



An overview of the investigation process

Role of the Parliamentary Commissioner for the Environment

The Parliamentary Commissioner for the Environment is an Officer of Parliament, and is independent of the Government of the day. Her role is to give independent advice to Parliament on environmental issues. Advice is generally provided in the form of reports on investigations, and submissions to select committees.

The position of the Parliamentary Commissioner for the Environment was established under the Environment Act 1986. The Commissioner is supported by a small team of staff with a wide range of expertise.

Initiating investigations

Investigations arise in a variety of ways. An investigation may, for instance, have its origin in a request from an MP or in an issue that emerged in an earlier investigation.

The Commissioner pays particular attention to environmental problems that are irreversible, cumulative, and/or accelerating; she also considers their scale and pervasiveness, and whether they threaten to tip a system into another state. Other criteria for choosing topics to investigate include whether her independence may enable progress on difficult or contested topics, and whether there is potential for her to make practical recommendations.

Investigations can take different forms because the Commissioner's functions under the Environment Act are very wide-ranging. Most reports contain recommendations to Ministers, but some are educational in nature.

The investigation process

An investigation begins with the gathering of a wide range of information, including scientific literature and government documents. Often technical advice is contracted from experts. Meetings with people with particular knowledge of, or interest in, the topic are held.

Under s19 of the Environment Act, the Commissioner has the power to obtain information that is not available to the general public. However, under s20, she has a duty of secrecy and will not release information obtained under s19 *"except for purposes connected with the administration of this Act or with the carrying out of the provisions of this Act."*

Reports on investigations

A great deal of effort is put into making the reports as accurate as possible while keeping them accessible to the general reader. Where information has been provided by government agencies and others, its accuracy is checked with those who provided it. The final draft is sent to a number of expert reviewers chosen to cover all relevant technical aspects of the topic.

Prior to a report being released, the Commissioner and her staff offer briefings to various affected parties. These include Ministers to whom recommendations are being made and spokespeople from other political parties.

On its release, a report is tabled in Parliament and becomes public. The Commissioner presents the findings of the investigation formally to a Parliamentary select committee.

Updates on investigations are generally produced two or three years later. These summarise reactions to the original report, consider new developments, and assess responses to recommendations.