
	<b>KENYA FOREST SERVICE</b>		<b>DOCUMENT TITLE INVESTIGATION AND PROSECUTION</b>
	<b>REF NO:KFS-ENCOM-003</b>	<b>ISSUE NO: 2</b>	<b>REVISION NO:1</b>

<b>ISSUE HISTORY</b>			
<b>ISSUE</b>	<b>DESCRIPTION OF CHANGE</b>	<b>PROCESS OWNER</b>	<b>EFFECTIVE DATE</b>
1	None, no change has been done	Head Investigation	1 <sup>st</sup> June 2010
2	Changes to conform to ISO 9001:2015	Head Investigation	31 <sup>st</sup> May 2018

<b>REFERENCED DOCUMENTS</b>		
<b>S/NO</b>	<b>REF</b>	<b>TITLE</b>
1.	QPM	Quality Policy Manual
2.		Achievements Reports
3.		ENCOM Procedure Manual(SOP)
4.	FMCA	Forest Management and Conservation Act 2016
5.	WI	Work Instructions
6.	SP	Strategic Plan
7.		Forest Produce disposal register
8.		National security policy

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## COPY HOLDERS

1. CCF
2. QMR
3. Commandant
4. Head Investigation
5. Regional Commandants

## RECORDS/ANEXXES

REC NO:

REC TITLE

Occurrence Book


Exhibit Register

Investigation Feedback Form

Forest Produce Disposal Register


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## 1. TERMS AND DEFINITIONS

<b>TERM</b>	<b>DEFINITION(S)</b>
KFS	Kenya Forest Service
KPI	Key Performance Indicator
CSF	Critical Success Factor
CCF	Chief Conservator of Forests
DCCF	Deputy Chief Conservator of Forests

## 2. SCOPE

This procedure covers receiving reports, carrying out investigations to prosecution

## 3. PURPOSE

This is to ensure adequate control of investigation and prosecution process within Kenya Forest Service.

## 4. OBJECTIVES


**NB: Refer to the performance contract**


<b>CSF</b>	<b>KPI</b>	<b>TARGET (S)</b>	<b>DUE</b>

## 5. RESPONSIBILITY AND AUTHORITY

**CCF**

Facilitates the process

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**DCCF P&S /Commandant–**

Guides through the process

**Investigation Head**

Consolidate evidence and investigation reports from intelligence.

Carry out investigation either by self or through other security agencies

Carry out prosecution and investigation of cases forwarded by the department to the police/magistrate

Carry out production and maintenance of reports on all cases awaiting hearing and determination hereof.

Build the capacity of conservancy level staff to carry out prosecution and investigation

Support the field ENCOM staff with necessary relationship such as with provincial administration, police, Kenya Wildlife Services.

Liaise with the police, DFOs and Forest Officers on pending cases.

Liaison with Corporate Legal Officer on all pending cases and on enforcement and compliance cases of magnitudes that may affect the corporate image of KFS.

Undertake the production of monthly cases status report showing determined cases and those awaiting determination

**Prosecutor**

Consolidate evidence and investigation reports from intelligence and investigation.

Carry out prosecution of cases forwarded by the department to the police/magistrate

Carry out production and maintenance of reports on all cases awaiting hearing and determination hereof.


Assist in building the capacity of conservancy level staff to carry out prosecution.


KFS.

Liaise with the police, ECs and Forest Officers on pending cases

Liaise with Corporate Legal Officer on all pending cases and compliance with all cases of magnitude that may affect the corporate image of KFS.

Undertake the production of monthly cases status report showing determined cases and those awaiting determination

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### **Forensic Analyst, Investigation and Prosecution**

Consolidate evidence and examine occurrences scenes.

Carry out forensic tests and analysis to validate any suspicions.

Present the results of the forensic analysis and recommend further action.

Facilitate any necessary external forensic tests required that may not be possible within KFS.

Maintain and manage relationships between the liaison partners and service providers.

## **6. RESOURCES, INPUTS AND OUTPUTS**

### **6.1. Resources**

- Finances
- Personnel
- Infrastructure

### **6.2. Inputs**


- Arrest of offenders
- Interrogation of suspects
- Interviewing of witnesses
- Statement recording by rangers and police


### **6.3. Outputs**

- Arrested offenders
- Collected exhibits
- Compiled case files
- Prepared charge sheet
- Prosecution

## **7. CRITERIA OF MEASUREMENT**

**NB: Refer to Performance progress reports**

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## 8. RISK AND OPPORTUNITIES

**NB: Refer to the Service's Risk register**

## 9. EVALUATION OF PROCESS

**NB: Refer to the Monitoring and Evaluation Reports**

## 10.DETAILS OF PROCEDURE

7.1 Receive reports.

7.2 Evaluate the information.

7.3 Record in the occurrence book.

**NOTE 1: All reported incidents must be recorded in the standard OB.**

7.4 Seek advice from the commandant.

7.5 Assign duties to investigators accordingly.

7.6 Get financial facilitation as necessary.

7.7 Carry out investigation by:-

Interview suspect.

Record statement.

Collect exhibit if available

7.8 Record collected exhibit in the exhibit register

7.9 Evaluate the available evidence.

7.10 Recommend appropriate action.


7.11 Forward the file to the relevant authority.

Authority communicates back the outcome of the case to the investigator and investigation head through writing using the investigation feedback form.

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7.12 Head investigation closes the file

**NOTE 2: Disposal of forest produce is done procedurally.**

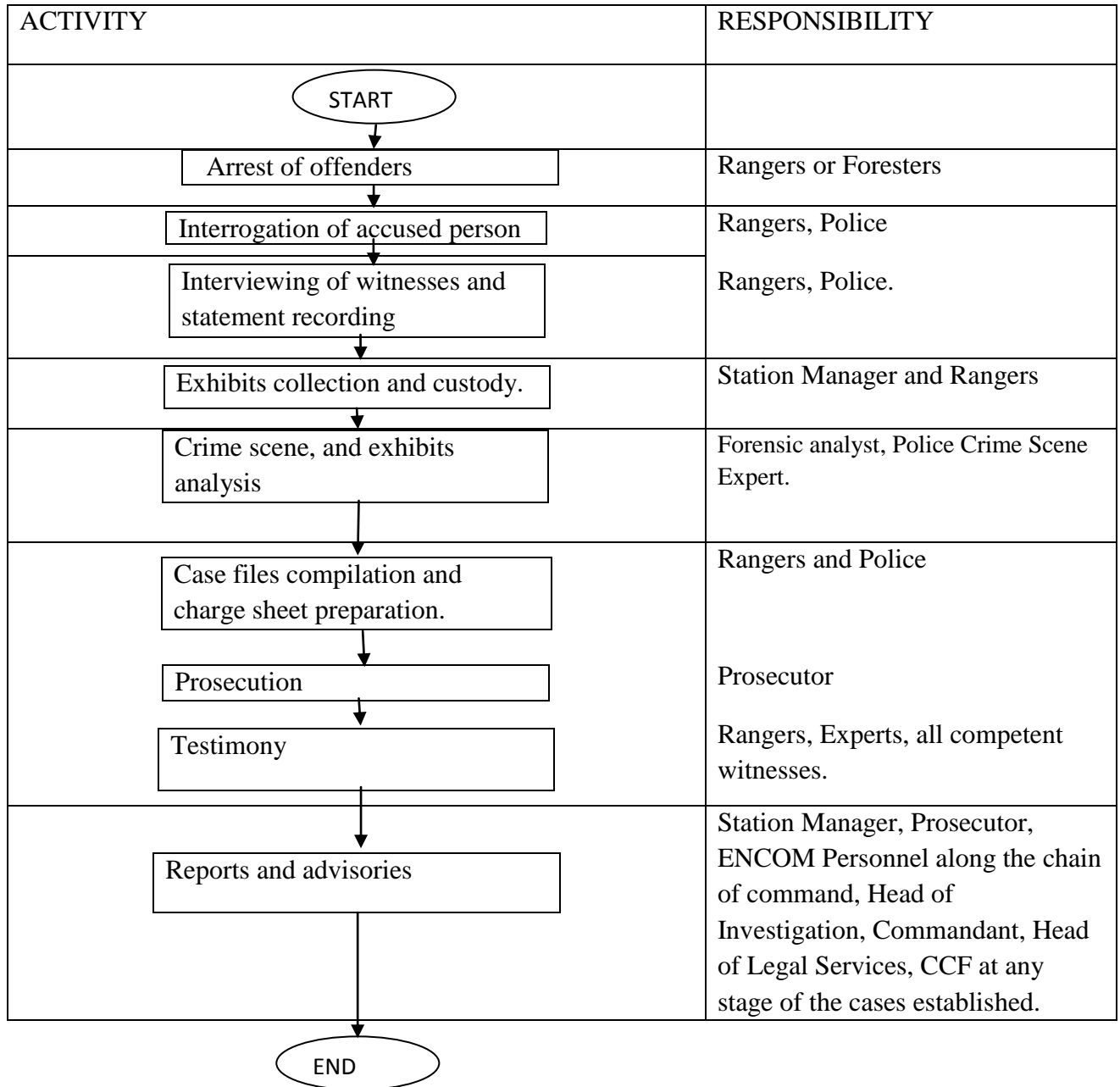
**NOTE 3: Each station has its own Occurrence Book.**

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**11.PROCESS FLOW CHART**



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