



THE KENYA
BRIBERY
 INDEX 2008

CDF OFFICES

PUBLIC SECTOR

PRIVATE SECTOR

POLICE

JUDICIARY

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1. INTRODUCTION

This report summarizes the findings of TI-Kenya's seventh Kenya Bribery Index (KBI), 2008. The survey is part of TI-Kenya's effort to inform the fight against corruption with rigorous and objective research and analysis. The survey captures corruption as experienced by ordinary citizens in their interaction with officials of both public and private organizations. Respondents provide information on the organizations where they have encountered bribery during the past year, where they paid bribes, how much they paid and for what.

This survey has revealed that of the total sample of 2,400 adult Kenyans, a full 2,088 (87 percent) were confronted with a bribery-demand situation in the previous year. Of those, 1,832 (88 percent) actually made a bribery payment. Even without reading the rest of the report, these figures alone indicate the scale of this governance ill.

The bribes are analyzed in terms of their various purposes, using the following five categories: law enforcement (i.e. avoiding consequences of wrong-doing and/or harassment by the relevant authority); access to services (e.g., medical treatment, school places, water, electricity, etc), business (obtaining contracts, expediting payments, etc.) and employment matters (e.g., securing jobs, promotions, transfers, training, etc).

The resulting data allows for a comparison of the current climate with regard to this aspect of governance with that of the recent past, and to provide another set of bench-marks for future surveys of this nature.

The Six Indicators

The above observations were used in conjunction with six indicators that capture different dimensions of bribery, and that have been used in previous KBI survey reports (for more about which, see 'METHODOLOGY', below). These are:

- i. Incidence.** The proportion of an organization's clients (i.e., those who have interacted with it) who report encountering bribery situations in their official dealings with it. This provides a measure of the opportunity for and propensity of officials in an organization to ask for or to accept bribes.
- ii. Prevalence.** The proportion of the survey respondents who are victims of bribery in an organization (i.e., respondents who report paying a bribe or were badly treated or not served for failing to do so). This provides a measure of the impact of bribery in an organization on the population it serves.
- iii. Severity.** The frequency of denial of service if bribes are not paid. This provides a measure of the deleterious impact of this form of corruption on the public's ability to access that to which it is entitled.

- iv. Frequency.** The average number of bribes paid per client (in terms of four numerical categories; see below). This provides a measure of the scale of bribery activity in an organization among those who interact with it.
- v. Cost.** The average expenditure on bribery per person (calculated among all clients of a particular institution: see below). This is indicative of the extra "tax burden" that results from such practices.
- vi. Size.** The average size of bribes paid (as based on the reported amounts of each 'one-off' bribe; see below). This figure is indicative of the premium that citizens put on a particular service or cost/penalty avoided or, conversely, the value that those demanding/receiving such bribes believe their 'services' (transacted on that basis) are worth.

As in previous KBIs, an Aggregate Index has been constructed based upon an unweighted average of the six indicators. The Index has a value range from 0 to 100, where the higher the value, the worse the performance. The first three indicators (i-iii) are entered into the Aggregate Index as raw percentages. The other three, which are actual values (i.e., data related to the 26 organizations ranked), are scaled by the lowest to the highest value to obtain a normalized score range of 0-100. However, elsewhere in this report, where findings of the individual indicators are presented, the actual values are shown.

Organizational Bribery-Extraction Capacity

In examining the results of the 2008 KBI, it may be useful to consider the various factors that account for them, even if doing so would clearly require a quite different type of research methodology. These appear to include especially the following:

1. the capacity of officials to punish clients (if bribes are not paid)
2. clients' perception of the desirability/level of necessity of the services sought/penalties to be avoided
3. the bureaucratic cost/complexity for clients (e.g., time required, specialized information regarding procedures, etc.) of accessing services sought/avoiding potential penalties
4. the actual setting in which interactions occur (i.e., whether in 'private' or in full public view)
5. the perceived cost to those engaging in such practices (both clients and officials) if discovered, as well as the likelihood of this happening in the first place

However complex the mix of these various factors, they would seem to operate differently in each of the organizations analysed and ranked in this survey, hence helping to explain the results that have been obtained.

2. SAMPLE CHARACTERISTICS

The survey, conducted between 25th April and 4th May, 2008, used a random sample of 2,400 respondents in all the eight provinces. 54 percent were rural and 46 percent urban residents respectively, and this same proportion applies to that of gender (male/female).

Table 1: Sample Distribution by Province

| Province | Total | Urban | Rural |
|---------------|-------|-------|-------|
| Nairobi | 421 | 421 | 0 |
| Central | 264 | 79 | 185 |
| Coast | 251 | 172 | 79 |
| Eastern | 320 | 82 | 238 |
| North Eastern | 76 | 14 | 62 |
| Nyanza | 357 | 151 | 206 |
| Rift Valley | 486 | 143 | 343 |
| Western | 225 | 45 | 180 |
| Total | 2,400 | 1,107 | 1,293 |

Un-weighted data, raw figures

Slightly more than half of all respondents (53 percent) are aged 30 and below, while only 22 percent are over 40. Fifty-eight (58) percent of the respondents possess secondary school education or higher. Twenty-nine (29) percent have attained primary school education only, and another 9 percent have some post-primary training. One third of the respondents are self-employed, and 16 percent have formal wage jobs in the private, government or community sector, while 45 percent reported themselves as unemployed.

Just over half the sample (51 percent) reported monthly household incomes of KSh. 10,000 and below, with nearly three-quarters (70 percent) having incomes below KSh. 25,000 per month. Only 6 percent claimed to have household incomes of Shs. 25,000 and above, while 25 percent either stated they did not know this figure, or refused to answer the question.

Table 2: Sample Distribution by Socio-Economic Characteristics (Percent)

| Variable | Total | Urban | Rural | Male | Female |
|----------|-------|-------|-------|------|--------|
| Age | | | | | |
| 18-24 | 32 | 36 | 28 | 30 | 33 |
| 25-29 | 21 | 22 | 19 | 19 | 23 |
| 30-34 | 14 | 14 | 14 | 14 | 14 |
| 35-40 | 12 | 12 | 12 | 12 | 12 |
| 41-44 | 5 | 5 | 5 | 6 | 4 |
| 45+ | 17 | 10 | 21 | 19 | 14 |

| | | | | | |
|---|----|----|----|----|----|
| Education | | | | | |
| Primary School only | 29 | 21 | 34 | 25 | 32 |
| Post-primary training | 8 | 6 | 10 | 7 | 9 |
| Secondary school only | 37 | 40 | 35 | 38 | 36 |
| Post-secondary school training | 17 | 24 | 12 | 20 | 14 |
| University degree | 4 | 8 | 2 | 5 | 3 |
| None | 4 | 3 | 5 | 3 | 5 |
| Employment Status | | | | | |
| Unemployed | 45 | 45 | 45 | 37 | 55 |
| Self-employed | 33 | 31 | 34 | 37 | 29 |
| Employed in family business or farm | 6 | 4 | 8 | 8 | 5 |
| Employed in private sector | 8 | 12 | 5 | 10 | 5 |
| Employed by Government, Local Authority | 5 | 5 | 4 | 5 | 4 |
| Employed in Community sector | 2 | 2 | 2 | 3 | 2 |
| Parastatal | 1 | 1 | 1 | 1 | 1 |
| Monthly Household Income | | | | | |
| Less than 4,999 | 23 | 13 | 31 | 22 | 24 |
| 5,000 - 9,999 | 28 | 24 | 31 | 30 | 26 |
| 10,000 - 24,999 | 19 | 23 | 15 | 21 | 16 |
| 25,000 - 49,999 | 5 | 8 | 2 | 5 | 4 |
| 50,000 - 99,999 | 1 | 2 | 1 | 1 | 1 |
| Over 100,000 | 0 | 0 | 0 | 0 | 0 |
| Don't Know | 13 | 14 | 12 | 10 | 16 |
| Refused | 12 | 16 | 8 | 10 | 13 |

3. METHODOLOGICAL PARAMETERS AND IMPLICATIONS

Respondents' Level of Interaction With Organizations

During the interviews, respondents were asked to identify the public and private organizations with which they (as well as "family and friends") "have interacted with most during the last year." No limit was set on the number of organizations mentioned. Most of the results obtained are derived from questions directed at their experiences with each of the organizations, taken in turn. On average, each respondent cited slightly under six (5.6) organizations with which they (or family members and friends) had interacted. Specifically, most respondents could mention between 3 and 6 organizations; hardly any could not name even a single one, while 12 percent listed 10 or more:

Table 3: Organizational Frequency-Mentions By All Respondents

| No. Mentioned | Percent Total Sample |
|---------------|----------------------|
| 0 | 1 |
| 1 | 5 |
| 2 | 9 |
| 3 | 14 |
| 4 | 17 |
| 5 | 15 |
| 6 | 10 |
| 7 | 7 |
| 8 | 6 |
| 9 | 5 |
| 10 | 8 |
| 10+ | 4 |

In total, these figures constitute 13,387 reported interactions. (Note that this figure almost exactly matches those captured for the 2007 KBI – 13,494 – yielding an identical average per respondent: 5.6.)

Redefinition of Several Indicators

In an effort to improve the local reliability (especially over time) and international comparability of the findings of this report, several innovations in the method by which the survey data have been analyzed and reported should be noted. This is so despite the fact that the questionnaire itself remained unchanged from previous surveys. It should also be noted here that over the last four years, the organizational categories appearing and ranked in the KBI have fluctuated in number between 33 and 41, with only 23 of them appearing in all four (though in all, certain of them contain more than a single body, i.e., "others"). This fluidity largely reflects the marginality of several of them

in terms of the public's level of interaction, with those failing to obtain a certain threshold in this regard not warranting the type of statistical interrogation upon which the KBI is based.

In addition, the boundaries between several of the organizational categories (see below) used are not always precise. For example, public and private hospitals are listed separately, as is the Ministry of Health. It may be the case, however, that some respondents who cited interactions with this Ministry actually had public hospitals in mind; the same applies for those who mentioned the Ministry of Local Government but who rather had interacted with a local authority (since it may be assumed that very few respondents in such a national random sample will have personally transacted business at any ministry's headquarters).

With specific regard to several of the six variables used to calculate the Aggregate Index, the following points should be noted:

1) The level of interaction with and experience of bribery demands with particular institutions

In any random sample survey, the frequency with which respondents have interacted with the kind of organizations included here will vary considerably. Such variation will be reflected in the reporting and analysis of bribery for each, for two related reasons. First, too few respondents may have had such interactions to produce anything approaching statistical reliability. Second, even where this level is sufficient, the experience of bribery-demand situations within them may likewise fail to achieve such a minimum statistical threshold when the analysis moves to this micro-level.

The absence of several organizations (or institutional categories) from the rankings and other analysis in this year's survey, therefore, reflects their exclusion on this basis. Specifically, only those mentioned by at least 50 respondents are included, excepting five which have been retained for the sake of continuity with previous KBI surveys (but which are designated as such in those tables in which they are found – placed at the bottom, with an asterisk after each one). This results in a list of 26 ranked/compared organizations, with another 7 unranked, 5 because of an insufficient level of interaction, and 2 because they are composite/combined categories (e.g., "Other Ministries", "Other State Corporations").

2) The basis for calculating the number of bribes paid by each respondent who reported having made more than one payment to particular organizations

In recording the frequency of bribes paid to each organization, respondents were offered four options (once they acknowledged that either they or someone on their behalf had paid any bribe at all). These are: (1) one time only, (2) several times per year, (3) several times per month, and (4) several times per week. In order to make practical use of these options, the following values (representing estimated average frequencies) were assigned to the last three: 5, 10, and 20, respectively.

3) The basis for calculating the per person cost to the public of interaction with organizations

In order to obtain this figure, the total (recalled-estimated) amount paid by those respondents who did so to each organization is divided by all those who claimed to have had any interaction with it (including those who made no such bribery payment). That is, "the public" here is defined as the

clients of each organization, so that this number varies. And among them, for this measure, it is equally significant whether each client made a bribe payment or not.

4) The basis for calculating the average size of bribe per organization

Since (as noted above) the survey captured only the total estimated amount paid in bribes for each organization regardless of how many these were, the only reliable basis for calculating averages is to use amounts where respondents reported a single payment for particular organizations. In order to obtain the average size of bribe for each therefore, only the amounts of such single payments were added up, and then divided by the number of respondents who reported making them. While doing so excludes the majority of all bribes paid (that is, by all those respondents who made more than one such payment to any particular organization), it is the only reliable way of estimating this figure, since the data do not contain the size of each bribe paid, only the total paid per organization.

In sum, therefore, a somewhat new and more precisely specified content for several of the six factors used to produce the composite Aggregate Index for the most commonly encountered organizations has been achieved. Consequently, however, the results of this 2008 KBI have less than complete methodological correspondence with the results of previous KBI surveys, even if they remain generally comparable. (For those findings which are clearly not comparable, results from such previous surveys are not shown.)

4. OVERVIEW OF THE FINDINGS

Overall Trend and Summary

As noted above, changes have been made in the way several indicators have been calculated for this KBI report. As such, only two indicators can be (generally) compared with those obtained in previous surveys. This is done in Table 4.

One is the Aggregate Index. Even if (as noted above) only the first three variables have been used without any alteration in this survey report, it is possible to use the remaining three by creating a normalized scale and then to combine all six without weighting (as has been done in previous KBIs). The other is the "Likelihood of Encountering Bribery", as a percent of interactions by respondents with each organization mentioned. (Results from previous KBIs are shown, for indicative purposes only.)

Table 4: Key Indicators and Comparability with Past KBI Surveys*

| Key Indicators | 2008 | 2007 | 2006 | 2005** |
|---|-------|------|------|--------|
| Aggregate Index (only somewhat comparable) | 27 | 19 | 19 | 15 |
| Likelihood of encountering bribery (percent) | 56 | 54 | 47 | 34 |
| Frequency of bribes per person (not comparable) | 10 | | | |
| Average size of bribe, KSh. (not comparable) | 604 | | | |
| Average expenditure, KSh. (not comparable) | 6,025 | | | |

* All results from previous surveys are shown by year of the KBI publication.

**Except for Tables 4, 7, 9 and 11, previous results are presented in this report are presented for 2007 and 2006 only.

Based upon the above measures, the level of overall corruption as reflected by the experiences of ordinary citizens in 2008 has increased somewhat compared to 2007. Respondents encountered bribery in just over half (56 percent) of their interactions with all organizations, both public and private, compared to 54 percent in 2007, with both of these figures significantly higher than those obtained from the 2006 and 2005 KBI surveys (47 percent and 34 percent, respectively). The average size of bribe (based, as noted above, on data from those respondents who paid only one at any particular organization) was KSh. 604.

New Indicators Derived from the 2008 Survey (not included in the Aggregate Index)

While due to the partly revised methods of analysis, certain findings (as noted) are not entirely comparable with those of previous KBI surveys, a few new, additional ones may be noted here, and which could be used in the compilation of the Aggregate Index in future.

One is the total amount of bribery payments (by all respondents). This was found to be KSh. 14,459,000, which translates to an average cost of KSh. 6,025 for each of the 2,400 survey respondents (thus including those who did not make any such payment as well as those who did).

Another related one is the proportion of respondents who did/did not make bribery payments over the previous year: 76 and 24 percent, respectively.

This last indicator may be depicted in more detail, by showing the frequency-distribution of the total amount paid by each of the 2,400 respondents. Table 5 does this using nine categories, ranging from KSh. 0 ("nothing paid") to KSh. 20,001 and above, showing also the number of respondents (the frequency) in each payment-amount category.

Table 5: Total Bribe-Payment Frequency-Distribution by All Respondents

| Amount Paid (KSh.) | Frequency | Percent of Sample |
|--------------------|-----------|-------------------|
| Nothing Paid | 568 | 24 |
| KSh. 1- 200 | 212 | 9 |
| KSh. 201-500 | 226 | 9 |
| KSh. 501-1,000 | 241 | 10 |
| KSh. 1,001-2,000 | 243 | 10 |
| KSh. 2,001-5,000 | 324 | 14 |
| KSh. 5,001-10,000 | 208 | 9 |
| KSh. 10,001-20,000 | 204 | 9 |
| KSh. 20,000+ | 174 | 7 |

A third new indicator is an 'average of averages'. This is calculated by taking the average size of bribe for each organization (again based on single payments) and then taking an average of all these (regardless of how many bribes were paid to each organization) which yields a figure of KSh 3,627.

A final one is the respondents' level of organizational interaction (as presented above in Table 3).

Purpose of Bribes Paid

Having acknowledged the particular organizations with which they had interacted and paid bribes, respondents were asked to state the purpose of each one, out of the following five: (1) to obtain some service ("service"), (2) to obtain some license or permit and thus comply with some law or regulation ("regulatory compliance"), (3) to avoid a fine or some other punitive measure ("law enforcement"), (4) to facilitate a contract or commercial transaction ("business"), and (5) to obtain employment ("employment").

On this basis, and taking into account the changes made in this KBI in the computation of the number and cost of bribes paid, these results may be compared only in terms of number of transactions (i.e., bribes paid) and value as a percent of total paid.

Nearly half (45 percent) were to gain (or speed up) access to some service, followed by the effort to avoid legal penalties (24 percent).

Based on this leading position of service bribes in terms of overall numbers, this category also ranks first in terms of the total value allocated (37 percent), though in second place here is Employment (23 percent), which given its long-term benefit (steady income), helps to explain its elevated position here.

This same logic appears to apply in terms of the average size of bribes, with that for Employment nearly twice the magnitude of that for Business purposes in second place (KSh. 5,962 vs. KSh. 3,491).

Turning to frequency of bribes paid per respondent (i.e., of the entire sample), Law Enforcement leads, an unsurprising finding, given the greater likelihood that ordinary members of the public interact more often with officials of this nature (0.77 vs. 0.51 for the next category, Regulatory Compliance, i.e., obtaining a license or permit).

Finally, in terms of the average cost per bribe, Employment again leads, apparently reflecting the same reality already noted, with its KSh. 2,618 being nearly double that of Law Enforcement, at KSh. 1,467.

Table 6: Analysis of Various Aspects of Bribes by Purpose

| Number of Transactions (Percent of Total) | 2008 | 2007 | 2006 |
|--|-------------|-------------|-------------|
| Service | 45 | 29 | 26 |
| Regulatory Compliance | 19 | 24 | 20 |
| Law Enforcement | 24 | 36 | 46 |
| Business | 6 | 7 | 4 |
| Employment | 6 | 4 | 3 |
| Value (Percent of Total) | | | |
| Service | 37 | 31 | 32 |
| Regulatory Compliance | 19 | 21 | 12 |
| Law Enforcement | 16 | 25 | 39 |
| Business | 4 | 3 | 8 |
| Employment | 23 | 21 | 9 |
| Average Size of Bribe (KSh.) | | | |
| Service | 2,580 | | |
| Regulatory Compliance | 2,670 | | |
| Law Enforcement | 2,079 | | |
| Business | 3,491 | | |
| Employment | 5,962 | | |

| | | | |
|---|-------|--|--|
| Frequency (No. Bribes Paid Per Respondent) | | | |
| Service | 0.29 | | |
| Regulatory Compliance | 0.51 | | |
| Law Enforcement | 0.77 | | |
| Business | 0.39 | | |
| Employment | 0.46 | | |
| Cost of Bribe (KSh.) | | | |
| Service | 600 | | |
| Regulatory Compliance | 1,445 | | |
| Law Enforcement | 1,467 | | |
| Business | 1,062 | | |
| Employment | 2,618 | | |

Corruption Perceptions

The survey also captured general perceptions of corruption in the country. Table 7 presents the findings as compared to those in the previous three KBLs.

It emerges that there was little change. The only notable movement was towards the negative, with a total perception of this nature (i.e., "a lot worse" + "a little worse") increasing from 13, 18, 20, 18 over the last four years, respectively, to 27 percent currently.

Table 7: Changes In Perceptions Of Corruption: 2008 Vs. Previous (Percent)

| Perceived Change | 2008 | 2007 | 2006 | 2005 | 2004 |
|-------------------------|-------------|-------------|-------------|-------------|-------------|
| A little better | 22 | 20 | 15 | 15 | 18 |
| A lot better | 13 | 15 | 11 | 10 | 14 |
| A little worse | 10 | 7 | 7 | 6 | 4 |
| A lot worse | 17 | 11 | 13 | 12 | 9 |
| No change | 37 | 47 | 55 | 56 | 55 |

Corruption Reporting

Willingness to report corrupt practices examined by this survey remains low but growing steadily.

As noted above, from the entire sample, there were 13,387 mentions of interactions with particular organizations (that is, at least one per organization). Among these, 5,367 bribery-demand situations (or 40 percent) arose. Reactions to such situations in terms of reporting were distributed among the following categories, shown here in Table 7 for all organizational categories, and for the 5 having the highest incidence of such bribery-demand situations.

Among all organizations recorded, in a fifth of such cases those who bribed complained about doing so, even if fewer than 1 in 10 (8 percent) made official reports elsewhere. Nearly two-thirds of respondents, however (64 percent) paid the bribe and then remained silent (with another 4 percent

who refused to pay likewise making no report), a situation that clearly contributes to a culture of impunity (while perhaps reflecting a certain degree of complicity as well).

Among the 5 organizations, the highest level of passivity following a bribe payment was with the Kenya Police (76 percent) – a likely indication of the fear of the additional 'costs' of doing so – falling to just 52 percent for Local Authorities (aside from Nairobi and Mombasa)/the Ministry of Local Government. Conversely, the highest level of reporting among those who paid bribes (15 percent) is found within this latter organizational category.

Table 8: Responses to Bribery-Demand Situations: All Organizations/The Five Most Frequent (Percent)

| Response | All Orgs. | Kenya Police | Public Hospitals | Other Local Auths./ Ministry of Local Govt. | Immigration Dept. | Schools |
|---------------------------|-----------|--------------|------------------|---|-------------------|---------|
| Bribed/Complained | 20 | 16 | 18 | 27 | 24 | 21 |
| Bribed/Reported | 8 | 3 | 10 | 15 | 5 | 9 |
| Bribed/Kept Quiet | 64 | 76 | 61 | 52 | 67 | 62 |
| Did Not Bribe/ Complained | 3 | 2 | 7 | 2 | 1 | 2 |
| Did Not Bribe/Reported | 1 | 1 | 1 | 1 | 1 | 1 |
| Did Not Bribe/Kept Quiet | 4 | 1 | 3 | 2 | 2 | 5 |

Taking all those who either formally reported (to some official) or complained anywhere about the experience, the distribution of the receiving channels is shown in Table 9:

Table 9: Reporting Channels

| Reporting Channel (Percent) | 2008 | 2007 | 2006 | 2005 |
|-----------------------------|------|------|------|------|
| Organizational Management | 28 | 26 | 20 | 28 |
| Law Enforcement Official | 4 | 14 | 10 | 8 |
| Any Other Official | 22 | 26 | 7 | 11 |
| Media | 4 | 8 | 9 | 2 |
| Others/Not Specified | 41 | 26 | 55 | 51 |

5. ORGANIZATIONAL RANKING

Entrants and Exits for the 2008 Survey

As has been the case previously, certain organizations previously appearing in the rankings in the past KBIs are absent from this current one. This occurs in cases where the number of interactions is so small (i.e., fewer than 50) that it makes sense to capture them only under some "Other" category (which, being a combination, are placed as un-ranked at the bottom of those Tables in which they are listed, and noted with an asterisk), aside from a few exceptions that have been retained for the sake of continuity (also noted at the bottom in the relevant Tables with an asterisk, e.g., the Judiciary with only 24 interactions in this survey, and the Teachers' Service Commission, with only 5).

Similarly, three organizational categories that did not appear individually in 2007 are present here: the Kenya Revenue Authority, Water Companies and Private Universities. Note, however, that in the 2007 KBI, the Kenya Revenue Authority was captured under Other Central Government, while that of Water Companies was likely included in either the Ministry of Water or Private Companies (as were Insurance Companies in this survey which had appeared as a separate listing in the previous KBI). As for Private Universities, their appearance may reflect less any significant increase in corrupt activities, but rather, a substantial increase in the number of Kenyans who are now attending them. Perhaps most curious, whereas there were 129 respondents who reported interaction with the Transport Licensing Board in the 2007 survey, not a single respondent reported an interaction with this body in the current one.

Thus, it should again be stressed that the presence of any particular institution or organization depends, first of all, on the sample's respondents having had a sufficient number of interactions with it.

Table 10: Entrants and Exits in the 2008 Aggregate Index

| Exits from 2007 | Entrants for 2008 |
|------------------------------|-------------------------|
| Teachers' Service Commission | Kenya Revenue Authority |
| Transport Licensing Board | Water Companies |
| Lawyers | Private Universities |
| Attorney-General's Office | |
| Prisons | |
| Insurance Companies | |
| Posta | |

Continuity in Top Rankings

Before examining this survey's results in more detail, it is useful to briefly note the general level of continuity between them and those of the previous three KBIs. This is shown in Table 11 in terms of

the top (i.e., the worst) six performers in terms of the Aggregate Index of all organizational categories used in each one. Especially with regard to three – the Kenya Police, Local Authorities/the Ministry of Local Government and the Ministry of Lands – the degree of continuity in these top rankings is clearly high. Several others (e.g., the Immigration Department and the Provincial Administration, found among these top six, have also appeared once before within this same ('uncomplimentary') grouping.

Table 11: Top Six Ranked Organizations, KBI 2005-2008

| 2008 | 2007 | 2006 | 2005 |
|----------------------------------|----------------------|--------------------|---------------|
| Kenya Police | Kenya Police | Kenya Police | Kenya Police |
| Local Auths./Min. of Local Govt. | TLB | Other State Corps. | TSC |
| Min. of Lands | Public Universities | Local Authorities | Local Auths. |
| Immigration Dept. | Immigration Dept. | TSC | Judiciary |
| Private Universities | Min. of Local Govt. | Prisons | Min. of Lands |
| Prov. Admin. | Min. of Public Works | Judiciary | Prov. Admin. |

The 2008 Aggregate Index

As noted above, the 2008 KBI rankings feature 26 organizations in terms of the six variables considered. It should again be stressed that several organizations/categories have been excluded due to the minimal number of interactions (Other Central Government, Water Companies, Judiciary, CDF Offices, and Others – which all received fewer than 25) or the 'mixed' nature of the categories (such as Other Ministries and again, Other Central Government).

On the Aggregate Index scale of 0-100, only the Kenya Police exceed the halfway mark of 50, followed closely by Other Local Authorities/the Ministry of Local Government at 47.5. The next organization listed, the Ministry of Lands, is a full ten points lower. Given the combination of regulatory and punitive power/authority associated with these organizations, together with the level of public demand for what they provide, their prominence in the rankings comes as no surprise.

Table 12: 2008 Aggregate Index

| Rank | Organization | Aggregate Index |
|------|--|-----------------|
| 1 | Kenya Police | 57 |
| 2 | Other Local Auths./Ministry of Local Govt. | 47 |
| 3 | Ministry of Lands | 37 |
| 4 | Immigration Dept. | 36 |
| 5 | Private Universities | 34 |
| 6 | Provincial Administration | 33 |
| 7 | Nairobi City Council | 31 |
| 8 | Ministry of Health | 31 |
| 9 | Mombasa City Council | 30 |
| 10 | Public Hospitals | 26 |

| | | |
|----|---|----|
| 11 | Ministry of Agric./Livestock Devel. | 25 |
| 12 | Ministry of Education | 25 |
| 13 | Electoral Commission | 24 |
| 14 | Kenya Revenue Authority | 23 |
| 15 | Ministry of Water | 22 |
| 16 | Private Companies | 22 |
| 17 | Tertiary Colleges | 22 |
| 18 | Kenya Ports Authority | 20 |
| 19 | Kenya Power | 20 |
| 20 | Public Colleges & Universities | 16 |
| 21 | International Orgs./Foreign Missions | 16 |
| 22 | Schools | 16 |
| 23 | CBOs/NGOs/Self-Help Groups | 14 |
| 24 | Private Hospitals | 8 |
| 25 | Banks/Micro-Finance Institutions | 3 |
| 26 | Religious Institutions | 1 |
| | | |
| | Judiciary* | 48 |
| | Water Companies* | 15 |
| | CDF Offices* | 35 |
| | Other Central Government* | 58 |
| | Others* | 25 |
| | | |
| | Other Ministries** | 50 |
| | Other State Corporations** | 23 |
| | | |
| | *Small bases (i.e., under 50 interactions) | |
| | ** Composite category (not suitable for analysis) | |

Likelihood of Encountering Bribery

How likely is it that anyone who interacts with a particular organization will encounter a bribery-demand situation? The answer to this question is seen in Table 13, which reflects to a high degree the rankings found in the Aggregate Index. Among the first ten, the only new entrant appearing here is the Nairobi City Council, ranked 5th, whereas in the overall Index it comes in just outside this grouping, in 11th place. Conversely, whereas Private Universities are ranked 10th in the Aggregate Index, here they place near the bottom of the Table, at 29th place. In comparing the 2008 results with those of the previous two years, it can be seen that notwithstanding major fluctuations in a number of cases, most of the results are generally similar.

Table 13: Likelihood of Bribery (percent of an organization's clients encountering bribery)

| Rank | Organization | 2008 | 2007 | 2006 |
|------|---|------|------|------|
| 1 | Kenya Police | 93 | 64 | 81 |
| 2 | Other Local Auths./Ministry of Local Govt. | 84 | 60 | |
| 3 | Nairobi City Council | 83 | | |
| 4 | Immigration Dept. | 79 | 77 | 62 |
| 5 | Ministry of Lands | 79 | 57 | 71 |
| 6 | Provincial Administration | 76 | 50 | 57 |
| 7 | Mombasa City Council | 70 | | |
| 8 | Kenya Revenue Authority | 63 | | |
| 9 | Electoral Commission | 63 | 63 | 46 |
| 10 | Ministry of Health | 61 | 58 | 75 |
| 11 | Ministry of Agric./Livestock Devel. | 59 | 37 | 34 |
| 12 | Private Companies | 58 | 48 | 29 |
| 13 | Kenya Ports Authority | 58 | 58 | |
| 14 | Ministry of Education | 54 | 55 | 50 |
| 15 | Public Hospitals | 53 | 50 | 38 |
| 16 | Ministry of Water | 49 | 48 | 47 |
| 17 | Tertiary Colleges | 48 | | |
| 18 | Kenya Power | 45 | 45 | 32 |
| 19 | Public Colleges & Universities | 35 | 53 | |
| 20 | International Orgs./Foreign Missions | 34 | 49 | |
| 21 | Schools | 33 | 44 | 19 |
| 22 | Private Universities | 29 | | |
| 23 | CBOs/NGOs/Self-Help Groups | 27 | 46 | 20 |
| 24 | Private Hospitals | 16 | | |
| 25 | Banks/Micro-Finance Institutions | 10 | 31 | 11 |
| 26 | Religious Institutions | 4 | 40 | 8 |
| | | | | |
| | Judiciary* | 92 | 62 | 72 |
| | Water Companies* | 42 | | |
| | CDF Offices* | 81 | 76 | |
| | Others* | 50 | | |
| | | | | |
| | Other Ministries** | 70 | | |
| | Other Central Government* | 93 | 54 | 61 |
| | Other State Corporations** | 61 | 48 | 46 |
| | | | | |
| | *Small bases (i.e., under 50 interactions) | | | |
| | ** Composite category (not suitable for analysis) | | | |

Impact

This indicator shows the percentage of the entire sample that encountered a bribery situation at each organization, whether each respondent had an interaction there or not. Once again, as shown in Table 14, the greater capacity of the Police to extract such bribes is evident, some 20 percent higher than their closest two 'competitors', Public Hospitals and Other Local Authorities/Ministry of Local Government.

Table 14: Impact of Bribery (bribe-payers as a percent of all respondents)

| Rank | Organization | Percent |
|------|--|---------|
| 1 | Kenya Police | 59 |
| 2 | Public Hospitals | 38 |
| 3 | Other Local Auths./Ministry of Local Govt. | 34 |
| 4 | Immigration Dept. | 19 |
| 5 | Schools | 18 |
| 6 | Ministry of Lands | 16 |
| 7 | Ministry of Health | 12 |
| 8 | Kenya Power | 12 |
| 9 | Ministry of Education | 12 |
| 10 | Electoral Commission | 11 |
| 11 | Nairobi City Council | 9 |
| 12 | Ministry of Water | 7 |
| 13 | Ministry of Agric./Livestock Devel. | 7 |
| 14 | Tertiary Colleges | 6 |
| 15 | Kenya Revenue Authority | 6 |
| 16 | Provincial Administration | 5 |
| 17 | Private Hospitals | 5 |
| 18 | CBOs/NGOs/Self-Help Groups | 5 |
| 19 | Mombasa City Council | 4 |
| 20 | Public Colleges & Universities | 3 |
| 21 | Banks/Micro-Finance Institutions | 3 |
| 22 | Kenya Ports Authority | 3 |
| 23 | International Orgs./Foreign Missions | 2 |
| 24 | Private Companies | 2 |
| 25 | Private Universities | 1 |
| 26 | Religious Institutions | 0 |
| | Judiciary* | 1 |
| | Water Companies* | 0 |
| | CDF Offices* | 1 |
| | Other Central Government* | 1 |
| | Others* | 0 |

| | | |
|--|---|---|
| | | |
| | Other Ministries** | 9 |
| | Other State Corporations** | 2 |
| | | |
| | *Small bases (i.e., under 50 interactions) | |
| | ** Composite category (not suitable for analysis) | |

Severity

How likely is it that citizens are unable to access a service or escape from punishment (whether deserved or not) if a bribe is not paid? Results here are expressed as the percent of those who, when asked about their bribe-demand experience with those with which they had interacted, reported that a failure/refusal to comply resulted in their failure to access the service/avoid the penalty. Clearly (and as suggested above), this is a critical indicator in influencing the public's behavior. Once again, the leading position is held by the Kenya Police, followed by the Provincial Administration, Local Authorities and the Immigration Department. Comparisons with the results from 2006/2007 surveys show only some correspondence (though fluctuations between the latter themselves are at least as great as between all of these and the current one; empty data-cells reflect the absence of previous categories/the entry of new ones).

Table 15: Severity (likelihood of being denied service/incurred punishment, percent)

| Rank | Organization | 2008 | 2007 | 2006 |
|------|--|------|------|------|
| 1 | Kenya Police | 52 | 17 | 39 |
| 2 | Provincial Administration | 42 | 18 | 24 |
| 3 | Other Local Auths./Ministry of Local Govt. | 37 | 20 | 26 |
| 4 | Immigration Dept. | 34 | 16 | 19 |
| 5 | Ministry of Lands | 33 | 21 | 21 |
| 6 | Electoral Commission | 31 | 12 | 22 |
| 7 | Private Companies | 31 | 16 | 13 |
| 8 | Ministry of Education | 24 | 18 | 17 |
| 9 | Nairobi City Council | 21 | | |
| 10 | Ministry of Health | 20 | 19 | 19 |
| 11 | Private Universities | 18 | | |
| 12 | Kenya Revenue Authority | 17 | | |
| 13 | Mombasa City Council | 17 | | |
| 14 | Kenya Ports Authority | 17 | 7 | |
| 15 | Ministry of Water | 17 | 11 | 18 |
| 16 | Tertiary Colleges | 17 | | |
| 17 | Public Hospitals | 16 | 14 | 9 |
| 18 | Kenya Power | 13 | 12 | 10 |
| 19 | Ministry of Agric./Livestock Devel. | 13 | 12 | 5 |
| 20 | International Orgs./Foreign Missions | 13 | 15 | 20 |

| | | | | |
|----|---|----|----|----|
| 21 | Schools | 13 | 14 | 6 |
| 22 | Public Colleges & Universities | 10 | 15 | |
| 23 | CBOs/NGOs/Self-Help Groups | 9 | 17 | 8 |
| 24 | Private Hospitals | 3 | | |
| 25 | Banks/Micro-Finance Institutions | 2 | 9 | 4 |
| 26 | Religious Institutions | 0 | 13 | 5 |
| | | | | |
| | Judiciary* | 25 | 25 | 32 |
| | Water Companies* | 25 | | |
| | CDF Offices* | 52 | 32 | |
| | Other Central Government* | 50 | 15 | 20 |
| | Others* | 33 | | |
| | | | | |
| | Other State Corporations** | 29 | 16 | 18 |
| | Other Ministries** | 32 | | |
| | | | | |
| | *Small bases (i.e., under 50 interactions) | | | |
| | ** Composite category (not suitable for analysis) | | | |
| | | | | |
| | | | | |

Frequency

How often are bribes paid by those who interact with a particular organization? This measure, frequency, represents the average number paid by all those who reported having had at least one such interaction. As noted earlier, however (see, "basis for calculating..."), the method of data-capture in the questionnaire only allows for an estimated measure in this regard. Nevertheless, the results so derived are very similar to those obtained in the two previous KBI surveys. The main difference is that in neither did two of the leading half-dozen organizations – the city councils of Mombasa and Nairobi – have separate listings, but were included in the general "Local Authorities" category. In the current case, however, each of these obtained a sufficient number of specific mentions to warrant being ranked on their own. Even so, this general Local Government category ("Other Local Authorities" and "Ministry of Local Government) matched that of the Police in first place with 4 bribes per person (per year), with the Provincial Administration the only other entry with a frequency above 2. (Note, as also mentioned earlier, the total number of interactions with the Judiciary was too low to warrant its inclusion in the main rankings in this, and other, Tables, as was the "Other Central Government" category, which is also a combined category.)

Table 16: Frequency (Average number of bribes per organizational client)

| Rank | Organizations | 2008 |
|------|---|------|
| 1 | Kenya Police | 4 |
| 2 | Other Local Auths./Ministry of Local Govt. | 4 |
| 3 | Mombasa City Council | 3 |
| 4 | Provincial Administration | 3 |
| 5 | Nairobi City Council | 2 |
| 6 | Ministry of Lands | 2 |
| 7 | Ministry of Water | 2 |
| 8 | Public Hospitals | 2 |
| 9 | Ministry of Health | 2 |
| 10 | Immigration Dept. | 2 |
| 11 | Ministry of Agric./Livestock Devel. | 2 |
| 12 | Private Companies | 1 |
| 13 | Ministry of Education | 1 |
| 14 | Kenya Power | 1 |
| 15 | Kenya Ports Authority | 1 |
| 16 | Kenya Revenue Authority | 1 |
| 17 | International Orgs./Foreign Missions | 1 |
| 18 | Schools | 1 |
| 19 | Electoral Commission | 1 |
| 20 | Private Universities | 1 |
| 21 | CBOs/NGOs/Self-Help Groups | 0 |
| 22 | Tertiary Colleges | 0 |
| 23 | Public Colleges & Universities | 0 |
| 24 | Private Hospitals | 0 |
| 25 | Religious Institutions | 0 |
| 26 | Banks/Micro-Finance Institutions | 0 |
| | Judiciary* | 3 |
| | Water Companies* | 1 |
| | CDF Offices* | 2 |
| | Other Central Government* | 4 |
| | Others* | 2 |
| | Other Ministries** | 2 |
| | Other State Corporations** | 1 |
| | *Small bases (i.e., under 50 interactions) | |
| | ** Composite category (not suitable for analysis) | |

Size of Bribes

As also explained above, the data-set only contains bribe-payment amounts that represent a total for all such payments. As such, only those that represent a single payment can be used to calculate the average size of each bribe per organization.

Most striking here, as revealed in Table 17, is the leading position of the figure for Private Universities, which, at KSh. 23,286, is nearly twice the size of its nearest 'competitor', the Ministry of Health, trailing well below, at KSh. 5,983. While it appears that the competition for places in these institutions of higher learning (which have continued to grow in number over recent years) is such that formally required 'price of admission' does not reflect actual demand, it is again necessary to urge some caution in the interpretation of such results. In this case, for example, Private Universities' first-place ranking is based on just seven 'one-off' bribe-payments, six of which were (as just suggested) for a service-related 'good'.

Table 17: Average Size of Bribes Paid (KSh.)

| Rank | Organization | 2008 |
|------|--|--------|
| 1 | Private Universities | 23,286 |
| 2 | Ministry of Health | 5,983 |
| 3 | Tertiary Colleges | 5,837 |
| 4 | Public Colleges & Universities | 5,665 |
| 5 | CBOs/NGOs/Self-Help Groups | 5,167 |
| 6 | International Orgs./Foreign Missions | 4,390 |
| 7 | Private Hospitals | 3,548 |
| 8 | Immigration Dept. | 3,527 |
| 9 | Ministry of Agric./Livestock Devel. | 3,403 |
| 10 | Ministry of Lands | 3,344 |
| 11 | Kenya Police | 2,697 |
| 12 | Kenya Power | 2,663 |
| 13 | Ministry of Education | 2,647 |
| 14 | Kenya Revenue Authority | 2,387 |
| 15 | Other Local Auths./Ministry of Local Govt. | 2,341 |
| 16 | Kenya Ports Authority | 2,255 |
| 17 | Schools | 1,793 |
| 18 | Nairobi City Council | 1,728 |
| 19 | Electoral Commission | 1,686 |
| 20 | Ministry of Water | 1,465 |
| 21 | Private Companies | 1,167 |
| 22 | Religious Institutions | 1,100 |
| 23 | Banks/Micro-Finance Institutions | 986 |
| 24 | Public Hospitals | 913 |
| 25 | Mombasa City Council | 883 |

| | | |
|----|---|--------|
| 26 | Provincial Administration | 816 |
| | Judiciary* | 3,176 |
| | Water Companies* | 350 |
| | CDF Offices* | 1,988 |
| | Other Central Government* | 5,091 |
| | Others* | 1,250 |
| | Other Ministries** | 13,338 |
| | Other State Corporations** | 2,813 |
| | *Small bases (i.e., under 50 interactions) | |
| | ** Composite category (not suitable for analysis) | |

Cost (Average expenditure on bribery by clients)

Finally, how much extra expense do clients of particular organizations incur through bribery? Table 18 shows the cost per client of having interacting with each one. Significantly, it is a private sector category – Private Universities – that takes the leading position, with the Police nearly tied with the Immigration Department, Ministry of Lands and Other Local Authorities/the Ministry of Local Government for second position.

Table 18: Cost of Bribery (Average expenditure on bribes per client, KSh.)

| Rank | Organization | 2008 |
|------|--|-------|
| 1 | Private Universities | 2,654 |
| 2 | Kenya Police | 1,979 |
| 3 | Immigration Dept. | 1,977 |
| 4 | Ministry of Lands | 1,959 |
| 5 | Other Local Auths./Ministry of Local Govt. | 1,823 |
| 6 | Ministry of Health | 1,750 |
| 7 | Tertiary Colleges | 1,567 |
| 8 | Kenya Revenue Authority | 1,321 |
| 9 | Public Colleges & Universities | 1,236 |
| 10 | Ministry of Agric./Livestock Devel. | 1,199 |
| 11 | Ministry of Education | 1,094 |
| 12 | Nairobi City Council | 878 |
| 13 | Kenya Ports Authority | 838 |
| 14 | Electoral Commission | 820 |
| 15 | Mombasa City Council | 717 |
| 16 | Ministry of Water | 665 |
| 17 | Kenya Power | 662 |

| | | |
|----|---|-------|
| 18 | CBOs/NGOs/Self-Help Groups | 631 |
| 19 | International Orgs./Foreign Missions | 626 |
| 20 | Provincial Administration | 379 |
| 21 | Schools | 360 |
| 22 | Public Hospitals | 334 |
| 23 | Private Companies | 306 |
| 24 | Private Hospitals | 140 |
| 25 | Banks/Micro-Finance Institutions | 36 |
| 26 | Religious Institutions | 15 |
| | | |
| | Judiciary* | 5,628 |
| | Water Companies* | 127 |
| | CDF Offices* | 1,495 |
| | Other Central Government* | 4,786 |
| | Others* | 1,250 |
| | | |
| | Other Ministries** | 4,433 |
| | Other State Corporations** | 472 |
| | | |
| | *Small bases (i.e., under 50 interactions) | |
| | ** Composite category (not suitable for analysis) | |
| | | |