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Two dealers get five years sentence for illegal possession of Government trophy

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Kapiri Mposhi Resident Magistrate, Arnold Kasongamulilo has sentenced two Kapiri Mposhi men to five years imprisonment for being in possession of a government trophy worth over K 90,000.

Before Kapiri Mposhi Resident Magistrate, Kasongamulilo were Geoffrey Simbeye, 72 and Patrick Chilumba, 43, all of Matilyo compound indicted on a charge of Unlawful Possession of Prescribed Trophy namely 11 pieces of elephant ivory.

This is contrary to section 86 and 130 (2) of the Zambia Wildlife Act number 14 of 2015 as read with Statutory Instrument number 61 of 1993 of the Laws of Zambia.

Facts before court were that on 1 April 2022 the duo whilst acting together possessed a prescribed trophy namely elephant ivory weighing 25 KG and valued at K 90,467 without a certificate of ownership issued by the Director General the Zambia Wildlife Authority.

After a tip off, the duo were arrested by officers from the Department of National Parks and Wildlife from a named guest house in Kapiri Mposhi while attempting to sale the ivory.

In this matter Chilumba readily pleaded guilty and was sentenced to five years imprisonment with hard labour while Simbeye denied the charge on grounds that he was not the owner of the ivory but was just asked by the co-accused to keep.

But in passing judgement Magistrate Kasongamulilo stated ownership cannot be used to prove innocence in this matter because the law provides for possession as sufficient proof for conviction.

Magistrate Kasongamulilo noted that it is a fact that Simbeye alongside his co-accused were found in possession of the elephant ivory concealed in a sack which they attempted to sale.

In mitigation Simbeye asked the court to exercise leniency as he was keeping orphans and that he was hypertensive.

But Magistrate Kasongamulilo advised Simbeye to be an example to young people considering his advanced age and not to connive with them to commit crime.

“ Considering your mitigation and your health status I will give you a possible minimum sentence provided by the law,” Magistrate Kasongamulilo said.

He then sentenced him to five years simple imprisonment.