



"The EMI Evolution: Unlocking the Potential"

*Environmental Compliance & Enforcement
Lekgotla 2013*

SUNDAY, 10 NOVEMBER 2013: ARRIVAL

MONDAY, 11 NOVEMBER 2013: TAKING STOCK AND MOVING FORWARD

TUESDAY, 12 NOVEMBER 2013: EMI SHORT COURSES/TEAMBUILDING

WEDNESDAY, 13 NOVEMBER 2013: PANEL OF EXPERTS VIEW OF THE EMI

THURSDAY, 14 NOVEMBER 2013: NATIONAL ENVIRONMENTAL CRIME FORUM

FRIDAY, 15TH NOVEMBER: DEPARTURE

VENUE: ARABELLA HOTEL AND SPA, KLEINMOND, WESTERN CAPE

**MONDAY, 11 NOVEMBER 2013: TAKING STOCK OF THE EMI
DAY COORDINATOR: MR SONNYBOY BAPELA (CHIEF DIRECTOR: COMPLIANCE, DEA)**

Session	Topic	Description	Presenters / coordinators	Scribes	Venue/ Scribe
8:30-09:00	Welcome and opening address		Ishaam Abader, DDG (DEA) and Piet van Zyl HOD (Western Cape)		Plenary
09:00 – 12:00	Feedback from all EMI institutions: Achievements and Challenges:	<p><i>Each EMI Institution will be given 15 mins to present a powerpoint presentation on:</i></p> <ul style="list-style-type: none"> • <i>EMI Capacity (human, financial etc);</i> • <i>Achievements (2012/13)</i> • <i>Challenges (2012/13)</i> • <i>Future priorities/plans</i> 	1.Frances Craigie, DEA (LACE); 2.Ken Maggs /Mario Scholtz (SANPARKS); 3.Thembi Buthelezi (Isimangaliso Wetland Park Authority); 6.Jonathan Denga (North-West DACE); 7.Eric Madamalala (North West Parks and Tourism); 8.Sanjay Dubru (Gauteng DARD); 9.Pamela Ntuli (Mpumalanga DEDET); 10.Phillip Monyepao (Limpopo EDET); 11.Jomo Mbatha (KZN DAEA); 12.Sifiso Keswa (KZN Wildlife); 13.Div de Villiers (Eastern Cape DEAET) ; 14.Werner Boing (Free State DTEEA) ; 15.Obopeng Gaoraelwe (Northern Cape DTEC); 16.Eshaam Palmer (Western Cape DEADP); 17.Paul Gildenhuys(Cape Nature).	Tandiswa Jacobs/Phillemon Mosana	Plenary
12:00 – 12:30	National Environmental Compliance and Enforcement	<i>Presentation will provide a broad overview of the NECER 2012/13 statistics, including the identification of positive/negative trends, comparison of performance, as well as information gaps.</i>	Mark Jardine, DEA	Tandiswa Jacobs/ Phillemon Mosana	Plenary

Report 2012/13		LUNCH 12:30 – 13:30			
13:30 – 14:30	National Environmental Compliance and Enforcement Strategy: Preliminary Findings of the Situational Analysis	<i>As a part of the development of the National Environmental Compliance and Enforcement Strategy, Environmental Counsel will provide the Inspectorate with an overview of the project status, as well as key issues emerging from the situational analysis.</i>	Jenny Hall, Benita Pavlicevic: Environmental Counsel		Plenary
14:30 – 16:30	Workshop A: Intelligent Inspections and Investigations: from Reactive to Proactive	<i>The success or failure of inspection or investigation programmes often depends on the preparation, information, prioritisation that occurs prior to the execution of these activities. The workshop will explore how the Inspectorate can become more proactive in detecting and responding to non-compliances.</i>	Eshaam Palmer (Western Cape); Nketu Lesejane (DEA)	Armstrong Simelane/ Luvania Naicker	Plenary
	Workshop B: Increasing the EMI Impact	<i>The impact of compliance and enforcement activities on the regulated community can often be optimised by unpacking the means to achieve our goals such as targeted training, communications strategy, effective stakeholder collaboration and exploring ways to get maximum compliance for least EMI intensive and individual input. This workshop seeks to uncover these critical measures and to explore ways in which the EMI's reach can be realised.</i>	Pamela Ntuli (Mpumalanga); Mark Jardine, Grant Walters (DEA)	Heloise Van Schalkwyk	Breakaway 1
	Workshop C: Oiling the EMI Machine: How to make your structure work for you	<i>Now that all environmental authorities have some level of EMI capacity, the next question is what structure, processes, and policies need to be implemented in order to operate an efficient and effective unit – the workshop will attempt to provide some answers.</i>	Jomo Mbatha (KwaZulu-Natal); Benita Pavlicevic: Environmental Counsel; Sonnyboy Bapela (DEA)	Boitumelo Mphelo/ Conny Seroba	Breakaway 2

	Workshop D: Environmental Compliance and Enforcement Information: What I need? Where do I get it from?	<i>Any environmental compliance and enforcement official requires information in order to execute their duties effectively. This workshop requires attendees to identify their information needs, what is in existence to meet their needs and what needs to be developed in the future, or what existing systems can be adapted to help EMIs in securing their information needs</i>	Lourens Badenhorst (Gauteng); Frances Craigie, Siphon Sibanyoni (DEA), Wayne Elrank (ECPTA)	Tebogo Makunyane/ Siphon Sibanyoni	Breakaway 3
	Workshop E: Understanding Compliance Promotion: the role of the EMI	<i>It is often said that compliance promotion should not fall within the scope of an EMI's functions, However, a successful compliance promotion programme can increase the levels of compliance without the need for traditional compliance and enforcement activities and should be part of any holistic compliance and enforcement strategy. The workshop will explore this concept; as well as promotion mechanisms, such as compliance assistance/disclosure and incentive programmes.</i>	Sabelo Malaza (DEA) Jenny Hall, (Environmental Counsel)	Rebecca Vukeya/ Mathanzima Nyambi	Breakaway 4

**TUESDAY, 12 NOVEMBER 2013: EMI SHORT COURSES/TEAMBUILDING
DAY COORDINATOR: MR MARK JARDINE (DIRECTOR: EMI SUPPORT, DEA)**

Time	Short Course	Content Overview	Coordinators/presenters	Venue
08:30-12:30	Shortcourse A: Using administrative enforcement mechanisms to tackle "green" non-compliances	<i>The brown and green environmental subsectors have historically been characterised by the use of either administrative or criminal enforcement mechanisms. The commencement of the Inspectorate has seen the beginnings of breaking through this barrier –however, this needs to be followed through and improved.</i>	Werner Boing (Free State), Frances Craigie, Cashandra Fredericks (DEA)	Plenary
	Shortcourse B: DNA	<i>Most EMIs may have heard of the DNA</i>	Jacques du Toit (DEA), Michelle van	Breakaway

	Barcoding Project: what value for EMIs?	<i>Barcoding Project, but are still a little uncertain of the potential benefits for law enforcement officials. This course seeks to build this knowledge, so that it becomes a valuable everyday resource for EMIs</i>	der Bank, Olivier Maurin, Ronny Kabonga (UJ), Colonel Gerhard Vermeulen (FSL SAPS)	1
	Shortcourse C: Use of GIS/GPS technology – How is the Inspectorate positioned?	<i>Although most EMIs have access to GPS/GIS technology through various mobile devices, only a few have used this type of information to optimise compliance and enforcement activities – this shortcourse will provide these officials to share some of the experiences.</i>	Robert Steggman (Eastern Cape), Grant Walters, Nicolene Fourie, Deon Marais (DEA), Lynton Twyman (GTI)	Breakaway 2
	Shortcourse D: Adapting to a dynamic legislative mandate: NEMA and SEMA update	<i>With the ongoing amendment to principal Acts and the promulgation of sub-ordinate legislation, it is often difficult for EMIs to keep up to speed with the laws they are mandate to implement. This shortcourse will provide an update on the most recent changes.</i>	Thomas Mbedzi, Sibusiso Shabalala, Radia Razack, Franz Scheepers, Khashiwe Masinga (DEA)	Breakaway 3
	Shortcourse E: Essentials of criminal investigations: getting the basics right	<i>Executing a few basic steps in the criminal investigation process can make or break an environmental case. The basic elements of docket management, statement writing and evidence handling are key to a successful investigation.</i>	Mario Schlotz (SANParks) Frikkie Rossouw (DEA), Dania Bruwer (NPA)	Breakaway 4
12:30-13:30 LUNCH				
13:30-15:00	Short Courses A, B, C, D and E continue			
15:30 – 17:30	EMI Sports Activities (Soccer, Touch Rugby, Volleyball): Achmad Bassier (Western Cape), Caesar Nkambule (DEA)			
18:00 ONWARDS: EVENING BRAAI AND SOCIAL				

WEDNESDAY, 13 NOVEMBER 2013: PANEL OF EXPERTS VIEW OF THE EMI

DAY COORDINATOR: MR SABELO MALAZA, DIRECTOR: COMPLIANCE, DEA, MR GRANT WALTERS, DEPUTY-DIRECTOR: ENFORCEMENT, DEA)

Session	Topic	Content Overview	Presenters / coordinators	Scribes	Venue
08:30 – 12:00	Panel Discussion: Is the EMI Evolving? Facilitator (Limpho Makotoko, DEA)		<ul style="list-style-type: none"> • SANRAL (Mogole Mphahlele) • ESKOM (Dave Lucas) • Centre for Environmental Rights (Melissa Fourie) • African Snake Bite Institute (Johan Marais) • Environmental Lawyer (Gregory Daniels) • Academia (Prof Loretta Feris UCT) 	Nketu Lesejane/ Wiseman Rikhotso	Plenary
12:00 – 13:30 LUNCH					
Crystalizing the EMI Challenges into Workshop topics					
13:30 – 16:30	Workshop A:	<i>Are we adequately capacitated to integrate the law and the science?</i>	Loretta Feris (Academia), Vanessa Maclou (KZN) and Werner Eiselen (DEA)	Jacquiline Nyathi/ Amstrong Simelane	Plenary
	Workshop B:	<i>Are we heading in the right direction? (Does the legislative reform process assist?)</i>	Gregory Daniels (Lawyer), Melissa Fourie (CER) and Sibusiso Shabalala (DEA)	Mathanzima Nyambi/ Nonhla Hlongwane	Breakaway 1
	Workshop C:	<i>Formulating qualitative indicators for reporting compliance and enforcement impact?</i>	Jenny Hall (EnviroCounsel CC), Limpho Makotoko and Sabelo Malaza (DEA)	Edward O Mahosi/ Mandla Mona	Breakaway 2
	Workshop D:	<i>Understanding other government imperatives (Environment protection versus Service Delivery imperatives?)</i>	Mogole Mphahlele (SANRAL), Grant Walters(DEA), Dave Lucas (ESKOM)	Ndivhuho Mudau/ TR Vukeya	Breakaway 3
	Workshop E:	<i>The great debate.... is the Rhino</i>	Div de Villiers (E Cape), Sifiso	Jafta	Breakaway

		<i>crisis the only crisis?</i>	Keswa (KZN Wildlife) and Johan Marais (ASBI)	Mofokeng and Phila Dlamini	4
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THURSDAY, 14 NOVEMBER 2013: NATIONAL ENVIRONMENTAL CRIME FORUM

DAY COORDINATORS: MS FRANCES CRAIGIE, MR SONNYBOY BAPELA, CHIEF DIRECTOR, ENFORCEMENT/COMPLIANCE, DEA

Session	Topic	Content Overview	Presenters / coordinators	Scribes	Venue
08:30 – 09:00	Opening of the National Environmental Crime Forum (NECF)		Ishaam Abader, DDG (DEA)	Varsha Naidoo	Plenary
09:00-09:30	NECF: what has been achieved since the last meeting		Frances Craigie (DEA)		
09:30 – 11:00	Achievements in the Investigation and Prosecution of Environmental Crime (specifically highlighting co-operation with other law enforcement stakeholders – joint operations etc.):		Dania Bruwer, NPA; ()SAPS; ()SARS; ()Justice College/JOASA		
11:00-12:30	Report back from provincial environmental crime forums on progress made		Waldo Smit (NPA) Div de Villiers (Eastern Cape) Achmad Bassier (Western Cape) Werner Boing (Free State)		
12:30 – 13:30 LUNCH/MEDIA BRIEFING/LAUNCH OF THE NECER 2012/13					
13:30 – 16:30	Workshop A: Streamlining the processing and sentencing of environmental prosecutions	Streamlining successful prosecution of environmental impact and pollution cases (aiming for higher penalties - Pollution, Waste and EIA cases)	Dania Bruwer, NPA; Phillip Monyepao (Limpopo) Eric Madamalala (NWPTA)	Ryno Serfonteion and Lucky Moja	Plenary

	Workshop B: Defining roles and responsibilities in Biodiversity Enforcement	Biodiversity Enforcement Mandate: sharing the responsibility Ports of Entry and Exit - finding the EMI space	()SAPS; ()SARS; Paul Gildenhuys (Cape Nature) Eugene Swart, Frances Craigie (DEA)	Bernard Ndou	Breakaway 1
	Workshop C: Local Authority EMIs: where to from here?	What direction to take post conclusion of Implementation Protocols and designation of local authority EMIs	Mark Jardine, Sonnyboy Bapela (DEA); Patience Makgoka (Limpopo) [] (Local Authority)	Neil Matthys	Breakaway 2
	Workshop D: Getting the Green Scorpions into the Blue Issues	Oceans and Coasts Enforcement Mandate - sharing the responsibility	Tandiswa Jacobs (DEA) (Carl Nortier)(SANParks) Obopeng Gaoraelwe (Northern Cape)	Conny Seroba	Breakaway 3
	Workshop E: Breaking the Boundaries	Bringing DWA, DMR and DEA closer (lessons learnt from sand mining blitz and planning future joint operations)	() (DMR); Wiseman Rikhotso, Grant Walters (DEA) ()(DWA) Waldo Smit (NPA)	Hendrick Manamela	Breakaway 4
18:30-20:30	a) EMI Parade: b) Opening Address:	<i>All EMIs line up in ranks in uniform and inspection by the Deputy Minister/DDG (DEA)</i> <i>Executive Mayor; MEC; (Starters) Chair of the Portfolio/Select Committee Minister/Deputy Minister (Main Course)</i>	Deputy Minister of WEA/Chair of the Portfolio Committee		Plenary

	c) EMI Awards Ceremony.	<i>Minister/Deputy Minister hands out EMI Awards of Excellence (Dessert/Music)</i>			
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