

Biodiversity Challenge Funds Projects Darwin Initiative, Illegal Wildlife Trade Challenge Fund, and Darwin Plus Half Year Report

Note: If there is any confidential information within the report that you do not wish to be shared on our website, please ensure you clearly highlight this.

Submission Deadline: 31st October 2023

Project reference	IWTEX003
Project title	Strengthening legal frameworks for law enforcement in Africa
Country(ies)/territory(ies)	Tanzania, Zimbabwe, Malawi
Lead partner	PAMS Foundation
Partner(s)	Tikki Hywood Foundation
Project leader	Krissie Clark (PAMS Foundation)
Report date and number (e.g. HYR1)	31st October 2023, HYR1
Project website/blog/social media	<p>PAMS Foundation and Tikki Hywood Foundation do not maintain a separate website or social media account for this individual project. In order to keep the identities of the project participants confidential, the project team will not be developing any media outputs for the project.</p> <p>However, both organisations maintain their primary website and social media accounts which are as follows:</p> <p>https://www.pamsfoundation.org https://www.facebook.com/PAMSFoundation/ https://www.tikkihywoodfoundation.org/ https://www.instagram.com/tikkihywoodfoundation/</p>

Outline progress over the last 6 months (April – Sept) against the agreed project implementation timetable (if your project has started less than 6 months ago, please report on the period since start up to end September).

Although we are not looking for specific reporting against your indicators, please use this opportunity to consider the appropriateness of your M&E systems (are your indicators still relevant, can you report against any Standard Indicators, do your assumptions still hold true?). The guidance can be found on the resources page of the relevant fund website.

PAMS Foundation and its partner Tikki Hywood Foundation have made notable progress against all 4 project outputs since the project started in April. Although PAMS Foundation did not receive DEFRA funding until June 12, 2023 (as it was familiarising itself with the necessary procedure & attending kick-off workshops), we are considering this project to be in end of Q2 based on a project start date of April 1 where the project team was able to make significant progress in terms of planning, coordination, training development, and stakeholder discussions without funding in April and May.

Output 1: “Trained investigators, prosecutors, and the judiciary that are skilled in implementing legal frameworks in Tanzania and Zimbabwe to reduce IWT”.

In June, PAMS met with the Institute of Judicial Administration, specifically the Deputy Registrar, to discuss the project plan, objectives, and timeframes. During this time, the stakeholders discussed the training workshops, budget overview, and monitoring and evaluation requirements. PAMS met again with the Deputy Registrar and also the Director of Training for the Institute of Judicial Training in July, at which time the parties discussed the proposed baseline assessment (see final attached), the budget / financial expenditure standards, and responsibility for data collection for M&E. Similar followup meetings were held in August and September between PAMS and the Institute of Judicial Administration.

PAMS, with the Institute of Judicial Administration, was able to successfully complete a baseline study report regarding the ways in which wildlife cases are handled, including the identification of best practices for effective case management to help confirm priority needs for the proposed up and coming training.

In May, Tikki Hywood Foundation held a meeting with ZELA to discuss partnership between the organisations for training officers, prosecutors, park rangers, and game scouts.

In June, Tikki Hywood Foundation also conducted a meeting with Matusadona National Park and African Parks to discuss the following issues facing the parks that would serve as important training areas for law enforcement or for development by the project team: procedures for criminal trials, witness statement documentation, arresting and search authority of rangers, protection of wildlife officers from arrest and prosecution, unnecessary postponement of matters at Kariba court, as well as working relations between court officials and rangers.

The first official training session of the project in support of Output 1 took place in early July. This training was held at Malilangwe Wildlife Trust to train police MFFU detectives in Zimbabwe on evidence gathering, evidence handling and preservation, evidence presentation in court, and the use of firearms. Twelve males participated in the training session. For this training session, 100% of the participants scored above 65% on the post training assessment. In fact, the average score on the post training assessment was 94.67%. From the course evaluation submitted by each participant, it was identified that more time was needed to complete the evaluation, which shall be taken into consideration in future training sessions.

Output 2: "Raised awareness for strengthened IWT legislation that effectively addresses current IWT modus operandi, challenges, and trends in Zimbabwe."

A number of virtual meetings were held with the Head Judiciary Training School, NPA Acting Deputy Prosecutor General, and the University of Zimbabwe to discuss collaboration on developing a Wildlife Case Review Book and Procedure.

Additional efforts with the NPA included meetings with the NPA Corporate Affairs which resulted in agreement to use the NPA Magazine in spreading wildlife crime awareness and reporting cases of interest.

A law development and reform meeting was also held (participants: 7 male, 2 female) to review the draft Parks and Wildlife Act with the following wildlife conservation and tourism business stakeholders: Tikki Hywood Foundation, Save Valey Conservancy, Lowveld Rhino Trust, Buby Valley Conservancy, Malilangwe, Speak Out For Animals, ZPGA, CWF, The Hide, Changa and SOAZ. The project team reviewed the draft Act, developed a list of concerns, and sent the concerns to the other stakeholders for feedback. The concerns related primarily to sentencing in wildlife crime cases.

Output 3: "Mentorship programme that builds investigative and prosecutorial capacity of Tanzania's NTAP and Zimbabwe's Environmental Wildlife Directorate and NPA."

In mid-May, a physical meeting was held with NPA Harare Court Leadership to discuss the number and names of prosecutors to participate in the mentorship sessions, as well as the topics that would be covered and the venue.

Output 4: “Regional LE collaboration and sharing of best practices is improved for transnational cases between Tanzania, Zimbabwe, and/or Malawi authorities”.

In May, a virtual meeting between Tikki Hywood Foundation and a Justice of the Supreme Court of Malawi was held to share specific case reports of wildlife crime in Malawi and Zimbabwe, as well as plans for future meetings to discuss strengthening of legislation. Other case review meetings were held with the Chief Magistrate Uganda Wildlife Court, which involved establishing working relationships with the Uganda Environmental Court, as well as gaining insight into Uganda’s Wildlife Cases Review Book to use as a reference for the development of the Wildlife Case Review Book and Procedure in Zimbabwe. An additional case review meeting was held with a Justice of The Supreme Court of Malawi to review cases for development of best practices.

Tikki Hywood Foundation has also developed a case review concept note to buy in the support and collaboration of the National Prosecuting Authority and Judiciary Service Commission. This concept note is currently in circulation among project stakeholders.

2. Give details of any notable problems or unexpected developments/lessons learnt that the project has encountered over the last 6 months. Explain what impact these could have on the project and whether the changes will affect the budget and timetable of project activities.

The primary notable unexpected development in the first two quarters of the project involved a tax for the transfer of funds from PAMS Foundation to its partner Tikki Hywood Foundation. The Tanzania Revenue Authority required a 15% withholding tax on international wire transfers related to services rendered. When PAMS Foundation transferred the grant funds to Tikki Hywood Foundation in Zimbabwe for executing IWTCF activities in that country, despite informing the Tanzania Revenue Authority that it is a subgrant, they remained adamant that 15% was applicable to this payment and any future payments of this kind. In total, the tax will equate to a total of £22,116 over the 2-year project period.

PAMS Foundation submitted a change request to adjust the budget to account for this tax without changing the total budget costs. To do so, PAMS Foundation split the line item for £40,000 for “Dar es Salaam Office rental” into two-line items to account for the tax. The “Dar es Salaam Office rental” is now budgeted for £17,884 and the tax line item for £22,116. This change request was approved.

This unexpected development has not and will not have any impact on the project deliverables, since all activities will be conducted as planned and according to the proposed timeline.

Additionally, while the project was originally proposed to start on 01 April 2023, PAMS Foundation first received project funds on 12 June 2023. This was due to discussions and onboarding with DEFRA. However, since the project team had accounted for time for project ramp up and coordination for the first quarter of the project, the project remained on schedule according to the timetable. In May and June, prior to receiving funds, the project team met with several stakeholder agencies to discuss training topics, selected training participants, venues, and case information sharing. Additional delays in conducting training was due to the unexpected election of new judges in Tanzania which needed to rapidly undergo induction training by the Institute of Judicial Administration. This had to take priority and slightly delayed PAMS related activities with the Institute of Judicial Administration.

Zimbabwe’s elections also resulted in postponement of the prosecutors’ wildlife law training sessions originally intended for July to August, as the prosecutors were awaiting the outcome of the elections which determined their position in public office. Tikki Hywood Foundation was able to conduct enough training sessions to get back on schedule in August. As such, there were no impacts on the budget or timetable of project activities.

3. Have any of these issues been discussed with NIRAS and if so, have changes been made to the original agreement?	
Discussed with NIRAS:	Yes
Formal Change Request submitted:	Yes
Received confirmation of change acceptance:	Yes
Change request reference if known: A reference number has not been provided by DEFRA yet.	

<p>4a. Please confirm your actual spend in this financial year to date (i.e. from 1 April 2023 – 30 September 2023)</p> <p>Actual spend: £ [REDACTED]</p> <p>4b. Do you currently expect to have any significant (e.g. more than £5,000) underspend in your budget for this financial year (ending 31 March 2024)?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated underspend: N/A</p> <p>While there was underspend in the first 6-months of the project, this was due to delays in implementation of training activities as outlined above. These training activities will be completed in alignment with the proposed annual budget ending in June 2024.</p>
<p>4c. If yes, then you need to consider your project budget needs carefully. Please remember that any funds agreed for this financial year are only available to the project in this financial year.</p> <p>If you anticipate a significant underspend because of justifiable changes within the project, please submit a re-budget Change Request as soon as possible. There is no guarantee that Defra will agree a re-budget so please ensure you have enough time to make appropriate changes if necessary. Please DO NOT send these in the same email as your report.</p> <p>NB: if you expect an underspend, do not claim anything more than you expect to spend this financial year.</p>
<p>5. Are there any other issues you wish to raise relating to the project or to BCF management, monitoring, or financial procedures?</p> <p>None.</p>

If you are a new project and you received feedback comments that requested a response, or if your Annual Report Review asked you to provide a response with your next half year report, please attach your response to this document.

All new projects (excluding Darwin Plus Fellowships and IWT Challenge Fund Evidence projects) should submit their Risk Register with this report if they have not already done so.

Please note: Any planned modifications to your project schedule/workplan can be discussed in this report but **should also be raised with NIRAS through a Change Request. **Please DO NOT send these in the same email.****

Please send your **completed report by email** to BCF-Reports@niras.com. The report should be between 2-3 pages maximum. **Please state your project reference number, followed by the specific fund in the header of your email message e.g. Subject: 29-001 Darwin Initiative Half Year Report**