

# THE INTERNATIONAL JOURNAL OF HUMANITIES & SOCIAL STUDIES

## Dealing with Organized and Transnational Crime in Kenya: A Multi-Agency Approach

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### **Abstract:**

*With the end of the Cold-War, global governance has experienced momentous concerns in dealing with crime necessitated by unprecedented openness in trade, travel and communication. This has seen organized and transnational crimes become more diverse and violent, leading to an increased need in multi-agency cooperation. This paper examines the extent of organized and transnational organized crime in Kenya and their effectiveness in a multi-agency security approach. The study adopts a descriptive research design that engages 256 respondents. Findings reveal that government multi-agency security organs were ineffective in their approaches due to a range of variables including corruption and poor enforcement capacity. The study recommends that the government should redesign clear and defined guidelines to manage multi-agency security organs.*

**Keywords:** Multi-agency, transnational crimes, organized crime, security organs

### 1. Introduction

#### 1.1. Background to the Study

Multi-Agency refers to joining together, partnership and collaboration of government organs for service delivery. It is a philosophy that global security agents have increasingly adopted to deal with organized and transnational organized crime. The Post-Cold War environment and consequent globalization has led to loosening of trade barriers, a freeing up on the international finance sector and the greater ability of individuals to travel outside their own countries. All these changes witnessed on an unprecedented scale after 1990 which set the scene for organized crime to grow in international significance (Marmo & Nerida, 2016).

The International Institutions and Global Governance Program (IIGGP) (2013) in a report on the global regime for transnational organized crimes argue that the impact of transnational organized crimes has upsurged to unprecedented levels courtesy of new technologies, improved network structures that are hard to identify and stop and the diversification of activities. From arms smuggling, human trafficking to money laundering, the criminal enterprise has expanded from one territory to another. Further, according to the report the world's greatest global governance challenge is to establish shared responsibility for the most intractable problems of our post-unipolar world. This agrees with Williams (2016, p.22) "Underlying this panorama of actors, and somewhat obscured by the current tensions and crises, is a fundamental global trend in which the governance nature provided by many states is inadequate and not able to meet the citizens' expectations, demands and needs. In other words, the Westphalian order is undergoing a long-term secular decline that is bringing with it a series of convulsions along with what Nathan Freier terms it as prolific insecurity."

Organized and transnational crimes (referred to as OC and TOCs) is not just an urban or modern phenomenon, as it is entrenched in most cultures history and still develops in line with economic, social, political and technological trends. The Italian mafia families is a profound organized crime group example. The mafia was founded in Sicily Italy in the early 19<sup>th</sup> Century as a movement to fight for liberation from an aristocracy (Lyman & Gary, 2007). They made this possible by protecting produce and livestock, land and peasants. By the 1870s these 'mafias' were able to consolidate their organizational architecture and operations (Richards, 1999). Even though the discussion about organized crime groups and their activities has been there, a review of the subject in academic literature and the law enforcement proofs that determining what is being discussed exactly is difficult due to the organizations' complexity and fluidity (Loree, 2002). Transnational criminal organizations are active in many fields. Their activities include illegal people/ goods trafficking, cybercrime, corruption and bank fraud (Lyman & Gary, 2007). History reveals that the human society has been embedded in the criminal enterprise since ancient times and modern day crimes are a continuation of the same but with more complex and organized structures accompanied by intricate conspiracies that infiltrate legitimate businesses (Edward & Gill, 2003). The threat brought about by transnational crimes has as such acquired the attention of numerous policymakers, researchers, crime officers and academicians who have sought to understand and develop strategies to combat them.

The White House estimates in its 2011 TOC Strategy that money laundering accounts for \$1.3 trillion to \$3.3 trillion or between 2 percent and 5 percent of the world's gross domestic product (GDP). Bribery from TOCs adds close to

\$1 trillion to that amount, while drug trafficking generates an estimated \$750 billion to \$1 trillion, counterfeited and pirated goods add another \$500 billion, and illicit firearms sales generate from \$170 billion to \$320 billion (GDP) (Farah, 2012).

The Global Governance Monitor (GGM) (2013) reveals that most areas of the world have been affected by this organized and transnational organized crime. Drug trafficking for instance in the Western Hemisphere that includes Mexico, Colombia and Brazil have led to massive death of people in the past decade. The area has also been a victim to counterfeit medicine that has led to the increase of drug-resistant strains of viruses and environmental crime that includes illegal logging, waste dumping and decline of endangered species that have destroyed ecosystems while endangering surrounding environments (IIGGP, 2013). Afghanistan is identified as a leading source of opium and narcotics that have been linked to increased terrorist and extremist activities. Further, the Republic of Korea and the Russian Federation were mentioned as being host countries of cybercrime that created larger platforms for sexual offenses and bullying.

The glowing transnational significance of organized crime has been widely interpreted by many governments and international organizations as a threat to good governance. The United States (US) Security Council, in 2011 issued its Strategy for Combating Transnational Crime in which it stated that it represented a growing and significant threat to international and national security with implications for economic stability, democratic institutions, public health and public safety globally (Marmo & Nerida, 2016).

West Africa has been prominent on the international scale on transnational crime with countries like Nigeria being victims of money laundering, drug trafficking, and human trafficking. According to Ohr (2000), the rapid rise of these groups has been due to the ease of international communication, the growth of international commerce and international traffic in illegal commodities. Notably, transnational crimes have been widespread affecting even developed states which need to be tackled in tandem with their opportunistic vices. The United Nations estimates them to constitute around 3.6% of the global economy. In the context of this global scale, Wang and Jingyi (2009) assert that international cooperation is ideal in building capacity for preventing and controlling different kinds of these crimes.

Cognizant of the menace of TOCs international efforts to address them have been made. The United Nations Office on Drugs and Crime (UNODC) was established in 1997 to curtail these crimes at the international level. In its operations, the office has been accused of exercising weak efforts with much of them focusing little on addressing the interplay of TOC and political power and combating corruption and more importantly the market that underpins them. In defense, Fedotov (2010) argues that little funding and budget priority is given to it as it is sustained by voluntary contributions and that has constrained the agency's effectiveness.

Many developing states have increasingly been victims of powerful transnational crime networks that according to Gastrow (2011) has been enabled through the penetration of state institutions from within through bribery and corruption. In Africa TOCs have been linked to government officials in responsible positions, police officers and criminal justice systems which according to Gyamfi and Essiam (2012) has thwarted policing activities in the continent. The international community has in the past focused on transnational organized crime in West Africa with drug trafficking being a major menace.

Being a major tourist destination and a strategic trade location, Kenya has increasingly become a victim of transnational crime. According to Gastrow (2011), the expansion and penetration of government and business structures have made state institutions incapacitated to counter OC and TOCs effectiveness. It has been established that most OC and TOCs in Kenya are committed by government and political elites with local and international links, hardly any prosecution for top-level suspects in the country has ended with the serious conviction of crimes, impunity by the elites and government officials seriously embezzling state funds. The Africa Centre for Strategic Studies (ACSS) (2017) in its report on Drug trafficking in Africa highlights Kenya as a major transit. Additionally, Kenya is also a conduit and again continues to be in high risk of being exploited by money launderers as it is the financial hub of East Africa (Mutua, 2018). These kinds of scandals seems to be occurring even with the passages of many legislations and Acts of parliaments which in June 2018 forced the president to form a multiagency team which is a law enforcement agencies led by the Attorney General and reporting to the president on the progress of dealing with OC and TOC's in Kenya (Amadala, 2016).

The multi-agency was more pronounced by the government of Kenya in June 2018 for the effectiveness of government security organs in dealing with crimes especially corruption which has become a pandemic in Kenya and is brought about by money laundering and TOCs crimes. The Kenya government has tried many ways in dealing with crimes through enacting many legislations. In the executive summary of the report of "*the task force on the review of the legal, policy and institutional framework for fighting corruption in Kenya*" October 2015, the following gives the government journey of reforms:

The first decade of the 21st century witnessed far-reaching governance, constitutional, legal and political reforms aimed at creating a more democratic and accountable state. Some of the significant changes witnessed during this era are: radical reforms in the Judiciary and the Civil Service in 2003; the enactment of the Anti-Corruption and Economic Crimes Act, 2003 (No. 3 of 2003) (ACECA), and the Public Officer Ethics Act, 2003 (No. 4 of 2003) (POEA); the establishment of the Kenya Anti-Corruption Commission (KACC) in May, 2003 and the National Anti-Corruption Campaign Steering Committee (NACCSC) in July, 2004; the signing of the African Union Convention on Preventing and Combating Corruption (AUCPCC) in July, 2003; the ratification of the United Nations Convention against Corruption (UNCAC) on 9th December, 2003; the rolling-out of the Governance, Justice, Law and Order Sector (GJLOS) Reform Programme in 2003/2004; implementation of financial sector and legal reforms (2006/2007), ...The year 2010 witnessed unprecedented legal, political and social reforms in the country: Following the adoption of a new Constitution of Kenya on 27 August 2010 (Executive Summary, p. xxxi).

Despite the above development, Kenya remains insecure in terms of corruption and other organized and transnational crimes. Kenya has a history of grand grafts, for example, Cemetery Land Acquisition and National Hospital Insurance in 2012; National Youth Service 2014; Tokyo Property Scam 2010 and Anglo-leasing 2004. In total more than Ksh 3 billion were embezzled. The recent scandal in 2018 and 2019 that saw individuals charged in a court of law over the Ksh. 8 billion NYS theft in a notorious scheme of supplies payment now popularly called the supply of air. It involved the supply of poisonous sugar. Officials involved include; and Kenya Bureau of Standards (KBS), Kenya Ports Authority (KPA), the Kenya Revenue Authority (KRA) in relation with the alleged import of fertilizer, rice and poisonous sugar with Ksh. 10 billion cost for taxpayers. The Kenya Power officials have been accused of misappropriating Ksh.400 million through the faulty transformers deal with Muwa Trading Company (Owaah, 2017).

This paper sought therefore to investigate the extent to which effectiveness of Government Multi-Agency Security Organs affect OC and TOC's in Kenya focusing on Nairobi County.

### *1.2. Statement of the Problem*

There is no country today that remains untouched by the destabilizing impacts of organized crime (OC) and transnational crimes (TOCs) and the effects that come with them (UNODC, 2013). In Africa, OC and TOCs have fueled greater insecurity and instability across the continent. Despite the efforts to deal with OC and TOCs, there is widespread corruption, drug trafficking, human trafficking and criminal networks in the region. The perceived inadequate public sector capacity, especially from the law enforcement and corruption that arises from OC and TOC, threaten to lead the country to become a criminalized state with weak institutions. The African Centre for Open Governance (2011) projects that if the same trends continue, national development will be hampered, governance undermined, public confidence decline and international trust tested.

Previous studies that have been done in Kenya by National Crime Research Center focus more on the rise of organized crime, emerging crimes and Boda Boda Motorcycle Transport (NCRC, 2012; NCRC, 2017;2018). The UNODC which leads to the research in crime and drugs has not focused on the multi-agency approach but more on human trafficking and transnational crimes and drugs (UNODC,2013, 2017). This illustrates the gaps in knowledge and the lack of baseline on a multi-agency perspective (Williams, 2008). It is from this basis that this paper sought to examine extent to which effectiveness multiagency organs affect organized and transnational crime in Kenya.

### *1.3. Objective of the Study*

The study's objective was to examine the extent of organized and transnational organized crime in Kenya and the effectiveness of multi-agency security organs in dealing the crime.

## **2. Literature Review**

According to Marmo & Nerida (2016), unprecedentedly the magnitude of crime globalization has increased dramatically with serious challenges and threats to world security and peace. The OC and TOCs organizations are active in a many different fields. Their full activity spectrum includes the illegal people/ good trafficking, cybercrime, corruption, and bank fraud (Gachuz, 2016). The OC and TOCs have reached macro-economic proportions, gone global and diversified: sourcing of illicit goods is done in continent, trafficking done across another, finally sold in a third. Truly, Mafias are currently a transnational issue: a national security threat, especially in countries that are conflict ridden and poor. Crime undermines governance as it empowers people operating outside the law. It also hinders development by infiltrating politics and business and fueling corruption. (UNODC, 2010).

In East Africa there has been an increase in illicit trade in sugar and charcoal and improvised explosive devices components trafficking as income generating for Alshaab, illegal immigrants trafficking from the Horn of Africa profits the Doesh in Libya and Islamic State (IS) while heroin trafficking to eastern Africa benefits the Taliban (UNODC,2017).

Recent study demonstrates that the Eastern Africa poaching rate has expanded, ascending to heights that may undermine the local elephant populace. The vast ivory shipments part to Asia from Africa seems to go through the Kenya ports holder and Tanzania, where intercessions could be tended to. It is assessed that somewhere, elephant poaching range between 5,600 and 15,400 in Eastern Africa every year, delivering somewhere in the range of 56 and 154 metric huge amounts of illegal ivory, of which 66% (37 tons) is bound for Asia, worth around US\$30 million in 2011 (Marmo & Nerida, 2016). Two distinct dynamics drive Eastern Africa's TOCs problems: weakness in the rule of law and illicit markets (UNODC, 2013). Hundreds of billions of dollars of resources from developing countries are withdrawn by cultural property trafficking, oil theft, wildlife trade, fishing, mining and illegal logging. Trafficking of arms protect the criminals while illegal organ trade preys upon the poor (May 2017).

Kenya is weakening due to internal decay process, but to the onlookers it relatively appears to be a state that is healthy. Endemic corruption and Powerful transnational criminal networks are white-anting state institutions and their public confidence. Termites are at work, hollowing out state institutions from the inside. Resulting to, constant testing of international confidence in the future of Kenya, destroying public trust in institutions, undermining governance and hampering development (Gastrow, 2011).

Kenya's moral fabric and national security threat is posed by drug cartels and organized criminal groups (Kaberia, 2015). Networks have infiltrated the political class and concerns about exercising influence in parliament and in the processes of procurement and their capability to finance elections are growing. Kenya has been set back by the TOC and corruption and could make it a criminalized and captured state. The overall effect of these changes is that much of the work of crime prevention and control is now done using non-traditional methods, performed by non-state agencies and

takes place outside the criminal justice system. This is what has brought the third party and partnership policing and now the multi-agency, multi-disciplinary policing (Marmo & Nerida, 2016).

Kenya has come up with legislation to deal with organized and transnational organized crime; the following are some of the Acts and Legislations: The Constitution– Chapter 6, Government Financial Management Act 2012, Anti-corruption and Economics crime Act 2003, Ethics and Anticorruption Commission Act 2011, Public Procurement and Disposals Act 2015, Witness Protection Act 2006, Proceeds of Crime and Anti-Money Laundering act 2009 (revised 2016), Leadership and Integrity Act, 2012, Public Audit Act, 2012, Bribery Act 2016, Central Bank Act, 2015, Organized Crimes Prevention Act (No. 6 of 2010).

Kenya government is also a party to bilateral and multilateral treaties as formulated in pursuant to section 14(4) of the Treaty-making and Ratification Act, 2012. The 2010 Kenyan Constitution allows the international law as part of Kenyan law as stipulated in Article 2(5) (6) of the Constitution (Oduor, 2013). All organizations ought to have adequate processes and policies, that include strict Customer Due Diligence (CDD) rules for promoting professional and high ethical standards in the sector of banking and preventing the bank from being used unintentionally or intentionally, for crimes generally as per the effective banking supervision Core principles (FATF, 2012); Kenya is part of this organization.

The government of Kenya has come up with the Financial Reporting Center (FRC) which deals with prosecution and investigation of money laundering committed through financial institutions. It is seen to be inefficient because of the lack of specialized trained personnel and being a government body, it lacks political will. Its methods of reporting are traditional and lack high-level computing systems to aid in apprehending criminals stealing from government and people (Mutua, 2018). That is why this paper looks into the extent of organized and transnational organized crimes and the effectiveness of multiagency approach

### 2.1. Theoretical Framework

Theoretical framework concretely examines the contents of the theory that has accumulated in regard to an issue, concept, theory, phenomena (Kleemans, 2007). This paper will be guided by two theories that is enterprise theory and enforced co-operation theory. The study of organized crime has increasingly been aligned to the enterprise model which is explained by Kleemans (2014). It says that both legal and illegal activities are driven by similar laws of supply and demand. According to this theory actors in transnational crimes are viewed as normal, rational and profit-oriented entrepreneurs who take part in providing illegal products that are in high demand from significant parts on the population. The enterprise theory of crime understands criminal behavior organization as reflective of specific environmental factors, for example, economic or market forces that influence criminal motivation, their interaction, their risk or perceptions versus benefit, and their modus operandi efficacy and efficiency. The enterprise theory assumes that illegal activities such as organized crime are explained by rational behavior and success in them or not is achieved as a result of the actor's intelligence and resourcefulness. In an effort to penetrate the perpetrators, this creates a thin line between legal entrepreneurs and illegal entrepreneurs as there has been a tendency to overemphasize personal characteristics of perpetrators of organized crimes. In another view Bethune (2015) suggests that the theory is reflective of particular environmental elements, market and economic factors that motivate criminal behavior, how they relate with each other and with the public, their risks versus benefits and the competence and efficacy of their methods. Essentially, when certain services or products with low levels of detection are needed by a ready market, criminal groups easily penetrate the market by supplying those goods and services. Under these conditions criminal monopolies ensure. This theory shows how criminals rationalize on committing crimes and the environment in which crimes they operate influenced by demands, supply, and controls. Under this theory, organized crime exists because legitimate markets leave doesn't satisfy potential customers and many customers. High demand for specific goods and services such as high profits. Low risk level detection, slaves, arms, prostitution and drugs lead to a favourable environment for entrepreneurial criminal groups to enter the market and profit by supplying those goods and services. For success, there must be an identified market and a certain rate of consumption (demand) to maintain profit and outweigh perceived risks (Albanese, 2008). This theory applies to Kenya where we find a lot of young very dissatisfied due to lack of jobs after graduating from the university. About 50, 000 graduates are churned out of public and private universities in Kenya every year piling onto the number of unemployed youths in the country estimated at 2.3 million, according to the ministry of Education (Muindi, 2014). Enforced Co-operation Theory-This theory is borrowed from the English Philosopher Thomas Hobbes (1588-1679). His main concern is the problem of social order. How human beings can live together in peace and avoid danger and fear of civil conflict. He says that we should give our obedience to an unaccountable sovereign. He saw human beings as purely self-interested or egoistic. This can happen to agencies working to deal with OC and TOCs. The main reasons for co-operation are the central authority coerce law enforcement to have a common objective. He argued that developing co-operation without a strong central authority was difficult. In local economic development, co-operation can be forced onto the government-funded agency (community-based group dependent upon public finance) or public through financial resources control or legislation by County or Central Government. Such financial control may be by making resources available (e.g. grants) or through other controls, for example, budget controls on other funded bodies or capital expenditure restrictions on local government (Osborne, 2000).

In practice, such cooperation may be inhibited by a number of differences in priorities, timing, organizational objectives and other factors (including personal) or resources and power competition. So, this might be inadequate to foster full co-operation (McQuaid, 1998). This theory shows how the government should harmonize the working of different agencies and have accountability to the central government. The weakness of the theory is that it is sometimes

coercive hence impede creativity and innovation. Again, it may not bring out the uniqueness and autonomy of agencies hence complacency. To compliment it the system theory considers the uniqueness of systems and platform for integration.

### 3. Research Methodology

This research adopted a descriptive design to ensure great depth of responses is provided and a more elaborate understanding of the subject matter is captured. Further, the paper sampled 256 respondents and utilized both primary and secondary sources. Purposive sampling was used to select respondents and questionnaires, focus group discussions and key informant interview schedules used as the data collection instruments. A coefficient of those measures was computed giving a coefficient of above 0.5 for validity and test and retest. Cronbach's Alpha of 0.85 implied that the instruments were reliable. Data was analyzed using descriptive and inferential statistics using SPSS V.22 and presented in summary form using frequency tables and figures.

### 4. Findings and Discussions

This section discusses the results from the inter views conducted on the extent of multi-agency organs combat organized and transitional organized crimes in Nairobi County as shown in Table 1 respondents answered the questions from a questionnaire whether the following organized crime listed are in their area or neighborhood

OT and TOCs		Yes	Not Sure	No
Bhang Trafficking	Mean	153.00	15.00	32.00
	N	1	1	1
	Std. Deviation	.	.	.
Computer Crime and Internet Fraud	Mean	161.00	17.00	26.00
	N	1	1	1
	Std. Deviation	.	.	.
Counterfeiting	Mean	141.00	3.00	56.00
	N	1	1	1
	Std. Deviation	.	.	.
Drug and Substance Sale and trafficking	Mean	196.00	1.00	3.00
	N	1	1	1
	Std. Deviation	.	.	.
Extortion including Money	Mean	176.00	4.00	20.00
	N	1	1	1
	Std. Deviation	.	.	.
Human Trafficking	Mean	96.00	14.00	90.00
	N	1	1	1
	Std. Deviation	.	.	.
Intellectual Property Theft	Mean	149.00	17.00	34.00
	N	1	1	1
	Std. Deviation	.	.	.
Kidnapping	Mean	120.00	12.00	72.00
	N	1	1	1
	Std. Deviation	.	.	.
Loan Sharking e.g. Group Schemes	Mean	161.00	3.00	36.00
	N	1	1	1
	Std. Deviation	.	.	.
Money Laundering	Mean	156.00	15.00	29.00
	N	1	1	1
	Std. Deviation	.	.	.
Prostitution	Mean	163.00	9.00	28.00
	N	1	1	1
	Std. Deviation	.	.	.
Trading in Human Body Parts	Mean	.00	183.00	17.00
	N	1	1	1
	Std. Deviation	.	.	.
Trafficking of Illegal firearms	Mean	160.00	10.00	30.00
	N	1	1	1
	Std. Deviation	.	.	.
Vehicle Theft and Trafficking	Mean	101.00	5.00	94.00
	N	1	1	1
	Std. Deviation	.	.	.
Total	Mean	138.07	22.00	40.50
	N	14	14	14
	Std. Deviation	48.162	46.676	27.270

Table 1: Effectiveness of Multi-Agency Organs to Combat Organized and Transitional crimes in Nairobi

The results in Table 1 show majority of the respondents that is a total mean of 138 with a Standard Deviation of 48.16 agreed that there existed organized crimes at (69.04%). It was noted that some of the respondent did not agree on the existence those types of organized and transnational organized crimes with a mean of 40.50 and standard Deviation of 27.27 which represents (20.25%) while the rest were not aware of the existence of these organized crimes in their territories with a total mean of 22 which represents (11%) of the respondents. This agrees with the literature that Kenya being a major tourist destination and a strategic trade location has increasingly become a victim of organized and transnational crime (Gastrow, 2011 NCRC, 2012 & Kaberia, 2015).

In the interview, one of the senior officers of NCRC, observed the following:

New and emerging trends on organized crimes have evolved themselves in different ways and this complicates issues in OC and TOC. Examples include the brutal killings in one community as currently happening in Kakamega County where about 20 people have been killed in unclear circumstances. Again, it is seen in intimate relationships called now Intimate Partner Violence evolving from Gender-Based Violence, Domestic Violence where many women are being killed. The money laundering, betting business, land business, cybercrime, border security threats because of the porous and vast border and these pose a great challenge to the security multiagency organs. The seemingly informal, unregulated nature and weak governance framework for the sector is a serious threat to national security as it provides incentives for risk-taking, recklessness, and impunity among operators.

The above shows security organs must be creative and innovative to deal with complexity and fluidity of OC and TOCs. The above agrees with the observation of UNODC who observed that Kenya is at a crossroad as a result of the threats posed by organized and transnational crimes in form of psychoactive drugs from drug cartels that were funding terror groups in different parts of the world (UNODC, 2017).

#### 4.1. Factors Influencing the Rate of Crime

In this part, respondents were required to examine the factors impeding the effectiveness of organized and transnational organized crimes in Nairobi County (shown in Table 2).

Factors Impeding the Effectiveness of OC and TOCs	Response	Percent (%)
Lack of Clearly defined responsibilities within the agency	46	23
Poor agency Cooperation	40	20
Corruption	34	17
Limited human and technical resources	26	13
Lack of Political will	20	10
Lack of clear responsibilities	20	10
Statistical under-reporting	6	3
Others	8	4
Total	200	100

Table 2: Factors Impeding the Effectiveness of OC and TOCs

The finding of factors impeding the effectiveness of OC and TOCs were presented above. It was established that majority of the respondents that is 23% acknowledged that lack of clear responsibility within the agency that deals with OC and TOCs were the major cause of these crimes in Nairobi Kenya. This was closely followed by poor inter-agency cooperation and intelligence sharing at the local, national and regional level at 20%. Amazingly, corruption accounted for a significant cause of OC and TOCs at 17%. Likewise, limited human and technical resources followed with 13%, statistical under-reporting and lack of or inconsistent training in law enforcement and capacity building accounted and lack of political will accounted for 10%. The above agrees with the literature that multi-agency faces the: conflicting objectives, cultural and political difficulties, mistrust, elitism, inter-agency rivalries, and budget silos as agencies fight over resourcing, disagreements over accountability and others as outlined above (The Strategy Unit, 2009). There is a universality of those issues and system theory and enforced cooperations needs to apply here to streamline the activities of the agencies retaining their distinctiveness.

#### 4.2. Sufficient Training

This section required respondents to state if there was sufficient training by multi-agency organs in combating organized and transitional organized crimes in Nairobi County

The respondents were asked to state whether they thought members of the national police service and other multi-agency organs like custom officers were well trained in dealing with organized crimes. The study found out that members of National Police Service and other multi-agency organs had enough training in dealing with OC and TOCs with 60% acknowledging that the training was sufficient while 40% declined the claims. The results are represented in figure 4.4 That shows that the government considers training as a prerequisite in working in these departments. The only aspect that never came out in the interview is coordinated, collaborated training. One officer from the immigration observed that:

That lack of partnership in training is a big impediment in dealing with organized and transnational crimes. We do related work but when it comes to training specifically for specialized skills, we do not do it together to see the problem from one point but each department talks and pride over how they have been trained sometimes outside Kenya.

The above contradicts the essence of multi-agency or partnership which is to the purpose of multi-agency training is to help practitioners: work together effectively with colleagues across organizations, share knowledge and expertise, understand each other's roles and responsibilities, understand how different agencies operate and recognize the value of multi-disciplinary working in safeguarding (Brighton & LSCB, 2017)

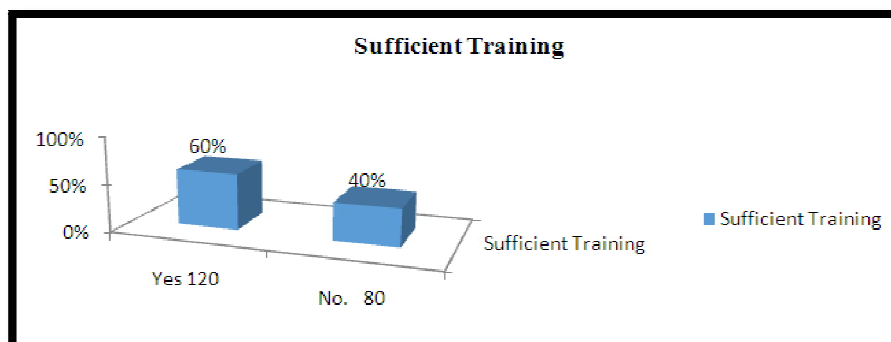


Figure 1: Sufficient Training

#### 4.3. Effectiveness in Dealing with OC and TOC's

The study also sought to establish whether the security organs and multi-agency teams were effective in dealing with OC and TOC's. It was established that security organs and multiagency teams were not effective with 146 respondents representing 73% acknowledging that the systems were ineffective while 54 respondents representing 27% accepting that they were effective and the result is as shown in Table 3

Effectiveness on Dealing with OC and TOC's	Response	Percentage
Yes	54	27
No	146	73
Total	200	100

Table 3; Effectiveness in Dealing with OC and TOC's

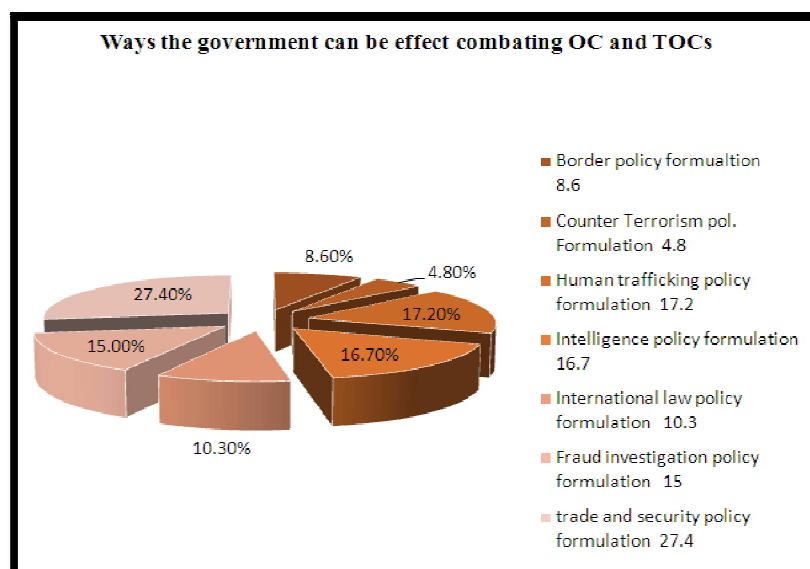
In regard to effectiveness of the security organs and multi-agency teams, most of the respondents recommended that the stakeholders need to:-Enhance training and proper follow-ups of reported cases; Identify the existing challenges hindering the effectiveness of government multiagency organs and other security teams; Improve the collaboration and embrace the concept of intelligence-led policing changing from being reactive to being pro-active.

The study generally established that in order to improve on the effectiveness of security organs and multi-agency teams in dealing with OC and TOC's, it is imperative to identify the existing challenges by the stakeholders, offer relevant training and advance the collaboration of the key stakeholders. This can only happen if a multi-agency approach is applied in Kenyan policing. Moving from the traditional models to the proactive approach of partnership. Butterfoss *et al.*, (1993) says that for more efficient and effective methods of crime prevention, criminal justice scholars in Western Europe, North America, and Australia have noted the tendency for greater government investment in partnerships and coalitions.

#### 4.4. Ways the Government can be Effective in Combating OC and TOCs in Kenya in Terms of Policy Formulations

In this part, the researcher discusses the results of the question to determine ways the government can be effective in combating OC and TOCs in Kenya in terms of policy formulations. Only 186 respondents answered this question.

Results from the study shown in figure 4.8 indicate that for multi-agency organs to be effective in combating OC and TOCs, both the county and national government advised to formulate effective trade and security policy to assist in combating OC and TOCs at (27.4%) this was followed by having effective human trafficking policy implementation at (107.2%), intelligence implementation policy with 16.7%, fraud investigation with 15.0%, effective international was also important which is represented by (10.3%), border policy formulation at 8.6% and counter-terrorism policy formulation. This means policy formulation to assist multi-agency organs to combat OC and TOCs crimes is crucial as this is witnessed by the widespread of respondents who were issued with questionnaires.



*Figure 2: Ways the Government Can Be Effective In Combating OC and TOCs through Policy Formulation*

#### 4.5. Recommendations for Improving Performance of Multi-Agency Security Organs in Dealing with OC and TOC's

The researcher in this section required respondents to provide views on what they feel can be recommended to the county government of Nairobi and Kenya as a whole to improve the performance of multi-agency security organs in dealing with OC and TOC's in the County.

Recommendations for Improving the Performance of Multi-Agency Security Organs	Frequency	Percent (%)
Officers to have regular training	47	25.7
Provide a policy that supports multi-agency security organs	46	25.2
Avail tools and equipment necessary for combating OC and TOCs	51	27.7
Create awareness among all stakeholders in the field of combating OC and TOCs	39	21.4
Total	183	100

*Table 4: Recommendations for Improving the Performance of Multi-Agency Security Organs  
Source: Study Findings (2019)*

From the results in table 4.10 recommendations for improving performance of multi-agency security organs in combating OC and TOCs, the question was answered by a total of 183 respondents. From their responses, it evident that for multi-agency organs to be effective in combating OC and TOCs, both the county and national government was advised to facilitate regular training to officers assigned to combat OC and TOCs at 25.7%, avail tools and equipment was also given prominence at 27.7% followed by provision of good policies that fully support multi-agency organs in combating OC and TOCs at 25.2%, creation of awareness among stakeholders involved in combating OC and TOCs was also given prominence by those interviewed at 21.4%. This means recommendations for performance improvement by multi-agency organs in combating OC and TOCs is fundamental to combating OC and TOCs as also attested by those interviewed.

## 5. Conclusion

The impact of these OC and TOCs can be felt in Kenya's moral fabric and national security where the greatest threat is posed especially by drug cartels and organized criminal groups have been unearthed (Kaberia, 2015). According to Sheptyccki (2007), the state functions have been taken over by private actors; and this has created an enabling environment to the continuation of OC and TOCs. Sheptyccki further argues that close to twenty years, there has been an unprecedented dramatic increase in the magnitude of the globalization of crime with serious threats and challenges to world peace and security.

The findings also concur with that of Gachuz, (2016) who found out that OC and TOCs organizations are active in a variety of fields and this makes hard for Multi-Agency Organs to completely crack it down. The diversification of OC and TOCs into global and then macro-economic proportions where illicit goods are sourced from one continent to the other by Mafia cartels are today truly a transnational problem as confirmed by many respondents.

In regard to the effectiveness of the government multi-agency organs and other security teams dealing with OC and TOC's, the study established that they existed but were somehow less effective with 73% acknowledging the inefficiency while 27% had a different opinion. This clearly supports the report by NCRC, (2012) on the ineffectiveness of the government multi-agencies to combat OC and TOCs more especially during the electioneering period. The report highlights the Mungiki, Mombasa Republican Council (MRC), Chinkororo, Matwekei, Bagdadi Boys, Musumbiji,



Kayambombo among the group which engaged in OC and TOCs in the recent past in Kenya. In this regard, the findings established that identifying the existing challenges, enhanced training, proper follow-ups of reported cases and improving the collaboration by embracing the concept of intelligence-led policing from being reactive to pro-active would increase the effectiveness of multi-agency organs and security teams in dealing with OC and TOCs.

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