Environmental Enforcement Networks:
A Qualitative Analysis

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7 December 2010
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PRELIMINARIES

STATEMENT OF AUTHORSHIP

This thesis is submitted as partial fulfilment of the requirements for the degree of Master of Arts (Compliance) by course work. In submitting this dissertation, I declare that the report is the result of my own research. It does not contain any material which has been accepted for another degree in any university and to the best of my knowledge and belief, contains no material previously published, written, or produced by another person, except where due reference is made in the text.

Grant William Pink
ACKNOWLEDGEMENTS

This thesis would not have been possible without the support of many people. It is a pleasure to now be able to thank them and acknowledge their contribution and assistance.

Many years ago I was encouraged to ‘think about’ the benefits of tertiary education by a dear friend and two managers. To Haydn McComas, John Winkworth and Neville Matthew, collectively, I thank you for your interest in my professional development.

For indulging me throughout the initial incoherent ramblings, as the concepts for this work were taking shape, I thank Mike Tonge and James Lehane for their patience and understanding.

For navigating me through the initial academic considerations I thank my original supervisor Peter Roberts from Charles Sturt University. I also acknowledge the assistance provided by Kerrie Brown in relation to generating the many letters, associated with the research, that were required to be sent on University letterhead.

I thank the many colleagues, practitioners and academics, associated with networks around the globe that have assisted me throughout the research phase. I particularly thank those who are associated with AELERT, IMPEL, INECE and Interpol’s Environmental Crimes Committee. Your ongoing support and belief, that this was a relevant and worthwhile topic, provided me with encouragement, inspiration and motivation.

I thank Mike Tonge for his sage observations and comments on early drafts. He focussed my thoughts on the thesis at a critical time. I also thank James Lehane and Matthew Marshall for their assistance in proofreading the final drafts. Their comments, from very different perspectives, added clarity, and undoubtedly improved the final product.

It would have been next to impossible to complete this thesis without the help and guidance of Dr Hank Prunckun. He was my academic supervisor for all but the very preliminary stages. I sincerely thank Dr Prunckun for his academic supervision and support. His assistance enabled me to develop a greater understanding of the subject. Equally, I consider that his enduring sense of humour and perspective kept me focused on the task at hand.

My heartfelt gratitude goes to my family. Without their unyielding support and understanding, this academic and personal journey simply would not have been possible. To my wife Karen and son Samuel – I dedicate this to you.

However, any shortcomings remain mine and mine alone.
ABSTRACT

This study discusses the utility of environmental enforcement networks (networks). It considers the viewpoints of eight senior managers, from environmental enforcement agencies (EEAs), who represent seven countries and collectively are involved in fourteen networks.

Using a predominantly qualitative approach the study examined questionnaire and interview data relating to; the utility of sub-national, national, regional and global networks, and the strategies used by EEAs in order to increase the benefits derived from networks.

The study established that there is utility in networks across the countries and networks studied. It also identified that there are a range of strategies and activities used by EEAs to maximise the benefits of network engagement.

The study concludes with a number of recommendations that network members and their respective governing bodies may consider in an effort to maximise network benefits.
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<tbody>
<tr>
<td>AECEN</td>
<td>Asian Environmental Compliance and Enforcement Network</td>
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<tr>
<td>AELERT</td>
<td>Australasian Environmental Law Enforcement Regulators Network</td>
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<tr>
<td>ANECE</td>
<td>Arab Regional Network for Environmental Compliance and Enforcement</td>
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<tr>
<td>CAFTA</td>
<td>Central American Free Trade Agreement</td>
</tr>
<tr>
<td>CEC</td>
<td>Commission for Environmental Cooperation</td>
</tr>
<tr>
<td>CLAG</td>
<td>Combined Law Agency Group</td>
</tr>
<tr>
<td>EANECE</td>
<td>East African Network for Environmental Compliance and Enforcement</td>
</tr>
<tr>
<td>ECC</td>
<td>Environmental Cooperation Commission</td>
</tr>
<tr>
<td>EEA/s</td>
<td>Environmental Enforcement Agency/ies</td>
</tr>
<tr>
<td>EEN/s</td>
<td>Environmental Enforcement Network/s (also referred to throughout this paper as ‘network/s’)</td>
</tr>
<tr>
<td>ENDWARE</td>
<td>European Network of Drinking Water Regulators</td>
</tr>
<tr>
<td>EPA</td>
<td>Environment Protection Agency/ies or Authority/ies</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>HEEPA</td>
<td>Heads of European Environment Protection Agencies</td>
</tr>
<tr>
<td>IACP</td>
<td>International Association of Chiefs of Police</td>
</tr>
<tr>
<td>IMPEL</td>
<td>European Union Network for the Implementation and Enforcement of Environmental Law</td>
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<td></td>
<td>– (IMPEL-TFS) Transfrontier Shipment of Wastes Group</td>
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<tr>
<td>INECE</td>
<td>International Network for Environmental Compliance and Enforcement</td>
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<td></td>
<td>– (INECE-SESN) INECE Seaport Environmental Security Network</td>
</tr>
<tr>
<td>INTERPOL</td>
<td>The International Criminal Police Organisation, and derivatives:</td>
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<tr>
<td></td>
<td>– (Interpol ECC) Interpol Environmental Crimes Committee</td>
</tr>
<tr>
<td></td>
<td>– (Interpol ECP) Interpol Environmental Crimes Programme</td>
</tr>
<tr>
<td>IPPC</td>
<td>Industrial Pollution Prevention Control</td>
</tr>
<tr>
<td>MEN</td>
<td>Maghreb Enforcement Network</td>
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<tr>
<td>NAFTA</td>
<td>North American Free Trade Agreement</td>
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NECEMA  Network for Environmental Compliance and Enforcement in the Maghreb
NEEP    Northeast Environmental Enforcement Project
NRIG    Natural Resources Investigations Group
PIRSA   Primary Industries and Research South Australia
PWGEEC  Permanent Working Group on Environmental Enforcement Cooperation
REPIN   Regulatory Environmental Programme Implementation Network
RMCEI   Recommended Minimum Criteria for Environmental Inspections
SMN     Senior Manager National
SMP     Senior Manager Provincial
S-SANECE Sub-Saharan African Network for Environmental Compliance and Enforcement
SWOT    Strengths, Weaknesses, Opportunities, Threats (analysis of)
TEEN    The Environmental Enforcement Network (Ireland)
UNCED   United Nations Conference on Environment and Development
UNEP    United Nations Environment Programme
USEPA   United States Environmental Protection Agency
VROM    The Netherlands Ministry of Housing, Spatial Planning and the Environment
WEG     Wildlife Enforcement Group
WSP     Western States Project
CHAPTER 1

INTRODUCTION

BACKGROUND

PURPOSE OF THIS STUDY

This study examined the role played by environmental enforcement networks (hereafter networks)\(^1\) in respect to contemporary environmental compliance and enforcement. It also considered how environmental enforcement agencies (EEAs) are presently utilising networks. Finally, the study examined whether there is utility in these networks, and how EEAs might best engage with networks to achieve improved environmental enforcement outcomes.

CONTEXT

Since the early 1990s, there has been a discernible increase in society’s expectations in relation to the enforcement of environmental issues (Bricknell, 2010; Wijbenga, Ruessink, de Wit, & Kapitein, 2008). In response, with increasing frequency, governments have introduced environment protection legislation (Wolters, 2005). Environmental issues have been exacerbated by the fact that the public is less tolerant of artificial border demarcation issues and they expect a seamless whole-of-government, regional, or even global response as is appropriate. Historically, the responsibility for administering (including the enforcement aspects of) environment protection legislation has resided with agencies that have hitherto been policy and program focused. Senior executives within Australian environmental enforcement agencies suggest that some agencies have struggled to transition to their new enforcement roles.\(^2\) This viewpoint is shared by Bricknell who states that ‘... agencies who only recently adopted the mantle of regulator are still negotiating the regulatory culture’ (2010, p. 114).

It is recognised that there are universal challenges associated with institutional capacity when considering enforcement activities (Farmer, 2007; Pink, 2008; Van der Schraaf, 2008). However, it is considered that there are greater and more unique challenges associated with environmental enforcement (White, 2008; Wijbenga et al, 2008). One important challenge arises because environment protection legislation (by its nature) is relatively novel, with most of it being introduced during the last 40 years and especially so during the last 10 to 20 years\(^3\) (Bates, 2006; Du Rées, 2009). Consequently, environment protection legislation does not have an extensive body of case law (Reeve,

\(^1\) Network/s refer to environmental enforcement network/s unless otherwise stated.
\(^2\) Early, G. personal communication 8 April 2009 and Mathew, N. personal communication 27 May 2008.
\(^3\) This is mirrored by the proliferation of international agreements, conventions and treaties relating to the environment and environment protection. With the Environmental Treaties and Resources Indicators (ENTRI) website, containing in excess of 100 agreements commenced since 1989. See http://sedac.ciesin.columbia.edu/entri/treatyTexts.jsp.
2002) or common law (Bates, 2006) behind it, both of which assists in interpretation\textsuperscript{4} and application, and are considered critical enablers to effective enforcement. In respect to the enforcement of environment protection legislation, it is not always the case that responsibility falls to thoroughly experienced and competent law enforcement agencies or existing EEAs in the environmental field. Instead, due to factors such as changes in government, portfolio reshuffles and agency mergers, enforcement of environment protection legislation is increasingly being undertaken by emerging or less experienced EEAs who are not yet completely competent environmental enforcers.

**GENESIS OF ENVIRONMENTAL ENFORCEMENT NETWORKS**

Understandably, in light of the above, a number of risks and concerns exist when enforcement responsibility of environment protection legislation falls to emerging and maturing EEAs. Not surprisingly, over the last 20 years, these agencies have acknowledged that they lack the necessary ‘regulatory acumen’\textsuperscript{5} (Du Rées, 2009, p. 641) to undertake their new enforcement activities. Additionally, these agencies have tended to lack staff with the necessary skills, knowledge and experience to perform enforcement activities (Farmer, 2007; Pink, 2008).

Given their newly emergent and rapidly developing operating environment, these agencies have encountered difficulty in identifying and establishing appropriate contacts and information sources (Farmer, 2007). As a result these agencies have had to look to others for assistance. Peer contacts typically provided assistance in relation to identifying relevant sources of information and avenues for capacity building, both of which in turn enable delivery upon what are recently acquired enforcement obligations, leading to the rapid and disparate establishment of various networks in environmental regulation. These networks incorporated various levels of representation and membership across entities which were local, sub-national, national, regional, and global. The networks also differed in terms of formality ranging from informal, semi-formal and formal (Farmer, 2007).

**RATIONALE**

**SOCIAL, ECONOMIC AND ENVIRONMENTAL INFLUENCES**

The last twenty-five years have seen the proliferation of networks (Farmer, 2007; Kaniaru, 2002). Given the increasing importance of the environment as a topic within social, economic and political spheres, the reliance on networks within the area of environmental enforcement is not expected to diminish — in fact the opposite may be

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\textsuperscript{4} Bates (2006) outlines definitional issues (such as *significant impact*) which are specific to environmental prosecutions.

\textsuperscript{5} With ‘regulatory acumen’ described as involving a combination of both awareness and practice.
true. As such, it is timely that the utility of networks be considered, and moreover that thought be given to how EEAs can best utilise them to achieve improved environmental enforcement outcomes.

The literature indicated that networks varied in their makeup and operation (Farmer, 2007; Fleming & Wood, 2006). These factors affect the usefulness that can be drawn from networks but also highlight the areas of strength networks possess and can offer members. Sourcing data on the utility of networks individually and as a collective allows for a potential improvement in environmental enforcement outcomes.

The literature relating to networks has predominantly focused on what might be considered to be the why aspects of association. That is, why should EEAs utilise networks? Also, intermingled and discussed to varying degrees are allied aspects of who (membership), what (issues), where (geographically) and when (frequency). However, very little has been written on the how. That is how EEAs might derive optimal benefit from or through association with networks.

However, the review of the literature failed to find any documented policies on how agencies engaged with, supported and managed their association with networks.

These considerations therefore, formed the rationale for this study.

RESEARCH QUESTION

In summary, the matter under investigation can be stated as follows: is there utility in environmental enforcement networks? Then if so, how can environmental enforcement agencies maximise the benefit they derive from their involvement with environmental enforcement networks?

APPROACH

This study took a primarily qualitative approach in examining both the utility of networks and the strategies used by EEAs and EENs to increase the benefits derived from networks. Thematic analysis was used to collate the expert opinions of key informants before an analysis of strengths, weaknesses, opportunities and threats (SWOT) (Heldon, 2009; Prunckun, 2010) was used as the basis for discussing the ramifications of these issues. This discussion was then used as the reasoning for making the recommendations.

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6 As an example; when launched in 2004 the Australasian (then Australian) Environmental Law Enforcement and Regulators netWork (AELERT) was a sub-national network with five founding member agencies. In 2008, with the inclusion of several New Zealand member agencies, AELERT became a regional network with 38 member agencies. By 2010 AELERT had grown to include 70 member agencies. See http://www.aelert.com.au/?page_id=660.

7 Wolcott defines a key informant as 'an individual in whom one invests a disproportionate amount of time because that individual appears to be particularly well informed, articulate, approachable or available' (1988, cited in Punch, 2005, pp. 183-184).
CHAPTER 2  
REVIEW OF LITERATURE  
INTRODUCTION  
The review commences by outlining the broader application of networks in the public sector. It then moves to consider with greater specificity environmental enforcement networks which have emerged and form part of contemporary environmental enforcement efforts.  
The review outlines particulars from a broad range of literature including the historical, academic, and theoretical. The review also refers to a body of literature which tangentially considers policy networks. It concludes with contemporary material resulting from the interaction between academics, the public sector and environmental enforcement practitioners, who make recommendations for how networks might be more effective.  
NETWORKS AND NETWORKING IN THE PUBLIC SECTOR  
The public sector reforms of recent decades have resulted in greater demands and expectations being placed upon governments. Governments are now expected to be more outwardly focussed (Tiernan & Althaus, 2005), outcomes based (Atkins, 2005), and operate more collaboratively (Winkworth, 2006).  
It is also the case that both managerialism and globalisation have resulted in public sector managers, together with the services they provide, being subjected to international benchmarking (Tiernan & Althaus, 2005). Irrespective of whether the government is referred to as interconnected (Atkins, 2005), connected, seamless, joined-up (Crowley, 2004) or integrated – they are all terms which incorporate the concept of managing our³. In practice, managing out predominantly occurs through partnerships, and it is Fleming and Wood (2006) who suggest that ‘... [p]artnerships, formal or informal, represent the ‘bones’ of the network’ (p. 47).  
ENVIRONMENTAL ENFORCEMENT NETWORKS  
The literature indicates that networks have been established and utilised in ever increasing amounts over the last twenty-five years (Farmer, 2007; Kaniaru, 2002). The environmental enforcement field like much of public administration relies heavily on networks especially as the field does not, relatively speaking, have great depth in terms of history, precedent and legal principles. This reflects the rapidly increasing importance of environmental issues within contemporary cultural, political and economic dialogues.

³ Managing out in the context of public sector management relates to managing relationships with individuals and organisations external to an agency. These typically involve customers, clients, stakeholders, and for the purpose of this study would include partner agencies, co-regulators and networks. See Tiernan & Althaus (2005).
There are several factors which are expected to contribute to the continued reliance (if not interdependence) on networks by EEAs, they are the nature of the problem and the makeup of the organisations themselves.

Considering the nature of the problem first: environmental enforcement issues have been variously associated with terms such as ‘wicked problems’ (Australian Public Service Commission, 2007; Rittel & Webber, 1973, p. 161) and ‘wicked issues’ (Shergold, cited in Briggs, 2006, para. 10). Hyperbole aside, Williams (2006) also notes that they are problems that ‘… cannot be resolved by organisations and agencies acting autonomously, but rather needs concerted focus and action across all sectors’ (p. 254).

In relation to organisations, Fleming and Wood (2006) are of the mind that organisational requirements, international diplomatic relations and global environmental crime all provide the necessary environments within which networks are established. This is supported by Raab and Milwaard (2003), who state that;

... the general literature on networks tends to take a positive view with respect to the necessity - as well as the potential - of collaborative approaches to public-sector governance. Networks are seen as superior to hierarchies in tackling the wicked problems that fall outside the mandate of any one public sector organisation (cited in Fleming & Wood, 2006, pp. 251-252).

However, Williams (2006) suggests that whilst the rate of establishing networks increases ‘[t]he establishment of effective and participatory evaluation frameworks and new forms of collaborative accountability structures needs greater attention’ (p. 260). As such, it is timely that the utility of networks is considered and moreover that thought is given to how EEAs can best utilise networks to achieve improved environmental enforcement outcomes.

ENVIRONMENTAL ENFORCEMENT NETWORK LITERATURE

The available literature covers a broad spectrum, from the historical, academic and theoretical to the more contemporary. The current academic literature focussed on the justification for or the historical causes of networks, whilst the contemporary sources, informed by the experiences of practitioners from EEAs, focussed on the benefits available through networks.

The review initially focussed upon locating the significant works relating to networks more broadly. On first consideration, the information on networks tended to include aspects which were associated with facilitating access to individuals and entities on matters relating to information, skills and knowledge. These issues were comprehensively addressed by Rhodes (2000 & 2006), Williams (2006), and Scholz & Wang (2006). They covered concepts such as coordination, service delivery and ownership (Rhodes, 2006) and the transition from bureaucracy to contracts to networks, joined up government and cross
cutting frameworks (Williams, 2006), together with the effectiveness of networks\(^9\) (Scholz & Wang, 2006).

Considered next as part of the review was an anthology of material, which generally speaking was developed by or through practitioners and networks or by academics associated with networks. The works of Farmer (2007), Raustiala (2002), Slaughter (2004a; 2004b), and Zaelke, Kaniaru and Kružiková (2005a; 2005b) are now considered in greater detail.

In *Making Law Work* Zaelke *et al* (2005b) suggest that:

> ... [t]he lack of meaningful enforcement and compliance has often been seen as one of the greatest weaknesses of international law, and international environmental law in particular, but new models of cooperation present great promise for effective international action (p. 383).

Zaelke *et al* (2005b) continue suggesting that beyond the formal international treaties and conventions, much is done in regard to environmental law enforcement through "... global webs of ‘transgovernmental networks’" (p. 383). Network is also considered to be a simple concept, being described as a form of cooperation involving governments or government officials operating without a formal treaty or international institution.

Similarly Raustiala (2002) suggests that, networks enhance treaties and fill gaps where there are no treaties and facilitate negotiations for future treaties. Not surprisingly, Zaelke *et al* (2005a) consider that networks offer greater flexibility and efficiency:

> ... [b]y working directly peer-to-peer, transgovernmental networks can quickly disseminate and distil information, enhance enforcement cooperation, harmonize laws and regulations, and address common problems from a shared perspective shaped by experience and expertise (p. 28).

Network capacity is drawn from the strengths of its members. However they also contain the shortfalls of all of their members, as Slaughter points out a network ‘... is only as strong as its weakest link’ (2004a p. 57). One of the challenges of increased network utility is identifying and addressing these shortfalls. It is no surprise then that capacity building is considered a critical function of networks (Zaelke *et al* 2005b).

Slaughter (2004b) suggests that given that organised crime operates through ‘global networks’ (p. 387) it is appropriate that governments similarly coordinate their efforts. Slaughter considers that ‘... government networks are a key feature of world order in the twenty-first century, but they are under appreciated, under supported, and underused ...’ (p. 387) when it comes to global enforcement efforts.

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\(^9\) It was policy networks that were the focus of the Scholz and Wang research.
There is general discussion on the aims and objectives of networks, which are shaped by ‘... subject area, membership, and history, but taken together, they also perform certain common functions’ (Slaughter, 2004b, p. 389). With common functions including expanding regulatory reach, building trust and establishing relationships among the participants, exchanging information, developing databases and best practices, and offering technical assistance and professional socialisation to members.\(^\text{10}\)

In much the same way, and broadly commenting on involvement within networks, Raustiala (2002) suggests that networks are characterised by extensive sharing of information, coordinating enforcement efforts, and joint policy-making activities. Noting that ‘... [t]hese activities plausibly exhibit network effects: the more regulatory agencies that participate in coordinating and reciprocating enforcement efforts, for example, the better off are all the other agencies’ (p. 412).

The mission statements of networks contain information about their respective focus and goals. Notwithstanding, the literature established that there are a number of characteristics which, broadly speaking, appeared common to networks. In relation to the issues under investigation, these characteristics include:

- building relationships and strengthening capacity across jurisdictions;
- sharing of information and experiences;
- raising awareness and improving environmental compliance and environment efforts; and
- developing consistent and standardised practices and procedures to support implementation of environmental enforcement.\(^\text{11}\)

There is also recognition that ‘... [e]nforcement networks typically spring up due to the inability of government officials in one country to enforce that country’s laws’ (Slaughter, 2004b, p. 395). Steiner (2007), the Executive Director of the United Nations Environment Programme (UNEP), similarly notes that:

... cooperation occurs only when diverse national interests converge, participating officers have been able to step outside narrow national boundaries, understand each other’s issues ... (p. 2).

This is reinforced by Farmer who in his book, *Handbook of environmental protection and enforcement: Principles and practice* (2007), sets aside a chapter on Networking,\(^\text{12}\) discussing this issue thoroughly. In fact Farmer has considered all of the

\(^{10}\) More broadly and practically it is recognised that networks are also used to build capacity (through cross-pollination, standardisation of training, and sharing development costs [this has been the AELERT experience]. There may also be a ‘peer pressure’ factor in some cases, which creates an imperative for jurisdictions to ‘keep up with the Jones’ and also drag developing jurisdictions along.

\(^{11}\) As an example, refer to the purpose and mission statements of the following networks AELERT http://www.aelert.com.au, INECE http://www.inece.org, and TEEN http://www.enforcementnetwork.ie.

\(^{12}\) See Chapter 9 - Networking, pp. 249-262.
issues concerning networks more comprehensively than any other in terms of the environmental context. As such he is currently unique in that respect. His text constitutes the prime source within the literature review and is used extensively throughout the paper.

Networks should not be seen as the panacea for all matters environmental enforcement. Instead there is much work to be done to ensure that there is transparency and accountability within networks, an aspect which is addressed by incorporating governance and reporting frameworks into networks (Slaughter, 2004a & Raustiala, 2002).

Kaniaru (2002) details the history and development of networks. He cites the United Nations Conference on Environment and Development (UNCED) which took place in Rio de Janeiro, Brazil in 1992, and more specifically Agenda 21,13 as a partial cause or spur for the growth and establishment of environmental networks. Kaniaru outlined how Chapter 38 of Agenda 21 (in what is referred to as ‘the Rio Declaration’) for the first time recognised ‘... the importance and the role played by international institutional arrangements in the integration of environment and development issues at national, sub-regional, regional and international levels’ (p. 52). Kaniaru considers that greater collaboration and coordination of activities has the advantage of ensuring that limited and disparate resources are used effectively to avoid waste and duplication. However, Kaniaru notes that associated with greater coordination that there is a critical need for focal points and/or persons designated within many of the institutions and networks to ensure smooth flow of data and information’ (2002).

Whilst a great deal has been written promoting the value and benefits of networks, they are not without downsides or challenges. Anecdotal experience has in part provided the impetus for this study. In the last three years, the author has had discussions with many network members, office holders and partner organisations,14 from which he has inferred there is the sense that networks:

- require a strong ongoing secretariat;
- require ongoing commitment and leadership (which frequently falls to an energised few);
- are reliant upon ad hoc resources from disparate sources (which tend to involve a disproportionate resource burden on some members);
- lack enforceable governance arrangements; and
- involve a transitory (and at times non-representative) membership drawn from a variety of government and non-government organisations (often with vastly competing interests).

13 The UNCED is also referred to as the World Summit on Sustainable Development and Earth Summit. It is also where the Rio Declaration containing Agenda 21 was drawn up.
14 Including: Greg Sullivan, Chair AEERT (Hobart, Australia, August 2007), Gerard Wolters, Co-Chair INECE (Cape Town, South Africa, April 2008), Andrew Lauterback, Chair INTERPOL Environmental Crimes Committee (Lyon, France, October 2008), and Theodore ‘Ted’ Greenberg, Senior Money Laundering Specialist, the World Bank (Wollongong, Australia, February 2010.)

As mentioned, in his chapter on Networking, Farmer (2007) describes the structure and function of six more formally established networks of varying ages. More specifically he details the development, growth, activities, management and general functioning of the following networks:

- INECE (the International Network for Environmental Compliance and Enforcement);
- IMPEL (the European Union Network for the Implementation and Enforcement of Environmental Law);
- CEC (the Commission for Environmental Cooperation);
- AECEN (the Asian Environmental Compliance and Enforcement Network);
- REPIN (the Regulatory Environmental Programme Implementation Network); and
- MEN (Maghreb Enforcement Network).\(^{15}\)

Farmer (2007) concludes with a checklist for EEAs that are already participating in networks and suggests how EEAs can maximise their benefit from such association. It also provides a prompt for those EEAs who are contemplating participating in networks. The Checklist, asks:

1. Has the environmental enforcement authority a designated person responsible for coordination with the network?
2. Is it responsible for part-funding of network activities and, if so, is this fully incorporated in relevant financial planning?
3. Are effective mechanisms in place to identify staff members who might most effectively participate in relevant network activities; and
4. Are effective mechanisms in place to disseminate the results of network activities to those in the environmental enforcement authority who would benefit? (p. 262).

The questions raised by Farmer, highlight the importance of Anderson’s viewpoint where he suggests that:

... it is important to differentiate between the potential opportunities that social networks provide and realised opportunities (Adler & Kwon, 2002). If network structure is viewed as providing opportunity, then a key research question involves better understanding the characteristics that affect actors’ abilities to realize this opportunity (2008, p. 54).

\(^{15}\) The MEN, has since been renamed, and is also known as NECEMA (see Table 8).
Given the above, and the gap in the research, this study explored the utility of networks by assessing how they are utilised, considering how maximum benefit might be realised and identifying what, if any, policy implications a change in network engagement would require of agencies.

**MEASURING THE EFFECTIVENESS OF NETWORKS**

As mentioned previously, little has been written in relation to measuring the effectiveness of networks. As such, it was necessary to consider the related research conducted by Pope and Lewis (2008) which involved extensive\(^{16}\) research into partnerships between local structures in the state (province) of Victoria in Australia. As part of the research:

... interviewees were asked about: 1) their relationship with each of the other partners (including what was good at what was bad); 2) organisations or people that should have been involved that were not; 3) the biggest successes or achievements that had resulted from the partnership (if any); 4) what had helped them what had hindered the partnership’s work; 5) what could have been done better; 6) what lessons they had learned that could be translated elsewhere; and 7) sustainability (of the partnership activities or its outcomes) (p. 447).

The research identified two significant aspects. One related to the characteristics of effective partnerships whilst the other suggested there were certain aspects that underpin effective networks. These issues are now considered in greater detail.

In relation to the characteristics of effective partnerships, Pope and Lewis considered that:

... seven [of the 10] partnerships were deemed effective to varying degrees, based on the criteria that: 1) the partnership was performing well as a governing entity ... 2) best decision-making resulted; and 3) desired outcomes were achieved ... (2008, p. 47).

They continue and outline certain aspects that provide support to and underpin effective networks, these include:

1. A good facilitator, referred to as a good broker;
2. Having the right decision-makers, with a commitment to contribute, at the partnership table;
3. Having a clear purpose with a well articulated vision and objectives;
4. Having good processes for running meetings, creating work plans and documenting activities; and
5. Finding ways to keep people motivated and stay involved.

The Pope and Lewis findings were used to shape and inform the survey and interview questions for this study. It was considered these aspects were as useful in assessing the effectiveness of networks as they were for assessing partnerships.

\(^{16}\) Their research involved interviewing some 120 participants and reviewing 10 local structures (or networks).
LACK OF AGENCY POLICY POSITION ON NETWORK INVOLVEMENT

As was the case in measuring the effectiveness of networks, little has been written on the policy position of agencies in respect to their engagement with networks. Anecdotally the author is aware that the issue and desire for a policy position is discussed amongst practitioners and network office holders. However, thus far policies have not developed for how key agency staff or network office holders give effect to their network roles, beyond what are rudimentary aspects contained within position or job description documents.

It therefore became clear that there was a dearth of documented policy concerning how agencies become involved with networks, measure the value they derive from the association, assess the effectiveness of the association and support networks.

CHALLENGES ASSOCIATED WITH NETWORKS

Fleming and Wood state that ‘... [n]etworks can be insular, difficult to penetrate and at times, unaccountable for their actions’ (2006, p. 3). They also suggest that networks ‘... can be conflictual on a number of levels and can be difficult to coordinate’ (p. 3). These observations are consistent with the experiences of practitioners involved in IMPEL-TFS17 who, during the Conference of the Parties meeting in Geneva in September 2007, detailed the following as weaknesses of their network:

- It depends too much on resources of individuals (not imbedded in organizational structures);
- [There is] [n]o system for prioritising yet; therefore no focus on programming;
- Further progress depends totally on annual conference; [and]
- Its links with other organisations could be stronger (Basel website, n.d.)

Fleming and Wood also raise concerns around network resourcing and governance. They note that networks, like all other resource allocation mechanisms, are not cost free and are often closed to outsiders. The result being that networks can appear to be unaccountable for their actions, furthermore they:

... can generate conflicts: between individual and organisational commitment; between local and national public expectations; between flexibility and rules; and between work goals and national regulators. They can be difficult to steer and they can mix with other governing structures like oil and water (Fleming & Wood, 2006, p. 20).

SUMMARY AND CONCLUSION

Not unexpectedly, the review of literature indicates that there are advantages and disadvantages associated with using networks. However, consistent with the aim of this study, it has confirmed that little academic writing was concerned with evaluating the

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17 IMPEL-TFS (IMPEL is the European Union Network for the Implementation of Enforcement of Environmental Law – whilst TFS relates to one of its cluster groups, which are project and activities focused, and in this instance its focus is on Transfrontier Shipments of Waste) is an informal network established in 1992.
utility of networks and equally that there is little (if any) documented policy relating to how agencies engage with networks. The literature implied that involvement, value, effectiveness and support for networks were interrelated when assessing the overall utility of networks.

This was also the case in respect to partnerships, Pope and Lewis (2008) noted that the various partnerships are widespread but that evaluating them is complicated. As such this study leveraged off their earlier research which focused on measuring the effectiveness of policy networks. This is considered appropriate as practitioners and managers need evaluation information to assess:

... 1) whether a partnership is performing well as a governing entity; 2) whether better decision-making resulted than would have been possible through the actions of single organisations (the ‘value-add’); and 3) whether desired outcomes were achieved (p. 443).

In respect to networks Jessop (2000, cited in Williams, 2006) suggests that their effectiveness can be constrained by a number of reasons, including;

... balance[ing] cooperation and competition because organizational self-interest is still heavily engrained in the system despite the mantra of partnership working, and also to recognize that over collaboration can result in ‘groupthink’ which stifles innovation, adaptability and learning (p. 264).

Williams (2006) also points out an additional dilemma for networks whereby they need to find the balance between efficient governance (prescribed by set rules and operating systems) with the need to remain flexible and to act within an informal network. This echoes the earlier remarks of Rhodes who suggested that networks struggle to deal with problems associated with co-ordination, mixing government structures, and ownership (2006).

Accordingly, the concerns of IMPEL are relevant here. As are the observations of Primary Industries and Research South Australia (PIRSA) which has compiled a checklist for maintaining effective networks:

- Networks that survive and thrive avoid:
  - Reliance on a single individual to drive or co-ordinate them – the group has ownership.
  - Dominance by a larger or more powerful partner.
  - Decision making processes that leave room for splinter groups or disaffected individuals to “go feral” and undermine activities.
  - Allowing those with strong personalities or egos to redefine the agenda.
  - Discussion without resolution or agreement to proceed to action (PIRSA, n.d., p. 2).

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18 In this instance Jessop refers to networks as an ‘emerging governance system’.
CHAPTER 3

METHODOLOGY

DESIGN
A mixed method approach was used as part of an exploratory study to examine how networks were used, and their perceived utility from the perspective of a small sample of senior managers\(^{19}\) from national and sub-national EEA\(s\) (hereafter referred to as key informant/s). The key informants were identified through purposive sampling (Kuzel, 1992 & Morse, 1989, cited in Miles & Huberman, 1994; Strauss, 1998). The purposive approach sought to ‘... identify specific groups ... [who] possess characteristics or live in circumstances relevant to the social phenomenon being studied’ (Mays & Pope, 1995, p. 109).

Data were collected directly from key informants in two phases. The first phase involved a questionnaire with the data subjected to thematic review. The second phase involved a semi-structured interview with the data also being subjected to thematic review followed by a more detailed analysis of the strengths, weaknesses, opportunities and threats (SWOT) of network engagement. This analysis then informed the reasoning for the development of a suite of policy recommendations for consideration by EEAs to assist them in gaining greater benefit from their association with networks.

MATERIALS
The data were collected via questionnaire followed by an in-depth semi-structured interview. All questions were formulated based upon the theoretical framework established in the literature review (Wisker, 2008). The questions were subsequently structured to obtain the expert opinions of the key informants in relation to the research questions.

The questions were piloted and refined on a small group, not involved in the research, which had similar backgrounds to those of the key informants. The piloting of the questions clarified any ambiguity, bias, and ensured that the questions were clearly understood and collected information which was relevant to the study (O’Leary, 2004).

QUESTIONNAIRE
The questionnaire involved asking eight key informants nine closed or short-answer questions (O’Leary, 2004) specifically designed to elicit information relating to:

- the number and nature of the networks that a particular agency was actively associated with;
- the main benefits and challenges encountered through an agency’s association with various networks;

\(^{19}\) Senior managers in this study spanned the upper to very senior levels of management within the agencies they represented.
• an assessment of return for effort expended;
• how information from the network is made available to agency staff and their level of understanding of the network; and
• the level of support provided by an agency to networks.

In this phase most of the questions offered responses utilising a five point Likert-scale\(^{20}\) (Singleton & Straits, 2005), while others sought illustrative responses. A copy of the questionnaire is attached at Appendix F.

INTERVIEWS
The interview involved asking the same eight key informants six questions specifically designed to elicit more detailed and comprehensive information than that obtained in the questionnaire. More specifically, the interview questions were semi-structured in nature, which facilitated a more conversationalist style that enabled the acquisition of more detailed and comprehensive answers (O’Leary, 2004; Wisker, 2008) which sought specific examples of:

• the benefits of networks;
• the challenges of networks;
• the strategies employed by agencies to derive enhanced benefits from networks;
• the strategies employed by networks to provide greater benefits to members; and
• general advice that might be of use to those considering involvement in networks.

This phase sought more illustrative responses based on experiential learning and observations. A copy of the interview questions are attached at Appendix G.

The rationale for taking this approach was that the key informants represent a substantial level of experience and expertise best elucidated through direct questioning. Also, given the standing of the key informants much of the subsequent study constitutes an organisation and synthesis of the key points they raised.

FOCUS OF DATA COLLECTION
Both the questionnaire and interview focussed on collecting information across four broad areas referred to as involvement, value, effectiveness and support for networks. It was considered that these four broad areas assisted in addressing the research questions. See Table 1.

\(^{20}\) A Likert scale consists of a series of responses to statements where respondents are asked to indicate their level of agreement or disagreement.
Table 1: Focus of Data Collection – Four Broad Areas

<table>
<thead>
<tr>
<th>Area</th>
<th>Collection Method</th>
<th>Questionnaire</th>
<th>Interview</th>
</tr>
</thead>
<tbody>
<tr>
<td>Involvement</td>
<td>Q1</td>
<td></td>
<td>(Q5* &amp; 6*)</td>
</tr>
<tr>
<td>Value</td>
<td>Q 2, 3 &amp; 4</td>
<td>Q 1, 2 &amp; (Q5* &amp; 6*)</td>
<td></td>
</tr>
<tr>
<td>Effectiveness</td>
<td>Q 5, 6 &amp; 8</td>
<td>Q 3 &amp; 4 (Q5* &amp; 6*)</td>
<td></td>
</tr>
<tr>
<td>Support</td>
<td>Q 7 &amp; 9</td>
<td></td>
<td>(Q5* &amp; 6*)</td>
</tr>
</tbody>
</table>

Key: * Question 5 and 6 of the interview provided participants with the opportunity to make wide-ranging and encapsulating comments across any one of the four broad areas.

PARTICIPANTS

Given the focus of the study, senior managers from national and sub-national EEAs were sought as key informants. They initial group of key informants were selected using a purposive (or deliberate sampling) approach (Punch, 2005) based upon existing professional relationships with the author. Additional participants were identified and became involved through referral using a snowball data collection technique (Singleton & Straits, 2005).

Purposive sampling provided a means of sampling with the specific purpose and focus of this study in mind, without suggesting or intending that the findings would be representative of some larger population (Punch, 2005). The result being, the key informants were sourced from Australia, Canada, Ireland, Netherlands, New Zealand, United Kingdom and the United States of America.

Of note, all key informants had direct environmental compliance and enforcement responsibilities, and performed a formal role within a network. They were well placed to provide information relevant to the research question, as collectively they have contributed, participated in and gained experience from:

- seven countries;
- eight agencies;
- fourteen networks (covering those that are sub-national, national, regional and global); and
- association with networks that have been established for between six and twenty-five years.

More specifically, the demographics of the key informants were:

- Gender – two female and six male;
- Age – ranging from approximately thirty-five to sixty years;
- Years in government service – ranging from approximately ten to forty years; and
• Years occupying an office holder role in a network – ranging from three to twenty-two years.

PROCEDURE

Contact was made with the nine possible key informants in the form of an introductory email. This email provided an overview of the nature and scope of the research and it sought to determine whether the key informants were interested in receiving more information on the proposed study, and/or, being a key informant. Whilst it was necessary to personalise these emails to some extent, a redacted version typical of the content of these emails is attached at Appendix A.

Of the nine possible key informants contacted all indicated a preparedness to either be involved in the research or were interested in receiving further information. Accordingly, all nine were provided a formal letter on university letterhead (Appendix B) attached to which was a copy of the Charles Sturt University’s Human Research Ethics Committee approval (Appendix C), information sheet (Appendix D), consent form (Appendix E), and questionnaire (Appendix F).

Eight of the nine possible participants completed the questionnaire and returned the consent form necessary to be a part of the interview process. Following the questionnaire, the eight participants were supplied with the interview questions in advance of the interview. The interview questions augmented the information provided in the questionnaire and sought more detailed and experiential information. Key informants had access to the questions prior to the interview in order to consider their answers and so provide reasoned and comprehensive information. The interview did not require ad hoc responses. See Appendix G for a copy of the interview questions.

All of the interviews were conducted by telephone and occurred between January and April 2010, at a time convenient to the participants. The interviews were recorded on a digital recorder and all were approximately forty-five minutes in duration. Although permission to record the interviews was addressed as part of the initial consent process it was confirmed orally immediately prior to the commencement of the interviews.

The interview responses were transcribed and the participants were offered and provided with a copy of their interview transcript. This process enabled the participants the opportunity to check the transcript for accuracy and to see if it prompted any further information.
DATA ANALYSIS

COLLATION OF QUESTIONNAIRE DATA

The questionnaire data was collated into a matrix to facilitate initial thematic review. In instances where it was possible for the data to be included in more than one theme it was placed in a single area based upon a 'best fit' decision by the researcher. Table 2 refers.

The key informants were allocated a unique identifier dependent upon which level of government they represented. Senior Managers from the National (central) level of government were allocated the code SMN, whereas Senior Managers from the Provincial (state) level of government were allocated the code SMP. The number which followed the identifier represented the order in which the key informant’s questionnaire was returned.

Table 2: Collated Questionnaire Responses

<table>
<thead>
<tr>
<th>SMN-1</th>
<th>SMN-2</th>
<th>SMP-3</th>
<th>SMN-4</th>
<th>SMN-5</th>
<th>SMN-6</th>
<th>SMP-7</th>
<th>SMN-8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q1 INECE</td>
<td>INTERPOL</td>
<td>AELERT</td>
<td>HEFPA</td>
<td>INECE</td>
<td>AELERT</td>
<td>HEFPA</td>
<td>ENDWARE</td>
</tr>
<tr>
<td>CEC</td>
<td>INTERPOL</td>
<td>IMPEL</td>
<td>INTERPOL</td>
<td>IMPEL</td>
<td>WEG</td>
<td>IMPEL</td>
<td>HEFPA</td>
</tr>
<tr>
<td>NEEP</td>
<td>CEC</td>
<td>INECE</td>
<td>INECE</td>
<td>INTERPOL</td>
<td>INECE</td>
<td>INECE</td>
<td>IMPEL</td>
</tr>
<tr>
<td>WSP</td>
<td>JACP</td>
<td>CLEARLY</td>
<td>CLEARLY</td>
<td>CLEARLY</td>
<td>CLEARLY</td>
<td>CLEARLY</td>
<td>CLEARLY</td>
</tr>
<tr>
<td>Q2 Slightly</td>
<td>Contacts</td>
<td>Contacts</td>
<td>Partnersing</td>
<td>Contacts</td>
<td>Contacts</td>
<td>Partnersing</td>
<td>Partnersing</td>
</tr>
<tr>
<td>Contacts</td>
<td>Better practices</td>
<td>Sharing experience</td>
<td>Better practices</td>
<td>Better cross-border cooperation</td>
<td>Better network and contacts</td>
<td>Sharing &amp; Better practices</td>
<td>Operational Outcomes</td>
</tr>
<tr>
<td>Operational (knowledge)</td>
<td>Contacts</td>
<td>Contacts</td>
<td>Partnersing</td>
<td>Contacts</td>
<td>Contacts</td>
<td>Partnersing</td>
<td>Partnersing</td>
</tr>
<tr>
<td>Access to data</td>
<td>Operational (outcomes)</td>
<td>Training</td>
<td>Contacts</td>
<td>More level playing field</td>
<td>Credibility and Reputation</td>
<td>Contact lists</td>
<td>~Contacts/Networking</td>
</tr>
<tr>
<td>Q4 Participation</td>
<td>Funding (secretariat &amp; projects)</td>
<td>Resources (imbalance)</td>
<td>Participation (imbalance)</td>
<td>Strategic management of network</td>
<td>Cost: opportunity costs</td>
<td>~Momentum (participation)</td>
<td>~ Strategic management of network</td>
</tr>
<tr>
<td>Disconnect (between management &amp; frontline)</td>
<td>Momentum (participation)</td>
<td>Cost: outweighs benefits</td>
<td>Diversity of membership</td>
<td>Well functioning secretariat</td>
<td>Dealing with inconsistency</td>
<td>~Disconnect (between management &amp; frontline)</td>
<td>Resourcing and Funding secretariat</td>
</tr>
<tr>
<td>---</td>
<td>Continuity of personnel</td>
<td>Diversity of membership</td>
<td>Funding (secretariat &amp; projects)</td>
<td>Resource imbalances</td>
<td>Issues associated with cliques</td>
<td>Resource imbalance</td>
<td>Resources (availability)</td>
</tr>
<tr>
<td>Q5 Basic</td>
<td>No requirement</td>
<td>No requirement</td>
<td>Basic</td>
<td>Advanced</td>
<td>Basic</td>
<td>Advanced</td>
<td>Advanced</td>
</tr>
<tr>
<td>Q6 Effective</td>
<td>Unsure</td>
<td>Effective</td>
<td>Effective</td>
<td>Effective</td>
<td>Effective</td>
<td>Effective</td>
<td>Very effective</td>
</tr>
<tr>
<td>Directly</td>
<td>Directly</td>
<td>Directly</td>
<td>Directly</td>
<td>Directly</td>
<td>Directly</td>
<td>Directly</td>
<td>Directly</td>
</tr>
<tr>
<td>Negligible</td>
<td>Some Level</td>
<td>Some Level</td>
<td>Reasonably</td>
<td>Negligible</td>
<td>Some Level</td>
<td>Fully Aware</td>
<td></td>
</tr>
<tr>
<td>Cautious</td>
<td>Strong</td>
<td>Supportive</td>
<td>Strong</td>
<td>Supportive</td>
<td>Ambivalent</td>
<td>Strong</td>
<td></td>
</tr>
</tbody>
</table>

Key: ~denotes researcher has paraphrased or clustered like responses on a ‘best fit’ basis
*denotes correction as answer given was 'indirectly' but both are office holders making direct contribution.
COLLATION OF INTERVIEW DATA

The interview data, comprising of the interview transcripts and the contemporaneous notes taken by the researcher during the course of the interviews, were collated into six separate documents – one for each of the six interview questions. These documents facilitated further initial thematic review.

ITERATIVE THEMATIC ANALYSIS

The questionnaire and interview data were then subjected to iterative thematic analysis. As a result themes important to the phenomenon emerged (Daly, Kellehear, & Gliksman, 1997 cited in Fereday & Muir-Cochrane, 2006).

The themes and groups included the top three benefits and challenges as mentioned in the questionnaire by the key informants which were carried through and then expanded upon during the interview. Dominant strategies used by agencies and networks to enhance network benefits were identified within the interview. The top three responses were identified by the researcher using a 3:2:1 ordinal measurement (Singleton & Straits, 2005)²¹. An ‘other’ category was also included, by the researcher, in each group to capture and reflect less dominant responses. Table 3 refers.

Table 3: Questionnaire and Interview Data – Dominant and Common Themes

<table>
<thead>
<tr>
<th>Benefits</th>
<th>Challenges</th>
<th>Internal (agencies)</th>
<th>External (networks)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Contacts</td>
<td>• Participation</td>
<td>• Representation</td>
<td>• Communication</td>
</tr>
<tr>
<td>• Operational</td>
<td>• Resources</td>
<td>• Reporting</td>
<td>• Events</td>
</tr>
<tr>
<td>• Better Practices</td>
<td>• Secretariat</td>
<td>• Showcasing</td>
<td>• Knowledge</td>
</tr>
<tr>
<td>• Other</td>
<td>• Other</td>
<td>• Other</td>
<td>• Management</td>
</tr>
</tbody>
</table>

SWOT ANALYSIS

The final stage of the analysis involved the results being subjected to an analysis of strengths, weaknesses, opportunities, and threats (SWOT). The outcomes of the SWOT analysis were then assessed and shaped into the policy options and recommendations for agencies considering involvement with networks.

²¹ An ordinal measurement is a level of measurement which indicates the rank order of variables. In this instance a 3:2:1 point scale involved allocating 3 points, 2 points, and one point respectively to the top, second and third ranked; benefits, challenges, internal strategies and external strategies as mentioned by the key informants.
SWOT analysis was the preferred analytical tool as ‘... it can be used to analyse information in order to build a profile or help understand the current situation (e.g. situational analysis)...’ (Prunckun, 2010, p. 136). Furthermore, ‘...it can be used with a variety of unstructured data (qualitative data from either primary or secondary sources), and ... [where] the focus of the research is not variable dependant’ (p. 136). As such it is considered especially well suited given the matter under investigation. An overview of a SWOT analysis matrix appears below.

**Table 4: SWOT Analytical Matrix** (Prunckun, 2010, p. 137)

<table>
<thead>
<tr>
<th></th>
<th>Supportive</th>
<th>Detrimental</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal</strong></td>
<td>Strengths</td>
<td>Weaknesses</td>
</tr>
<tr>
<td></td>
<td>are the attributes</td>
<td>associated with the issue [...</td>
</tr>
<tr>
<td></td>
<td>associated with the issue [...</td>
<td>problem/agency/etc. under</td>
</tr>
<tr>
<td></td>
<td>problem/agency/etc. under investigation] that are conducive to achieving the end-state.</td>
<td>investigation] that are detrimental or may prevent achieving the end-state.</td>
</tr>
<tr>
<td><strong>External</strong></td>
<td>Opportunities</td>
<td>Threats</td>
</tr>
<tr>
<td></td>
<td>are the conditions ...</td>
<td>are the conditions ... that might be detrimental to the way the agency carries out its operations.</td>
</tr>
<tr>
<td></td>
<td>that would assist achieving the end-state.</td>
<td></td>
</tr>
</tbody>
</table>

**ETHICAL CONSIDERATIONS**

Overall, the risk to the key informants were considered to be extremely low given that the researcher was not in a position of power or influence (by role or position) and did not have any direct influence over the key informants. Furthermore, there were no dependant relationships involved in this research.

Due to the volunteerism associated with participating in the study, the realistic time impost upon the key informants was explicitly detailed. In relation to possible impacts upon the professional standing of the key informants, they were given the opportunity to clarify, withdraw or redact any comments or information provided during the course of the study.

Cognisant of the ethical considerations, a number of strategies were employed to mitigate or reduce risks to the key informants. Most were mitigated by the fact that the information provided by the key informants was non-attributable by use of unique identifiers. **Table 5** below contains more information on the mitigation measures employed.
<table>
<thead>
<tr>
<th>Risk</th>
<th>Possible source</th>
<th>Mitigated by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anxiety and embarrassment</td>
<td>Key Informants considering that they have been misquoted or the information they have provided has been misinterpreted</td>
<td>Having Key Informants: • proof and certify their transcripts for accuracy.</td>
</tr>
<tr>
<td>Frustration and lack of clarity</td>
<td>Key Informants consider that the expectations of them are unrealistic and/or unclear.</td>
<td>Full disclosure of the nature of the research in the form of: • Consent form, • Information Sheet, and • The opportunity to clarify queries with the researcher.</td>
</tr>
<tr>
<td>Inconvenience</td>
<td>Scheduling/time management</td>
<td>Explicitly detailing the realistic time requirements and scheduling of their involvement.</td>
</tr>
<tr>
<td>Impact upon Professional standing</td>
<td>Make a comment which upon reflection is detrimental to themselves, their agency, their EEN or colleagues.</td>
<td>The fact that the Key Informants are: • Senior officials experienced in operating in international fora. • Anonymous, and • Will be given the opportunity to withdraw or have certain comments redacted or sanitized.</td>
</tr>
<tr>
<td>Conflict</td>
<td>Involvement could introduce conflict between their core duties and those of an EEN</td>
<td>Clarifying the role of the Key Informant (that is ‘the hat they are wearing’) and by reinforcing the aspects contained within the: • Consent form, • Information Sheet, and • The opportunity to clarify queries with the investigator.</td>
</tr>
</tbody>
</table>

Therefore, prior to becoming involved in the research, all key informants were provided with:

- a formal letter on university letterhead (*Appendix B*) attached to which was;
- a copy of the Charles Sturt University’s Human Research Ethics Committee approval (*Appendix C*);
- an information sheet (*Appendix D*);
- consent form (*Appendix E*), and
- a questionnaire (*Appendix F*).
LIMITATIONS

The prime limitation of the study was that it was dependent upon the perceived utility of networks by a small exploratory group involved in a limited number of networks. However, the study assumed that the key informants were uniquely positioned to comment on the efficacy of the networks studied. It was reasoned that the key informants were senior managers from EEAs who had direct environmental compliance and enforcement responsibilities, and hence had formal roles in a network. Therefore they were in a position to assess and comment on their agency perception of the utility in such networks.

There were also two chief biases which could potentially colour the study. Firstly, the researcher and author is involved in networks as an office holder and is an environmental compliance manager within a central government agency and from time to time has dealings with some of the key informants in and beyond the networks under analysis. However, notwithstanding these dealings, the researcher/author is limited within the study to organising and extracting the prime considerations raised by the key informants. Secondly, the key informants themselves, as part of agencies and networks, may come to the discussion with their own agendas and beliefs surrounding network engagement. However, the individual perspective of the key informants is amortised by being included and synthesised with the other responses.

Also, it was not possible for the key informants or the researcher to be aware of all of the networks that their respective agencies were involved in. This was due to the number, nature and variety of networks which focus on the various operational, technical and legal aspects associated with environmental enforcement. The study recognises this limitation and does not exceed the scope of the analysis in question.

As a consequence of the key informants being geographically dispersed, another limitation presented in that it was only possible to conduct three of the eight interviews face-to-face. Therefore, to ensure all interviews were conducted under similar circumstances, all interviews were conducted via telephone. This however had limitations in that it was not possible for the researcher to read non-verbal cues, as is the case in face-to-face interviews (O’Leary, 2004). This limited the researcher to noting extremes in the key informant’s voice and tone around issues such as ‘anger, flippancy or hesitancy’ (Neuman, 1997, p. 253).
CHAPTER 4

RESULTS AND ANALYSIS

OVERVIEW

The data collection (phase 1 questionnaire and phase 2 interview) sought information on four broad areas of networks namely involvement, value, effectiveness and support (see Table 1).

The benefits and challenges associated with network involvement (contained in questions three and four of the questionnaire and questions one and two of the interview) were sufficiently similar to enable synthesis in reporting and analysis. However, the other answers provided were diverse enough to warrant separate consideration, before a collective analysis. Accordingly, the results and analysis in this chapter are presented in three parts.

The first and second parts contain the results and thematic review of both the questionnaire and interview data as detailed in Table 3. The third part involves subjecting the interview data to a more detailed SWOT analysis as outlined in Table 4. SWOT, as an analytical tool, provides a useful framework for considering the data in a logical progressive fashion and assists in shaping policy options for the consideration of policy makers.

The parts are now considered in greater detail below.

PART ONE - QUESTIONNAIRE

The questionnaire consisted of nine questions which were specifically designed to elicit information relating to:

- the number of networks that a particular agency was actively associated with (question one);
- an assessment of return for effort expended (question two);
- the main benefits and challenges encountered through an agency’s association with various networks (questions three and four);
- how information from the network is made available to agency staff and their level of understanding of the network (questions five, six and eight); and
- the level of support provided by an agency to networks (questions seven and nine).

The full questions are attached at Appendix F. In this phase most of the nine questions offered responses utilising a five point Likert-scale (Singleton & Straits, 2005). Some sought illustrative responses. An overview of the questionnaire results are presented at this juncture.
The key informants advised that, collectively, their agencies were involved with fourteen separate networks. These networks are listed alphabetically in Table 6 below:

**Table 6: Networks Listed By Key Informants.**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Name</th>
<th>Type(^{22}) (Date Est.)(^{23})</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEC</td>
<td>Commission for Environmental Cooperation</td>
<td>Regional (1994)</td>
</tr>
<tr>
<td>ENDWARE</td>
<td>European Network of Drinking Water Regulators</td>
<td>Regional (2005)</td>
</tr>
<tr>
<td>IACP</td>
<td>International Association of Chiefs of Police</td>
<td>Global (1989)</td>
</tr>
<tr>
<td>IMPEL</td>
<td>Implementation and Enforcement of Environmental Law</td>
<td>Regional (1992)</td>
</tr>
<tr>
<td>INECE</td>
<td>International Network for Environmental Compliance and Enforcement</td>
<td>Global (1990)</td>
</tr>
<tr>
<td>Interpol ECC</td>
<td>Interpol Environmental Crimes Committee</td>
<td>Global (1992)</td>
</tr>
<tr>
<td>NEEP</td>
<td>Northeast Environmental Enforcement Project</td>
<td>Regional (1980)</td>
</tr>
<tr>
<td>NRIG</td>
<td>Natural Resources Investigations Group</td>
<td>Sub-national (2001)</td>
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<tr>
<td>WEG</td>
<td>Wildlife Enforcement Group</td>
<td>Regional (1993)</td>
</tr>
<tr>
<td>WSP</td>
<td>Western States Project</td>
<td>Regional (1986)</td>
</tr>
</tbody>
</table>

The key informants indicated that the benefits associated with networks outweighed the challenges. The specific responses were ‘clearly’ (n=5) or ‘slightly’ (n=3).

\(^{22}\) Type refers to the level of the network sphere of operation.

\(^{23}\) The Type and Date Established column was added by the author to provide additional information.
The top three benefits described by the key informants, using a 3:2:1 ordinal measurement (Singleton & Straits, 2005)\(^{24}\), were contacts, aspects relating to operational matters and better practices. Other benefits, listed alphabetically, included access to data/information, credibility and reputation, more level playing field, sharing experiences and information, partnering, and training.

The top three benefits were considered and discussed in greater detail in the interviews that followed, with the key informants providing information as to why they selected these benefits and, if possible, tangible examples. These responses are considered in the next part, commencing at page twenty-five.

The three most significant challenges described by the key informants, and again using a 3:2:1 ordinal measurement, were participation, resource imbalances and funding, and management of the network secretariat. Other challenges, listed alphabetically, included cliques, continuity of personnel, costs outweighs benefits, disconnect (between management and frontline staff), inconsistency, and opportunity costs.

The top three challenges were considered and discussed in greater detail in the interviews that followed, with the key informants once more providing information as to why they selected these challenges and, if possible, tangible examples. These responses are considered in the next part, commencing at page twenty-eight.

Some key informants indicated that within their agency there was ‘no requirement’ (n=2) for a system to distribute information from networks. Those that had a distribution system described them as being ‘basic’ (n=3) or ‘advanced’ (n=3).

The key informants selected the responses of ‘unsure’ (n=1), ‘effective’ (n=6) and ‘very effective’ (n=1) to describe the effectiveness of their distribution systems.

The key informants indicated that their agencies supported networks with direct support (by staff undertaking network office holder roles and/or by financial contributions) being the unanimous response (n=8).

The key informants described the level of understanding of the products and services available from network engagement, by staff in their agency, as ‘negligible’ (n=2), ‘some level’ (n=3), ‘reasonably’ (n=2), and ‘fully aware’ (n=1).

None of the key informants selected the ‘neutral position’ as their agency’s level of senior management support for networks. Their responses spanned the remainder of the range between ‘ambivalent’ (n=1), through ‘cautious’ (n=1), and ‘supportive’ (n=3) to ‘strong’ (n=3).

\(^{24}\)An ordinal measurement is a level of measurement which indicates the rank order of variables. In this instance a 3:2:1 point scale involved allocating 3 points, 2 points, and one point respectively to the top, second and third benefits as mentioned by the key informants. With the points tallied to reveal the top 3 benefits.
PART TWO - INTERVIEWS

The interview consisted of six questions which were specifically designed to elicit more detailed and comprehensive information than that which was obtained from the questionnaire. The interview questions were semi-structured in nature, enabling the acquisition of more detailed and comprehensive answers, and sought specific examples and descriptions of:

- the benefits of networks (question one);
- the challenges of networks (question two);
- the strategies employed by agencies to derive enhanced benefits from networks (question three);
- the strategies employed by networks to provide greater benefits to members (question four); and
- general advice that might be of use to those considering involvement in networks (question five and six).

The full interview questions are attached at Appendix G. The format is: the question is stated, followed by restating the dominant and common themes from the thematic review (see Table 3) of the questionnaire data, before notable and pertinent comments of the key informants are detailed. As the results reflect the responses and testimony of the key informants, where appropriate, the key informants are directly quoted. The interview results are presented here.

QUESTION 1

This question extended upon question three of the questionnaire and asked the key informants to provide their rationale for selecting particular benefits over others; and to provide some examples.

In the questionnaire the key informants cited contacts, operational aspects and better practices as the most substantial and frequent benefits.

Contacts

The key informants reinforced how useful contacts were. With one key informant stating:

... the strength of any network in the end is the contacts between professionals and practitioners on several levels – on the strategic level, on the technical level and also on the operational level (SMN-5).

A key informant (SMN-4) associated with IMPEL considered that it was valuable to have contacts at various levels. For example at the top level through the Heads of EPA network, at the working level through the IMPEL network, and most broadly through INECE which provides contacts across the world.
Another key informant (SMP-7) stated that contacts and the ability to put a name to a face had been useful. Adding that, they considered that their involvement in a network had assisted in breaking down barriers which hitherto had inhibited inter-agency cooperation.

Another key informant, involved in several networks, mentioned that:

... a network gives you a certain reputation, people know who you are, people trust you, over time people get to know you better, and because of that it's quite easy when you approach different countries and in many cases you already know who the person is (SMN-4).

One key informant also noted that on occasions that it was simply not possible to progress an investigation without having a contact in a particular country (SMN-1). This was supported by another key informant who described how the AELERT network had established an emergency after hours contact list to assist in time critical responses. The key informant considered that without the AELERT network that would be extremely difficult to create and maintain such a list (SMP-7).

Key informants explained how their enforcement efforts were frustrated when they lacked case or project specific contacts. In some circumstances, they suggested, that it:

... can be several months down the track and your request [for assistance] has gone on all over the country to ... vast numbers of different people before it eventually arrives on the right desk often by which time it's too late (SMN-6).

The same key informant considered that, in their experience, it was more often than not the case that the ability to access other organisations and other people was as a result of personal relationships and connections as opposed to more formal channels (SMN-6).

A key informant, associated with a national network in Ireland, stated prior to establishment of the network that agencies involved in environmental enforcement work simply didn’t know who their counterparts were in the other counties. However, it was network events that brought people together; they got to know each other and were then able to work more effectively across agencies (SMN-8).

Continuing, the key informant advised that their network had an electronically searchable contacts database. The contacts database was accessible through the extranet and members were able to sort and identify experts within different agencies across a range of different topics (SMN-8).

Operational

Moving to consider operational aspects, a scenario relayed by a number of key informants (SMN-1; SMN-2; SMN-4; SMN-5) related to enforcement of trans-national

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25 The extranet is an internet based system which allows members (with logon and passwords) to access the non-public areas of a website but more usually a standalone network website which is not open to the public and is usually accessed via the host agency’s internet site.
shipments of waste (most usually hazardous waste) and its dependence upon contacts. One key informant considered it important and beneficial to have contacts in other countries, because whenever there was a new case they had had to open a case file and there was always another country involved. This necessarily required liaising with witnesses and making a range of enquiries in those countries – so a contact was invaluable (SMN-1).

Continuing, the key informant suggested that another benefit of contacts was that they were able to supply intelligence, information, and tips on a regular basis (SMN-1).

Another key informant pointed out that contacts also facilitated administrative benefits. SMN-2 cited an example where a colleague was prosecuting a hazardous waste case, in which an essential witness had moved overseas and could not be located in order to have a court subpoena served. The key informant was able to say ‘... I know somebody in that country through my Interpol work ... [so] picked up the phone, provided cooperation [and] the subpoena was served in a matter of a few days’ (SMN-2).

Additionally, one key informant (SMN-4) considered that with contacts that reputation played a role explaining that when people know you and trust you that people will be much more forthcoming with information than normally would be the case.

**Better practices**

On the matter of better practices, key informants said that their agencies were looking at smarter ways of doing business. One key informant mentioned that their agency was open to considering ‘... new ways of doing things on a day to day basis ...’ (SMP-3).

More specifically, another key informant (SMP-7) considered that their network had opened lines of communication so much so that sharing of practice, policy and procedure was a common occurrence. Adding that ‘... if someone’s doing something that’s a real benchmark they’re more than happy to share it with you’.

Key informants mentioned how operational knowledge gained through contacts had assisted member agencies to develop guidance and procedures by taking the best from the different countries or agencies that were involved in the networks and which had led to the development and implementation of better or best practice between the groups (SMN-8).

A key informant (SMN-4) mentioned that networks have been able to influence practices and decisions. The IPPC (Industrial Pollution Prevention Control) directive was specifically cited, which in the opinion of the key informant was assisted by network membership and representation in a way that would have been difficult for agencies to do ‘as a single voice acting alone’ (SMN-4).

One key informant highlighted (in relation to project or operational activities) that staff exchanges which involved inspectors from several countries going to one country to look how that country was undertaking inspections to provide feedback. With the
feedback being far from criticism, instead each country learned and took improvements back to their own countries as a direct result of the professional exchange (SMN-5).

A key informant provided an example of how five countries came together in a workshop to develop a strategy to combat illegal exports of electronic waste. During which participants;

... exchanged; techniques, investigations, [and] case sensitive information ...leading to more coordination and cooperation among not only the five countries represented, but now ... there are probably ten to twelve countries including those from the developing world ... It was a very good example of better practice that came about through international networking (SMN-2).

Interestingly, one key informant considered that it was sometimes ‘worst practice case studies’ or ‘a failure’ that can be invaluable especially where they highlight a process or new issue that affects the agencies business and that it is a way of ‘future-proofing and protecting your business systems’ (SMN-6).

Other

Leveraging training opportunities and experiences learned from working with partner agencies was seen as a tangible benefit (SMN-1). One key informant (SMP-3) explained that training was a measurable way that their agencies executives could see the immediate value of what was very cost effective training compared to what was offered external to the network (SMP-3).

QUESTION 2

This question extended upon question four of the questionnaire and asked the key informants to provide their rationale for selecting particular challenges over others; and to provide some examples as to how these challenges affected their agencies’ ability to derive benefits from network engagement.

In the questionnaire the key informants described participation, resources and aspects associated with the network secretariats (including funding and management) as the three most frequent challenges.

Participation

In relation to the administration or secretariat activities, a key informant associated with INECE and IMPEL suggested that both of these networks:

... have steering groups or executive committees ... [and] without proper management ... networks will die over time. You have to get new impulses, new energy in the network from time to time and that’s really important (SMN-5).

Another key informant emphasised the importance of governance structures stating that a network needs a steering committee that involves senior people from a range of organisations with the steering committee deciding network priorities (SMN-8).
Key informants cited problems with maintaining momentum in networks. Where the lack of momentum related to projects one key informant referred to this as a lack of ‘project follow-through’ (SMN-1). Similarly, another key informant stated that:

... it’s hard enough to work on side projects that are domestic, it’s even more difficult to work on a side project that’s international – that requires the coordination of other participants from other countries (SMN-2).

Another key informant suggested network projects were impacted because network participants have their own core agency functions and priorities. These priorities can be in conflict with what they or their agency have volunteered to do on behalf of the network ‘... so follow-up’ is hard (SMN-1).

One key informant observed that an additional challenge was that:

... managers are more reluctant to release staff [to network activities] because they’ve got so many other pressures on their time ... [especially] when funding is being cut and resources are being reduced (SMN-4).

Resources

Key informants were cognisant of the ‘cost benefit analysis’ that was associated with networks (SMN-6). Of network resource requirements, one key informant stated that all network activities cost money and time. Whilst some funding is available from national authorities or in some cases international organisations, travelling costs are substantial and are often borne by agencies themselves (SMN-5).

Key informants expressed frustration with the amount of time that the financial aspects (including fundraising) of networks required. One informant in particular stated that they:

... never thought that [they] ... would be spending so much time fund raising ... I don’t like it, I don’t think I’m particularly good at it because it requires a great deal of time and attention and it’s kind of humbling – but it’s crucial (SMN-2).

One key informant considered their agency’s commitment of resources to networks as a form of insurance, explaining that they might need to go to a number of meetings before a tangible benefit was realised. This was particularly difficult in tough economic times when defending the expenditure required to be involved in networks based upon the off-chance of obtaining a future benefit (SMN-6).

Secretariats

The key informants noted that the challenges associated with secretariats related to funding and prioritisation of the network’s activities (SMN-2; SMN-4; SMN-5; SMN-8).

One key informant mentioned that ‘... without money there’s no project, [and/or] there’s no operation ... [and that] some environmental enforcement networks have been more successful than others in getting [funding]’ (SMN-2).
Some key informants considered that the top-down driven networks were well funded (SMN-1; SMN-2; SMN-4; SMN-5) with the CEC and HEEPA two such examples. Similarly that the networks which had discreet funding bodies such as IMPEL\textsuperscript{26} or with core funders in the case of INECE were financially better off than most networks (SMN-4; SMN-5). One key informant went on to explain that whilst the funding of the INECE secretariat is shared (by the USA and Netherlands)\textsuperscript{27} that ‘... INECE has very little actual resource themselves that they can devote to funding projects, so [for] each project they have to raise money’ (SMN-4).

On the issue of funding secretariats, another key informant explained that the activities of TEEN in Ireland required an initial budget in the region of about a hundred and fifty thousand Euros per year\textsuperscript{28} (SMN-8). They went onto explain that the money:

\ldots proved very useful for setting up things like our website, running the meetings, [and] initially we financed all the meetings so people didn’t have to pay to come [and] that encouraged people to come to the meetings from different organisations (SMN-8).

A key informant associated with Interpol’s ECC explained that as a kind of ‘hybrid enforcement network’ it was problematic when it came to seeking funding for environmental enforcement networks.\textsuperscript{29} They considered this was due to the dichotomy between traditional policing agencies and environmental agencies. With the policing agencies funding more mainstream law enforcement networks and environmental agencies funding networks that were more inspectional or regulatory in nature (SMN-2).

Key informants accepted that networks could not force member agencies to contribute financially (SMN-4). Further, that when membership fees were sought they involved modest amounts of between 3000-5000 Euros\textsuperscript{30} per member agency (SMN-5).

The key informants highlighted issues around project selection and prioritisation. For example, one key informant stated that networks would be well advised to give members:

\ldots something back for their money – so you’ve got to make sure that everybody is happy with what’s going on in the network ... in the days when people didn’t have to pay a membership fee perhaps that was less of an issue (SMN-4).

\textsuperscript{26} Through the European Environment Agency in Brussels.
\textsuperscript{27} Through the premier environmental agencies in both countries which are the USEPA and VROM respectively.
\textsuperscript{28} €150,000 equates to approximately $ 210,000 AUD. Source currency converter, http://www.xe.com/ucc/, rates as at 23 September 2010.
\textsuperscript{29} As Interpol’s funding is aligned with its six key priorities which are: ‘drugs and criminal organisations, public safety and terrorism, financial and high-tech crime, trafficking in human beings, fugitives and corruption’ see http://www.interpol.int/ (viewed 13 June 2010).
\textsuperscript{30} €3,000-5,000 equates to approximately $4,200-7,000 AUD. Source currency converter, http://www.xe.com/ucc/, rates as at 23 September 2010.
Other

A key informant from the national or central level of government described the dual roles and relationship their agency has with other network members from the sub-national (provincial) or local authorities. Explaining that whilst they needed to ensure that these agencies performed their statutory responsibilities, they also needed to give them assistance and guidance. The result being that:

... when we set up the enforcement network it was very much to give them the assistance and the guidance ... [and] a lot of people ... weren't sure of whether this was going to work because we were the people with the big stick as well (SMN-8).

QUESTION 3

In the questionnaire the key informants described representation, reporting, and benefits as strategies that has been utilised by agencies to derive enhanced benefits from network association. These strategies are now considered in turn.

Representation

One key informant suggested that the most effective strategy they were aware of involved agency staff being engaged in ‘... either the management or in the activities of the network’ (SMN-5). By doing so increased the chances of influencing the activities or directions of the network. In this way agencies were able to get more out of the network than would be the case if they were ‘... just standing on the side’ (SMN-5).

Key informants stated that the level of agency representation in a network was dependent upon the nature of the network itself. Membership of HEEPA is specifically for agency heads (SMN-4), whilst networks such as INECE include all levels of representation (SMN-5).

Reporting

Reporting was a strategy used to advise others of the networks activities. The formality of reporting varied between networks and agencies. One key informant mentioned that at the most basic level, as a participant in a network, following attendance at a network event ‘... you write a report and send it to your manager – full stop’ (SMN-5). However, that within their agency reporting included:

... weekly magazines, weekly short emails, messages and even newsletters. And ... on a regular basis, at least one or two times a month, we make sure that there is contribution from the people who are active in networks (SMN-5).

In addition, as part of reaching out to colleagues, the key informant advised that:

... at least once a year we have ... a workshop which we organise where we have a get together over a day or so where we present in more detail the work that we are doing ... this is another means of communicating about the work and the benefits (SMN-5).
Another key informant (SMN-4) spoke of a similar strategy used to improve reporting within their agency. They explained that when staff are involved in an IMPEL project, part of their role is to share what they’ve learnt with other staff.

**Showcasing**

Key informants explained that there was a constant question around the value to agencies of network involvement. As such they spoke of strategies to leverage and market network benefits.

One key informant stated:

I think the best way of deriving enhanced benefits from networks is to ensure that the networks produce results and you can show accomplishments and you can show a valuable product to country participants (SMN-2).

When explaining how they leveraged and marketed benefits, one key informant stated that having that the network’s resource library was really important. They considered that the policies, guidelines and Standard Operating Procedures were the greatest benefits and the value of these resources in some circumstances saved agencies hundreds of thousands of dollars (SMP-7).

A key informant indicated that they actively marketed the benefits of networks. Stating, when doing so, that it was important to ensure that the priorities of the agency where possible are aligned with the network and vice versa. To facilitate the ongoing support of their agency's executive it was important to be clear about what the benefits were and to provide the executive with the opportunity to influence the work and priorities of the network (SMP-3).

This key informant also mentioned that by using AELERT operationally, in relation to wildlife enforcement matters, has really strengthened their agency’s capacity to deal with wildlife enforcement across boundaries (SMP-3).

In circumstances where a national enforcement agency has devolved or shares enforcement responsibilities with provincial or local agencies it is the national enforcement plans that inform the work plans of the provinces and local authorities (SMN-1). A European network saw clear benefit in:

... getting people focussed to work on the national priorities, and that's where we've got the benefits, and I think the illegal waste ... [is] where we can see the benefits now ...

(SMN-8).

**Other**

A key informant advised that, in their country, a whole-of-government approach is promoted with agencies being told to ‘... stop operating in fiefdoms [and] ... to stop operating in isolation’ (SMN-6). This was as a result of inordinate amounts of money being spent to develop systems and processes in an un-coordinated and inefficient manner. As a result networking is consistent with a whole-of-government approach.
QUESTION 4

In the questionnaire the key informants described communication, events, and projects as strategies which have been successfully employed by networks to provide greater benefits to network members. These strategies are now considered in turn.

Communication

Key informants explained that websites were the primary vehicle for communicating with members. Accordingly, website acquisition, development and maintenance were seen as primary strategies for networks seeking to provide greater benefit to members.

A key informant suggested that from the network point of view when people want to communicate with you and learn about the network '... make sure that you have a very good website ... [that’s] well documented, up to date, [and uses] state of the art technology’ (SMN-5).

One key informant explained that the Interpol Environmental Crime website receives up to twenty thousand ‘hits’ per month, is interactive and is constantly up-dated. Adding that these international stories, accomplishments, and publications are an excellent resource for practitioners and the public (SMN-2).

This point was echoed by another key informant who explained that the INECE website also receives twenty thousand unique visitors each month. Adding that in every corner of the world today the internet is coming available at a rapid pace so website and internet technology are key elements of a functioning network (SMN-5).

Another key informant commented on the importance of website independence. Explaining that, as part of developing a communication strategy for the IMPEL network, they decided to establish their own website as:

... it always looked as though IMPEL was part of the Commission even though in practice it wasn’t. So we’ll have our own website, we’ll be independent, we’ll have our own labelling (SMN-4).

Key informants explained that most of the networks had websites with members only or restricted areas so that office holders could progress network business (SMN-1; SMN-5; SMN-8). These restricted areas contained administrative material such as meeting agendas, minutes and papers. Another key informant saw some network websites as being secure websites, for sharing enforcement and intelligence information (SMN-1).

One key informant mentioned that their network used an extranet to update members on what was happening within the network. Newsletters, minutes of meetings, and other information were made available to members so they could see what network activities were taking place (SMN-8).
This key informant explained that another strategy was to deal directly with individuals stating that:

One of the big advantages we found with individuals is that if we had something coming up or something of interest to disseminate we could disseminate directly to the individuals. It has been our experience [that] before we had enforcement networks everything was disseminated through a senior manager ... and it just took time and didn’t always filter down to the people on the ground (SMN-8).

Key informants explained that electronic communication was supplemented by face-to-face events, adding that these events typically included conferences, workshops, meetings and training sessions.

Events

Generally speaking key informants suggested that networks promoted events. With SMP-3 specifically suggesting that network events were an opportunity to share work and experiences amongst agencies and that conferences and workshops were seen by staff as really good initiatives. SMP-3 went onto explain how they had carried this theme through to the sub-national level of their network,\(^{31}\) where within their jurisdiction they organise practitioner workshops to talk about specific issues with other member agencies whilst workshopping some of the resource material that AELERT has developed, and this they say has been really useful.

A key informant stated that using a third party, at events and conferences to raise the profile of the network, was a strategy worth considering. They explained that they had enjoyed some success with the strategy which involved using a network “champion” who was supportive of the networks mission and who could espouse and on-sell the virtues of the network to others (SMP-7).

Knowledge management

A key informant suggested that a strategy that the enforcement working groups of the CEC had benefited from was the rotating of the position of Chair (SMN-1). With the Chief Executive Officers of the lead agencies (Mexico, the USA and Canada) rotating through two year terms.

Another key informant spoke of continuity of agency representation and suggested that networks benefited from stable participation, specifically noting that if the networks connection to a:

... particular participant [in an agency or country] is fairly weak, if he or she retires or goes to another job ... so what you try to do is to connect on a broader level to countries and participants (SMN-5).

\(^{31}\) Within AELERT, the sub-national level is referred to as the AELERT Second Tier. For more information on the AELERT Second Tier see http://www.aelert.com.au/index.php?page_id=21.
Other

Another key informant suggested their network had enabled enforcement officers to provide feedback to policy makers on issues such as the enforceability of the legislation. More specifically, SMN-8 detailed circumstances where enforcement powers were ineffective and where the network was;

... able to collate people's opinions and write strongly back to the department of the environment who actually write the legislation. ... [thus providing] practical feedback to the department on different changes to legislation (SMN-8).

QUESTION 5

The key informants offered a variety of tips for agencies that were looking to maximise their benefits from association with networks. Dominant themes related to being an active member, project selection and management, and marketing the benefits of membership to senior agency officials.

Active membership

The key informants suggested that members should:

... stay active, don’t be what we call a backbencher. Don’t just show up for the sake of showing up. Stay active, even if you don’t see a payoff right now you’re going to see it eventually (SMN-1);

... get involved ... [but] be somewhat selective (SMN-2);

... get more involved, be proactive, use the network, ... attend workshops, conferences, get involved in committee work and that’s where ... the benefits can be maximised I guess from my perspective (SMP-3);

... get as full involvement and commitment as you can from your agency or your organisation both at director level but also further down ... [and] to take part in networks and to give a full contribution to them ... (SMN-4);

... take your membership seriously so make sure you have a stable representation in all the activities of the network (SMN-5);

... focus on the people not the structure or the process. And that ... increasingly the benefit is derived from making personal professional connections and networking (SMN-6); and

... [b]e involved. There’s no use signing up then stepping away (SMP-7).

Project selection and management

In relation to projects, key informants suggested that members should:

... think smaller but sustainable ... think about smaller benefits that ... you’re going to be able to get more easily. You’re not going to get frustrated or you’re not going to get lost in too big of a project (SMN-1);

... be somewhat selective and make sure that the networks [and projects] that you select to participate in and spend resources in are the ones that are going to be the most efficacious – the ones that are going to be feasible and practical (SMN-2); and
... keeping a focus, don’t try and do too much ... [get some big issue and put the resource around it and deal with that and get some success (SMN-8).

Another key informant, from their agency’s perspective, conceded that there was an aspect of self-selection around network projects. Stating that, their agency was most enthusiastic about projects which were particularly relevant to and aligned with the activities or priorities of the agency (SMN-4).

Continuing, from the perspective of a network office holder, the key informant stated:

... you have to weigh that up across the whole membership of the network ... [and recognise that] different organisations, doing different work can [and] are going to have different priorities ... [However within IMPEL] there are certain checks and balances in there to make sure that we’re not just doing projects that one or two countries think are a good idea, that nobody else signs up to and that don’t really get off the ground (SMN-4).

Generally, key informants commented on project management, suggesting that networks require good project management to make sure that the project:

... achieves what it was set out to do, and that the results are useful, because people judge the network by the projects it carries out and how well they’re run and how much they’ve achieved (SMN-4); and

... having the governance right – that’s critical, from day one (SMN-8).

Marketing the benefits of membership

A key informant suggested that it was important to ensure that networks have good internal communication and feedback on its activities, as this contributes to the overall support for the network (SMN-5).

A key informant from Australasia considered it was advantageous to be able to inform senior managers that a successful ‘bust’ (enforcement interception) had occurred or that a new system/s had been adopted for use as a consequence of network involvement (SMN-6).

Another key informant considered that members should aim for close alignment between the priorities of the agency and the network. Furthermore, that communicating to the executive as part of the process was important (SMP-3).

A key informant also noted that the resources available on the network website would be invaluable for someone establishing an environmental enforcement unit (SMP-7).
QUESTION 6

The key informants offered a variety of closing remarks. They have been grouped as appropriate.

Contacts and training

One key informant stated that within the environmental enforcement community that networks and contacts were vital and that they considered that they could not do a proper job without networks (SMN-1). The key informant explained that as a result of their country’s involvement in the NAFTA\textsuperscript{32}, and the allied CEC\textsuperscript{33}, that their agency has constant contact with the USEPA on common air emission regulation issues.\textsuperscript{34} As a result they were able:

... to send two people down to the States to assess one of [their training courses] ... they came back and said it might be a good training for us, so we got someone from the EPA to come up here and give a similar training to our enforcement officers (SMN-1).

Another key informant indicated there was an equivalent arrangement under the Central American Free Trade Agreement (CAFTA)\textsuperscript{35} and its allied Environmental Cooperation Commission (ECC)\textsuperscript{36}. Through which training and assistance on environmental enforcement issues is provided (SMN-2).

Obligation

One key informant was of the opinion that the G20 countries have an obligation to be at the international table when it comes to environmental enforcement because the issues being dealt with are global in nature. Moreover, that not only are there great benefits in networks but there is also a ‘moral obligation’ for developed countries to be involved (SMN-2).

Knowledge exchanges

One key informant stated that network participants need to recognise that networks and networking involves sharing your own knowledge and experience with others whilst not necessarily getting a benefit (SMP-3).

Continuing, the same key informant noted that in respect to their project work within the network that whilst initially it involved mostly sharing of their agency’s information and holdings with other members, they are now receiving benefits and value in return, describing it as ‘swings and roundabouts’ (SMP-3).

\textsuperscript{32} NAFTA is the North American Free Trade Agreement.
\textsuperscript{33} CEC is the Commission for Environmental Cooperation – linked to which is the Permanent Working Group on Environmental Enforcement Cooperation (PWGEEC). For more information on the PWGEEC see Herman, S. A. & Sperling, L.I. (1996).
\textsuperscript{34} Specifically in relation to small combustion engines.
\textsuperscript{35} The CAFTA involves, seven countries, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and the United States.
\textsuperscript{36} For more information on the Environmental Cooperation Commission (ECC) see http://www.caifadenvironment.org/left menu/Environmental cooperation c.html.
Another key informant suggested that through network involvement, and knowledge exchanges that:

... you can actually provide a pretty compelling argument for your own organisation to say this is the way that we need to tackle this issue. Why’s that? Well because every other ... [member] is tackling this issue [successfully] in the same way and we will look ... [foolish] if we don’t (SMP-6).

Continuing, they suggested that networks have the ability to shape

... work around a whole range of issues – not just operational response work, or tools and systems – but even strategy around the way you tackle compliance and enforcement activity in the environmental area (SMP-6).

Projects

A key informant suggested that, in the past, the work of AELERT has been based on the preferences or priorities of individuals or individual agencies. The result being that once those individuals are no longer associated with the network, it can affect the overall character and focus of the network (SMP-3).

Another key informant made a similar observation noting that in another network that individual ‘... members decide [upon] a particular project as opposed to there being a strategic approach to each project’. The key informant suggested that a more effective way to approach it would be to ask, before the project starts ‘... how am I going to know in the end if this will be successful or not?’ (SMN-8).

Value

In relation to the value proposition which is associated with networks and networking, one key informant considered that whilst the effort and resources that their agency committed to networks was considerable, they were adamant ‘... that the benefits we get for the amount of effort that we’re putting in is tremendous’ (SMN-4).

Continuing the key informant suggested that value went beyond tangible aspects such as projects and good practices, but extended to:

... the reputation of the environment agency, because I think that the reputation of the environment agency outside the UK is very much dependant on how we’re perceived for the work we do in networks. (SMN-4).

Another key informant stated that:

... the benefits of membership far-far outweigh ... any cost in man hours or any other dollar cost for airfares, travel and that sort of thing, so ... I think it’s more so about [agencies] looking holistically at what the network provides to each individual agency and [for] the agencies to realise that they’d be insane not to grab the opportunity with both hands (SMP-7).
Support

A key informant highlighted the importance of ensuring that staff who are involved in networks are supported. Specifically, suggesting that agencies should make sure that staff involved in network activities are not isolated, but are part of a supportive group or pool of people which assists network stability and continuity of agency representation (SMN-5).

Planning and priorities

One key informant noted that when networks are functioning well and are well managed, people are working together on environmental priorities and particular issues and the potential benefits are great (SMN-8). Furthermore, they suggested that when dealing with a network that they would always start with ‘... what’s the outcome, what’s the priority [and] what’s the results you’re trying to achieve’ (SMN-8).

PART THREE – SWOT ANALYSIS

Following the data collection, collation and initial thematic review it became clear that the small sample group of key informants perceived that there was utility in networks. As a result the study then moved to focus upon and consider the various strategies and activities available to agencies to assist them in obtaining greater network benefits.

Accordingly the data from the results chapter was subjected to an assessment of strengths, weaknesses, opportunities and threats (SWOT) (Heldon, 2009; Prunckun, 2010). Subjecting the results, of the study, to SWOT allowed for exploration of the ramifications associated with the issue under investigation.

In relation to this study, the internal factors were the strengths and weaknesses internal to networks themselves. The external factors were the existing opportunities and threats external to networks, these typically emanated within member agencies. See Table 7.

SUMMARY OF SWOT FINDINGS

The SWOT analysis highlighted that contacts, participation, representation, and information distribution were connections that resulted in numerous relationships across the various SWOT themes of a certain quality. Contacts and benefits were more mutually beneficial and inter-animating. However it became increasingly clear from the answers and anecdotes, and the way in which they were explained and shared, that it was the human aspects and more specifically the criticality of interrelationships between individuals which were fundamental to enhanced network benefits.

The objective of this assessment was to arrive at a set of policy options that could be considered by decision makers within agencies as part of assessing how their agency might be able to obtain greater benefits from network association. Table 7 below shows
the themes that emerged from an examination of each the SWOT factors. These factors are then considered in turn.

**SWOT FINDINGS CONSIDERED IN DETAIL**

*Table 7: SWOT Analytical Matrix - Environmental Enforcement Networks*

<table>
<thead>
<tr>
<th>Supportive</th>
<th>Detrimental</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strengths</strong></td>
<td><strong>Weaknesses</strong></td>
</tr>
<tr>
<td>• Enhanced contacts</td>
<td>• Lack of active participation</td>
</tr>
<tr>
<td>• Operational benefits</td>
<td>• Lack of resources</td>
</tr>
<tr>
<td>• Accessing better practices</td>
<td>• Criticality of network secretariats</td>
</tr>
<tr>
<td><strong>Opportunities</strong></td>
<td>• Project completion rates</td>
</tr>
<tr>
<td>• Representation</td>
<td></td>
</tr>
<tr>
<td>• Reporting</td>
<td></td>
</tr>
<tr>
<td>• Benefits</td>
<td></td>
</tr>
<tr>
<td>• Communication</td>
<td></td>
</tr>
<tr>
<td>• Events</td>
<td></td>
</tr>
<tr>
<td>• Knowledge management</td>
<td></td>
</tr>
</tbody>
</table>

(Based on Table 10.1, Prunckun, 2010, p. 137)

**STRENGTHS**

In what way can the strengths be used to an advantage?

**Enhanced contacts**

Key informants expressed their strong support for contacts, and considered them a benefit in their own right, a point made clear by the superlative language they used when describing how they utilised them. Moreover, the examples they provided confirmed that in environmental enforcement circles that contacts can be (and frequently are) separated into those that are general contacts and operational contacts. The general contacts tended to involve general liaison with a focus on relationship maintenance, whereas the emphasis with the operational contacts was on enhancing interoperability on cross-jurisdictional investigation and enforcement matters.

A key informant stressed how important contacts were when addressing environmental remediation issues when time was of the essence (SMP-7). Another example related to how coalescing network contacts had resulted in practical feedback being provided to the policy makers (legislatures), this led to beneficial changes in the
legislation, which overall resulted in greater enforceability of environmental legislation (SMN-8).

A regular scenario relayed by the key informants (SMN-1; SMN-2; SMN-4; SMN-5) involved enforcement of trans-national\textsuperscript{37} shipments of hazardous waste. This was a prime example of how vital contacts were, since the transnational shipments almost always involved a source, transit, and destination country - which could then extrapolate to involve vast numbers of agencies in each of those countries. This was an aspect complicated further by the fact that the actual enforcement might be undertaken by a customs or port authority, an environmental agency/ies, or in some cases the police.

The importance of contacts was also raised by Sparrow, when considering operational enforcement, who noted how enforcement agencies went about establishing networks of contacts among peer organisations to facilitate and accelerate exchange of information and new methods of detection (2008). During a workshop, where the establishment of a wildlife enforcement network was being discussed, Akella (2005) reported that Lafortune stated that environmental enforcement networks were only useful if it helped to obtain information and contacts.

At one end of the spectrum, a key informant involved in networks for approximately three decades, considered that they had accumulated hundreds of contacts (these include both general contacts and operational contacts - as described above) around the world (SMN-2). At the other end of the spectrum, several key informants described how almost immediately after becoming involved in a network, that they had acquired access to many dozens of contacts (often in their respective and unique environmental enforcement discipline) (SMP-3; SMN-5; SMP-7).

Member agencies should consider using contacts to their advantage. It is suggested that one simple and effective way would be for agencies to ensure that they maintain up-to-date contact lists so that they can be drawn upon when assistance, advice or joint operational effort is needed.

\textit{Operational benefits}

Once contacts had been established, and rapport built, joint or combined operational activities were undertaken in a more coordinated manner. Key informants provided numerous examples of the benefits of the enhanced interoperability resulting from network involvement.

The operational activities were bilateral, tri-lateral and multilateral. Bilaterally, environmental agencies from the US and Canada combined on matters relating to e-waste.

\textsuperscript{37} For a detailed perspective of transnational environmental crime see Elliott (pp. 493-514) in White (2009) \textit{Environmental crime: A reader}, which includes the United Nations General Assembly definition of transnational crime at page 495.
Tri-laterally, in New Zealand two environmental agencies\(^{38}\) have combined with the New Zealand Customs Service to form the WEG\(^{39}\) to combat wildlife trafficking. Multilaterally, under the auspices of the INECE Seaport Environmental Security Network (SESN)\(^{40}\) numerous law enforcement agencies, networks and organisations around the world have joined to tackle transportation of hazardous waste. These various operational alliances show how ‘... [e]nvironmental crimes frequently demand a high level of collaboration with non-police agencies’ (White, 2008, p. 202).

Key informants expressed positive support for the effectiveness and efficiency of working together. Whilst not an unexpected outcome, given that environmental crime is global in nature it is expected that interoperability will continue to be a focus within networks. This is supported by White (2008) who suggests that:

> [...] the nature of environmental crime poses a number of challenges for effective policing. Such crimes may have local, regional and global dimensions. [...] such they may demand intensive cross-jurisdictional negotiation (p. 197).

The Recommended Minimum Criteria for Environmental Inspections (RMCEI) was a prime example of how networks combined and undertook precursor project work which facilitated interoperability. Essentially the RMCEI provided a baseline (and the component parts) for environmental inspection plans\(^{41}\) which are used extensively and consistently by EEAs across countries in the Europe Union. Thus demonstrating how a ‘... network can raise awareness about a particular enforcement issue and help channel resources to where they're most needed’ (Schmidt, 2009, p. 276).

In linking contacts to operational benefits one key informant considered that an agency’s organisational credibility to some extent comes from its willingness to participate in networks (SMN-6). This is consistent with Braithwaite (2006) who noted generally that:

> [i]ncreasingly, regulators are working collaboratively with other regulatory agencies ... [i]earning knowledge and practices, coordinating operations, and building networks are all part of modern-day regulatory practice ... (para. 47).

Member agencies should consider accessing the available operational benefits to their advantage. There are several ways in which this can be realised, by actual engagement, as an observer, or through the precursor project work and planning phases.

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\(^{38}\) The two environmental agencies are the Ministry of Agriculture and Forestry and the Department of Conservation.

\(^{39}\) The WEG is the Wildlife Enforcement Group.

\(^{40}\) The SESN involves partnerships with IMPEL Transfrontier Shipment of Wastes Group (IMPEL TFS), Basel Secretariat, Interpol, United Nations Office of Drugs and Crime (UNODC) Container Control Programme, and other entities.

\(^{41}\) See Doyle, V & O'Leary, G (2009, p. 15) for more information on the results associated with how 34 local authorities in Ireland utilise the RMCEI.
Accessing better practices

Key informants were resolute on the need for their agencies to be using contemporary and effective practices. They were equally adamant that it was important to ensure that they maximised the efficiencies of accessing and leveraging off of the work undertaken by others in relation to the development of relevant environmental enforcement practices.

Key informants explained how benchmarking their agency’s practices against those of others were used to articulate the benefits of network involvement. SMN-6 for example highlighted how they leveraged ‘quality control’ and ‘continual improvement’ aspects, learned from their association with networks, in an attempt to ‘future proof’ their agency’s activities.

SMN-4 considered that on occasions their agency sought to implement new ways of doing things which they had learnt from other countries. However, they also considered that it was good:

... to challenge what you do, anyway, against what’s happening elsewhere and you might come to the conclusion that what we’re doing is fine but at least it’s good to have challenged it and come to that conclusion (SMN-4).

The desire for better practices is consistent with the viewpoint of Tiernan and Althaus (2005) who considered the impact of globalisation in the public sector generally. They considered that globalisation had resulted in public sector managers, together with the services they provide, being subjected to international benchmarking. Thus it is no surprise, given that environmental crime has become increasingly global in nature (Elliott, 2009; Smith, 2010; World Customs Organisation, n.d.), that identifying and using better practices is seen as an opportunity worth pursuing.

In a move towards better practice, and as an example of consistency of approach, Klein (2005) detailed how between 2002 and 2005 that all environmental enforcement agencies (local, provincial, and national) in the Netherlands undertook a project looking at a minimum criteria for a professional environment enforcement process. The project was based on a total quality management approach which sought to establish ‘... professional process[es] ... reflected in professional people, policies, procedures, performance and products’ (p. 95).

The RMCEI, mentioned previously, was augmented by the preparation and production of best practice books, manuals and enforcement reports. SMN-8 noted that one of the benefits was that within a relatively short time agency/ies and networks were able to have systems in place to actually target priority enforcement areas.

Member agencies should consider participating in the production of better practice materials and use them to their advantage. To do so could improve their standing individually and amongst peers.
WEAKNESSES
How can the weaknesses be shored up?

Lack of active participation
Key informants were unyielding suggesting that active membership was vital for networks. Moreover, several key informants stated that agencies needed to ‘... be involved ...’ (SMP-7), ‘... get involved ...’ (SMN-2) and ‘... stay active, don’t be ... a backbencher’ (SMN-1). It was also suggested that agencies needed to take their membership seriously and to make sure that they had stable representation (SMN-5).

Key informants suggested that while member agencies can be passive and take advantage of the existing material, it is through greater proactive involvement in projects and committee work where greater or increased benefits are able to be realised (SMN-3).

An example of active participation involved inspectors from various countries in Europe visiting another to observe how inspections were undertaken. The reciprocal visits and feedback enabled shared and experiential learning. This in turn had resulted in inspectors establishing relationships which had assisted when it was necessary to address what were larger, more complex and shared issues.

Member participation inevitably and unavoidably shapes the network itself. In reporting on a workshop relating to regional networks Jones (2002) noted that ‘... [t]here appear to be three levels of networks: well established ... fragile ... [and] absent’ (p. 464).

Member agencies might consider actively participating in network activities. One key informant likened network membership and participation to a cooperative building society, where ‘... you reap what you sow, so the more you put in the bigger the cooperative develops [and] the more you’ll get out’ (SMP-7). By agencies taking a similar approach, they could shore up this weakness.

Lack of resources
Key informants spoke frankly about the resources required by and which were available to networks. Overall they indicated that networks required more human and financial resources than most of the members would appreciate (SMN-5).

In-kind support was the predominant manner in which agencies and individuals supported networks. Almost all network participants performed their network roles in addition to ‘... their day job’ (SMN-4).

Accordingly, key informants explained that it was the exception for networks to be in receipt of direct financial support from member agencies. Instead, and generally speaking, the key informants suggested that when networks were supported financially by member agencies that it involved just a few key contributing member agencies in each of the related cases. In the case of INECE, the network has ‘... grown to what it is now thanks to a couple of stable spenders’ (SMN-5). As a result of the support provided by the
USEPA and VROM, INECE has been in the business of networks since 1990. Moreover, INECE as a ‘network of networks’ (INECE, n.d.) has been a driving and guiding force as it has provided support for the establishment of a number of other networks. INECE has provided impetus and support to networks through activities such as its international conferences, regional capacity building events and thematic projects (Zaelke, Markowitz & Koparova (in press). These activities act as catalysts, which in addition to generating interest amongst practitioners often translate into specific funding and resources from entities such as UNEP and The World Bank, and Asian Development Bank.

Several examples, resulting from the 7th and 8th INECE conferences, highlight the short, medium and long lead-in times required for the establishment of regional networks. See Table 8.

### Table 8: Regional Networks Supported By INECE

<table>
<thead>
<tr>
<th>Network</th>
<th>Catalyst event</th>
<th>Date Est.</th>
</tr>
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<tbody>
<tr>
<td><em>Sub-Saharan African Network for Environmental Compliance and Enforcement</em>[^42]</td>
<td><strong>Note:</strong> The network was established following the 8th INECE conference. The network is supported by INECE and provides a platform for African countries to share information and best practices in the field of environmental compliance and enforcement.</td>
<td></td>
</tr>
<tr>
<td>EANECE</td>
<td>8th INECE conference (2008)</td>
<td>2010</td>
</tr>
<tr>
<td><em>East African Network for Environmental Compliance &amp; Enforcement</em>[^43]</td>
<td><strong>Note:</strong> This network was established following the 8th INECE conference. It focuses on improving environmental compliance and enforcement in Eastern Africa.</td>
<td></td>
</tr>
<tr>
<td>NECEMA</td>
<td>7th INECE conference (2005)</td>
<td>2005</td>
</tr>
<tr>
<td><em>Network for Environmental Compliance and Enforcement in the Maghreb</em>[^44]</td>
<td><strong>Note:</strong> The network was established following the 7th INECE conference. It focuses on improving environmental compliance and enforcement in the Maghreb countries.</td>
<td></td>
</tr>
<tr>
<td>ANECE</td>
<td>7th INECE conference (2005)</td>
<td>2009</td>
</tr>
<tr>
<td><em>Arab Regional Network for Environmental Compliance and Enforcement</em>[^45]</td>
<td><strong>Note:</strong> This network was established following the 7th INECE conference. It focuses on improving environmental compliance and enforcement in the Arab region.</td>
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</tr>
</tbody>
</table>

The key informants considered that resource imbalances, whether understood or accepted, were a reality of networks and that in the main, members (agencies or individuals) contributed what they felt able or prepared to. Membership fees for networks were a rarity, and in most cases, non-payment was not enforced or pursued. One key informant explained that, as a lead agency in their network, that involvement can be a case of ‘...giving, giving, giving and other times it’s taking’ (SMP-3). With Fleming and Wood noting that ‘...networks like all other resource allocation mechanisms, are not cost free ...[t]hey can generate conflicts: between individual and organisational commitment’ (2006, p. 20).

The indication from the gathered data suggests that member agencies may well consider allocating dedicated resources to network activities. One way agencies could shore up this weakness is to ensure that there are demonstrable links (a material relationship) between the work plans of individuals, through sectional, branch, and

[^42]: For more information on the S-SANECE see [http://www.inece.org/region_africa.html](http://www.inece.org/region_africa.html)
[^43]: For more information on the EANECE see [http://inece.org/eancee/](http://inece.org/eancee/)
[^44]: For more information on the NECEMA see [http://www.inece.org/mera/necema/](http://www.inece.org/mera/necema/)
[^45]: For more information on the ANECE see [http://www.inece.org/mera/arabregion/index.html](http://www.inece.org/mera/arabregion/index.html)
divisional work plans to the departmental plans. Several key informants mentioned how successful this had been within their agencies. Adding that it had in some cases negated the need to continually justify and vie for network resources (SMN-1; SMN-4).

**Criticality of network secretariats**

Key informants outlined that, irrespective of the type and level of formality, networks needed to be managed. They considered that the established networks were well organised and managed and that, in part, this was a result of defining and redefining (over time) the strategic direction of the network (SMN-5).

Key informants explained that the management level (i.e. board, steering committee, or executive planning committee) of the network and their project teams (working groups, focus areas or clusters) were the people who provided the network with the right strategic angle coupled with the right technical approaches.

The key informants reinforced how it was essential for the network secretariat to be active, supportive and proactive. Adding that this was because the:

... secretariats are the only people, that are, more or less full time dedicated to the network ... all the other participants, have only at the best, a kind of a part time connection to the network [so you need] ... an active and well functioning secretariat who supports the network in its day to day business (SMN-5).

The key informants considered that there was an interrelationship between secretariats and project completion rates. Key informants also acknowledged the challenges associated with consultation on the selection and prioritisation of network projects. Overall they considered that consultation was a good and beneficial thing. Considering that it resulted in greater collective ‘buy in’ and support and tended to ensure that the network was focussing on meeting the requirements of the members (SMN-4).

On secretariats and project completion rates, Farmer (2007) considered that there was a particular challenge and tension when a network had:

... a highly participatory management structure supported by a small permanent Secretariat. This ensures both a wide consensus for its work and practical implementation. However, it can also result in some delays in taking work forward (p. 254).

Farmer concluded, noting, that a network can find itself then being ‘... very dependent on the initiative of particular members which in turn can result in a problem of focus’ (p. 254).

Member agencies might give stronger consideration to being involved in or supporting network secretariats. Several ways in which agencies might shore up this weakness is by supporting secretariats through financial support (SMN-5), staff secondments (SMN-2), or by actually subcontracting and performing some of the
administrative type activities of the network (SMN-5), especially those that are not geographically dependant or time critical.

**Project completion rates**

Key informants described projects as a primary way in which the combined knowledge of networks was harnessed and shaped into products for the benefit of members. However, they also expressed concern around issues associated with project selection (SMP-3), prioritisation and project completion rates (SMN-1; SMN-2) – which at times resulted in tensions between members.

The key informants raised a number of factors which they considered impacted upon project completion rates. These included, but were not limited to resources, competing commitments, alignment of the project with core functions, and loss of key project staff. One of the more disruptive aspects mentioned related to whether the projects, as scoped, were practical and feasible.

Key informants, although frustrated, were not overly critical of the loss of momentum on projects. Instead, they reinforced the fact that there were increased challenges associated with participation in international projects and activities. Key informants suggested that such participation required greater commitment and coordination due to the fact that participants were from other countries, in different time zones, spoke different languages, and often had competing and changing priorities.

These issues around project completion rates are consistent with the observations of Michalak and Bularga (2002) who suggested that:

... [Limited financial and human resources of enforcement agencies is ... a major cause of low effectiveness of their efforts. [With] resources ... spread too thinly, or fragmented, among many functions (p. 65).

Member agencies could consider becoming more involved in and supportive of network projects especially those that will provide tangible benefits to their agency. Agencies could shore up this weakness by being selective:

... mak[ing] sure that the networks [and projects] that you select to participate in and spend resources in are the ones that are going to be the most efficacious -- the ones that are going to be feasible and practical (SMN-2).

**OPPORTUNITIES**

What is the best way to take advantage of each opportunity?

**Representation**

Key informants considered that representation in networks assisted agencies in shaping the activities of the network. The suggestion was that this could then result in enhanced benefits for the agency.
When considering representation, key informants suggested that attention be given to the ‘dual role’ performed by individuals when representing their agency and the network, and the actual ‘make-up’ of the representative themselves.

A key informant from the national (central) level of government described the dual (and distinct) roles and relationship their agency has with sub-national (provincial) or local authorities. Firstly, the key informant explained that their agency needed to ensure that the subordinate levels of government performed what are delegated statutory responsibilities. Secondly, the key informant’s agency has a clear role (and obligation) to give the subordinate levels of government assistance and guidance, which often includes training (SMN-8).

One key informant considered that agencies had failed when it came to the type of staff member that they had representing them in networks (SMN-6). This key informant went onto explain where they had observed ‘... situations where ... the people that are coming to represent [the agencies] are not, for want of a better term, “people-persons”’ (SMN-6). This is a characteristic worthy of attention noting that Farmer considers that within networks ‘... [p]ersonal relations have often been critical in delivering successful outcomes’ (2007, p. 261).

Member agencies should consider not only having agency staff represent them in networks, but ensure that they are appropriately matched\textsuperscript{46} to the position. Agencies can take advantage of this opportunity by undertaking formal roles in networks, whether as an office holder, project leader, or project member.

\textit{Reporting}

The key informants considered reporting on the activities of networks to be an activity that they needed to engage in. When they spoke of it, it was very much in the terms of an internal marketing strategy.

Key informants considered that raising awareness within their agency of the activities, products and benefits of networks would generate greater interest in networks. This increased interest would then provide greater overall opportunities for their agency to actually realise the benefits. As one key informant stated:

\begin{quote}
... one of the most important things about promoting benefits of participation in networks is having some sort of communication strategy to make people aware of what’s going on and the value of it and how it can be useful for them (SMN-4).
\end{quote}

One key informant advised that they had been ‘... promoting quite hard internally ... that there is a definite cost benefit and a definite kind of value that comes from ... networking’ (SMN-6). Another provided an example of marketing the benefits of

\textsuperscript{46}`Appropriately matched’ in the context of networks includes, but is not limited to; seniority within the representative’s home agency, technical proficiency and subject knowledge, relevant expertise, an ability to support (resource and facilitate) agency engagement, and interpersonal skills (or combination thereof).
networks to senior managers through a third party, describing how the Commissioner for the Environment in Brussels, when considering the IMPER network:

... specifically said, that if you come here speaking as part of a group of twenty-seven organisations, how can I not listen to what you have to say ... it showed the senior people in [the agency] ... how important it is to be part of a network and how valuable it can be for them as well (SMN-4).

Member agencies might consider improving their reporting on the activities, products and benefits of networks. Agencies can take advantage of this opportunity by improving the quality, distribution and frequency of reporting within their agency so that benefits of the network can be pursued and realised by the broader agency.

**Benefits**

Key informants considered that there were numerous opportunities for network members to reap the benefits of membership. However these benefits needed to be marketed and accessed before they could be taken advantage of.

Key informants explained how they leveraged and marketed network benefits. They provided countless examples of how they were able to access customised and relevant policies, procedures, and training. SMP-7 explained how, such items, when considering staff time and actual paid consultancies, can quickly amount to savings in the tens, if not hundreds, of thousands of dollars.

Slaughter (2004a), made similar observations in relation to accessing benefits, suggesting:

... enforcement networks, which also encompass training and technical-assistance programs ... [assist] to build the recipients' capacity to enforce their own domestic regulations (p. 51-52).

Member agencies should consider accessing the benefits of membership. Agencies can take advantage of this opportunity by proactively seeking out and utilising the existing network products.

**Communication**

Key informants explained that websites were the primary portal for members to access information and market products. Like the reporting opportunity discussed above, communication had much to do with marketing, but extended to include liaison and networking.

Whilst acknowledging the importance and efficiencies associated with electronic communication, the key informants expressed a strong desire for more personal one-on-one and preferably face-to-face contact. Face-to-face contact was considered a critical enabler and stimulus to kick-start activities but to also provide ongoing momentum for network projects.
Critical to communication was the ability to be able to contact relevant personnel. Key informants described that one of the most vital functions was for agencies to have nominated focal points. These focal points provided members with access to members and contacts in other agencies and countries so that they could ‘... readily find the people who cover particular topics’ (SMN-4).

Member agencies might be well served to keep abreast of network announcements. Agencies can take advantage of this opportunity quite simply by checking the latest news or events section of the network websites. Technology such as Real Simple Syndication (or RSS feeds)\(^{47}\) means that this function can largely be automated. It is also beneficial for agencies to attend events in person.

**Events**

Key informants explained that network events were extremely beneficial for members to meet, network with one another and discuss projects and showcase products. Attendance at events therefore provided agencies with an opportunity to meet peers to advance their environmental enforcement efforts.

Regular conferences (whether annual, biennial or triennial) and workshops were considered valuable as these events enabled practitioners to see and relate to what their peers were doing in similar circumstances when confronted by similar matters (SMP-3). Hosting workshops enabled the network to develop (and trial) some of the resource material (manuals, guidelines, etc.) that it had developed.

TEEN, in Ireland, used forums and meetings to progress activities within the network. One key informant told of how it ‘... took some experts, picked some counties and got groups ... [of] eight to twelve people together on a particular issue ...’ (SMN-8) to provide a catalyst for a number of activities and projects relating to shared responsibilities.

Informal events also provided an opportunity for benefits to be realised. One key informant considered that much networking occurred in more social contexts as opposed to around the boardroom table and that this was often more valuable than the formal aspects of the gathering (SMN-6).

Member agencies may consider attendance at network events. Agencies can take advantage of this opportunity by ensuring they are represented by appropriate personnel who ideally can contribute to the event itself and ensure that relevant learnings are captured and fed back to the agency.

**Knowledge management**

Network knowledge management was an aspect which was problematic. Agencies either underrated it or were unable to perform it sufficiently to create a worthwhile benefit.

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Yet the practice offers potential benefits. Improving knowledge management holdings within agencies would undoubtedly increase the recall and assessment of network material held within agencies.

To varying degrees, questions five, six and eight of the questionnaire were concerned with aspects of knowledge management. In considering the combined responses of the key informants, especially in relation to question eight, improving knowledge management systems should be addressed as a priority, especially when the opportunities to enhance knowledge management are so critical to networks. On this issue, Fleming and Wood (2006) suggested that:

[n]ot only do networks provide the opportunity for different forms of knowledge and capacity to be integrated in the furtherance of shared outcomes; they also provide the opportunity for resources (material and human) to be leveraged (p. 4).

Member agencies might consider having adequate systems in place to capture and store their corporate knowledge holdings of the agency’s involvement with networks. Agencies can take advantage of this opportunity by liaising with their internal knowledge management or corporate governance sections.

THREATS
What needs to be done to mitigate each threat?

Inability to sustain internal capacity

Agencies need to have internal capacity to participate in networks. More importantly, agencies need to be able to sustain this capacity.

Farmer’s checklist developed for EEAs participating in networks, asks two questions which are relevant to this issue. Specifically:

[are effective mechanisms in place to identify staff members who might most effectively participate in relevant network activities ... [and is the agency] responsible for part-funding of network activities and, if so, is this fully incorporated in relevant financial planning? (2007, p. 262).

Member agencies might want to consider identifying what the required and sustainable resources for network participation are. Upon doing so, agencies can then mitigate this threat by negotiating and securing sufficient and ongoing resources (commensurate with the agency’s agreed level of support) to support their agency’s contribution to the network.

Loss of key staff

In order to access the benefits of networks, an agency is well served by appointing specific staff to represent them. The loss or turnover of staff in these representative roles threatens the ability of an agency to access and receive optimal benefits from membership.
One key informant described the extremes of agency representation. In terms of continuity explaining that with:

... some countries ... I see people that I’ve known ... for twenty plus years, and [with] others ... there’s always new people ... [in] some countries it’s the quintessential revolving door, it’s new people all the time, so [while] it’s always good to have a new infusion of blood, but when there’s no continuity then [that’s a problem] ... SMN-2.

Continuity of membership is reflected in Farmer’s checklist developed for EEAs participating in networks, which asks ‘... [h]as the environmental enforcement authority a designated person responsible for coordination with the network?’ (2007, p. 262).

Member agencies might endeavour to have continuity of agency representation to ensure there is ideally no, or at most minimal, loss of momentum or presence within the network. Agencies can mitigate this threat by ensuring that adequate succession (and contingency) planning is undertaken in respect to network participation, with particular attention being given to staff nomination, selection and ongoing supervision.

**Inadequate information distribution**

In order to access the benefits of networks an agency needs to have adequate information distribution systems in place. Non-existent or inadequate information distribution systems result in less than optimal benefits from membership.

Two of the key principles and themes central to networks involve building relationships and strengthening capacity across jurisdictions, and the sharing of information and experiences. Once more, Farmer’s checklist developed for EEAs participating in networks is relevant where he asks, ‘... [a]re effective mechanisms in place to disseminate the results of network activities to those in the environmental enforcement authority who would benefit?’ (2007, p. 262).

It is worth revisiting the viewpoint of Zaelke *et al* (2005a) when considering the benefits of ensuring information is distributed. As effective distribution:

> By working directly peer-to-peer, transgovernmental networks can quickly disseminate and distill information, enhance enforcement cooperation, harmonize laws and regulations, and address common problems from a shared perspective shaped by experience and expertise (p. 28).

Member agencies should consider having adequate information distribution systems in place to promulgate network information. Agencies can take advantage of this opportunity by liaising with their network’s secretariat to determine what techniques that might be useful and applicable to interagency information distribution. Similarly, agencies could also seek the support from their internal media affairs or corporate communication sections.
CHAPTER 5

DISCUSSION AND CONCLUSION

DISCUSSION

The study, in the first instance, indicated that the key informants perceived that there was utility in environmental enforcement networks. Additionally, it identified that there were a number of strategies and activities that agencies could utilise to gain greater benefits from their association with networks.

In considering utility, the study established that:

- agencies tend to be engaged with multiple networks. With the agencies represented by the key informants, being involved with between one and six networks (the average being three and a half networks per agency – see Table 2);
- the fourteen networks referred to by the key informants, have been operating for between five and thirty years (with the average being a little over 14 years - see Table 6); and
- the total number of networks has grown considerably since the 1990s (Farmer, 2007; Kaniaru, 2002).

Whilst it could be inferred that the points mentioned above might be the result of habit on behalf of the agencies, or some other unrelated aspect, this is considered unlikely as it is not consistent with the testimony of the key informants. The key informants were resolute regarding the benefits of networks, particularly around issues such as; contacts, operational aspects, and better practices. Their comments should be considered in light of the fact that the key informants were unanimous that the benefits of networking outweigh the challenges. An aspect even more significant when bearing in mind that the key informants have varying levels of agency support and time allocated for networking activities (with the balance performed in their own time – out of hours).

In relation to strategies, the study established that there were strategies and activities used by agencies that enabled them to derive greater benefits from their association with networks. The key informants outlined strategies relating to network representation, reporting and showcasing (of the network benefits and products). There were also strategies that networks employed in an effort to provide enhanced benefits to members. They included communication, events and knowledge management. It became evident though that the agencies varied greatly in their use of strategies and activities to optimise network benefits, and equally there was great variance in the successes that they enjoyed.
METHOD OF DETERMINING POLICY OPTIONS

The results of this study suggest there are strategies and activities that agencies can utilise in an effort to gain greater benefit from their association with networks. This however would require agencies to develop or formalise a policy position on how they become involved with networks, measure the value they derive from the association, assess the effectiveness of the association and support networks.

Therefore in drawing upon the results of this study, Prunckun (2010) suggests that:

- [s]trategies can be formulated based on combinations of the factors as follows:
  - Strengths/Opportunities. Ways that will use strengths so that opportunities can be realized.
  - Weaknesses/Opportunities. Ways to address weaknesses in order to provide relief so that opportunities can be followed.
  - Strengths/Threats. Ways that use strengths “offensively” to moderate threats.
  - Weakness/Threats. Defensive ways that will protect against threats (p. 137).

A number of policy options came to light when compared against the factor combinations above. These policy options are outlined below.

POLICY OPTIONS

OPTION 1  Do Nothing

If policy makers selected this option it would simply maintain the status quo. As such, it would be accepted that the benefits that an agency receives from its association with networks are acceptable when compared against the effort, resources and importance it affords networks.

Network engagement and the resultant benefits would continue to be ad hoc and/or heavily reliant upon the benefits that individual agency staff are willing, able, prepared and permitted to pursue on behalf of their agency.

This option is not aligned with a SWOT factor combination. As it is a nil action approach it does not advance maximising the benefits of networks. Thus it is not an option worthy of consideration.

OPTION 2  Minor modifications to network engagement strategy

This option would require an agency to consider making a number of relatively minor modifications to their existing efforts in respect to network engagement.

The following suite of proposed improvements relate to network involvement. Agencies should endeavour to have stable participation in networks by having:

- Nominated staff and positions dedicated towards agency involvement, coordination and liaison with networks;
• Succession planning strategies in place to ensure continuity of network representation; and
• Appropriate internal communication mechanisms to ensure all agency staff have access to and are able to benefit from the learning’s of the network.

In going some way to address network involvement, this option is superior to Option 1. However, it does not address the three remaining broad areas, which unaddressed could ultimately prevent optimal network benefits being realised. Thus it is not the preferred option.

This option is aligned with Prunckun’s (2010) ‘Weaknesses/Opportunities’ factor combination, as the proposed improvements address weaknesses in order to provide relief so that opportunities can be followed.

**OPTION 3  Minor modifications to network engagement strategy**

This option would require an agency to consider making a number of minor modifications to their existing efforts in respect to network engagement.

The following suite of proposed improvements relate to increasing the value from network engagement. Agencies should endeavour to maximise value by having:

• To the maximum extent possible, alignment between the agencies core functions and effort and that of the network; and
• Those agency staff involved in networks ‘value adding’ by returning the learnings to the broader agency knowledge holdings and practices.

In going some way to address increasing the value from network engagement, this option is superior to Option 1. However, it does not address the three remaining broad areas, which unaddressed could ultimately prevent optimal network benefits being realised. Thus it is not the preferred option.

This option is aligned with Prunckun’s (2010) ‘Weaknesses/Threats’ factor combination, as the proposed improvements are defensive ways that will protect against the threats.

**OPTION 4  Moderate modifications to network engagement strategy**

This option would require an agency to consider making a number of moderate modifications to their existing efforts in respect to network engagement.

The following suite of proposed improvements relate to increasing the effectiveness of network engagement. Agencies should endeavour to maximise effectiveness by having:

• Communication strategies in place and utilised to ensure all agency staff and stakeholders (where appropriate) have access to information relating to the network; and
• Reporting arrangements in place so that agency involvement can be reported upon and that reports be distributed within the agency so that benefits of the network can be pursued and realised by the broader agency.

In going some way to address increasing the effectiveness of network engagement, this option is superior to Option 1. However, it does not address the three remaining broad areas, which unaddressed could ultimately prevent optimal network benefits being realised. Thus it is not the preferred option.

This option is aligned with Prunckun's (2010) 'Strengths/Opportunities' factor combination, as the proposed improvements are ways that will use strengths so that opportunities can be realised.

**OPTION 5 Major modifications to network engagement strategy**

This option would require an agency to consider making a number of major modifications to their existing efforts in respect to network engagement.

The following suite of proposed improvements relate to increasing the support for network engagement. Agencies should endeavour to maximise support to networks by having:

• Agency funds (preferably ongoing budget) directed towards networks (principally to support secretariats, projects and activities);
• Senior agency officials taking up lead (office holder or governance) roles within networks;
• Network roles and responsibilities integrated into the core duties (position or job description documents) of key agency staff; and
• Agency staff encouraged to be actively involved in network activities and projects.

In going some way to address increasing the support for network engagement, this option is superior to Option 1. However, it does not address the three remaining broad areas, which unaddressed could ultimately prevent optimal network benefits being realised. Thus it is not the preferred option.

This option is aligned with Prunckun's (2010) 'Strengths/Threats' factor combination, as the proposed improvements are ways that will use strengths offensively to moderate threats.

**OPTION 6 Extensive establishment (or modification) of a network engagement strategy**

Agencies engaging with networks for the first time should consider implementing the entire suite of proposed improvements contained within Options 2 to 5 inclusive. To do so would ensure that they agency has a comprehensive network engagement strategy in place.
This option involves extensive agency commitment as it addresses each of the four broad areas, namely involvement, value, effectiveness and support for networks. It also incorporates all four of Prunckun’s (2010) factor combinations. This option therefore aids the realisation of optimal network benefits, thus it is the preferred option. This option also involves the greatest level of resourcing. Resourcing and inhibitors to implementation are outlined in the next section.

**POLICY IMPLEMENTATION CONSIDERATIONS**

For those agencies that are already engaged with networks they should consider taking a ‘pick and mix’ approach and incorporate/integrate the lacking and relevant proposed improvements contained within Options 2 to 5 inclusive. Dependent upon their current level of engagement and commitment to networks, this option would require an agency to consider making minor through to extensive modifications to their existing efforts in respect to network engagement.

The options generally (determined by the final composition of a ‘pick and mix’ approach) and collectively have a range of factors that need to be considered as part of policy implementation. These factors include but are not limited to budget, time, resources, opportunity costs and organisation structures. These factors attract additional challenges or complication for those agencies that are still settling to their new regulatory roles.

**CONCLUSION**

The study sought to answer two questions. The first asked was there utility in environmental enforcement networks? Whilst the second, if utility was established, asked how can environmental enforcement agencies maximise the benefit they derive from their involvement with environmental enforcement networks?

The results of this study suggest that there is utility in networks. It also suggests that there are a range of strategies available to agencies to enable them to gain greater benefit from their association with networks.

Networks provide agencies with access to a vast array of practitioners who have and are developing expertise in a range of relevant fields associated with environmental enforcement. Access to this expertise is particularly valued by practitioners and network office holders alike, it is therefore not surprising then that practitioners hope that networks ‘... long continue and that when resources are being examined that this is seen as something which is an important priority for [the agency]’ (SMN-4).

It was clearly evident that networks have the ability to coalesce environmental enforcement expertise which enables agencies to engage in bilateral or multilateral projects and initiatives. This multiplication factor enabled agencies to start, engage with, complete
and benefit from projects and initiatives which without the network most likely would not have come to fruition. These observations are consistent with those of Sparrow who suggests that:

If practitioners bite off too much, chances are they will choke. Bite of too little, and nobody will much care. Obviously an agency can take bigger bites than an individual or a department; and a consortium of institutions [like a network] can presumably take even bigger bites without being overwhelmed (p. 84).

Steiner, in support states that '[a]t UNEP, we believe global problems need global partnerships ... [and that] enforcement networking is one small example of the benefit of such cooperation' (2007, p. 2).

The study highlighted the human aspects and more specifically the criticality of interrelationships between individuals was fundamental to receiving enhanced network benefits. It also confirmed that networks are comprised of agencies and individuals who are prepared to work together for their individual and collective benefit (and on occasions the benefit of a third party – most usually a less developed member agency).

It is obvious that there is a level of reciprocal trust within networks. This trust (or at a minimum professional or mutual respect) facilitates the flow and exchange of information. Further, it is as a result of these information flows that project, policy and enforcement gains are made by environmental enforcement agencies.

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REFERENCES


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Green Customs Initiative (n.d). *The green customs initiative: Customs protecting the environment* [Brochure].


APPENDIX A – INTRODUCTORY EMAIL (REDACTED TEMPLATE)

Hello [insert name],

I hope this finds you well.

[Option 1] I don't know if you remember but we met at [insert event or activity] and I am the Secretary of AELERT (www.aelert.com.au).

[Option 2] You have been referred to by a colleague.

I am making contact with you at this time as I am currently undertaking my Master in Compliance. My research and subsequent dissertation relates to:

'A Qualitative Analysis of the Utility of Environmental Enforcement Networks'. The research project has been approved by the relevant Ethics body within the Charles Sturt University in Australia (see pdf attached).

I am looking for at least one research participant from each of the following countries; AUS, CAN, FRA, NDL, NZ, UK and the USA. Considering what I am looking at covering [insert relevant involvement with networks if known] I thought you would be an ideal research participant.

An excerpt from my research proposal is:

2.1 Research Question purpose or aims of the project (briefly, and in lay terms provide a brief rationale of the research project including the aims and research question)

Explanatory note:
To assist the reader and avoid confusion with acronyms this research will consider the singular and plural of the following:

EEA – Environmental Enforcement Agency / EEAs – Environmental Enforcement Agencies

EEN – Environmental Enforcement Network / EENs – Environmental Enforcement Networks

Context:
Over recent years there has been a discernible increase in society’s expectations in relation to environmental issues. This is an aspect which is exacerbated by the fact that the public is less tolerant of artificial border demarcation issues as they expect a seamless whole of government, region or even world approach as is appropriate. In response, to the above; governments have introduced with increasing frequency Environment Protection Legislation (EPL) (Wolters, 2005, p. 19). Historically, the responsibility for administering (including the enforcement aspects of) EPL has resided with agencies that have hitherto been policy and program focused. Some senior executives within Australian Environmental Enforcement Agencies suggest that their agencies have struggled to transition to their new enforcement roles.

Aims and research questions:
Therefore the purpose of this research is to consider how Environmental Enforcement Agencies (EEAs) have utilised Environmental Enforcement Networks (EENs or Networks) as part of their agency’s overall capacity building efforts to develop an environmental
enforcement capability. An aspect of the research will consider whether the nature of the Networks has changed and how it is that an EEA might be able to more effectively exploit an EEN or EENs to achieve improved environmental enforcement outcomes.

Given the above, the research aims to answer two questions:

- Is there utility in EENs?, and
- How can EEAs maximise the benefit they derive from their involvement with EENs?

2.2 Outline the research design and/or the nature of the project

The research will involve qualitative analysis of both structured and semi-structured interview data with the research participants (sourced from EEAs and EENs) requested to provide information relating to the:

- value their environmental enforcement agency derives from association with the EENs, and
- techniques or methods they employ to derive optimal benefit from the EENs.

The research will consider the various EENs utilised by EEAs. Given that there is tremendous variation in the enforcement duties performed by EEAs throughout the world; this research will consider the theoretical and empirical factors which influence engagement with, participation in, and the benefits that are able to be gained through EENs.

Whilst; it is recognised that a ‘one size fits all’ or model EEN does not exist. It is anticipated that the research will identify the component parts and nuances of various EENs from which it is expected that a greater understanding of EENs will come. This ultimately will assist EEAs in accessing EENs initially and then being able to realise improved environmental enforcement outcomes.

An excerpt from the Consent Form for research participants is:

Requirements and expectations of research participants: It will be necessary for all research participants to consider the consent form and information sheet prior to making a decision whether or not to participate in this research. Having decided to participate and giving their consent research participants will be asked to:

- complete a short written questionnaire (per email) consisting of 8-10 questions which requires short answers only – this aspect should take no more than 15-20 minutes, and will occur in December 2009 or January 2010, then
- participate in a follow up interview (audio recorded) consisting of 6-8 questions which are semi-structured in nature where more detailed, comprehensive and experiential answers would be sought – this aspect should take no more than 45 minutes, and will occur in January or February 2010, then
- [optional for participants] review the transcript for accuracy. Copies of the interview transcript will be made available upon request if a research participant wishes to review the transcript for accuracy, and will occur in February or March 2010.

If this research is something that you are both interested in and able to assist me with I would welcome the opportunity to discuss it with you further.

Thanking you in anticipation and kind regards.

Grant Pink
24 December 2009

Dear [Redacted]

Subject: Research Participant (research project protocol # 110/2009/03)
Reference: A Qualitative Analysis of the Utility of Environmental Enforcement Networks

Recently you expressed an interest in being a research participant for the research outlined above.

Consistent with the requirements of Charles Sturt University and its School of Policing Studies 
& Australian Graduate School of Policing Human Research and Ethics Committee, I now 
provide you with further information relating to the research.

You will note that a number of documents are enclosed for your consideration. I would ask that 
after considering the information if you wish to proceed as a participant please complete and 
return the Consent Form. In the event that your circumstances have changed, or you simply 
wish not to be considered, I thank you for your interest thus far.

If you have any questions or would like to discuss the matter further please do not hesitate to 
contact me.

Yours sincerely

Grant Pink

Encl. Ethics Approval Letter
Information Statement
Consent Form
Questionnaire

www.csu.edu.au

The appearance of Dedications and Progress by Charles Sturt/CSU is intended to further the Mission and aims of CSU and does not imply endorsement of the views expressed in this document.
9 November 2009

Mr Grant Pink
of Australian Graduate School of Policing
Charles Sturt University
15 Blackall Street
BARTON
ACT 2600

Dear Mr Pink,

The School of Policing Studies & Australian Graduate School of Policing Human Research and Ethics Committee (SOPS-AGSP HREC) has approved your proposal “A Qualitative Analysis of the Utility of Environmental Enforcement Networks” for a twelve month period from 9 November 2009.

The protocol number issued with respect to this project is 110/2009/03. Please be sure to quote this number when responding to any request made by the Committee.

Please note that the Committee requires that all consent forms and information sheets are to be printed on Charles Sturt University letterhead. Students should liaise with their Supervisor to arrange to have these documents printed. You must notify the Committee immediately should your research differ in any way from that proposed.

You are also required to complete a Progress Report form, which can be downloaded from www.csu.edu.au/research/forms/ehrc_annrep.doc, and return it on completion of your research project or by 9 November 2010 if your research has not been completed by that date.

The Committee wishes you well in your research and please do not hesitate to contact Ms Kerrie Brown on telephone 02 6272 6240 or email kerriebrown@csu.edu.au if you have any enquiries.

Yours sincerely,

Ms Kerrie Brown
Secretary, SOPS-AGSP HREC

per Dr Anna Corbo Crehan, Chair SOPS-AGSP HREC

Cc: Dr Bank Promchan
APPENDIX D – RESEARCH PARTICIPANT – INFORMATION SHEET

AUSTRALIAN GRADUATE SCHOOL OF POLICING, FACULTY OF ARTS

INFORMATION STATEMENT

This information sheet has been prepared for and specifically relates to research into Environmental Enforcement Networks which involves human participants.

Research Project: A Qualitative Analysis of the Utility of Environmental Enforcement Networks.

Researcher(s): Chief Investigator, Mr Grant Pink (Student – Masters of the Arts: Compliance) contact details: mobile: +61 427 927 442, email: gpink01@postoffice.csu.edu.au

Academic Supervisor: Dr Hank Prunckun, Adjunct Associate Professor, Charles Sturt University contact details: mobile: +61 414 367 266, email: hprunckun@csu.edu.au

Host Institution: Australian Graduate School of Policing located within Charles Sturt University.

Research - purpose and methodology: The purpose of the research is to consider how Environmental Enforcement Agencies (EEAs) have utilised Environmental Enforcement Networks (EENs or Networks) as part of their overall capacity building. It will also consider whether the nature of Networks has changed and how EEAs might be able to more effectively exploit EENs to achieve improved environmental enforcement outcomes. In respect to methodology, the research will involve qualitative analysis of both structured and unstructured interview data. Interviewees will be requested to provide information relating to:

- the value they derive from association with EENs, and
- techniques or methods they employ to derive optimal benefit from EENs.

Requirements and expectations of research participants: It will be necessary for all research participants to consider the consent form and information sheet prior to making a decision whether or not to participate in this research. Having decided to participate and giving their consent research participants will be asked to:

- complete a short written questionnaire (per email) consisting of 8-10 questions which require short answers only—this aspect should take no more than 15-20 minutes, and will occur in December 2009 or January 2010, then

- participate in a follow up interview (audio recorded) consisting of 6-8 questions which are semi-structured in nature where more detailed, comprehensive and experiential answers would be sought (some relating to information provided during the questionnaire) – this aspect should take no more than 45 minutes, and will occur in January or February 2010, then

- [optional for participants] review the transcript for accuracy. Copies of the interview transcript will be made available upon request if a research participant wishes to review the transcript for accuracy, and will occur in February or March 2010.

Please Note: Thank you for considering participation. However, it is important for the design of this research project, that participants undertake both the questionnaire and the interview. If for some reason, you feel unable to participate in one of these, it would be best if you did not participate in the project.
Disclosure of risks for research participants: Participants should note that it is recognised that all research bears some risk. Overall this research is considered to hold minimal risk given that:
- the researcher is not in a position of power or influence by role or position and does not have any direct influence over the participants, and
- the research participants will be de-identified.

Confidentiality: The confidentiality of the identity of individual research participants will be maintained, as will security relating to issues such as, access to, storage of, and derivative use of research data. All research material will be under the sole control of the researcher (with the academic supervisor having access to de-identified data) and will be locked and secure in a filing cabinet. The research participant’s involvement will be on a de-identified basis with coding (of surveys and interviews) assisting in ensuring this.

Voluntary consent / withdrawing consent from research: The participant has given consent freely and of their own free will. There are no dependency relationships between the research participant and the investigator. The research participant understands that they are free to withdraw their consent (and cease participation in the research) at any time, and that if they do they will not be subjected to any penalty or discriminatory treatment.

Research participants (involved in the questionnaire phase) who complete and return the questionnaire will be deemed to have given consent for that process. Those involved in the interview phase of the research will also be required to provide their informed consent by use of the consent form.

NOTE: The School of Policing Studies and Australian Graduate School of Policing Ethics Committee has approved this project. If you have any complaints or reservations about the ethical conduct of this project, you may contact the Committee through the Executive Officer:

Executive Officer
Human Research Ethics Committee
School of Policing Studies and Australian Graduate School of Policing
15 Blackall Street
BARTON ACT 2600

Tel: +61 2 6272 6240
Fax: +61 2 6273 8830

Any issues you raise will be treated in confidence and investigated fully and you will be informed of the outcome.

*THIS FORM IS TO BE RETAINED BY RESEARCH PARTICIPANTS INVOLVED IN THE INTERVIEW PHASE OF THE RESEARCH*
APPENDIX E — RESEARCH PARTICIPANT — CONSENT FORM

This consent form has been prepared for and specifically relates to research into Environmental Enforcement Networks which involves human participants.

Research Project: A Qualitative Analysis of the Utility of Environmental Enforcement Networks.

Researchers: Chief Investigator, Mr Grant Pink (Student—Masters of Arts: Compliance), contact details - mobile no. +61 427 927 442, email gpink01@postoffice.csu.edu.au

Academic Supervisor: Dr Hank Prundkun, Adjunct Associate Professor, Charles Sturt University, contact details - mobile no. +61 414 987 266, email hprundkun@csu.edu.au

Information: The purpose of the research has been explained to me by the researcher and I have also been:

- made aware of the (potential) risks/limitations associated with the research
- provided with and have read and understood the information sheet,
- given the opportunity to ask questions about the research and if asked have received satisfactory answers.

Consent: I have given my consent freely (of my own will). I also understand that I am free to withdraw my consent (and cease participation in the research) at any time, and that if I do I will not be subjected to any penalty or discriminatory treatment.

Handling of personal details/information: I understand that any information or personal details gathered in the course of this research about me are confidential and that neither my name nor any other identifying information will be used or published without my written permission.

I understand that interviews will be audio recorded and that should I request a copy of the recording it will be provided to me. Similarly where a transcript of my interview has been produced should I request a copy, it will be provided to me.

Approval and Complaints: The School of Policing Studies and Australian Graduate School of Policing Ethics Committee has approved this study. Further, I understand that in the event that I have any complaints or concerns about this research that they can be raised with the:

Executive Officer
Human Research Ethics Committee
School of Policing Studies and Australian Graduate School of Policing
15 Blackall Street
BARTON ACT 2600

Phone: +61 2 6272 6240
Fax: +61 2 6273 8330

Informed consent: Having voluntarily given consent to participate in this research I indicate such by signing below.

Research Participant Name: __________________________ (please print)
Research Participant Signature: _______________________
Date: ______________

Research Participant Identifier (Researcher Use Only: e.g. SMN-1)

** PRIOR TO PARTICIPATION IN THE INTERVIEW PHASE OF THIS RESEARCH, RESEARCH PARTICIPANTS ARE REQUIRED TO RETURN THIS FORM IN PDF FORMAT TO gpink01@postoffice.csu.edu.au OR BY AGREED ALTERNATE METHOD **
<table>
<thead>
<tr>
<th>Questionnaire (from Agency perspective)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Question 1</strong></td>
</tr>
<tr>
<td>In the space below, please list the Environmental Enforcement Networks of which your Agency is an active participant [e.g. Australasian Environmental Law Enforcement Regulators neTwork (AELERT), Implementation and Enforcement of Environmental Law (IMPEL), International Network for Environmental Compliance and Enforcement (INECE), Interpol Environmental Crimes Committee (Interpol ECC)].</td>
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<td></td>
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<tr>
<td><strong>Instructions – nil additional.</strong></td>
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<td></td>
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<tr>
<td><strong>Question 2</strong></td>
</tr>
<tr>
<td>With regard to your agency, which of the following statements best describes the extent to which the benefits of engagement with Networks outweigh the challenges?</td>
</tr>
<tr>
<td>- Challenges clearly outweigh the benefits.</td>
</tr>
<tr>
<td>- Challenges slightly outweigh the benefits.</td>
</tr>
<tr>
<td>- Neutral position.</td>
</tr>
<tr>
<td>- Benefits slightly outweigh the challenges.</td>
</tr>
<tr>
<td>- Benefits clearly outweigh the challenges.</td>
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<tr>
<td><strong>Instructions – select one from the list.</strong></td>
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<tr>
<td></td>
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<tr>
<td><strong>Question 3</strong></td>
</tr>
<tr>
<td>In your view, please list (in order of benefit) the top 3 benefits your Agency has derived from EEN engagement.</td>
</tr>
<tr>
<td>1.</td>
</tr>
<tr>
<td>2.</td>
</tr>
<tr>
<td>3.</td>
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<tr>
<td></td>
</tr>
<tr>
<td>Additional information – please see the (non-exhaustive) list below which contains what is understood to have been some of the benefits realised by EEAs through EEN engagement:</td>
</tr>
<tr>
<td>- Operational outcomes</td>
</tr>
<tr>
<td>- Better practices</td>
</tr>
<tr>
<td>- Contact lists</td>
</tr>
<tr>
<td>- Training products</td>
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<tr>
<td>- Policy/procedures</td>
</tr>
<tr>
<td>- Commodity specific procedures</td>
</tr>
<tr>
<td>- Literature and data</td>
</tr>
<tr>
<td>- Other (feel free to add other)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Instructions – nil additional.</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Question 4</strong></td>
</tr>
<tr>
<td>In your view, please list (in order of significance) the 3 most significant challenges that your Agency has encountered in relation to engagement with Networks.</td>
</tr>
<tr>
<td>1.</td>
</tr>
<tr>
<td>2.</td>
</tr>
<tr>
<td>3.</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Additional information – please see the (non-exhaustive) list below which contain challenges understood to have been encountered by some EEAs during EEN engagement:</td>
</tr>
<tr>
<td>- Non-representative membership</td>
</tr>
<tr>
<td>- Extreme capacity gaps</td>
</tr>
<tr>
<td>- Resource imbalances</td>
</tr>
</tbody>
</table>
• Ongoing funding of secretariat/projects
• Other (feel free to add others)

Instructions - nil additional.

**Question 5**
Of the following statements, which one best describes *how* information from Networks is distributed throughout your Agency.
• Unsure
• No requirement (i.e. team of one)
• Requirement but not done
• Distribution system is basic
• Distribution system is advanced

Instructions – select one from the list.

**Question 6**
Of the following statements, in your view which one best describes how *effective* the distribution of EEN information is in your Agency.
• Unsure
• Very ineffective
• Ineffective
• Effective
• Very effective
• Extremely effective

Instructions – select one from the list.

**Question 7**
In your view, which of the statements below best describes the extent to which your agency supports an EEN or Networks?
• Unsure
• Not at all
• Indirectly (i.e. in-kind staff time, and through project teams)
• Directly (as an EEN Office Holder, or by financial contribution)
• Other (if so, describe)

Instructions – In the event that your agency supports more than one EEN, please indicate the most usual level of support provided.
Question 8
How would you describe the general level of understanding of staff within your agency of the products and services available to them as a result of EEN engagement?
- Unaware
- Negligible (the majority would be unaware)
- Some level of awareness (limited or not fully explored)
- Reasonably aware (still some gaps)
- Fully aware

Instructions – select one from the list.

Question 9
In your view, which of the statements below most accurately describes the level of senior management support in your agency towards EEN membership or engagement?
- Ambivalent (tolerant of participation but interest is weak)
- Cautious support (contingent upon tangible deliverables)
- Neutral position.
- Supportive when made aware of the EEN and the agencies activities are closely aligned with the EEN
- Strong management support exists

Instructions – select one from the list.
**APPENDIX G – INTERVIEW QUESTIONS**

<table>
<thead>
<tr>
<th>Interview (from more personal perspective)</th>
</tr>
</thead>
</table>

**Question 1**
Background - In the questionnaire you listed a number of benefits that your Agency has derived from EEN engagement.

**Question** - I will now ask you to provide additional information as to:
- the rationale for selecting those particular benefits over others, and
- if possible provide some tangible examples of these benefits.

**Instructions - nil additional.**

**Question 2**
Background - In the questionnaire you listed a number of challenges that you see your Agency faces in relation to engagement with Networks.

**Question** - I will now ask you to provide additional information as to:
- the rationale for selecting those particular challenges over others, and
- provide some examples as to how these challenges affect your agencies ability to derive benefits of EEN engagement.

**Instructions - nil additional.**

**Question 3**
Are you able to describe any strategies utilised by agencies (either yours or another) to derive enhanced benefit from Networks?

**Instructions - nil additional.**

**Question 4**
Can you please describe any activities or strategies which have been successfully employed by Networks to provide greater benefit to EEN members?

**Instructions - nil additional.**

**Question 5**
In your view, what would be the top 2 ‘tips’ you would offer agencies that were looking to maximise their benefits from association with Networks?

**Instructions - nil additional.**

**Question 6**
Do you have any final comments or contributions in relation to these questions?
OR
If you prefer, feel free to make a closing encapsulating statement.

**Instructions – As you know this research aims to answer two questions:**
1) Is there utility in Networks?, and
2) How can EEAs maximise the benefit they derive from their involvement with Networks?