2017 Pacific Environment Forum

Connecting the Dots: Environment, Knowledge and Governance

Compliance and Enforcement

Monday 18th September 2017
Discussion Points:

- Reported Environmental Cases
- Upstream issues – Downstream Participant
Reported Environmental Cases:

- Regulatory Environment
- Relatively few *reported* cases
- The law as a deterrent?
  - Police v Faoa [2001] WSSC 6
  - Ryan v Bhardwaj [1999] WSSC 39
Police v Faoa [2001] WSSC 6

“it appears to the Court that what Counsel [for the Police] was really concerned about is that the imposition of a term of imprisonment in this case in addition to the prescribed fine of T$1,000.00, would be *too harsh*” CJ Sapolu
Reported Environmental Cases:

- Ryan v Bhardwaj [1999] WSSC 39
  - “Penalties which place some emphasis on deterrence are called for here”
    Justice Wilson
  - T$5k (1st def, an individual)
  - T$8k (2nd def, a multinational company)
Upstream issues – Downstream Participant:

Consultation Policy Bill

Legislation
Upstream issues – Downstream Participant:

Awareness Raising + Education + Enforcement = Compliance
Thank you

Q & A