



# THE SCIENCE OF ENVIRONMENTAL COMPLIANCE : EVIDENCE-BASED ACTIONS FOR EMIS

10TH ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT LEKGOTLA | 18 - 21 NOVEMBER 2024 | KZN

## Enhancing Integration Of Science Into Environmental Compliance Monitoring And Enforcement

**Are there any areas that we need to beef up to enhance our drive to integrate  
Science into Compliance & Enforcement?**



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# Difficult Task

- Involves:
  - Genuine introspection and honest feedback
  - To do justice to this assignment
    - Our approach was to undertake a small survey
      - We took a sample from:
        - Stalwarts,
        - Colleagues that are in the middle of the careers around 10 years of experience
        - Young professionals, 5 years and less
  - Rationale: to get balanced feedback



# Background

- Note:
  - This survey leaned more towards Compliance Monitoring within Infrastructure Planning and Development than Enforcement.
  - E.g. included Power supply/production Sector; Transport – Road, Rail, Air and Ports; Water Supply and Storage; Housing etc
  - More towards National and Parastatals Projects



# Outcomes

- Congratulate – Comprehensive Lekgotla
- Workshop being on relevance
- This might seem small but it means a lot to your clients and image
- I think some of your clients think compliance sector undertakes its business haphazardly.
- Cherry on top: Philanthropy
- In one country they had a slogan – Lepolesa Motswalle Mothusi.
- Literal translation – A policeman, A friend and the one that helps



## Outcomes

- Products
  - We need to ask ourselves whether
    - These products are clear and
    - They are specific
    - They are auditable
    - They are enforceable
- Experiences



## Outcomes

- Suggestions
  - Can Line Functions please consider the way they compile and approach authorisations:
    - Starting with how they name projects
    - Can they focus on what they are regulating e.g. listed activities
    - It is not about trying to catch everything
  - Line Functions please review your approach and the way we compile them



# Outcomes

- Internal Processes:
  - Templates:
    - Is the use of templates helping the cause or not?
  - Suggestions:
    - Not entirely
    - Guideline
    - Old Authorisations used as templates
    - In the line functions defence:
      - Workload
      - Pile of Brown folders
  - Why are you telling us about line functions duties



# Outcomes

- Internal Processes Cont.
  - Interactions
    - Is there enough interaction between Line Function and Compliance Monitoring?
    - If there is, but not formal, can it be formalized so that our authorisations improve?
    - Not formalized – Work Silos
    - Formalised – Implementers, Monitors and Enforcers can contribute to the growth and improvement of our service



## Outcomes

- Communication
  - Officials' Accessibility
  - Treatment towards Clients e.g. Practitioners is unpleasant
    - Should know the law
    - Forgetting that they did not write the law
    - Nor did they attend meetings/workshops that were created to discuss & draft the law
  - Lag between Inspections and outcomes of the inspections
    - Sometimes It takes years
    - Clean energy production facility – 2 years later
    - Plea: can we review the lag between inspections and outcomes



# Outcomes

- Communication cont.
  - Colleagues in the H2O –
    - Majority of the outcomes were pleading in terms of communication and accessibility
    - They cited common replies like " We are short staffed. There are only 3 case officers for this region. This is why we will schedule your meeting only in June @the time it is April"
    - Stability of the Electronic system. Sometimes it takes months
    - Hybrid System - Home & Office also presents challenges



## Outcomes

- Enforcement
  - Visibility
    - Due Diligence Space
    - Plea: Can they see more of your success stories celebrated
    - Mega Transactions - Local and International
      - Sometimes difficult to build cases to ensure compliance or to elevate risks associated with the Environment
    - Plea: Awareness!!! Awareness!! Awareness!! Even when the legislation around enforcement changes



# Outcomes

- Positive Feedback
  - Big ups to Compliance and Enforcement Awareness Initiatives/Session that are currently run for some parastatals e.g. Power producers, Transport Sector
  - They hope this will be extended to all clients
  - They say these have:
    - Fostered better understanding,
    - Created a platform where Applicants, Practitioners and Authorities can engage on the realities of implementation of the laws



# Outcomes


- They say:
  - They valued the sessions more because the approach was not top/down
- I suppose this feedback shows the value/significance of Image or perceptions
- Their plea is can we discuss the issue of 1 or 0 in scoring more as this becomes a challenge when you are a SECO monitoring and enforcing law on a daily basis in a sea with contractors, Engineers or all types, Labourers, Sub-Contractors, etc.
- I suppose this still talks to the image:
- **SECO, A friend and a Helper!!**



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