

IRRS Good Practices

Enforcement (Module 8)

Enforcement policy and process

Republic of Kenya – Initial Mission

Mission Date: July 2016

Good Practice

The initiative taken by the Radiation Protection Board (RPB), the regulatory body of the Republic of Kenya, to provide training on enforcement and prosecution for its inspectors was recognized as a good practice.

Observation

In 2000 RPB took a decision to arrange for training of Radiation Protection Officers (RPOs) on enforcement and prosecution. Thirteen inspectors were gazetted as public prosecutors.

Basis

GSR Part 1 Requirement 31, para 4. 55 states that “*Regulatory enforcement may also entail prosecution, especially in cases where the authorized does not cooperate satisfactorily in the remediation or resolution of the noncompliance*”.

IAEA Comments/Highlights

In the Republic of Kenya, the training provided by RPB to all RPOs included spending one month at the Criminal Investigation Department of the National Police Service to get a Certificate in Investigation and Prosecution. RPOs who successfully obtained their Certificate were officially recognized as public prosecutors. An additional benefit of this training initiative was to broaden the RPOs awareness of enforcement activities to include topics such as forensics, the gathering of evidence, appearing as an expert witness in court and undertaking prosecutions.