

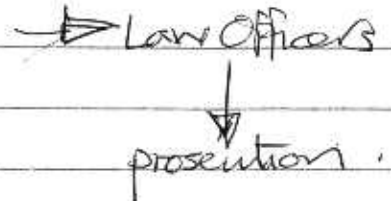
28/11/13.

# ENVIRONMENTAL POLLUTION TEAM



- Director - Environmental Protection
- Environmental Protection Officer

INTRO BY [REDACTED] INC. DEPT WIDE APPROACH.  
DIRECTOR FOR ENVIRONMENT



## Policies & Procedures

3 Docs

- Env & Pros Policy
- Internal guidance
- Code of decision to recommend prosecution

Not on website but, <sup>essentially</sup> public docs.  
Docs prepared alongside water pollution law  
then revised for in 2012/13. to catch more  
recent legislation

Agreed with AG, who commented in detail.

Consistency  
Proportionality  
Targetting.

Decision route is clear - recommendation  
for prosecution LoD final say.

EP provides evidential test / AG public  
interest test but can take advice from  
officers.

AG himself takes decisions.

Quarterly reporting to AG → any States Dept

with a regulatory function against another Dept must report to the AQ (just States Depts.)

REPORT AVAILABLE.

early 2000's

trading standards & tourism do the report.

AQ feeds back on the report.

- investigative interviewing  
- witness skills.

Enforcement Forum?

Not police officers so only come across enf. now and then

120 pollution incidents/year - duty team of 6.  
1 per year

Prosecutors - Parish Hall investigated? to avoid large case file like Fisheries.

Case file - [REDACTED] LEGAL ADVISOR

Engage LoD straight away - they demand gold star standard.

[REDACTED] HEAD OF WASTE REGULATION

[REDACTED] discussed with Constables. Only certain laws the constables can administer. (pass judgement).

In 2006 - handbook for Officers - translating the policies etc to practical everyday actions/tasks. Linked to <sup>standardised</sup> documentation that specifies laws and information etc.

Examination in detail of the law by EP staff. Understanding of the context and detail of the law.

What happens when phone rings? →

- ring ring - gather details about incident
- entered onto database on the

Pollution Incident Report → finalised with a recommendation and a conclusion - formalisation of closing the case. 3 officers to ensure consistency.

(Pocket Book use → training. record of pictures / sample / universal recording process)

Incident report of an MS Access.

- directory to photos - letters - mapping.

- Chain of custody for samples → analyst.

- Feedback to complainant - not necessarily into details - phone call usually.

- Jersey Water or anyone who may be affected (in manual).

- Polluter - contact e-mail / letter confirming advice of site.

General advice letter - on a template.

general advice / strong advice depending on severity of the case

templates not agreed with AG.

Attitude to <sup>investigation</sup> ~~approach~~ may ~~un~~influence the approach

CHECK SCHEME OF DELEGATION. # POLICY.  
# PROCEDURES.

No discussion with AG prior to serving notice.

Power for injunctions in Law.

Notice is last resort and hasn't been used.

Never used powers of entry as powers. ~~But~~  
Advice to use alternative route - police/  
warrant.

→ POWERS OF ENTRY  
POLICY.

Often 2+ officers for recording evidence.

~~Hold access to info~~ Aware of obligations  
to access to info and data protection.

No ~~formal~~ formal caseload management but  
feel able to escalate.

Prevention is key so enf prioritisation  
required so as to allow promotion of  
prevention.

Out of hours → expectations. Informal duty  
process - risk assessment etc. Policy being  
drafted - enf takes back seat.

Report Annually on cases pulled out of MS access.

Team approach to prosecutions  
Director involved - inc managing other teams