Smarter Regulation of Waste in Europe (LIFE13 ENV-UK-000549) LIFE SMART Waste Project

Action B13:

Overcoming Barriers to Joint Working - Group Structures Required

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Foreword

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What is Collaboration and What Makes It Work?

The following comments are intended to provide a backdrop to the 'Overcoming Barriers to Joint Working' report. We commend the report for the issues it identifies and the directions it sets out for further development of collaborative practices. As part of future work in this area several key ideas are of particular note.

A distinction can be made between 'partnerships' (who we are) and 'collaborations' (what we do). In its most basic sense, collaboration simply refers to people or agencies working together for a **shared purpose**. However, the meaning and processes pertaining to collaboration as a form of social practice can be complicated and variable. This is due to the different functions and missions of specific agencies, and the varied levels at which collaboration can take place.

In order to more effectively respond to environmental crime, partnerships and collaborations need to be established at local, regional and international levels. These partnerships need to leverage off and involve, where practical, existing networks, have clear drivers and a collaboration/partnership champion. Who takes the **lead role** in a partnership or collaboration needs to be worked out: this can be on an established basis (fixed term, rotating leads) or situational basis (depending on locale, crime, agencies involved, first responder). In part, the lead role is determined by the nature of the structure, process and purpose of the collaboration.

Collaborations such as the INTERPOL National Environmental Security Task Force (NEST) are constituted as *ongoing structures* with a multi-commodity focus with the key member agencies providing the core. This is different to establishing a *taskforce* to combat a particular issue within a local or specific national context. The specific form of collaboration depends in part upon answers to the questions: 'do we need to collaborate in this instance?', and 'for what specific purpose or outcome are we collaborating?' In any given situation 'what works' depends upon purpose: a one-off task force may be useful in particular circumstances (responding to a specific criminal network in a particular locale); but this is different to an over-arching coordinating body (such as a NEST); yet there also needs to be room for *ad hoc* as well as more structured collaborations.

The nature of interagency interaction is also highly contingent upon the **extent of engagement in each instance**. The process of engagement can be seen as being tiered, ranging from least engaged to most engaged: '*networking'* (exchange of information for mutual benefit); '*coordinating'* (exchanging information and altering activities for a common purpose); '*cooperating'* (exchanging information, altering activities and sharing resources); and '*collaboration'* (all of the above, plus enhancing the capacity of the other partner(s) for mutual benefit and a common purpose). Longer term partnerships and collaborations demand that time and energy and resources are built into the workload of individuals and agencies. However, it also has to be recognised that periods of 'nothing happening' (which is resource neutral) will be interspersed with intense periods of activity (which is resource intensive). This means that the more time spent in contact with and actually working together (across agencies), the better able that response agencies can pull together collective resources in times of most need.

The activities and collaborations of environmental crime response agencies has tended to naturally occur around networks which are **geographically-based** (for example, known transit points and destinations in Scotland), **discipline-based** (for example, environmental regulators) and **commodity-based** (for example, waste). Collaboration across these dimensions and involving these networks can be predominantly horizontal, vertical or diagonal.

Criminal groups and networks have the advantage generally of flexibility and a good working knowledge of local conditions and actors, which facilitate the crimes in question. A collaborative response needs to mirror these attributes. For example, it can mobilise a broad range of actors, with varying types and levels of expertise, with local through to international connections, around single-purpose interventions. It should have the capacity to provide 'eyes on the ground' as well as a 'bird's eye' view of commodity chains and criminal networks.

At the core of collaboration activities is **information sharing**. If this is accommodated and accomplished between and among the various agencies and actors within a particular group, then it opens the door to application of intelligence-led policing initiatives (based on tactical, operational and strategic assessment of intelligence databases) as well as market reduction approaches (that target disposal markets, including handlers and consumers). Both of these require systematic and detailed analysis of specific information. Two-way sharing of information demands that particular protocols be put into place.

What is most important in joint working arrangements, however, is the **human element.** At an operational level, things seem to work best when we work with people we *trust*. This takes time. It also frequently involves informal as well as formal contact. Relationships of trust can take years to build – between individuals, teams/groups, agencies and institutions. They can also take seconds to unravel (one person betraying a confidence; an event that goes pear-shaped). Resilience must be built into the equation somehow, in part by establishing protocols, but also by ensuring that teams as well as individuals are highly engaged. At a practical level, this means that the soft skills of interpersonal communication are critically important. Moreover, since formally and informally we tend to go to our 'personal contacts' first in sizing up situations (including agency relationships and collaborations), it is important to analyse who the real 'doers' and 'drivers' are in any organisation (regardless of official status).

Collaboration is not about 'one size fits all', nor does one model suit all situations or time periods. As things change, so too will the dynamics of collaborative practice. But the benefits of collaboration are tangible when the right people are brought together in the right way for the right reasons.

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Abbreviations

CIWM   Chartered Institution of Wastes Management

EEN   Environmental Enforcement Networks

ENPE   European Network of Prosecutors for the Environment

ENVICRIMENET   European Network for Environmental Crime

ESA   Environmental Services Association

EUFJE   European Union Forum of Judges for the Environment

IMPEL   European Network for the Implementation and Enforcement of Environmental Law

INECE   International Network for Environmental Compliance and Enforcement

MCM   Multi-Criteria Mapping

NEST   National Environmental Security Task Force

SEPA   Scottish Environment Protection Agency

SESA   Scottish Environmental Services Association

1.0 Executive Summary

This report provides an analysis which identifies and evaluates key factors needed to implement effective and lasting partnerships. Partnership working is not spontaneous or intuitive, and effective collaboration does not occur by itself. There are inherent barriers to partnership working that need to be overcome for them to have a chance of delivering success: cultural and behavioural differences between partners; differences in expectations and information systems; and, the incompatibility of structures and processes. All of these limit the effectiveness of partnership groups (De Bree, De Hass and Meerman, 2015). The primary purpose of this report is to provide an analysis that identifies and evaluates potential solutions to overcoming these barriers. The analysis detailed within this report highlights the need for more focus to be placed on less tangible options such as **communications, awareness raising and collaborative mind-sets** to overcome partnership barriers. The fact that these solutions tend to fall into the arena of behaviours and cultures perhaps explains why public agencies often struggle with maintaining vibrant partnerships. It is easier to focus on processes and governance than it is to change existing cultures and behaviours.

A further function of this report is to provide this as a starting-point for the development, for the first time, of a practical guide for environmental regulators and investigators in designing intervention groups which tackle specific waste crime issues. The progress of such a guide will be undertaken by intervention officers as the first stage in an interventions design. The findings of this report, however, will have value in other areas of regulatory business where partnerships are expected to play a central role.

The first section of the report gives a brief overview of some current examples of environmental enforcement collaborations in a European and international context by way of demonstrating that inherent weaknesses exist within all collaborative groups. This is followed by an overview of common barriers to partnership working as identified by the LIFE SMART project in consultation with environmental and law enforcement colleagues in the UK and beyond. We show that interventions groups are limited as much by underlying issues of trust - competing cultures of "need-to-know" rather than "dare-to-share" amongst group participants - as they are by weak or absent procedural and governance frameworks. As Janssen states, "Culture can also be viewed as the DNA of a certain group of people and as such can't be challenged very easily" (Janssen, 2015, p.59)

The National Environmental Security Task Force (NEST) approach is then assessed for its effectiveness in providing a partnership framework that helps overcome these barriers. The NEST has been used as an operational framework to build international collaborations tackling environmental crime since 2012. Designed and recommended by Interpol as a multi-disciplinary approach to collaboration between police, customs, environmental agencies, the judiciary and other partners, the NEST represents the most recent and thorough attempt yet at providing a practical guide to building partnerships. Despite effective deployment at the international level however, the analysis provided in this report argues that application of the NEST would meet with rather less success as a practical guide in designing interventions at a local and regional level. Our analysis establishes that NEST remains a group structure focused primarily around formal processes and systems rather than, as our analysis suggests is required, activities that drive cultural and behavioural changes within the partnership itself. However, we propose that the NEST model can be adapted to bring practical value to frontline staff at either a local or regional level. The report suggests amendments to the established NEST approach and provides guidance on those

additional, less tangible factors around cultures and behaviours such as, building a collaborative mind-set, raising awareness and improving communications, which need to be considered when designing partnership groups to deal with waste crime.

The report recommends that an amended NEST approach is adopted as the primary means by which interventions groups design partnerships. There is no "one size fits all" approach to partnership working however, and this report concludes that they must be designed as an early stage, constituent of interventions design itself. The design of partnerships should be approached as a crucial dependency upon which the success or failure of the intervention itself rests and not, as is so often the case, a supplementary resourcing issue arranged once an intervention is already agreed upon. With this in mind, this report will also propose some key considerations, including individuals' limitations, barriers in structures and processes, and resources, that interventions groups should consider in designing their partnerships and which can be developed and validated in the later stages of the LIFE SMART Waste project.

2.0   Introduction

Tackling waste crime cannot be done effectively in isolation. It is an issue that affects environmental authorities, law enforcement and industry alike and is further complicated when it involves other crossover crimes such as fraud, theft, money laundering and various forms of trafficking.

It is an area of criminality that has become increasingly organised and in some cases can be linked to organised crime groups, with all the complexities which that entails. Consequently, the value of partnerships in tackling the issue is undeniable: shared knowledge, skills, perceptions, resources and organisational powers are some of the benefits to be gained from multi-agency partnership working. However, for partnerships to work and deliver the most effective outputs, they must be vibrant, flexible, planned and have a commitment from all parties involved.

The forming of a partnership does not in itself guarantee effectiveness, and they are characterised by inherent weaknesses and limitations: an unwillingness to co-operate in practice; cultural differences; differences in perceptions, language and terminology; differences in information systems and belief systems; and, ultimately, differences in expectations (De Bree, De Haas and Meerman, 2015).

If a partnership is only as strong as its weakest link then the challenge facing environmental authorities is how to build partnership structures that overcome these limitations and barriers.

3.0   Purpose & Structure of Report

This report is research based with the primary purpose to identify the key factors that help overcome barriers and limitations inherent to partnership working and to undertake an analysis of their usefulness to determine what waste crime investigators and interventions groups need to consider when building local and regional partnerships.

The report begins with an overview of current examples of environmental enforcement partnerships and the barriers and limitations that characterise all attempts at partnership working. The report then considers the Interpol NEST as a solution to these problems and identifies areas where amendments must occur for it to become a practical and operational framework at local and regional levels.

The purpose of the report is not to provide a practical, how-to guide for the setting-up and practical operation of a partnership group. Rather, the report will suggest a new strategic framework that places firmly partnership design as a defined stage in interventions design.

The report will conclude with recommendations for further development within the LIFE SMART interventions work-stream, which is currently progressing under Action B14, and call for the production by the team of a practical guide for environmental regulators and investigators in designing intervention groups which tackle specific waste crime issues.

4.0   Methodology

An invitation was extended to a number of individuals from various organisational sectors to participate in structured one-to-one interviews about their experiences of partnership working and the barriers and limitations faced by them. In order to identify what factors or options help overcome barriers, a methodological approach was used based on a technique called Multi-Criteria Mapping (MCM) developed by the University of Sussex. The purpose of MCM is to collect and explore contrasting perspectives around uncertain issues and to assess the value of alternative options in delivering outcomes. It is a tried and tested approach based on structured interviews with participants and, unlike the group format of workshop-based environments, allows for the collection of qualitative and quantitative data for subsequent analysis. It provides a compelling opportunity to explore the perspectives of experienced officers in tackling waste crime and to critique with them the most effective ways of overcoming barriers to partnership working. The approach has been used previously to evaluate policy options around genetically modified crops and obesity, and this exercise presents the first known application in a waste crime regulatory context (Sussex, 2015).

Twelve MCM interviews were conducted over a six month period between December 2015 and May 2016 involving participants from environmental regulation, law enforcement, local authorities and other public sector agencies, the waste sector and European law enforcement. Interviewees were chosen deliberately to reflect a range of varying perspectives based on local experience and in different regulatory and enforcement contexts. Despite the innovative use of MCM with a representative sample characterised by a broad range of experiences, there is an important limitation in this study. The small size of the sample does not allow us to provide a comprehensive answer to the question of what barriers are faced by environmental agencies across the board nor to provide definitive solutions on how best to overcome them. Nevertheless, whilst acknowledging the limitations of the sample size, the consensus reached from the respondents supports the application of this analysis as a starting point for further research and development opportunities.

Each interviewee was presented with 16 options identified from an earlier practitioner workshop and a literature review as being potential solutions in overcoming barriers to partnership working. Interviewees were asked to evaluate and score the usefulness of each option as a solution and, importantly, to do this by identifying and defining the criteria they used in making their assessments. The research team presented the interviewees with one pre-set criteria – "the likelihood of success" of the options – and, thereafter, interviewees were asked to further evaluate options using criteria of their own choosing and to score each option on a numerical scale from 0 (least useful) to 100 (most useful).

5.0   Findings

5.1   Environmental Enforcement Networks & Barriers and Limitations to Partnerships

No environmental agency acts in complete isolation. The enforcement of environmental legislation and regulations has always been built upon partnerships at a national level between regulatory bodies, prosecutors, and the judiciary, as well as support from the Police, other enforcement agencies and industry bodies such as CIWM, ESA, SESA and the Scottish Government. In this way SEPA, as well as other environmental authorities, has always used partnerships as the principal way of delivering its enforcement. The increasingly complex and inter-connected nature of waste crime has led regulators to realise that enforcement, although often effective in tackling instances of waste crime, punishing offenders and acting as a deterrence to others, does not always impact on the interconnectedness of waste crime nor combat the enablers of crime in the first place. Waste crime does not stop at national or even regional borders.

With this in mind, a number of Environmental Enforcement Networks (EENs) have been established in the last two decades aimed at tackling waste crime at the regional, national and international levels. The main goal of these networks is to facilitate and support co-operation between national and international agencies as well as promote the implementation and enforcement of environmental laws. For example, the International Network for Environmental Compliance and Enforcement (INECE) based in Washington D.C is the largest network comprising approximately 150 country members and whose role is to raise awareness of compliance and enforcement; to develop co-operation networks across its members for enforcement and to strengthen capacity to implement and enforce legislation. Similar networks with complementary objectives exist in Europe: the European Network for the Implementation and Enforcement of Environmental Law (IMPEL); the European Network for Environmental Crime (EnviCrimeNet); the European Network of Prosecutors for the Environment (ENPE) and the European Union Forum of Judges for the Environment (EUFJE) are the main networks currently active.

True partnership working is easier said than done. It is clear that barriers to partnership working exist and that these can impact on their effectiveness to deliver lasting results. Research undertaken by Grant Pink and others shows that although EENs do provide opportunities and strengths to networks and their individual participants through, for example, access to a wider range of contacts, expertise, knowledge and events, they are still inherently weak (Pink 2015). The difficulty of sustaining collaboration partnerships means that they are easy targets for criticism as "talking-shops" that conceal a lack of progress towards real outcomes. In Scotland some collaborative groups or task forces have been criticised in the media as being largely useless, "when the going gets tough, it's time for a task force. But for what?" (BBC 2015).   Our own research within the LIFE SMART Waste Project (Action B12 Report) identifies some of the major barriers and limitations to effective partnerships at a practical, operational level:

- Partnerships tend to be seen by management as worthwhile and beneficial to the influence and reputation of the agency but not as "business-as-usual" work; this tends to result in less engagement as time progresses leading to stagnation in the partnership.
- Partnerships are often staffed with individuals lacking a working knowledge of the powers, roles and responsibilities of others in the group; this can result in a credibility gap and collapse in expectations from all participants about what the partnership can

really deliver. This is further intensified in instances of 'strategic' partnerships, composed of executive managers, in which the absence of a blend of tactical and executive knowledge results in barriers to meaningful progress.

- Individuals do not always feel they have the necessary skills, understanding and experience to contribute meaningfully to the partnership.

- These same individuals are not supported by their own management with dedicated time and resource to engage fully in the activities of the partnership; management wants to be seen to be involved but does not see it as additional work for the individual who often becomes overloaded and detached from the partnership.

- Partnerships are often established in name only with no deeper foundations to drive active collaboration across the group; staffs are assigned to "partnership work" in a general sense with no understanding of roles and responsibilities, the purpose of the partnership, expected outcomes and measures.

- In these cases, the partnership becomes simply a collection of individuals representing their own agencies, a partnership in name only that meets and communicates on an *ad hoc* basis; the partnership suffers from a sort of mission creep whereby each individual uses it for the purposes of their own agency rather than for a common objective.

- Competing cultures often emerge in name-only partnerships that prevent the formation of trust and common purpose between its members; this is often seen in a conflict between partners over "need-to-know" or "dare-to-share" intelligence and information exchange.

These barriers can be grouped into three general themes: individuals' limitations, barriers in structures and processes, and resourcing. To have a chance of making our partnerships work and to deliver interventions with a high likelihood of success, we need a robust group structure which can actively mitigate all of these weaknesses. As described by Higgins and White the NEST framework brings together representatives from across a range of agencies and allows these groups to leverage the collective skill sets of partners to develop and implement responses to a specific and agreed issue (Higgins and White, 2016). The next section will assess the NEST as a potential group structure for use by SEPA and other regulators in delivering partnership interventions tackling waste crime.

5.2   Assessing NEST as a Solution in Overcoming Barriers and Limitations to Partnership Working

A detailed summary of the NEST approach can be found in Appendix 1 of this report. The main conceptual difference between the NEST approach and traditional examples of partnership working is that, whereas the latter is characterised mostly by general co-operation and the sharing of resources in support of broad aims, the former is about establishing a defined team comprising investigators, analysts, financial investigators and others across agencies to collaborate in the analysis, investigation, and tackling of specific problem issues (Higgins and White 2016, p.106).

In this respect, the building of a defined team with specific roles and responsibilities, the NEST does provide a structure that could overcome one of the main barriers to partnership working. Moreover, the NEST appears to be successful and is helping to deliver results. Interpol reports that its adoption by member states has led to successful international collaborations tackling a range of serious environmental crimes: Project LEAF is directed against illegal logging and related crimes; Project SCALE is improving detection and

suppression of fisheries crime; whereas, Project EDEN is countering international trade and disposal of waste (Interpol 2016).

Figure 1 - Nest model

It is an uncontentious observation that NEST is now established and recognized as a best practice approach to active engagement and collaboration between partners. Instead of reinventing the wheel or trying to develop different conceptual models of partnership working, environmental authorities should focus on how best to apply the principles of NEST as a practical and operational framework at local and regional levels. It would be a mistake, however, to attempt an immediate wholesale adoption. NEST was developed by Interpol to drive international collaboration in combating cross-border environmental crimes and it does not necessarily follow that the drivers of successful collaboration at this level are replicated within member states engaged in tackling waste crime at a local or regional operational level, nor that it would easily help us overcome the barriers inherent in partnership working between agencies within member states.

The next stage is to identify what we need to do to overcome the barriers to partnership working and to ask if these factors are provided by the NEST; only then will we be in a position to decide if and how best to adopt the NEST for our purposes.

5.3   Analysis

Each interviewee was presented with 16 options and asked to evaluate and score the usefulness of each option as a solution to overcoming the barriers to partnership working. This exercise identified a list of key actions that need to be undertaken when establishing a partnership group, outlined in descending order of importance below.

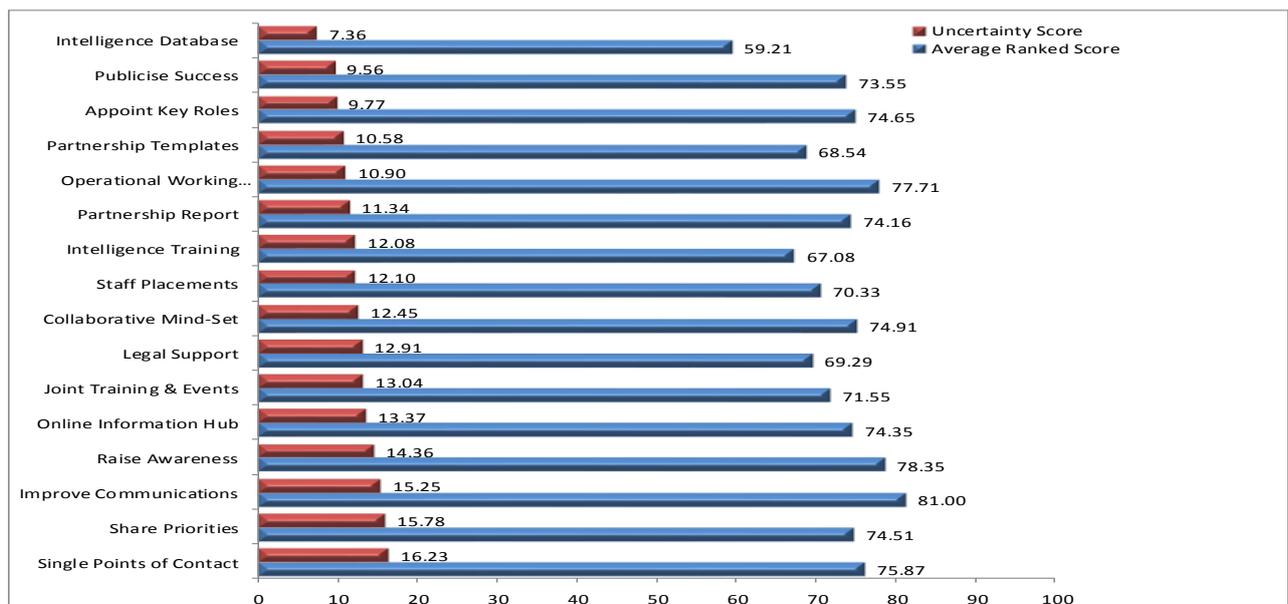| Rank	Whole Group of Participants	Environmental Regulators Only
1	Improve communications	Appoint key roles in the group
2	Raise Awareness	Provide staff placements
3	Establish an operational working group	Build a collaborative mind-set
4	Establish single points of contact	Produce partnership reports
5	Build a collaborative mind-set	Improve communications
6	Appoint key roles in the group	Agree shared priorities
7	Agree shared priorities	Design and use partnership templates
8	Establish an online communications platform for the group	Raise Awareness
9	Produce partnership reports	Publicise the success of the group
10	Publicise the success of the group	Obtain dedicated legal support
11	Provide joint training	Establish an operational working group
12	Provide staff placements	Provide intelligence training
13	Obtain dedicated legal support	Establish single points of contact
14	Design and use partnership templates	Establish an online communications platform for the group
15	Provide intelligence training	Provide joint training
16	Single intelligence database	Single intelligence database

Table 1 - Establishing a partnership group: Key actions

 It is clear from this first round of analysis that the answer to overcoming barriers to partnership working is not found, as might have been expected, in ever more specific processes and systems. Indeed, one interesting observation illustrated in the results is that, for the interviewees as a whole, the least useful option in overcoming barriers would be the establishment of a single intelligence database and the provision of intelligence training. At first glance this does seem counter-intuitive given the prominence of the role of intelligence in supporting enforcement. This is not to say, of course, that the interviewees did not think such a system and greater awareness would not be valuable. Rather, their views expressed a concern that the practicalities of attempting to design, agree and implement such a system would outweigh its benefits and that questions of resource implications, funding, security and IT provision would divert efforts away from the practical purpose of the partnership in the first place. Instead, our analysis shows that the answer to overcoming barriers to partnership working lies in the less tangible options: the need to **improve communication**, **raise awareness** and **build the collaborative mind-set**. The fact that these solutions tend to fall into the arena of behaviours and cultures probably explains why public agencies often struggle with maintaining vibrant partnerships. It is easier to focus on processes and governance than it is to change existing cultures and behaviours.

The perspective of the environmental regulators as a defined group was less clear. As illustrated in the results table, the key option for this group was, above all else, the need to **appoint people to key roles** in the partnership so as to avoid ambiguity over responsibility and accountability. For environmental regulators, then, the need for more focused structures appears to be more important than it is for officers in other operational environments. One explanation for this might be that compared to these other agencies environmental regulators are simply less experienced in forming and leading partnerships: an interesting observation that might explain why **staff placements** with partners was seen as being the second-most useful option in overcoming barriers, whereas when assessed by all participants it was considered a much less useful activity. However, despite some of these differences in opinion with other participants, the environmental regulators concurred with

the common evaluation of a **single intelligence database** as being the least useful option for overcoming the barriers that exist in collaborative working, while agreeing with others that we need to **build the collaborative mind-set** and **improve communications**. As one environmental regulator stated during interview, "The key to partnerships is people, not databases: they are support tools" – albeit necessary tools. Overcoming barriers to partnership working to tackle waste crime, therefore, must deliver in these key areas of cultures and behaviours and not become overly distracted by questions over governance, structures and hierarchy.

Stating that barriers to partnership working can be overcome by improving communications seems to be so obvious as to be an unhelpful and facile generalisation. As obvious as this observation appears however, it does reveal further the nature of the challenge facing environmental regulators in building effective collaborative partnerships. It is one thing saying we need to improve communications, for example, but it is another thing to work out how we do it. We need to know where to put most of our effort. With this objective in mind, a second analytical phase was conducted which asked interviewees to assess and score the degree of uncertainty in delivering each option: the higher an uncertainty score, the less confidence from the participant that the option could be delivered successfully. The following chart compares the average scores of each option with the levels of uncertainty attributed by participants and presents a number of interesting observations.

In short, there are degrees of uncertainty associated with each option that need to be aware of so that we know where more considered time and effort is required when we come to build our interventions groups. Although the average levels of uncertainty are not high, it is evident from the chart that high ranking options such as **improving communications**, **sharing priorities** and appointing **single points of contact** should not be implemented without careful consideration to the issues that have given rise to levels of uncertainty. One of the key elements of successful collaborations is the ability to build trusting relationships between partners. However, the most common issue that arose in relation to single points of contact was the uncertainty held by interviewees that, in practice, assurances could not really be given that an individual appointed to a role had the commitment, capability, capacity and skills to meaningfully undertake it. Similarly, the analysis indicates that although interviewees agreed that sharing priorities appeared to be a straightforward action and would promote openness and honesty, it would in practice require a change in

organisational cultures. This inertia factor could mean that it would take some considerable time before any results were seen by others in the partnership.

Finally, we would also argue that the somewhat simplistic advice of **improving communications** between partners requires a deeper understanding of the issues that reflect the uncertainty attributed to this highest ranking option: recognition of cultural differences within and between agencies at national and international levels is fundamental to improvement. Indeed, intrinsically linked to the improvement of communications is a common issue that emerged with several of the options considered by the participants: the need to use common language. Uncertainty is a challenging issue and will require innovative and creative responses. This analysis shows clearly that in building effective partnerships environmental regulators face real challenges: options that are needed to overcome barriers tend to be characterised by cultural and behavioural elements that are actually the most challenging to implement.

5.4   Does the NEST Help Overcome Barriers?

In order to answer this question the next step was to identify and compare the key elements of the NEST with the analysis provided above and ask whether it focuses sufficiently on the behavioural and cultural drivers of partnership working or if it remains a framework focused mostly on the maintenance of systems and processes. Broadly speaking, NEST calls for enhanced focus in six areas of activity to drive effective partnerships:

- appointment of key roles
- production of partnership reports
- provision of joint training
- dedicated legal support
- partnership templates
- improved intelligence training

When we compared these areas of activity with the analysis provided above it was clear that NEST remains a group structure focused primarily around formal processes and systems rather than, as our analysis suggests is required, activities that drive cultural and behavioural changes within the partnership itself. Perhaps this is due to the NEST approach being, in part, aimed at countries with no formal structures or systems in place and little partnership engagement experience to tackle environmental crime issues. We need, then, to change NEST to fit our requirements: a fact which probably explains why in all likelihood NEST has not had any discernible impact, from a UK perspective, as a partnership framework at a local or regional level but has remained as a general structure guiding the formation of strategic groups. This is hardly surprising and should not be read as a criticism of NEST which was developed, of course, to drive international collaborations. Overall, NEST provides a foundation for partnership working by offering an exemplar of how successful collaboration rests on some key systematic elements such as, the appointment of key roles and the production of common partnership reports and templates. Nevertheless, in order now for NEST to successfully drive local operational partnerships by environmental regulators, it must be amended to facilitate the less tangible, but no less important, components of partnerships such as building a collaborative mind-set, raising awareness and improving communications.

6.0   Conclusion

What mechanisms can be put in place to overcome barriers and limitations and deliver effective partnership groups? Although it is easier to focus on processes and governance than it is to change existing cultures and behaviours, we need to take account of solutions such as improving communications, raising awareness and building collaborative mind-sets, which emphasise behaviours and cultures. This research further shows that environmental regulators need an approach which combines robust structural and procedural elements with efforts to change and enhance the behavioural and cultural elements that, in practice, hinder operational partnerships. By establishing firm, identity-based partnerships that exist specifically for single issues to which all partners agree, then we argue that truly integrated collaborations rather than co-operative partnerships will form. We also need to deal with the uncertainty factors that potentially weaken the practical usefulness of each of the options.

The Interpol NEST approach is considered internationally as an effective template for the establishment and operation of successful partnerships; the focus upon key themes of integrated skill-sets built around specific issues agreed by all partners does provide a firm foundation upon which to build group structures. However, the analysis provided in this report also shows that there remains a disconnect between the NEST framework and the operational expectations and experiences of officers engaging in tackling waste crime at local and regional levels. It is apparent that NEST remains a group structure focused primarily around formal processes and systems rather than, as our analysis suggests is required, activities that drive cultural and behavioural changes within the partnership itself. As such, a wholesale adoption of NEST would not guarantee success.

In order to achieve real partnership integration at our level of operation, it is proposed here that NEST needs to be complemented with additional elements that challenge and change existing cultures and behaviours, and that an amended NEST approach is adopted as the primary means by which LIFE SMART interventions groups design future partnerships to tackle waste crime. However, we need to go further and incorporate partnership design as a first-stage, crucial dependency in the design of an intervention package itself. Partnerships are often arranged once the intervention is already planned and are used simply as a means of accessing additional resources. This means that there is often little value or meaning in the partnership for those officers from the partner agencies. Group design is as important an element in interventions design as objective setting, operational planning and success measurement; to do otherwise will limit the likelihood of success in even the best laid plans.

7.0 Proposed Recommendations and Next Steps

The LIFE SMART Waste Interventions Team adopts and amends the Interpol NEST as its primary framework for building partnerships to deliver interventions tackling waste crime issues. Recommendations for interventions tackling waste crime will be set out in a series of intelligence reports produced under Implementation Action B11 and will follow the focus of the intelligence gathering strategy on tackling the enablers and vulnerabilities to crime and the design and deployment of prevention-based interventions.

The LIFE SMART Waste Interventions Team incorporates partnership design as a first-stage dependency in the interventions design approach itself and that partners are involved from the beginning in that work.

This research paper is used by the team as a basis from which to develop the first, practical guide for environmental regulators and investigators in designing intervention groups which tackle waste crime issues and which should include, but not limited to:

1. development of flowcharts and checklists

2. the design of a terms of reference outlining aims and objectives, and defining individual roles and responsibilities

3. the design of an integrated communications strategy

4. the development of an internal audit approach to keep the partnership focused on the agreed priority

5. the development of a partnership agreement pro-forma

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Disclaimer: Every effort has been made to ensure the accuracy and provenance of the information contained in this report and to acknowledge all reference material consulted during the research process. Please advise us of any errors or omissions, or references that have been overlooked by emailing lifesmartwaste@sepa.org.uk, and we will update the report.

Annex I - National Environmental Security Task Forces

The following information relates to a summary of Interpol's National Environmental Security Task Forces (NEST) and excerpts are taken directly from Interpol's NEST Manual dated 2012.

Overview

NESTs are national multi-agency task forces that allow national agencies to work together in a coordinated, cooperative and centralized way to address environmental compliance and enforcement and maintain environmental security. The NEST also acts as a national focal point for environmental enforcement issues, operations and initiatives with a regional and international scope. In addition, the INTERPOL NCBs can facilitate international coordination with other NESTs, ensuring international criminals are met with international responses.

The activities of the NEST should principally focus on proactive and dynamic intelligence-led enforcement based on priority target areas identified by the participating agencies. A NEST could initially focus on one commodity or crime type. However, as resources are secured and the NEST becomes stronger as an institution, the focus can widen to encompass further environmental crime types and commodities.

The Task Force's mission

A mission of the NEST is to provide coordinated, cooperative and centralized law enforcement support for environmental security by facilitating national multi-agency information sharing, intelligence-led operations and other collaborative compliance and enforcement actions.

The Task Force's objectives

- Exist as a permanent body to centralize information exchange, operational coordination and other actions as required through the NCB;
- Investigate high profile national and international environmental cases;
- Communicate and coordinate among participating agencies and entities through a permanent staffed presence and through regular teleconference calls and face-to-face meetings;
- Maintain contact with the INTERPOL Environmental Security Sub-Directorate to ensure international coordination and collaboration on information exchange, operations and training programmes;
- Gather, collate and analyse intelligence from national sources and disseminate it to appropriate national, regional and international agencies and receive similar information from international sources and disseminate it to the appropriate national and sub-national entities;
- Develop, plan and execute national multi-agency operations against environmental crime with regional and international awareness and coordination;
- Develop, plan and execute training programmes to build the capabilities and capacities of national agencies;
- Develop strategic plans, communicate with governmental and civil society stakeholders, and identify resources to ensure the sustainability of the NEST and its effectiveness.

Key Positions in the task force

The INTERPOL Environmental Security Sub-Directorate recommends that a number of key positions be part of a NEST. To ensure continuity, it is recommended that each position have a permanent officer attached, seconded from among the participating agencies. A NEST can operate with a reduced capacity, but it may weaken its effectiveness. Other positions may be created as required.

- Senior Investigator/Coordinator
- Criminal Strategic and Tactical Analysts
- Training Officer
- Prosecution/Legislative Support
- Financial Specialist
- Scientific/Academic Specialists
- Other key experts

How to structure the National Environmental Security Task Forces

NESTs are national multi-agency task forces formed of experts from dedicated environmental law enforcement agencies, police, customs, revenue departments, health agencies and prosecutors. NESTs bring together these enforcement agencies around common goals, including the conservation of specific species, forestry issues and pollution controls.

NESTs should be based out of each country's National Central Bureau to provide rapid access to INTERPOL's secure communications tools, global community and unique criminal intelligence databases.

Ensuring effective communication with other agencies

- *Communication with the INTERPOL National Central Bureau*
- *Communication with regional and global intergovernmental organisations*
- *Communication with non-governmental organisations*

Strong, regular and fast communication between NEST participants is of the utmost importance. Formal procedures and mechanisms should be developed and followed to ensure effective and regular communication.

Working in partnership with other agencies

A NEST may require both formal and informal partnerships between a number of different bodies and agencies including the participating agencies, other NESTs, international, intergovernmental and civil society organisations and regional networks.

The most common method used to establish formal partnerships is a Memorandum of Understanding (MOU), which defines the roles and responsibilities of the different signatory entities.

How to set up a NEST – Key Steps

- Identify and assess the current environmental compliance and enforcement situation in the country – its needs, resources, relevant national agencies and opportunities;

- Establish the NEST's primary mission, commodity focus, objectives, goals, action areas and participating agencies;
- Assess each agency's capacity to participate in the NEST and identify a lead agency;
- Identify skill, capacity and/or knowledge gaps that need to be filled;
- Invite external partners that have the necessary skills, capacities and/or knowledge to fill those gaps;
- Identify a location for the NEST to be based, ideally the Interpol NCB;

- Finalise the mission, objectives, goals, activities and tasks for each agency and, if necessary, formalise the relationship through an MOU or similar agreement.