that the questionnaire developed are sound in content and structure after which the supervisor requested to review as well and give his input or opinion. Finally, in ensuring that the study is reliable, the responses which were acquired through the questionnaire and interview schedule was divided in two similar halves, and then independently scored to affirm on the correlation. This study considered a

Cronbach Alpha coefficient value of not less than 0.7 as being significant statically. Zinbarg (2005) noted that 0.70 alpha coefficient or relatively higher showed that it is reliable as it has definitely greater internal consistency and can be summarized to represent opinions of all the respondents within the target population.

Higher values for alpha coefficient imply that there is a kind of consistency within the study items in measuring the interest concepts. Moreover, Hair, Tathan, Anderson and Black (1998) advocated for the use of factors with above 0.4 factor loadings. Stevens (1992) recommended utilizing factors cut-off with above 0.4 factor loading oblivious of the sample size, for the purpose of interpretation. This additionally, affirms the deliberation by Tabachnick and Fidell (2007) utilizing more serious cut-offs ranging from poor (0.32), fair (0.45), good (0.55), very good (0.63) or excellent (0.71). Premised on forms of police corruption variable 6 factors, reliability test was conducted on the instrument and a constant Cronbach of 0.672 was attained which was slightly lower than 0.7. After getting rid of factor 6, the reliability increased to 0.732 which was considered to be above the threshold.

For challenges facing management of police corruption the constant alpha was at 0.695. However, after getting rid of factor one, the reliability increased to 0.726. Opportunities of Police Anti-Corruption Approaches had a constant alpha of 0.697 which increased to 0.817 after getting rid of factor one. Finally, the dependent variable (TOC) variable had a constant alpha of 0.726 so no factor was actually removed. Table 3.3 represents the summary of the findings premised on the research instrument reliability and the constant overall Cronbach was 0.756 hence making the instrument to be reliable.

**Table 3. 3: Reliability of Instruments**

<b>Variables</b>	Cronbach's Alpha before removing some items	Cronbach's Alpha after removing Some items	No of Items before removing some factors	No of Items after removing some factors
Forms of Police Corruption Challenges Facing Management of Police Corruption Opportunities of Police Anti-Corruption Approaches	0.689	0.732	9	9
	0.695	0.726	17	17
	0.617	0.817	9	9
	0.747	0.747	4	4
<b>AVERAGE</b>	<b>0.678</b>	<b>0.756</b>		

**Source: Field Data, 2021**

### 3.6.5 Validity of Instruments

Frankel and Wallen (2011) defined validity as the accuracy, correctness or suitability of the meaning of extrapolations emerging from the study's findings. It implies to the level to which the findings of the study represent accurately the areas which is under study. Validity plays a crucial role in determining as to whether research instruments correctly measure what is actually intends to measure and how authentic and valid the results are. To improve on the instrument's validity, the study took into consideration both face validity and content validity of the research instruments. In order to improve on the instrument validity, face to face validity was assessed through having all the study questions phrased in line with study objectives. Validity content was conducted out through the questionnaire review by an expert in policing and criminal investigations. The study depended on the professionalism of the supervisors to assist in ascertaining the instruments validity content for the

purpose of data collection. Moreover, the study conducted pilot study through a test-retest approach to improve the validity of the study findings.

### **3.6.6 Data Collection Procedure**

The study acquired an introductory letter from ANU and send it to National Commission for Science, Technology and (NACOSTI) for the processing of processing research permit. Upon permission guarantee Innovation to carry out the study, the office of the county commander was informed on the researcher intention to gather data within his jurisdiction area. The research instruments administration was carried out with help of eight research assistants in order to assist in efficient and expeditious collection of data. The principal researcher trained the research assistants on the rudiments of the study for two days on how to capture both quantitative and qualitative data from the targeted respondents as well as on fundamental research ethics. The questionnaires were administered during the official working hours in the targeted offices and also sent to prospective respondents' email address for those who were not at work. before issuing out the questionnaires/interview session the respondents were briefed on the main aim of the data collection as well as their right of consent and confidentiality during the data collection process. The eight research assistants assisted in issuing out the questionnaires and aided the respondents in filling the questionnaires in areas which required clarification. The respondents were given two weeks to fill in the research instruments and after that the researcher alongside research assistants collected the field in questionnaires for the purpose of sorting, tabulation and analysis. The key informant's interview was self-administered by the researcher since some targeted institutions such as EACC and ODPP are sensitive study areas and require high levels of confidentiality.

### **3.7 Data Analysis**

Kombo and Tromp (2006) asserted that data collection refers to evaluating what already has been collected in an experiment or survey and making inferences or deductions amicably. Further, Kombo and Tromp (2006) note that analysis of data entail utilization of statistical or numerical measurement and testing for hypothesis. In this study, the data was analyzed through qualitative and quantitative techniques;

#### **3.7.1 Quantitative Data**

Collected quantitative data from the field were analyzed through descriptive statistics. Descriptive statistics included the use of frequency, means, standard deviation to evaluate the central tendency measure for very variables of the study and also the measure of dispersion for each variable. The study analyzed the data through version 26 Statistical Package for Social Sciences (SPSS). The analyzed findings were presented through interactive figures and table. The analyzed data was thematically presented based on the specific objectives of the study.

#### **3.7.2 Qualitative Data**

Qualitative data collected from the key informants was analyzed through content and thematic analysis. The analysis was systematically based on the objectives of the study. Using this technique, the researcher perused the collected data and identifies information that was relevant to the research question and objectives then develop a coding system based on sample of collected data, classify major issues or topics covered, re-read the text and highlight key quotations or insights for interpretation. Qualitative data was presented through narratives, thematic analysis and continuous prose.

### **3.8 Legal and Ethical Considerations**

This study sought to observe a number of ethical considerations. Written consent of the respondents was sought prior to conducting out the study. Approval was also sought from the management of ANU in liaison with National Commission for Science, Technology and Innovation (NACOSTI) before conducting or collecting data from the institution. The researcher also endeavored to make sure that all the research participants will not be subjected to any harm whatsoever and that their dignity was respected. The participants also recognized and assured that full consent is obtained from them and privacy was also respected. All the research participants were assured that the obtained data sought to be treated with great utmost confidentiality and was only utilized for the goal of this proposed study. The study also informed the respondents that they are at free-will to withdraw from the study at any given juncture if they feel like doing so since so one will use their response to victimize them.

## CHAPTER FOUR

### RESULTS AND ANALYSIS

#### 4.1 Introduction

This chapter presents; interpretation of data linked to study specific objectives, with various themes presented. All the sections present study responses on effect of police corruption on transnational organized crimes in Nairobi County, Kenya. The chapter begins by computing the response rate of the study since its paramount for subsequent analysis of the study findings. The second aspect which the chapter looked into is the participant's demographic characteristics followed by the study variables analysis. The analysis of the findings is carried out through descriptive statistics. Presentation of data has been made through figures and tables.

#### 4.2 Response Rate

This study first sought to find out the response rate of the respondents. According to the response in Table 4.1 below, this study distributed 123 questionnaires. 78.05% of the questionnaires representing 96 respondents were returned. Out of the 96 respondents, 10 EACC and ODPP senior officers were additionally interviewed after being issued a set of questionnaires. The response rate is considered to be adequate for data analysis. The response rate was therefore considered adequate for data analysis. As was observed by Kothari (2005), any response rate above 60% is sufficient and reliable for conducting data analysis. The findings are as presented in Table 4.1.

**Table 4. 1: Response Rate**

Category	Frequency	Percentage
Responded	96	78.05%
Non-respondents	27	21.95%
<b>Total</b>	<b>123</b>	<b>100</b>

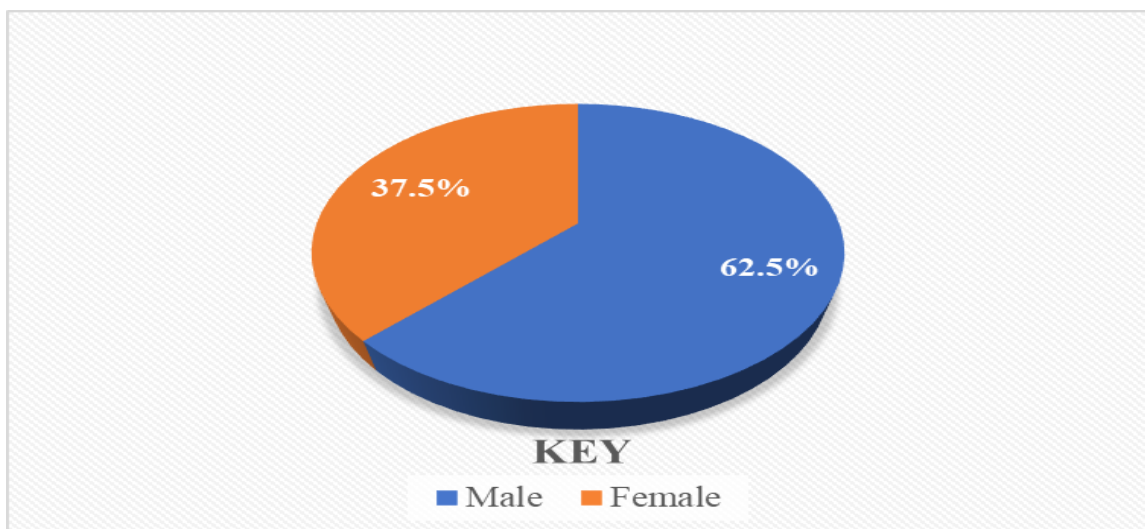
**Source: Field Data, 2021**

### 4.3 Demographic Characteristics of the Respondents

This section presents the various demographic categorizations of the study. Categorization was based on age, gender, academic achievement as well as the occupation of the respondents within the study area.

#### 4.3.1 Response by Gender

According to the findings presented in Figure 4.1, out of the 96 respondents who formed part of this study, 57(62.5%) being majority of the respondents were male while 39(37.5%) were female. This shows that the study was dominated by male respondents. It also shows that the field of policing and national security governance is dominated by the male gender going by the nature and masculinity of the security profession.



**Figure 4. 1: Responses on Gender**

Source: Field Data, 2021

#### 4.3.2 Response on the Department within the DCI

This study sought to determine the respondent's departments within the Directorate of Criminal Investigations. The results presented in Table 4.2 shows that majority of the respondents were from Anti-banking Fraud Unit. This was represented by 20(20.83%) of the respondents. The findings also indicate that a greater number of



the respondents were from the anti-narcotics unit. This was represented by 18(18.75%) of the respondents. Notably, 4(4.17%) cited ballistic unit, 10(10.42%) of the respondents cited forensic department, 15(15.63%) cited cybercrime unit as well as serious crimes unit, 9(9.38%) cited special crime prevention unit while 5(5.21%) indicated Land Fraud Unit. Response from various departments was considered to be paramount in this study since various DCI units have varying roles in transnational organized crimes management in the country. The findings are represented in Table 4.2.

**Table 4. 2: Response on the Department within the DCI**

<b>Response</b>	<b>Frequency</b>	<b>Percentage</b>
Ballistic Unit	4	4.17
Forensic department	10	10.42
Cybercrime Unit	15	15.63
Anti-banking Fraud Unit	20	20.83
Serious Crimes Unit	15	15.63
Anti-narcotics Unit	18	18.75
Special Crime Prevention Unit	9	9.38
Land Fraud Unit	5	5.21
<b>Total</b>	<b>96</b>	<b>100</b>

**Source: Field Data, 2021**

#### **4.3.3 Response on the Length of Service at the DCI**

This question was filled by DCI officers on the length of service at the institution. In regard to the duration of service on the current occupation, the findings indicate that majority of the respondents had served between 11-15 years accounting for 36.46% of the sample respondents, 0-5years category was presented by 12(12.5%), 6-10years was presented by 31.25%, 16-20 was represented by 10(10.42%) while 9(9.38%) of the respondents cited above 21 years. The findings are

presented in Table 4.3. The length of service within an institution plays a fundamental role in determining experience on handling issues of transnational organized crimes and corruption within the policing fraternity.

**Table 4. 3: The Length of Length of Service at the DCI**

<b>Response</b>	<b>Frequency</b>	<b>Percentage</b>
0-5	12	12.5%
6-10	30	31.25%
11-15	35	36.46%
16-20	10	10.42%
Above 21 years	9	9.38%
<b>Total</b>	<b>96</b>	<b>100</b>

**Source: Field Data, 2021**

#### **4.3.4 Respondent`s Level of Education**

This study also sought to find out the educational qualification of the respondents. The results presented in Table 4.4 shows that majority of the respondents had a secondary level of education. This shows that most of the respondents had basic knowledge which is considered to be paramount in-service delivery. This was represented by 35(36.48%) of the respondents. The findings also indicate that a greater number of the respondents had attained college level of education. This was represented by 26(27.08%) of the respondents. Notably, a significant percentage of the respondents who had attained undergraduate level of education was represented by 20(20.83%) of the respondents, 13(13.54%) cited postgraduate degree while 2(2.08%) cited PhD level of education. In this study, education was important in understanding the response level of understanding on the topical issue as well as participating in the process of data collection. The findings are represented in Table 4.4.

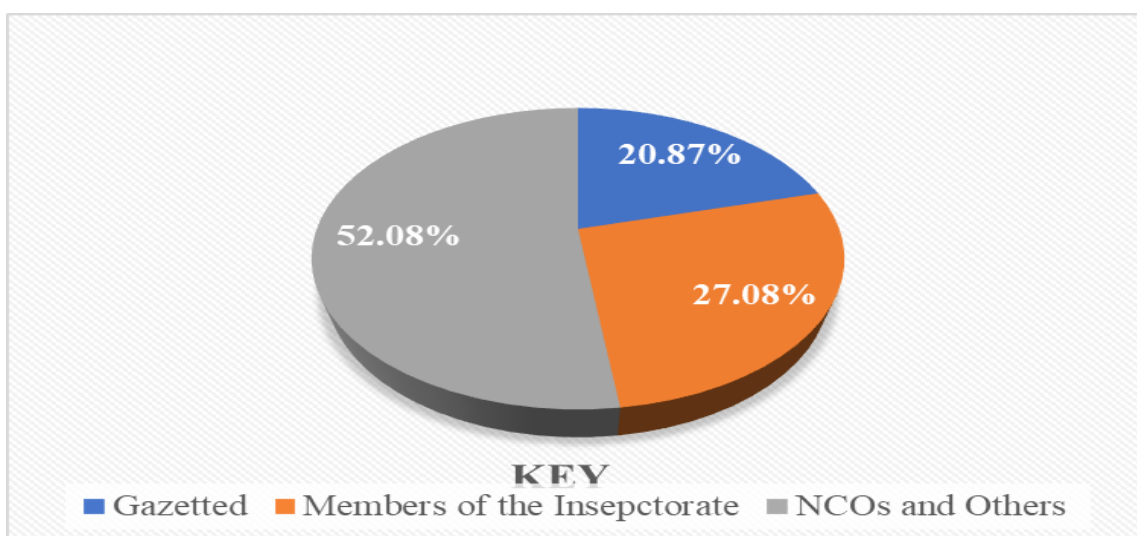
**Table 4. 4: Response on Education Level**

Response	Frequency	Percentage
KCSE Certificate	35	36.46%
College Diploma	26	27.08%
Undergraduate	20	20.83%
Masters' degree	13	13.54%
PhD	2	2.08%
<b>Total</b>	<b>96</b>	<b>100</b>

**Source: Field Data, 2021**

#### 4.3.5 Response on Respondents Ranks

The study also sought to determine the ranks of the various respondents in this study. The response rate on various ranks is considered to be rudimental in this study since various cadres of police officers have differing mandates on TOCs and their perception on police corruption also differ across the ranks. Most of the respondents in this study 50(52.08%) were NCOs and Others, 26(27.08%) were members of the inspectorate while 20 (20.84%) were gazetted officers. The findings are presented in Figure 4.2.



**Figure 4. 2: Responses on Rank**

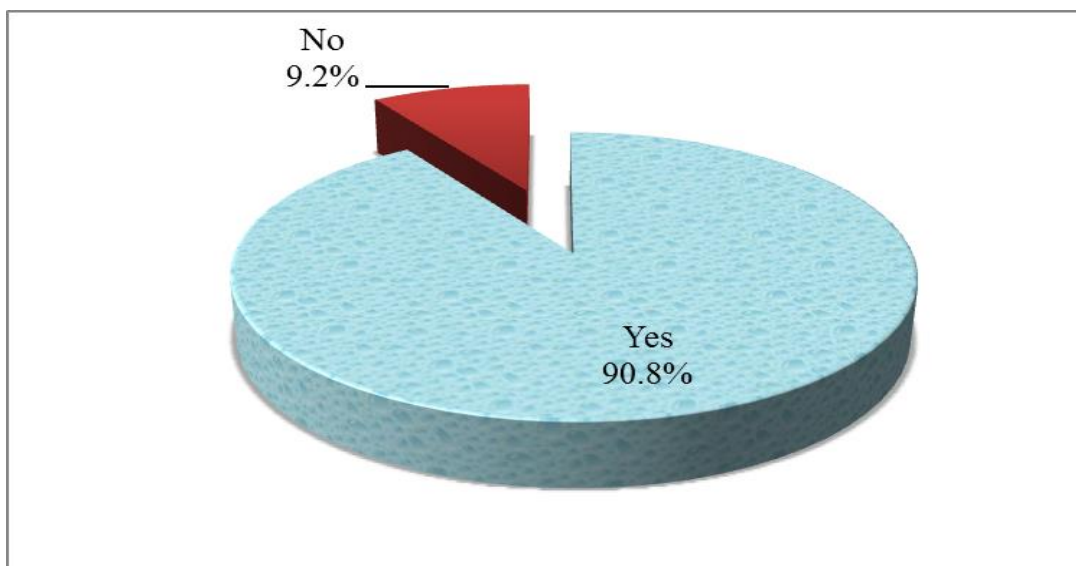
**Source: Field Data, 2021**

#### **4.4 Emerging Forms of Police Corruption in Kenya**

The first objective of the study sought to determine the emerging forms of police corruption and their subsequent effect on transnational organized crimes in Nairobi County. The objective was operationalized through; bribery, mas arrets and detention, illegal bail charges, embezzlement of funds, extortion, favoritism and fixing.

##### **4.4.1 Awareness on Emerging Forms of Police Corruption in Kenya**

The study sought to determine whether the respondents are aware of any forms of police corruption in Kenya and their effect on transnational organized crimes in Nairobi County. The study noted that the majority of the respondents cited that they agree (90.8%) that are aware of the various forms of police corruption in Kenya and their effect on transnational organized crimes in Nairobi County. This makes them reliable when collecting data since majority of them are aware of the various forms of police corruption and subsequent effect on TOCs. Additionally, 7(9.2%) of the respondents cited that they are not aware. Understanding whether the respondents are aware of the various forms of police corruption is regarded to be paramount in this study since it predetermines the nexus between police corruption and TOCs. The findings are reflected in Figure 4.3.



**Figure 4. 3: Awareness on Emerging Forms of Police Corruption in Kenya**

**Source: Field Data, 2021**

In agreement to the above findings, an interview with one of the EACC senior investigator, noted that;

*Corruption has been evolving for the last two decades now. Some of the commonly known forms of corruption are embezzlement of public resources and favoritism or nepotism. In Kenya one of the emerging forms of corruption and which has been a hard nut to tackle is the issue of kickbacks especially on major government projects. Proceeds from such corrupt practices are at times also used to finance TOCs (Source: Key Informant 2, 24<sup>th</sup> November 2021).*

Further, in agreement to the above findings, an interview with one of the EACC intelligence officer, noted that;

*For the last two decades, Kenya has been witnessing a number of changes in police corruption in Kenya. For example, the business of human trafficking and drug-trafficking have been thriving since they are being supported by the police officers who receive part of the proceeds in exchange for protection. Such acts bedevil the fight against TOCs in Kenya (Source: Key Informant 3, 24<sup>th</sup> November 2021).*

#### **4.4.2 Common Forms of Police Corruption in Kenya**

This study sought to determine the common forms of police corruption in Kenya and their effect on transnational organized crimes in Nairobi County. This

study noted that a significant percentage of the respondents 33.33% indicated that bribery was the leading form of police corruption in Kenya. The study further noted that 4.17% cited mass arrests and detention, 11.46% cited illegal bail charges, 22.92% cited embezzlement, 10.42% indicated extortion, 12.5% cited favoritism while 5.2% cited fixing. Understanding the various forms of police corruption is regarded to be paramount in this study since each form of police corruption has a varying effect on TOCs. The findings are presented in Table 4.5.

**Table 4. 5: Common Forms of Police Corruption in Kenya**

<b>Response</b>	<b>Frequency</b>	<b>Percentage</b>
Bribery	32	33.33%
Mass arrests and Detention	4	4.17%
Illegal bail charges	11	11.46%
Embezzlement	22	22.92%
Extortion	10	10.42%
Favoritism	12	12.5%
Fixing	5	5.2%
<b>Total</b>	<b>96</b>	<b>100</b>

**Source: Field Data, 2021**

One of the senior officers from the ODPP office who was in agreement propounded during the Key Informant Interview that;

*Our main challenge in the country is the issue of bribery, embezzlement and extortion. Annually, Kenya incurs billions of shillings from such forms of corruption. The transparency report in 2019 ranks Kenya as being among the corrupt countries in Africa with bribery being the leading form of corruption promoting TOCs especially among the nation security agents in the country. Some of the TOCs being propagated by corruption include terrorism and illegal trade in animal trophies (Source: Key Informant 3, 19<sup>th</sup> November 2021).*

One of the senior officers from the EACC office cited during the Key Informant Interview who was in agreement noted that;

*Bribery is a major challenge and form of police corruption in Kenya. Bribery affects service delivery and performance of police officers in the country. One of the main affected sectors due to police corruption in the country is the matatu or transport sector (Source: Key Informant 4, 19<sup>th</sup> November 2021).*

#### 4.4.3 Extent of Various Forms of Corruption and Effect on TOCs

This study noted that a significant percentage of the respondents (31.25%) cited those various forms of police corruption affects TOCs to a very high extent. Additionally, 25(26.04%) cited high extent, 20(20.83%) cited that they were not sure, 12(12.5%) cited low extent while 9(9.38%) of the respondents cited very low extent. This response clearly shows that various forms of corruption have the highest extent when it comes to the implications on TOCs. The findings are represented in Table 4.6.

**Table 4. 6: Extent of Various Forms of Corruption and Effect on TOCs**

<b>Response</b>	<b>Frequency</b>	<b>Percentage</b>
Very High Extent	30	31.25%
High Extent	25	26.04%
Not Sure	20	20.83%
Low Extent	12	12.5%
Very Low Extent	9	9.38%
<b>TOTAL</b>	<b>96</b>	<b>100</b>

**Source: Field Data, 2021**

#### 4.4.4 Agreement Levels on Extent of Various Forms of Corruption and Effect on TOCs

One of the main interests of the study was to determine the level of agreement extent to which the various forms of police corruption affect TOCs. According to the findings presented in Table 4.7, the study noted that a significant percentage of the respondents cited that they strongly agree that bribery affects management of TOCs within Nairobi County. This was cited by 55% of the respondents. Additionally, 45% of the respondents cited they strongly agree that mass arrests and detention affects TOCs management, 50% cited illegal bail charges affect TOCs, 60% asserted that they strongly agree that embezzlement of operation funds affects management of TOCs, 40% propounded that extortion affects TOCs, 55% indicated that Favoritism

affects TOCs while 45% of the respondents strongly agree that Fixing affects TOCs significantly. This response was paramount in ascertaining the level of agreement under which various forms of corruption affects TOCs.

**Table 4. 7: Agreement Levels on Extent of Various Forms of Corruption and Effect on TOCs**

<b>Policing Forms of Corruption</b>	<b>SD</b>	<b>D</b>	<b>NS</b>	<b>A</b>	<b>SA</b>
Bribery affects management of TOCs	10%	10%	5%	25%	55%
Mass arrest and detention affects TOCs management	10%	20%	5%	20%	45%
Illegal bail charges affect TOCs	5%	15%	5%	30%	50%
Embezzlement of operation funds affects TOCs	5%	5%	5%	25%	60%
Extortion affects TOCs	15%	15%	10%	20%	40%
Favoritism affects TOCs	10%	5%	10%	25%	55%
Fixing affects TOCs significantly	5%	5%	5%	35%	45%

**Source: Field Data, 2021**

#### **4.4.5 Forms of TOCs and Police Corruption Extent Effect**

The last element in the first specific objective sought to determine the various forms of TOC and police corruption extent. The study noted that case of human trafficking was very high (65%). Moreover, this study noted child trafficking was very high, 50% of the respondents noted Illegal sale of counterfeit goods, 45% cited cybercrimes, 58% of the respondents opined money laundering, 48% cited prostitution trafficking while 52% of the respondents indicated banking fraud. Understanding the response on various forms of TOCs on police corruption was considered to be paramount in understanding the intensity of TOCs within Nairobi County. The findings are presented in Table 4.8.



**Table 4. 8: Forms of TOCs and Police Corruption Extent Effect**

<b>Forms of TOC and Police Corruption</b>	<b>Very High Extent</b>	<b>High Extent</b>	<b>Not Sure</b>	<b>Low Extent</b>	<b>Very Low Extent</b>
Human Trafficking	65%	25%	10%	5%	5%
Child trafficking	55%	35%	3%	2%	5%
Illegal sale of counterfeit goods	50%	25%	5%	10%	10%
Cybercrimes	45%	35%	10%	5%	5%
Money laundering	58%	27%	10%	5%	5%
Prostitution trafficking	48%	22%	15%	5%	10%
Banking Fraud	52%	28%	8%	6%	6%

**Source: Field Data, 2021**

In an interview with one of the EACC senior investigator and a former member of the special Branch famously known as flying squad, agreed that;

*One of the leading TOC in Kenya is the issue of human trafficking and cybercrimes. The demand for human labor in middle East Countries as well as South Africa countries is ever on the steady increase. Although the vice has serious implications on national security, corruption among law enforcement personnel is the leading/exacerbating factor for such TOCs. Therefore, there is a need to develop holistic efforts in harnessing graft practices among national security agents (Source: Key Informant 5, 26<sup>th</sup> November 2021).*

In an interview with one of the ODPP senior officer, agreed that;

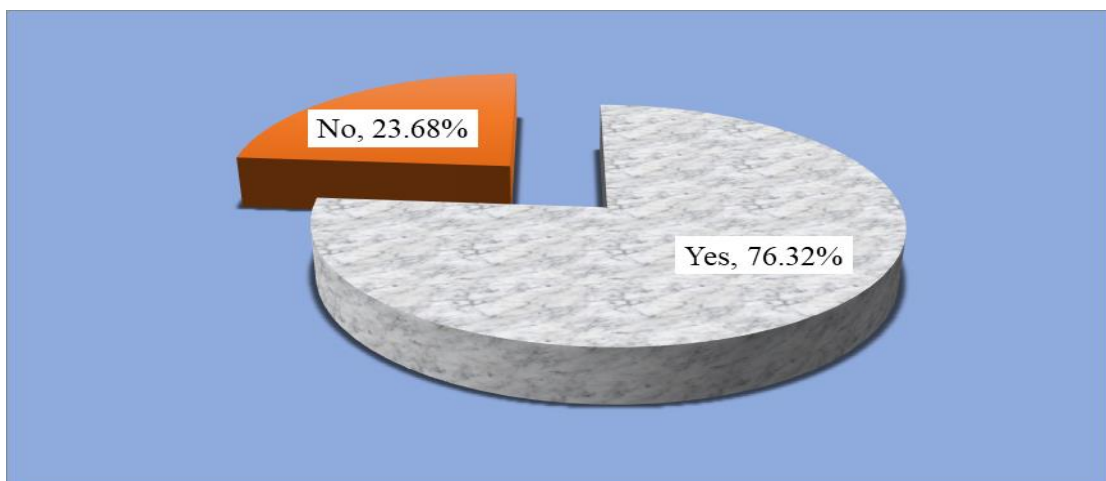
*Human trafficking is a major challenge in dealing with corruption in the country. This is a well-organized syndicate which involves well-networked individuals and high-profile individuals in the country. The police officers are being accused of working in cahoots with organized human trafficking gang members which makes it hard for the country to actively respond to such vice (Source: Key Informant 6, 26<sup>th</sup> November 2021).*

#### **4.5 Police Corruption Management Challenges**

The second specific objective of the study sought to determine the challenges facing police corruption management and their effects on transnational organized crimes in Nairobi County. The findings are subsequently presented below.

#### 4.5.1 Response on Police Corruption Management Challenge

The findings in Figure 4.4 indicate that the majority of the respondents 71(76.32%) were aware of the challenges facing police corruption management and their effects on transnational organized crimes in Nairobi County. Consequently, 25(23.68%) cited that they are not aware of the challenges facing police corruption management and their effects on transnational organized crimes in Nairobi County. The findings are presented in Figure 4.4.



**Figure 4. 4: Response on Police Corruption Management Challenge**  
**Source: Field Data, 2021**

One of the officers from government Ombudsman who was in agreement asserted during the key informant interview that;

*There is no silver bullet in addressing the issue of corruption involving police officers and other public officers in the country. Successive governments have attempted to address this vice with very minimal success rate. One of the leading challenges in addressing police corruption is the issue of lack of political goodwill, structural failures and poor remuneration among the police officers (Source: Key Informant 7, 6<sup>th</sup> December 2021).*

In agreement to the above findings, one of the officers from government Ombudsman posited during the key informant interview that;

*Addressing the issue of police leadership, motivation and training in the country is among the sure ways of responding to TOCs in the country. The NPS needs to adopt transformative and transactional leadership in order to motivate officers to actively respond to TOCs in the country (Source: Key Informant 8, 6<sup>th</sup> December 2021).*

#### 4.5.2 Challenges Facing Police Corruption Management

This study sought to determine the various challenges which faces management of police corruption in Kenya. According to the findings, the study noted that 52% of the respondents cited that political influence affected management of TOCs to a very high extent. In addition to this, 55% of the respondents cited legal challenges, 50% noted leadership affects management of police corruption to a very high extent, 45% of the respondents cited structural failures within the NPS, 48% cited economic challenges. Understanding the response on challenges facing police corruption management was relevant in comprehending the extent to which the identified challenges would hinder the management of TOCs. The findings are presented in Table 4.9.

**Table 4. 9: Challenges Facing Police Corruption Management**

<b>Challenges Facing Police Corruption Management</b>	<b>Very High</b>	<b>High</b>	<b>Not Sure</b>	<b>Low</b>	<b>Very Low</b>
Political Influence	52%	28%	8%	6%	6%
Legal Challenges	55%	35%	3%	2%	5%
Leadership	50%	25%	5%	10%	10%
Structural failures	45%	35%	10%	5%	5%
Economic Challenges	48%	22%	15%	5%	10%

**Source: Field Data, 2021**

A senior officer from the IPOA in agreement during the key informant interview propounded that;

*Our political leadership has failed us in addressing the issue of graft among the law enforcement agents. The political fraternity needs to promulgate stringent laws which can holistically assist in curbing the prevalence of police corruption in the country. It is because of the legal challenges that the police continue to work in cahoots with TOCs/ 'nosa costras' in exchange of bribes. A practical example is the issue of human trafficking from Ethiopia where the police are believed to be the ones aiding the illegal enterprise (Source: Key Informant 9, 4<sup>th</sup> December 2021).*

#### **4.5.3 Agreement on Challenges Facing Police Corruption Management**

Understanding extent to which the respondents agree with the following challenges facing police corruption management and their effects on transnational organized crimes in Nairobi County which challenge has the greatest impact was considered to be paramount in this study. The findings of the study indicate that 50% of the respondents strongly agree Political influence affects management of TOCs. This was further supported by mean = 3.776, SD = 0.687. Additionally, 45% (mean=3.415, SD=0.589) of the respondents cited that they strongly agree that legal challenges affects TOCs management, 48% (mean=3.121, SD=0.787) cited that they strongly agree that police leadership affect TOCs, 50% (mean=3.654, SD=0.658) indicated that they strongly agree that structural failures affect TOCs, 55% (mean=3.879, SD=0.752) of the respondents that they strongly agree that economic challenges affect TOCs, 60% (mean=3.546, SD=0.852) of the respondents strongly agreed that adequate human resource to investigate corruption, 58% (mean=3.548, SD=0.603) of the respondents cited that they strongly agree that investigators not adequately trained to handle technological gadgets in their work. Finally, 40% (mean=3.685, SD=0.789) of the respondents cited that they strongly agree that Adverse court decisions and stopping some investigations of TOCs was a leading challenge. The findings are presented in Table 4.10.

**Table 4. 10: Agreement on Challenges Facing Police Corruption Management**

<b>Terrorism Financing</b>	<b>SD</b>	<b>D</b>	<b>NS</b>	<b>A</b>	<b>SA</b>	<b>Mean</b>	<b>Std Deviation</b>
Political influence affects management of TOCs	5%	10%	5%	30%	50%	3.776	0.687
Legal challenges affecting TOCs management	5%	5%	5%	40%	45%	3.415	0.589
Police leadership affect TOCs	10%	10%	10%	22%	48%	3.121	0.787
Structural failures affect TOCs	5%	5%	5%	35%	50%	3.654	0.658
Economic challenges affect TOCs	5%	5%	10%	25%	55%	3.879	0.752
Adequate human resource to investigate corruption	2%	3%	5%	30%	60%	3.546	0.852
Investigators not adequately trained to handle technological gadgets in their work	5%	2%	3%	32%	58%	3.548	0.603
Adverse court decisions and stopping some investigations of TOCs	10%	10%	10%	30%	40%	3.685	0.789

**Source: Field Data, 2021**

#### **4.5.4 Ways in Which Corruption Management Challenges Affects TOCs**

The findings in Table 4.11 indicates that a significant portion of the respondents 30(31.25%) cited that the challenges identified above were leading obstacle in the investigation of TOCs, 20(20.83%) of the respondents indicated prosecution of TOCs, 10(10.42%) indicated deterrence of TOCs, 14(14.58%) cited detection of TOCs while 22(22.92%) of the respondents cited prevention of TOCs. The findings shows that corruption was a major challenge in the investigation of TOCs in the country since majority of the cases reported were not being investigated with allegations that a significant percentage of senior police officers were on the payroll of TOCs gang leaders. The quantitative findings are cited in Table 4.11.

**Table 4. 11: Ways in Which Corruption Management Challenges Affects TOCs**

<b>Response</b>	<b>Frequency</b>	<b>Percentage</b>
Prevention of TOCs	22	22.92%
Detection of TOCs	14	14.58%
Deterrence of TOCs	10	10.42%
Prosecution of TOCs	20	20.83%
Investigation of TOCs	30	31.25%
<b>Total</b>	<b>96</b>	<b>100</b>

**Source: Field Data, 2021**

An interview with a senior officer at the ODPP office opined that;

*The issue of graft among the law enforcement agencies has been the leading challenge in prosecution and investigation of TOCs in the country. When officers are bribed with those indulging in TOCs there investigation prowess and capacity is weakened hence they are not in a position to gather watertight evidence to enable the prosecution of TOCs suspects/culprits (Source: Key Informant 10, 3<sup>rd</sup> May, 2021).*

#### **4.6 Opportunities of Anti-policing Approaches**

The second specific objective of the study sought to determine the opportunities of the anti-policing approaches being adopted currently in containing the issue of TOCs. The findings are subsequently presented below.

##### **4.6.1 Opportunities of Anti-policing Approaches**

This study noted that 37.5% of the respondents cited that civic education was one of the leading platforms being used in addressing the challenge of police corruption in the country and its subsequent effect on TOCs. In addition to this, 31.25% of the respondents cited anti-corruption seminars, 16.67% of the respondents cited corruption incidence reporting, 9.38% indicated amendments of legal framework while 5.2% of the respondents cited community policing. The findings are captured in Table 4.12.

**Table 4. 12: Opportunities of Anti-policing Approaches**

<b>Response</b>	<b>Frequency</b>	<b>Percentage</b>
Civic education	36	37.5%
Anti-corruption seminars	30	31.25%
Corruption incidence reporting	16	16.67%
Legal Framework amendments	9	9.38%
Community Policing	5	5.2%
<b>Total</b>	<b>96</b>	<b>100</b>

**Source: Field Data, 2021**

#### **4.6.2 Participation in Any Anti-Corruption Forum or Seminar**

This study noted that 47.92% of the respondents cited that they very often participate in any anti-corruption forum or seminar. This study noted that 27.08% of the respondents cited always, 10.42% indicated sometimes, 7.29% cited rarely and never subsequently. The frequency involvement in counter-graft forums or seminars is considered to be paramount since it assists in imparting crucial skills and knowledge on how to contain the issue of corruption with the policing fraternity. The findings are mirrored in Table 4.13.

**Table 4. 13: Participation in Any Anti-Corruption Forum or Seminar**

<b>Response</b>	<b>Frequency</b>	<b>Percentage</b>
Always	26	27.08%
Very often	46	47.92%
Sometimes	10	10.42%
Rarely	7	7.29%
Never	7	7.29%
<b>Total</b>	<b>96</b>	<b>100</b>

**Source: Field Data, 2021**

#### **4.6.3 Importance of the Anti-Corruption strategies On TOCs**

This study had an interest in determining some of the strategies being used in addressing the issue of corruption within the law enforcement fraternity and subsequent effect on TOCs. The study revealed that 48% (mean=4.152, SD=0.985)

shows that a significant portion of the respondents shows that civic education was regarded to be very important as anti-corruption strategy, 50% (mean=4.123, SD=0.879) cited anticorruption seminars, 55% (mean=4.874, SD=0.879) indicated reporting of corruption incidences was very important, 45% (mean=4.253, SD=0.789) indicated that legal framework amendments was considered to be very important. It was important to understand some of the strategies being utilized in addressing the issue of corruption within the police fraternity since this will assist in evaluating the efficacy of such measures in containing TOCs. The findings are presented in Table 4.14.

**Table 4. 14: Importance of the Anti-Corruption strategies On TOCs**

<b>Anti-corruption strategies importance</b>	<b>N</b>	<b>Very Important</b>	<b>Important</b>	<b>Moderately Important</b>	<b>Mean</b>	<b>Std Dev.</b>
Civic education	96	48%	32%	20%	4.152	0.985
Anti-corruption seminars	96	50%	30%	20%	4.123	0.879
Reporting corruption incidences	96	55%	35%	10%	4.874	0.879
Legal framework amendments	96	45%	40%	15%	4.253	0.789

**Source: Field Data, 2021**

In agreement of the above findings, one of the key informants (head of department at the EACC), revealed that;

*“.....in a bid to address the prevalence of corruption and subsequent effect on TOC there is a need to develop well-grounded laws and civic education programs whose main aim is to sensitize the public on the ramifications of TOC on our national security and the need of collaboratively working to address the prevalence of police corruption. The public should be engaged on a proactive corruption reporting initiative whose main aim is to bring to the attention of graft management agencies on the possible activities relating to corruption practices among the law enforcement agents...” (Source: Key Informant 11, 4<sup>th</sup> December, 2021).*



## **CHAPTER FIVE**

### **DISCUSSION, SUMMARY OF THE FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS**

#### **5.1 Introduction**

This chapter presented a discussion, summary, conclusion, and recommendations of the study. This is anchored on the study findings that are discussed and presented in the previous chapters. The study determined several findings which make a direct contribution to policy formulation and knowledge. Recommendations both for further studies as well as practice and policy have been made.

#### **5.2 Discussion of Findings**

This study aimed at evaluating the effect of police corruption on transnational organized crimes in Nairobi County. The task entailed; forms of police corruption in Kenya and their effect on transnational organized crimes, challenges facing police corruption management and their effects on transnational organized crimes and opportunities of policing anti-corruption approaches on transnational organized crimes in Nairobi County. This study adopted a descriptive research design. Mixed method techniques which integrate elements of both quantitative and qualitative techniques was also adopted in this study. This study was conducted between November to December 2021 within Nairobi County.

##### **5.2.1 Forms of Police Corruption in Kenya and Effect on TOCs**

This study noted that a significant percentage of the respondents 32(33.33%) indicated that bribery was the leading form of police corruption in Kenya. The study further noted that 4(4.17%) cited mass arrests and detention, 11(11.46%) cited illegal

bail charges, 22(22.92%) cited embezzlement, 10(10.42%) indicated extortion, 12(12.5%) cited favoritism while 5(5.2%) cited fixing. Understanding the various forms of police corruption is regarded to be paramount in this study since each form of police corruption has a varying effect on TOCs. The findings are in line with Kibwana, Wanjala and Owiti (2016) cited that policing corruption can be grouped in two forms: external and internal. Internal corruption is a form of corrupt agreement which can occur among a group of law enforcement agents and might entail key changes or administrative decision policies which are illegal and inappropriate. Unjustified removal of officials and internal politics or conducting a behavior with a prison scenario which might be entirely legal or even releasing of prisoners through accepting of a bribe given to various police officers are all part of internal corruption. This leads to formation of corruption culture within the policing fraternity.

### **5.2.2 Challenges Facing Management of Police Corruption and Effect on TOCs**

According to the findings, the study noted that 52% of the respondents asserted that political influence affected management of TOCs to a very high extent. 55% of the respondents indicated legal challenges, 50% noted leadership affects management of police corruption to a very high extent, 45% of the respondents cited structural failures within the NPS, 48% cited economic challenges. Understanding the response on challenges facing police corruption management was relevant in comprehending the extent to which the identified challenges would hinder the management of TOCs. The further supported by Kibwana (2014) who noted that investigative agencies such as EACC lacks powers of prosecution and can recommend only to the DPP prosecution of any corruption act or codes violation of ethics. While there are diverse determinants that could play a mandate in highlighting the rate of conviction, the lack of in-house specialized prosecution unit and lack of

cooperation and coordination among the inter-agency between the DPPs office and the EACC. EACC lacks powers of prosecution and requirement that all the allegations it litigates can only be prosecuted upon and by the DPP militates sanction against its independence and deters the war on corruption. Amukowa (2013) additionally noted that it may lead to delays which are unnecessary in disposal and commencement of cases, positions inconsistencies taken over the evidence by diverse actors and inadequacy of effective cases control in the trail course.

Understanding extent to which the respondents agree with the following challenges facing police corruption management and their effects on transnational organized crimes in Nairobi County which challenge has the greatest impact was considered to be paramount in this study. The findings of the study indicate that 50% of the respondents strongly agree Political influence affects management of TOCs. This was further supported by mean = 3.776, SD = 0.687. Additionally, 45% (mean=3.415, SD=0.589) of the respondents cited that they strongly agree that legal challenges affects TOCs management, 48% (mean=3.121, SD=0.787) cited that they strongly agree that Police leadership affect TOCs, 50% (mean=3.654, SD=0.658) indicated that they strongly agree that Structural failures affect TOCs, 55% (mean=3.879, SD=0.752) of the respondents that they strongly agree that economic challenges affect TOCs, 60% (mean=3.546, SD=0.852) of the respondents strongly agreed that adequate human resource to investigate corruption, 58% (mean=3.548, SD=0.603) of the respondents cited that they strongly agree that investigators not adequately trained to handle technological gadgets in their work. Finally, 40% (mean=3.685, SD=0.789) of the respondents cited that they strongly agree that Adverse court decisions and stopping some investigations of TOCs was a leading challenge. Additionally, the findings are affirmed by Ruteere (2011) cited that even

so, addressing the issue of police corruption proofs to be more challenging in societies which are seen to be less democratic owing greatly to the culture of governance and neo-patrimonial structures that is linked to historical power abuse by security agencies and police as major agents of political repression (Jones, et al., 2017). All in all, this has led to complicated social and political environments for policing as well as influencing the oversight efficacy and the justice systems of the organizations. Asingo and Mitullah, (2017) noted therefore that the policing behaviors scope can be framed largely within the realms of existing supervisory gaps emanating from both formal and informal elements of police personnel discretionary behaviors.

### **5.2.3 Opportunities of Police Anti-Corruption Approaches on TOCs**

This study noted that 36 (37.5%) of the respondents cited that civic education was one of the leading platforms being used in addressing the challenge of police corruption in the country and its subsequent effect on TOCs. In addition to this, 30(31.25%) of the respondents cited anti-corruption seminars, 16(16.67%) of the respondents cited corruption incidence reporting, 9(9.38%) indicated amendments of legal framework while 5(5.2%0 of the respondents cited community policing. The findings are supported by Nye (2017) acknowledged that the legal framework for tackling graft in Kenya is associated with global efforts for preventing and combating the graft which subsequently has been ratified in the country.

The fight against graft in the country was rejuvenation with power acquisition in the year 2002. In fact, making the assumption of power after much outcry of the public over corrupt dealings of the regime of Moi, practices of the graft were crucial to the political agenda of Kibaki for Kenya. Since the year 2002, a number of laws as well as legal frameworks were enacted to combat corruption (Jabbara, 2016). The new

constitution promulgation in 2012 in Kenya has been seen as a key step in the fight against graft in the country.

The study revealed that 48% (mean=4.152, SD=0.985) shows that a significant portion of the respondents shows that civic education was regarded to be very important as anti-corruption strategy, 50% (mean=4.123, SD=0.879) cited anticorruption seminars, 55% (mean=4.874, SD=0.879) indicated reporting of corruption incidences was very important, 45% (mean=4.253, SD=0.789) indicated that legal framework amendments was considered to be very important. It was important to understand some of the strategies being utilized in addressing the issue of corruption within the police fraternity since this will assist in evaluating the efficacy of such measures in containing TOCs. The 2010 constitution is aimed towards among diverse other items, emboldening of political rights as well as civil liberties by restricting the executive as well as giving the legislature more impetus and the judiciary.

Mbaku (2014) noted that the Public Officers Ethics Act of 2003 and Leadership and Integrity Act, 2012 are legal provisions for combating corruption which is stipulated within the new constitution which demands a declaration of wealth for all the civil servants. Notably, according to Kimenyi (2017) the provision also adopts the code for the public servants and advocates regulation for meritorious recruitment and public officer's appointment. Protection for whistleblowers over potential recrimination is enshrined within Anti-Corruption and Economic Crimes and the Witness Protection Act. The act noticeably further provides for the protection of both public and private employees against disciplinary action for their whistleblowing actions.

### **5.3 Summary of Findings**

The following summary informed the study based on the study-specific objectives;

#### **5.3.1 Forms of Police Corruption in Kenya and Effect on TOCs**

The study noted that most of the respondents cited that bribery was the leading form of corruption in Kenya. This was cited by 32(33.33%) of the respondents. Additionally, the study noted that a significant percentage of the respondents cited that they strongly agree that bribery affects management of TOCs within Nairobi County. This was cited by 55% of the respondents. Additionally, 45% of the respondents cited they strongly agree that mass arrests and detention affects TOCs management, 50% cited illegal bail charges affect TOCs, 60% cited that they strongly agree that embezzlement of operation funds affects management of TOCs, 40% cited that extortion affects TOCs, 55% indicated that Favoritism affects TOCs while 45% of the respondents strongly agree that Fixing affects TOCs significantly. This response was paramount in ascertaining the level of agreement under which various forms of corruption affects TOCs.

#### **5.3.2 Challenges Facing Management of Police Corruption and Effect on TOCs**

According to the findings, the study noted that 52% of the respondents cited that political influence affected management of TOCs to a very high extent. In addition to this, 55% of the respondents cited legal challenges, 50% noted leadership affects management of police corruption to a very high extent, 45% of the respondents cited structural failures within the NPS, 48% cited economic challenges. The study noted during the key informant interview that some senior politicians were encouraging the practice of corruption within the police fraternity since they bribe senior police officers in exchange of protection for their underworld business which

cuts across various forms of TOCs. Some of the reported TOCs involving politicians in the country include human trafficking, trafficking of arms, trafficking of animal trophies and money laundering.

### **5.3.3 Opportunities of Police Anti-Corruption Approaches on TOCs**

This study noted that 36 (37.5%) of the respondents cited that civic education was one of the leading platforms being used in addressing the challenge of police corruption in the country and its subsequent effect on TOCs. In addition to this, 30(31.25%) of the respondents cited anti-corruption seminars, 16(16.67%) of the respondents cited corruption incidence reporting, 9(9.38%) indicated amendments of legal framework while 5(5.2%) of the respondents cited community policing. The findings implies that there is a need to sensitize the public on the possible implications of police corruption on TOCs and national security in the country. The response from Key informant interviews noted that such exercise should be conducted semi-annually by bringing all the stakeholders on board.

### **5.4 Conclusion of the Study**

In a bid to contextualize the study, both Public Choice and Broken Windows theories were integrated in deliberating on the study's various objectives. The public choice theory views corruption and other economic crimes to be a post-constitutional opportunism aimed at drawing gains for individuals or groups at the broader society expense. Anchored on some form of economic theory, the public choice theory presents great tenets which are key in understanding economic crimes. The theory of broken windows is paramount in expounding on the social costs of the various types of corruption. In regard to issues involving trust within the law enforcement fraternity,

it is actually a serious mistake to hold the assumption that offences involving corruption are considered to be less serious than the mega graft.

In conclusion, the study noted that the majority of the respondents cited that they agree (90.8%) that are aware of the various forms of police corruption in Kenya and their effect on transnational organized crimes in Nairobi County. This makes them reliable when collecting data since majority of them are aware of the various forms of police corruption and subsequent effect on TOCs. Understanding whether the respondents are aware of the various forms of police corruption is regarded to be paramount in this study since it predetermines the nexus between police corruption and TOCs.

Moreover, the study noted that a significant percentage of the respondents 33.33% indicated that bribery was the leading form of police corruption in Kenya. The study further noted that 4.17% cited mass arrests and detention, 11.46% cited illegal bail charges, 22.92% cited embezzlement, 10.42% indicated extortion, 12.5% cited favoritism while 5.2% cited fixing. Understanding the various forms of police corruption is regarded to be paramount in this study since each form of police corruption has a varying effect on TOCs. The findings shows that corruption was a major challenge in the investigation of TOCs in the country since majority of the cases reported were not being investigated with allegations that a significant percentage of senior police officers were on the payroll of TOCs gang leaders. Finally, the study revealed that 48% (mean=4.152, SD=0.985) shows that a significant portion of the respondents shows that civic education was regarded to be very important as anti-corruption strategy. It was important to understand some of the strategies being utilized in addressing the issue of corruption within the police



fraternity since this will assist in evaluating the efficacy of such measures in containing TOCs.

## **5.5 Recommendations of the Study**

This study is informed by the following recommendations;

### **5.5.1 Forms of Police Corruption in Kenya and Effect on TOCs**

Rules assume a pivotal mandate in governing the employee's behavior patterns. In this regard, senior police officers and other ranks in Kenya need to engage periodically in regular trainings in a bid to improve their knowledge and comprehension levels in regard to organization rules. This will assist in lowering the various forms of police corruption such as bribery and extortion in the country as well as subsequent effect on TOCs. This will be in form of reviewing of police curriculum and offering short-courses through inter-agency cooperation which seeks to improve service delivery within the NPS and the fight against TOCs in the country.

### **5.5.2 Challenges Facing Management of Police Corruption and Effect on TOCs**

With low professionalism levels, the whole NPS fraternity in Kenya are not in a position to assist in corruption reduction let alone corruption elimination and issues of integrity. There is a need for identifying the motivation trigger factors which a company's a specific occupation such as issuing of incentives and fair promotions to officers who are optimally performing. Ethical morals and values need to be embedded into the current codes of professionalism in Kenya in order to boost the morale of those officers who are exemplary performing. Moreover, police officers need to be fairly promoted to improve on their job satisfaction and commitment to crime prevention in the country.

From the study, it can be noted that there is an urgent need of re-engineering the whole police administration system in the country in order to create a culture which fosters high levels of ethical integrity and professionalism. This culture needs to be created from the recruitment stage to training and police officers placement. The curriculum on ethics needs to be benchmarked with others in Europe or US. Senior law enforcement officers need to be rotated and trained on the grounds of embracing ethical policing as opposed to the current policing current form that debase them from their individual integrity.

### **5.5.3 Opportunities of Police Anti-Corruption Approaches on TOCs**

With respect to policing ethics and possible institutional implications, the study note that the police need to embrace ethics as a leading tool for proper decision making. An ethical curriculum review training agenda for police ethics start at the academy, but it is more than adding simply more lessons/classes related to ethics. It should start by reiterating on the significance of decision-making and judgment which is equal to the need of quality delivery of service to Kenyans. Ethical practices need to be reinforced at the workplace for all the police divisions and offices.

The culture of being above the law should only end when the leaders of the organization enforce rules against corrupt conduct and then reward and recognize the right behavior. Corruption involving TOCs cannot survive a scrutiny, nor can it live, if the organization itself is in opposition to it. It is hence paramount to make ethics as not only to be taught in the police academy but more so be viewed to be practiced by the officers charged with the noble but daunting task of administering security in the country.

## **5.6 Suggestions for Further Studies**

The main interest of this study was on effects of corruption on transnational organized crimes guided by three specific objectives. There is a need for a study to be conducted using larger samples which will be paramount in supporting the current findings and the validity. Additionally, the global categories levels have to be involved in the additional research in order to be generalized in the current findings of the study to corruption and TOCs within law enforcement fraternities with specific application in the country. The promulgation and use of more relevant ethical dimensions are another paramount option in conducting police officer integrity related research and formulating practices and policies aimed at reducing corruption or boosting integrity.

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## APPENDICES

### Appendix I: Introduction Letter

Africa Nazarene University,

P.O. Box 53067-00200

Nairobi, Kenya

Dear Respondent,

#### **RE: REQUEST FOR RESEARCH DATA**

I am a student at the Africa Nazarene University pursuing a Master of Science in Governance, Peace and Security. The aim of this study is to carry out research for a thesis paper as a requirement in partial fulfillment of the degree. Kindly spare some time to fill the attached questionnaire as accurately as possible.

Your responses will be treated strictly confidential and in no circumstance shall your name be mentioned in this report. In case of any inquiries please contact me through 0728203556.

Let me take this opportunity to thank you in advance for taking part in this study.

Yours sincerely,

**Pius Kipyego Ndiwa (19M03EMGP012)**

.....  
Student- Africa Nazarene University

## Appendix II: Questionnaire

### Instructions

This questionnaire is intended to gather information about the implications of police corruption on transnational organized crimes in Nairobi County. Kindly respond by ticking or filling in the appropriate responses to the questions. All the information you give in this questionnaire will be confidential and will be used by researcher for the purpose of this study only. For this reason, **DO NOT** write your name or the name anywhere in this questionnaire.

### SECTION A: DEMOGRAPHIC DATA

#### 1. Gender

1. Male
2. Female

2. Which department are you serving currently under the DCI?

1. Ballistics Unit
2. Forensic Department
3. Cyber Crime Unit
4. Anti-banking Fraud Unit
5. Serious Crime Unit
6. Anti-narcotics Unit
7. Special crime Prevention Unit
8. Land Fraud Unit

#### 3. How long have you served at DCI?

1. 0-5 years
2. 6-10 Years
3. 11-15Years
4. 16-20 Years
5. Above 21Years

#### 4. Highest Educational Level

1. KCSE Certificate
2. College Diploma
3. Degree
4. Masters Degree

5. PhD

5. What is your rank?

1. Gazetted Officers

2. Members of the Inspectorate

3. NCOs and Others

**SECTION B: FORMS OF POLICE CORRUPTION IN KENYA**

5. a) Are you aware of the any forms of police corruption in Kenya and their effect on transnational organized crimes in Nairobi County?

1. Yes

2. No

b) If Yes Explain

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.....  
.....  
.....  
.....

6. Which of the following are the common forms of police corruption in Kenya and their effect on transnational organized crimes in Nairobi County?

1. Bribery

2. Mass arrests and detention

3. Illegal Bail Charges

4. Embezzlement of Funds

5. Extortion

6. Favoritism

7. Fixing

7. To what extent do the above forms of corruption affect transnational organized crimes in Nairobi County?

1. Very high extent

2. High extent

3. Not sure

4. Low extent

5. Very low extent

8. Indicate the extent to which you agree with the following forms of police corruption affects TOCs in a scale of 1-5 where (1)-Strongly Disagree, (2) Disagree (3) Not Sure, (4) Agree, (5) Strongly Agree .

	<b>Policing Forms Of Corruption</b>	<b>SD</b>	<b>D</b>	<b>NS</b>	<b>A</b>	<b>SA</b>
1	Bribery affects management of TOCs					
2	Mass arrest and detention affects TOCs management					
3	Illegal bail charges affect TOCs					
4	Embezzlement of operation funds affects TOCs					
5	Extortion affects TOCs					
6	Favoritism affects TOCs					
7	Fixing affects TOCs significantly					

9. In a scale of 1-5 where 1= Very High Extent, 2= High Extent, 3= Not Sure, 4=Low Extent, 5= Very Low Extent rate the effects of the police corruption on the following forms of TOCs?

	<b>Forms of TOC and Police Corruption</b>	Very High Extent	High Extent	Not Sure	Low Extent	Very Low Extent
1	Human Trafficking					
2	Child trafficking					
3	Illegal sale of counterfeit goods					
4	Cybercrimes					
5	Money laundering					
6	Prostitution trafficking					
7	Banking Fraud					

### **SECTION C: POLICE CORRUPTION MANAGEMENT CHALLENGES**

10. Are you aware of the challenges facing police corruption management and their effects on transnational organized crimes in Nairobi County?

1. Yes
2. No

b) If Yes Explain

.....  
 .....

**11.** In a scale of 1-5 where 1= Very High, 2= High, 3= Not Sure, 4=Low, 5= Very Low. Rate the challenges facing police corruption management and their effects on transnational organized crimes in Nairobi County?

	<b>Challenges Facing Police Corruption Management</b>	Very High	High	Not Sure	Low	Very Low
1	Political influence					
2	Legal challenges					
3	Leadership					
4	Structural failures					
5	Economic challenges					

**12.** Indicate the extent to which you agree with the following challenges facing police corruption management and their effects on transnational organized crimes in Nairobi County which challenge has the greatest impact in a scale of 1-5 where (1)-Strongly Disagree, (2) Disagree (3) Not Sure, (4) Agree, (5) Strongly Agree.

	<b>Policing Forms of Corruption</b>	<b>SD</b>	<b>D</b>	<b>NS</b>	<b>A</b>	<b>SA</b>
1	Political influence affects management of TOCs					
2	Legal challenges affect TOCs management					
3	Police leadership affect TOCs					
4	Structural failures affect TOCs					
5	Economic challenges affect TOCs					
6	adequate human resource to investigate corruption					
7.	investigators not adequately trained to handle technological gadgets in their work					
8.	Adverse court decisions and stopping some investigations of TOCs					

**13.** In what ways have the above challenges affected TOCs

1. Prevention of TOCs [ ]
2. Detection of TOCs [ ]
3. Deterrence of TOCs [ ]
4. Prosecution of TOCs [ ]
5. Investigation of TOCs [ ]

**SECTION D: OPPORTUNITIES OF ANTI-CORRUPTION POLICING APPROACHES**

14. Which of the following are the best ways of dealing with corruption within the policing fraternity?

- 1. Civic education ( )
- 2. Anti-corruption seminars ( )
- 3. Reporting of corruption incidences ( )
- 4. Legal framework amendments ( )
- 5. Community policing ( )

15.) Have you ever participated in any anti-corruption forum or seminar?

- 1. Always
- 2. Very often
- 3. Sometimes
- 4. Rarely
- 5. Never

16. a) On a scale of 1-5 where 1= very important, 2= Important, 3= moderately, 4= Not important. Important? Rate the importance of the following strategies in dealing with corruption within the policing fraternity

<b>Anti-corruption measures in policing</b>	<b>Very Important</b>	<b>Important</b>	<b>Moderately Important</b>	<b>Not Important</b>
Civic education				
Anti-corruption seminars				
Reporting corruption incidences				
Legal framework amendments				

b) Explain the responses above

.....

.....

.....

.....



**17. a) b)** In relation to your choice in question 27(a) above do you think that the measures have been effective? (Explain)

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.....  
.....  
.....

(c) Suggest on the interventions which can be utilized to prevent the issue of terrorism recruitment in the country? Explain

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.....  
.....

**Thank You for Your Participation**

**Appendix III: Interview Guide**

**Introduction**

This interview is meant to collect data for my Master of Science in Governance, Peace and Security. The study is on evaluating the implications of police corruption on transnational organized crimes in Nairobi County, Kenya. You have been selected as one of the respondents, and if you consent to participate, you are kindly requested to be sincere with your answers. Please note that any information you will give will be treated with utmost confidentiality and privacy, and will only be used for academic purposes.

1. What are the forms of police corruption in Kenya and their effect on transnational organized crimes in Nairobi County?

a. Forms

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.....  
.....

b. Effects

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2. To what extent does the forms of police corruption you have mentioned affect transnational organized crimes in Nairobi County?

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.....

3. What are the challenges facing police corruption management and their effects on transnational organized crimes in Nairobi County?

a. Challenges facing police corruption management

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.....

b. Their effects on transnational organized crimes in Nairobi County

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.....

4. What are some of the police anti-corruption approaches on transnational organized crimes in Nairobi County?

a. some of the police anti-corruption approaches

.....  
.....  
.....  
.....

b. Their effects on transnational organized crimes in Nairobi County

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.....  
.....

**Thank You for Your Participation**

## Appendix IV: Application Letter



22<sup>nd</sup> October 2021

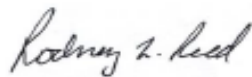
**RE: TO WHOM IT MAY CONCERN**

---

Ndiwa Kipyego Pius (9M03EMGP012) is a bonafide student at Africa Nazarene University. He has finished his course work and has defended his thesis proposal entitled: -


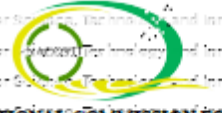



*"Effects of Police Corruption on Transnational Organized Crimes in Nairobi".*

Any assistance accorded to him to facilitate data collection and finish his thesis is highly welcomed.

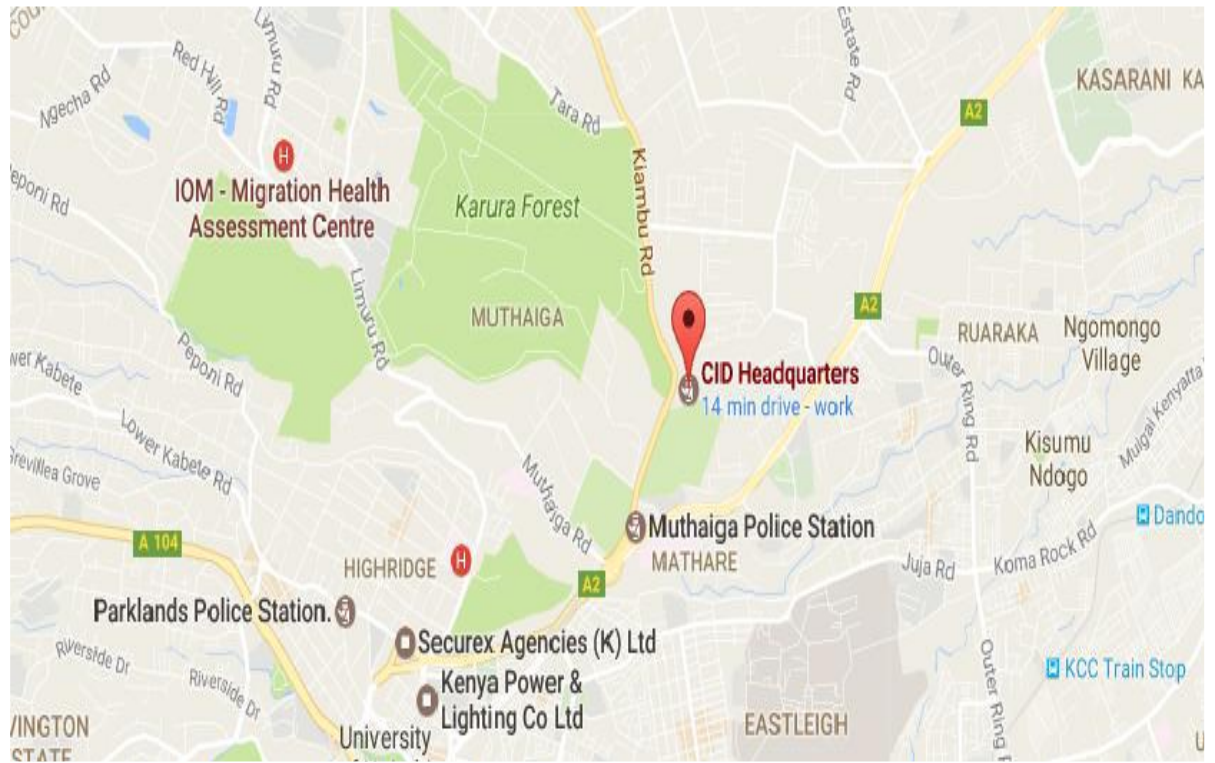


**Prof. Rodney Reed**  
**DVC, Academic & Student Affairs**

Appendix V: NACOSTI Research Licence

 <p>REPUBLIC OF KENYA</p>	 <p>NATIONAL COMMISSION FOR <b>SCIENCE, TECHNOLOGY &amp; INNOVATION</b></p>
<p>Ref No: 574570</p>	<p>Date of Issue: 09/November/2021</p>
<p><b>RESEARCH LICENSE</b></p>	
	
<p><b>This is to Certify that Mr. Pius Kipyego Ndiwa of Africa Nazarene University, has been licensed to conduct research in Nairobi on the topic: EFFECTS OF POLICE CORRUPTION ON TRANSNATIONAL ORGANIZED CRIMES IN NAIROBI COUNTY, KENYA for the period ending : 09/November/2022.</b></p>	
<p>License No: NACOSTI/P/21/13953</p>	
<p>574570</p>	
<p>Applicant Identification Number</p>	<p>Director General <b>NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY &amp; INNOVATION</b></p>
<p>Verification QR Code</p>	
	
<p><b>NOTE: This is a computer generated License. To verify the authenticity of this document, Scan the QR Code using QR scanner application.</b></p>	

**Appendix VI: Map of Study Area**



**Source: Google Map**