

**GOVERNMENT OF KIRIBATI**  
**POSITION DESCRIPTION**

<b>1. Ministry:</b> Ministry of Environment, Lands, and Agricultural Development		
<b>2. Position Title:</b> Environment Prosecution Officer (1)	<b>3. Salary Level:</b> <a href="#">L11-10</a>	<b>4. Division:</b> Environment and Conservation Division
<b>5. Reports To:</b> PM's, DDECD, DECD	<b>6. Direct Reports:</b> Program Manager (LCS)	
<b>7. Primary Objective of the Position:</b> To strengthen the enforcement of the Environment legislations including the Environment Act (Amendment) 2007 through the prosecution of environment cases		

<b>8. Position Overview:</b> Strengthening the operationalization of the environment legislation system	
<b>9. Financial:</b> <del>14,534.00</del> <a href="#">16,663.40</a>	<b>10 Legal:</b> Environment Act (Amendment) 2007, Environment Regulations 2017, Ozone Depleting Substances Regulations 2017,
<p><b>Internal Stakeholders:</b></p> <ul style="list-style-type: none"> <li>• Director</li> <li>• Deputy Director</li> <li>• Program Managers (Licensing and Compliance, Chemical and Waste Management, Biodiversity and Climate Change, Environment Management Information System)</li> <li>• Wildlife Officer (WCU based)</li> <li>• Biodiversity Conservation Officers</li> <li>• Climate Change officers</li> <li>• Chemical Waste Management Officers</li> <li>• Environment Outreach Awareness Officers</li> <li>• Environment Information System Officers</li> </ul> <p><b>To be referred to Program Managers/DECD/Secretary:</b></p> <ul style="list-style-type: none"> <li>• Initiatives to improve enforcement and prosecution</li> <li>• Advices on enforcement protocols and procedures</li> </ul>	<p><b>External Stakeholders:</b></p> <ul style="list-style-type: none"> <li>• Office of the Attorney General</li> <li>• Ministry of Justice</li> <li>• Judiciary</li> <li>• Kiribati Police Service</li> <li>• Government Ministries</li> <li>• Island Councils</li> <li>• General Public</li> <li>• Kiribati Courts (Magistrate)</li> </ul> <p><b>To be referred to Program Managers/DECD/Secretary:</b></p> <ul style="list-style-type: none"> <li>• Complaints in regard with the enforcement of the Environment (Amendment) Act</li> <li>• Any issues associated with the long delay to prosecute environmental cases</li> <li>• Unclear advices and poor customer service</li> </ul>

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<ul style="list-style-type: none"> <li>• Implementation of Community services as fines under the Environment Act (as amended) 2007?</li> <li>• Progressive and annual reporting requirements</li> <li>• Leave plan</li> <li>• Personal conflicts</li> <li>• Weekly updates</li> <li>• Analysis on challenges that stifle the effective enforcement of the Environment legislations and provide suggestion on solutions</li> </ul>	<ul style="list-style-type: none"> <li>• Any other matters that cannot be dealt with by Assistant Senior Environment Officer</li> <li>• Overlapping of roles &amp; responsibilities with 3 other EIs colleagues (if any occur)</li> </ul>
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**Commented [u1]:** IS THIS POSSIBLE CONSIDERING THAT THIS NEW JD IS ALSO DEVELOPED TO ADDRESS THE SPECIFIC GAPS IN ENFORCEMENT NEEDS? PLS ADVISE. OTHERWISE, PROPOSE THIS TO BE DELETED?

**13. KEY ACCOUNTABILITIES** *(Include linkage to KDP, MSP and Divisional Plan)*

- *KDP/KPA:*
- *MSP Outcome:*
- *Divisional/Departmental/Unit Plan:*

Key Result Area/Major Responsibilities	Major Activities/Duties	Performance Measures/Outcomes Performance Indicators/Measures:
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<p>1. Effective enforcement/implementation of the Environment legislations including the Environment (Amendment) Act 2007 through a strengthened prosecution system</p>	<ul style="list-style-type: none"> <li>• Ensure that all environment related activities complies with the Kiribati Environment Law. To be able to provide directions and advice accordingly</li> <li>• Take necessary administrative and legal actions to address illegal activities.</li> <li>• Pursue to prosecute cases that are due for prosecution</li> <li>• Collect and analyze environmental evidences including witness statements to ensure that they are sufficient for prosecution in court</li> <li>• Undertake further investigation required and to ensure the conduct of the investigation is carried out in accordance with the Kiribati Environment Act</li> <li>• Prepare and file environment cases with Judiciary</li> <li>• Prosecute environmental cases in a court of law</li> <li>• Represent and defend ECD-MELAD in the court of Law when required.</li> <li>• Guide Environment Inspectors and Police officers in investigating environmental offences and to decide whether or not to instigate with legal proceeding</li> </ul>	<ul style="list-style-type: none"> <li>• No. of environment significant activities complies with the Kiribati Environment Law</li> <li>• No. and type of legal actions undertaken.</li> <li>• No. of cases reported and filed</li> <li>• No. of environment cases prosecuted</li> <li>• No. of investigations undertaken</li> <li>• Amount of fine collected due to successful prosecutions</li> </ul> <p><b>Outcome:</b></p> <ul style="list-style-type: none"> <li>• Improvement to environment enforcement of all the environment legislations</li> </ul>
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**Commented [u2]:** With this, I take it that while he/she focuses on the Env't Act and its regulations, he/she also assist to progress the implementation of the Recreational Reserves Act and the regulation concerned, including the ODS regulation, etc. Pls confirm if this is your understanding as well from LCS?

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<p>2. Responsible for training of ECD &amp; WCU staff members on the enforcement/implementation and proper prosecution and investigations of the Environment (Amendment) Act 2007 and its regulations including the Recreational Reserves Act and its Regulation</p>	<ul style="list-style-type: none"> <li>• Conduct relevant 'training of trainers' to relevant ECD stakeholders, who may be in the position to assist in the enforcement of relevant provisions of the Act and enforcement of relevant regulations on South Tarawa, Kiritimati Island and in the Outer Islands</li> <li>• Train Environment Enforcement Officers on basic investigation skills, collection and handling of evidence and sound preparation of a case for prosecution</li> <li>• Conduct regular trainings and provide necessary skills to ECD/WCU staff, to enable them to assist in court proceedings, proper investigations, collect evidence and to enforce the Kiribati Environment Law.</li> <li>• Provide advice and guidance to ECD on prosecution matters</li> </ul>	<p><b>Performance Indicators/Measures:</b></p> <ul style="list-style-type: none"> <li>• No. of trainings conducted to ECD relevant stakeholders.</li> <li>• No. of ECD staff involved in the prosecution of cases as a result of the training</li> <li>• Stakeholders are cooperative and supportive of the MELAD's effort to enforce the Environment Act and Regulations</li> <li>• ECD staff are able to support the enforcement of provisions and regulations of the Environment (Amendment) Act 2007 in their Units work plan implementation</li> <li>• All ECD staff are able to assist with the enforcement of the Act in the absence of Compliance and Enforcement Unit (CEU) staff members, while working in the field and in the outer islands</li> </ul> <p>Outcome:</p> <ul style="list-style-type: none"> <li>• Enforcement Officers are competent in prosecuting environment cases including investigation and evidence collection</li> <li>• All ECD staff are able to enforce relevant provisions and</li> </ul>
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**Commented [u3]:** What about enforcement and handling of offenses under the Environment Act and its regulations, including the Recreational Reserves Act and its regulation during weekends and after official hours? Can this be tasked also to him so that he can come up with strategy to address this gap at the ECD level? Pls advice.

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		<p>regulations of the Act in the absence of CEU staff</p> <ul style="list-style-type: none"> <li>• Enhanced awareness amongst all ECD staff on the provisions of the Act and on its enforcement</li> <li>• All ECD staff are able to identify relevant legal enforcement needs of external stakeholders, who may be in a position to assist in the enforcement/implementation of the Act</li> </ul>
<p>3. Strengthen existing enforcement guidelines and legislations including the Environment (Amendment) Act and Regulations and the Recreational Reserves Act and its Regulations.</p>	<ul style="list-style-type: none"> <li>• Review and update existing enforcement guidelines, legislations, including the Environment (Amendment) Act and regulations, where required.</li> <li>• Assist LCS ECD management, and senior staff, to design and align divisional work plans and activities, for implementation in accordance with the Environment (Amendment) Act 2007.</li> </ul>	<p><b>Performance Indicators/Measures</b></p> <ul style="list-style-type: none"> <li>• Number of reviews are in place</li> <li>• Number of divisional work plans and activities are implemented accordingly</li> </ul> <p><b>Outcome:</b></p> <ul style="list-style-type: none"> <li>• Gaps in the legislations are identified and strengthened</li> <li>• Improved Environmental Legislations, Regulations and Guidelines</li> </ul>

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<p>4. Work closely with the EIMS Team to raise public awareness on environment legislation and enforcement</p>	<ul style="list-style-type: none"> <li>• Establish enforcement partnership with relevant enforcement agencies through consultation and awareness activities.</li> <li>• Assist the Environment Outreach Unit (EOU) in any outreach programs that promote and improve compliance of the Environment Act and Regulations by the public.</li> </ul>	<p><b>Performance Indicators/Measures</b></p> <ul style="list-style-type: none"> <li>• No. of enforcement partners established.</li> <li>• No. of awareness activities and enforcement training undertaken.</li> <li>• No. of outreach programs participated in.</li> </ul> <p><b>Outcome:</b></p> <ul style="list-style-type: none"> <li>• Improved compliance with the Environment Act through partnership and public/community outreach.</li> </ul>
<p>5. Provides support on administrative matters to the Compliance and Enforcement Unit</p>	<ul style="list-style-type: none"> <li>• Participate in meetings/trainings/workshops when appointed by OIC and record minutes.</li> <li>• Prepare report based on court proceedings undertaken, related to suspected illegal activities, which contravenes the Environment (Amendment) Act 2007.</li> <li>• Undertake any other tasks assigned by Officer In Charge of ECD.</li> <li>• Keep and maintain records of Environmental cases filed and prosecuted.</li> <li>• Contribute to the preparation of the work plan, unit briefs, Cabinet paper, and quarterly progressive reports.</li> </ul>	<p><b>Performance Indicators/Measures</b></p> <ul style="list-style-type: none"> <li>• Meeting minutes is available when needed.</li> <li>• Reports are available when needed.</li> <li>• No. of tasks undertaken as per the advice of the ECD, Officer in Charge.</li> <li>• No. of environment cases recorded and updated</li> <li>• Progressive report submitted</li> </ul> <p><b>Outcomes:</b></p>

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		<ul style="list-style-type: none"> <li>• The Unit's activities are implemented effectively and efficiently.</li> </ul>
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<b>10. Key Challenges</b>	<b>11. Selection Criteria</b>
<ul style="list-style-type: none"> <li>• Staff turn-over</li> <li>• Insufficient operational budget</li> <li>• Unavailability of office and proper enforcement equipment</li> <li>• Delay in court proceeding</li> <li>• When enforcing the legislation, officer may be at risk from local populations and foreign visitors when performing enforcement procedures</li> <li>• No life insurance in place for ECD staff working in the field, who may be subjected</li> </ul>	<p><b>11.1 PQR (Position Qualification Requirement):</b></p> <p><b>Education:</b> Diploma in Law Police Certificate</p> <p><b>Experience:</b> Diploma in Law with at least 2 years working experience in prosecution OR a Police Certificate with at least 10 years working experience in prosecution</p> <p><b>Job Training:</b> Should have undergone short-term training on Law Enforcement and Court proceedings OR attachment with the DPP at OAG.</p>

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<p>to bodily harm due to enforcement related work on sites.</p> <ul style="list-style-type: none"><li>• Attaining sustainable cooperation and support from enforcement partners</li></ul>	<p><b>Prerequisite:</b> to be eligible for this position, the post-holder should at least have obtained a Diploma in Law with at least 2 years working experience or a Police Certificate with 10 years work experience</p>
	<p><b>11.2 Key Attributes (Personal Qualities):</b></p> <ul style="list-style-type: none"><li>• Should have basic knowledge on environment management skills.</li><li>• Mature in his/her approach.</li><li>• Good personality – social and respectful.</li><li>• Computer literate.</li><li>• English spoken and writing skills</li><li>• Good leadership skills</li><li>• Capability to handle conflicts</li><li>• Good networking with government enforcement authorities including the Police</li><li>• Focus on result based</li></ul>

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