

Illegal Wildlife Trade: Half Year Report

Project Ref No: IWT028

Project Title: Building judicial capacity to counter wildlife crime in Kenya

Country(ies): Kenya

Lead Organisation: Space for Giants (SFG)

Collaborator(s): Office of the Director of Public Prosecutions (ODPP), WildlifeDirect, Kenya Wildlife Service (KWS), Mount Kenya Trust

Project Leader: Dr. Max Graham

Report date and number (eg HYR1): 31/10/2016 HYR1

Project website: www.spaceforgiants.org

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

Summary of Main Achievements:

- SFG took on Faith Maina as the project's Wildlife Crime Court Monitoring Officer;
- SFG has held a watching brief in all ivory & rhino cases in the landscape;
- SFG has produced a regional database of all ivory & rhino horn cases in north central Kenya (currently at 31 cases);
- SFG hosted 3 training workshops to sensitize members of the judiciary, prosecution and investigation department on wildlife crime;
- On behalf of SFG, Mr. Abwuor is case managing 5 separate ivory & rhino horn cases;
- SFG has produced case summaries of all ongoing cases to highlight the strengths and weaknesses;

Summary of Activities which are still to take place:

- Intensive 10 – day training courses to KWS Investigating Officers;
- Training courses provided to wildlife rangers on basic scene of crime management;

Summary of Additional Involvement under the project:

- Collaborated with the United Nations Office on Drugs and Crime to deliver an Advanced Training on Wildlife Scene of Crime Procedures and Techniques for KWS Officers;
- Hosted an emergency 1 day training course to KWS Intelligence and Investigating Officers after a surge of wildlife crime cases within the region;
- Developed a Rapid Reference Guide pertaining to prosecution of illegal grazing offences;

Watching Brief & Case Management

The project kicked off in the month of April with SFG immediately setting about hiring a Wildlife Crime Court Officer to carry out a watching Brief on all ivory and rhino horn cases in north central Kenya. Faith Maina, a lawyer by trade, spent the first 3 months of the project visiting all the courts, being introduced to the right contacts and being trained in correct court monitoring procedures in collaboration with our partners at WildlifeDirect.

Ms. Maina has now developed a comprehensive regional database of all ivory and rhino horn cases that currently stands at 31 cases (4 x rhino & 27 x ivory). SFG has been very concerned by the large number of cases in the landscape and this has highlighted the importance and need

for this project. Together the above-mentioned ivory cases amount to 419kgs of raw ivory (details are missing from 3 cases) with a street value (in central Kenya) of approximately KES. The 4 rhino horn cases (7 horns in total) will also constitute a large sum of illicit revenue with 1kg of rhino horn selling at KES in central Kenya.

As a result of a surge of cases identified in the month of April SFG hosted an emergency meeting with all the KWS intelligence and investigation officers from the entire region to discuss weaknesses in these cases (e.g. flawed charge sheets, inappropriate management of informants & poor statement writing).

Following on from this initial unplanned workshop SFG has worked very closely with Mr. John Abwuor, the designated Wildlife Crime Legal Specialist in the project, to case manage 5 high profile ivory and rhino horn cases (all are still ongoing). Mr. Abwuor has played a critical role in ensuring these cases have remained on track in light of corruption attempts. He has also become a main contact person for KWS Officers and Prosecution Counsels seeking advice.

Training Workshops

Empowering actors along the entire criminal trial process is a key component of this project and SFG has built on its existing relationships and partnerships to deliver 3 high-level sensitization workshops on transnational organised crime and experiences of prosecuting wildlife crime in the first 6 months of the project.

Training workshops were run on the following dates:

- 22-24 July 2016 – Target courts were Nanyuki, Nyeri & Nyahururu
- 12-14 August 2016 – Target courts were Meru & Isiolo
- 30 September – 2 October 2016 – Magistrates & judges from all 5 target courts

These training workshops were run in close collaboration with the ODPP and KWS as well as our partners WildlifeDirect and UNODC. The training courses were very well received by the participants. Each workshop hosted a total of 25 participants (75 in total) as outlined in our project proposal.

Training workshops were specifically tailored to give all participants an in-depth understanding of the involvement of transnational organised crime, the common weaknesses that SFG has observed in past & current wildlife crime cases and what support network exists to investigators and prosecutors alike in terms of SFG personnel. A large component of the trainings was the introduction of the recently developed Rapid Reference Guide (RRG) on Wildlife Crimes (produced by the ODPP & British High Commission with input from SFG) which clearly outlines the standard operating procedures for prosecuting wildlife crimes. Additionally, and something which has set SFG run workshops apart from that of other organisations, we focused heavily on putting what is taught into practice. The third day of the workshop was set aside for a training 'case scenario' with very clear deliverables to allow participants to apply what they had learned. This proved a hugely successful and important feedback activity.

The first two training workshops targeted ODPP prosecutors and KWS investigating officers as well as police investigators. This interactive forum allowed for dialogue between the various agencies and sharing of frustrations (both real and perceived). The final workshop targeted the magistrates and judges from the entire region and while SFG recognises that the Judiciary by definition must be impartial we felt that they too must be empowered by understanding the reality of wildlife crime. We partnered with the Judicial Training Institute (JTI) on this and have seen immediate impact in sentences passed since the training workshop (this will be elaborated on in the end of year report).

Activities still to deliver:

While SFG did not manage to deliver all the activities as per the timetable submitted the necessary arrangement have been made or are in the process of being finalised to ensure they are completed by the end of this financial year.

2a. Give details of any notable problems or unexpected developments 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 project has proceeded smoothly thus far and SFG is glad to report that there have been no major issues. SFG is unaware of anything that will seriously impact the budget or timetable of activities for this financial year.

It is worth mentioning that since the start of the project, SFG's Director of Wildlife Protection, Keith Roberts, took up a role at Conservation International based out of Nairobi. In his place we were able to recruit Shamini Jayanathan, a barrister by trade, with a wealth of experience working in Africa.

2b. Have any of these issues been discussed with LTS International and if so, have changes been made to the original agreement?

The recruitment of Ms. Jayanathan in the place of Mr. Roberts was communicated to DEFRA and approved.

Discussed with LTS: Yes

Formal change request submitted: Yes

Received confirmation of change acceptance Yes

3a. Do you currently expect to have any significant (eg more than £5,000) underspend in your budget for this year?

Yes No Estimated underspend: £

3b. If yes, then you need to consider your project budget needs carefully as it is unlikely that any requests to carry forward funds will be approved this year. Please remember that any funds agreed for this financial year are only available to the project in this financial year.

If you anticipate a significant underspend because of justifiable changes within the project and would like to talk to someone about the options available this year, please indicate below when you think you might be in a position to do this and what the reasons might be:

4. Are there any other issues you wish to raise relating to the project or to IWT challenge Fund management, monitoring, or financial procedures?

None at this stage.

Please note: Any planned modifications to your project schedule/workplan can be discussed in this report but **should also be raised with LTS International through a Change Request.**

Please send your **completed report by email** to Joanne Gordon at IWT-Fund@ltsi.co.uk. The report should be between 2-3 pages maximum. **Please state your project reference number in the header of your email message eg Subject: 001 IWT Half Year Report**