

Enforcing in the Dark

Combating to environmental crime and violations, part 2

The approach to environmental crime and violations is inadequate. An important cause of this is the lack of good, reliable data on the outcomes of inspections at 500 or so companies in the Netherlands that work with large volumes of hazardous substances. We come to this conclusion after intensively editing and analysing the data on 20,000 inspections carried out over 5 years. The biggest challenge we faced was to link the data to the right company site. We can reveal for the first time that a small group of companies repeatedly violate environmental law.

Stumbling block: lack of information

In our opinion owing to the lack of information, supervisors, enforcement organisations, the Minister of Justice and Security and the State Secretary for Infrastructure and Water Management are fumbling in the dark. They have no insight into the nature and size of environmental crime and violations, the companies that are repeat offenders, the effectiveness of sanctions, shortcomings in supervision and inconsistencies in enforcement. This makes it impossible to adapt policy appropriately.

Supervision insufficiently risk-based

The audit found that the 20,000 inspections carried out over 5 years were not risk-based. On average, each company was inspected 8 times a year but in practice the number varied significantly. Most companies were rarely inspected, yet the risk of a violation at dozens of them was high. This reduces the effectiveness of the approach to environmental crime and violations.

What are our recommendations?

Significant improvements are needed in information management at national level. If politicians had better information, the government could hold provinces accountable for shortcomings in the performance of their permitting, supervision and enforcement tasks. Our report shows that this is possible. We recommend that the outcomes of inspections be published and shared with the public so that it is known which companies keep to the rules and which do not. The debate of this issue would then be less speculative.