

## Stanley Mombo Amuti

**Case ID:**

ARW-177

**Jurisdiction of Origin of Public Official or Entity Allegedly Involved:**

Kenya

**Position of Public Official(s) (yrs in office):**

Financial Controller, National Water Conservation and Pipeline Corporation (Inclusive September 2007); Finance Manager, Water Services Regulatory Board (2004 or 2005-2007)

**Jurisdiction of Asset Recovery:**

United Kingdom

**Jurisdiction of Asset Recovery ? Description:**

Asset Location / Alleged Asset Location

**Asset Recovery Start:**

2008

**Asset Recovery End:**

Ongoing

**UNCAC Offenses Implicated:**

Art.20

**Money laundering Implicated:**

No

**Legal Basis for Asset Recovery:**

Criminal Prosecution and Forfeiture

**Intl.Cooperation: MLAT/Letter of Request?:**

Unknown

**Basis for Intl Cooperation:**

Unspecified

**Contributing Factors in Asset Recovery:**

Ongoing Case

**Status of Asset Recovery :**

Ongoing

**Stage in Asset Recovery Chain:**

Before Court of First Instance

**Agreement for Returned Assets:**

Ongoing

**Agreement for Returned Assets - Description:**

N/A

**Case Summary:**

On May 13, 2011, the Court of Appeal of Kenya in Nairobi upheld the freezing of Mr. Amuti's bank accounts and other assets pending the outcome his appeal in a case brought against him on September 18, 2008 by the Kenya Anti-Corruption Commission (KACC). One of the bank accounts frozen was Account Number 32757182, National Westminster Bank PLC-London Branch, 60-15-49. (Source: Between Kenya Anti-Corruption Commission and Stanley Mombo Amuti [2011] eKLR, Civil Application No. NAL 30 of 2011 (UR 25/2011), Court of Appeal at Nairobi, May 13, 2011). According to the May 13, 2011 ruling, the KACC had filed an originating summons before the superior court, "stating that it had conducted investigations

which established that Stanley Mombo Amuti [ ] was in possession of unexplained assets" that were grossly disproportionate to his income. The KACC affidavit posited that a court authorized search of Mr. Amuti's office and residence revealed cash and checks in excess of Kshs. 21 million (USD 276,316), which were seized and further searches of his bank accounts established that he had deposited sums in excess of Kshs. 140 million (USD 1,842,110) and withdrawn in excess of Kshs. 85 million (USD 1,118,420) over a period of ten months between September 2007 and June 2008, as well as several immovable properties being traced to him. Mr. Amuti's gross salary as financial controller of the National Water Conservation and Pipeline Corporation was Kshs. 306,000 (USD 4,026.32) per month and net salary of Kshs. 180,031 (USD 2,368.83). Previously as finance manager with the Water Services Regulatory Board, he earned a gross salary of Kshs. 225,400 (USD 3,965.79) for a period of three years. Mr. Amuti had been given an opportunity to explain the origin of his assets, but the KACC did not find the explanation satisfactory and filed its case. (Source: Ibid.)

**Disposition of Criminal Case(s):**

According to the May 13, 2011 ruling by the Court of Appeal of Kenya in Nairobi, on September 18, 2008 the Kenyan Anti-Corruption Commission filed an originating summons before the superior court invoking section 55 of the Anti-Corruption and Economic Crimes Act. The case is ongoing, as of May 13, 2011. (Source: Between Kenya Anti-Corruption Commission and Stanley Mombo Amuti [2011] eKLR, Civil Application No. NAL 30 of 2011 (UR 25/2011), Court of Appeal at Nairobi, May 13, 2011).

**Jurisdiction of Origin: Investigative Agency:**

Kenya Anti-Corruption Commission

**Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):**

Kenya Anti-Corruption Commission

**Jurisdiction of Origin: Courts Involved:**

Court of Appeal at Nairobi, High Court at Nairobi, superior court

**Documents:**

Amuti\_KACC\_2008\_eKLR\_Nov\_28\_2008.pdf

Amuti\_KACC\_2011\_eKLR\_Appeals\_Court\_Ruling\_May\_13\_2011.pdf

Amuti\_KLR\_Weekly\_Newsletter\_May\_20\_2011.pdf

**Documents Links:**

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Amuti\\_KACC\\_200...](http://www1.worldbank.org/finance/star_site/documents/arw/Amuti_KACC_200...)

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Amuti\\_KACC\\_201...](http://www1.worldbank.org/finance/star_site/documents/arw/Amuti_KACC_201...)

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Amuti\\_KLR\\_Week...](http://www1.worldbank.org/finance/star_site/documents/arw/Amuti_KLR_Week...)

**Other Sources:**

Between Kenya Anti-Corruption Commission and Stanley Mombo Amuti [2011] eKLR, Civil Application No. NAL 30 of 2011 (UR 25/2011), Court of Appeal at Nairobi, May 13, 2011 (overturning High Court decision of February 4, 2011, accessed at [http://www.kenyalaw.org/CaseSearch/view\\_preview1.php?link=84516167880392...](http://www.kenyalaw.org/CaseSearch/view_preview1.php?link=84516167880392...)), via link provided in May 20, 2011 newsletter of the Kenya Law Reports at <http://www.kenyalaw.org/newsletter>;

February 2011 decision accessed at [http://kenyalaw.org/Downloads\\_FreeCases/81903.pdf](http://kenyalaw.org/Downloads_FreeCases/81903.pdf); Kenya Anti-Corruption Commission v. Stanley Mombo Amuti, [2008] eKLR, Civil Case 448 of 2008 (OS), High Court at Nairobi, Ruling November 21, 2008, accessed at [http://www.kenyalaw.org/CaseSearch/view\\_preview1.php?link=77620306260192...](http://www.kenyalaw.org/CaseSearch/view_preview1.php?link=77620306260192...)