

State of Environmental Law Training among Judiciaries in Africa

A presentation made during the Colloquium
on Integrating Environmental Law Training
Into Judicial Training Programmes in Africa

Indaba Hotel & Conference Centre, Fourways
Johannesburg, South Africa, 25-27 January
2017

Outline of the presentation

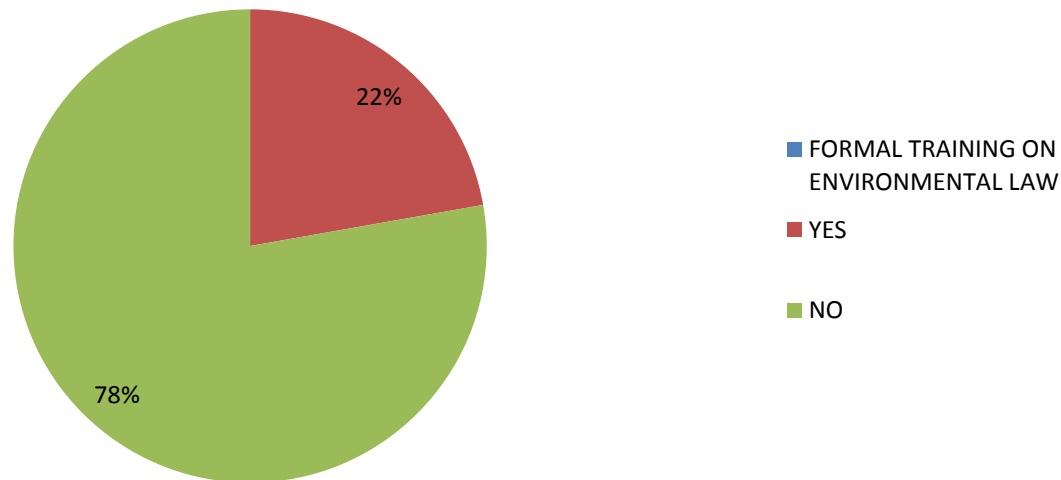
- Introduction
- Preliminary information
- Approaches
- Scope and content of training programmes
- Key challenges
- Conclusions and Recommendations

Introduction

- About the study
- Objectives of the Study
- How study was conducted
- Focus areas of the study

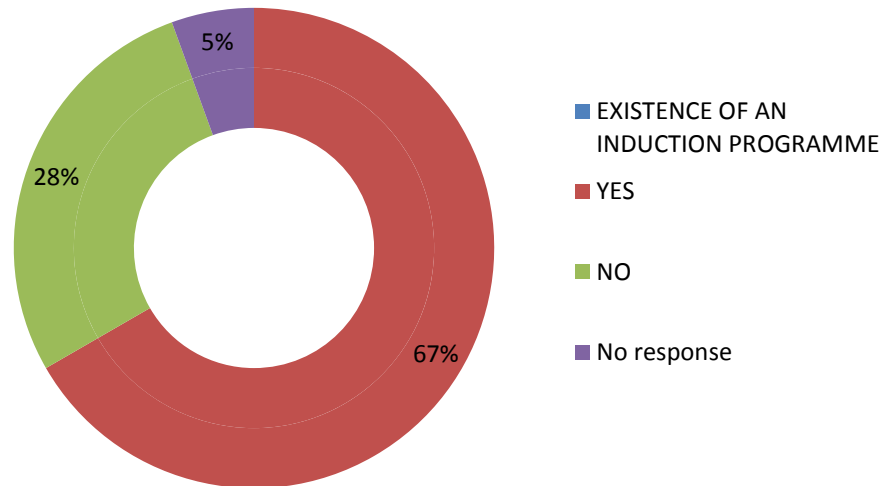
Some preliminary information

- Existence of an environmental law training programme;



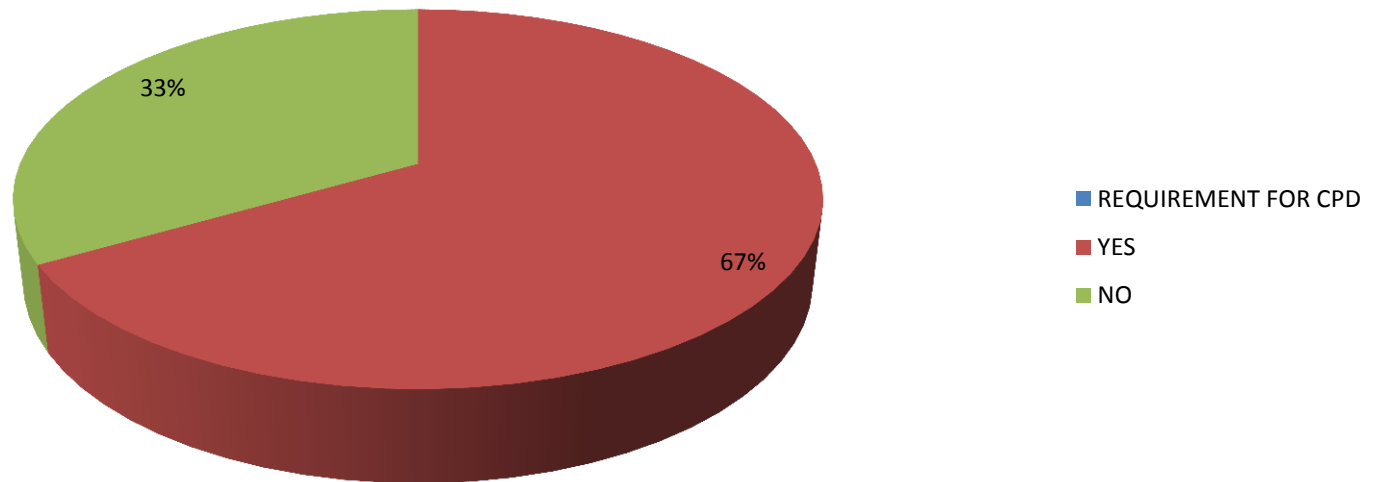
Some preliminary information – Cont'd

- Induction programme for Judicial Officers;



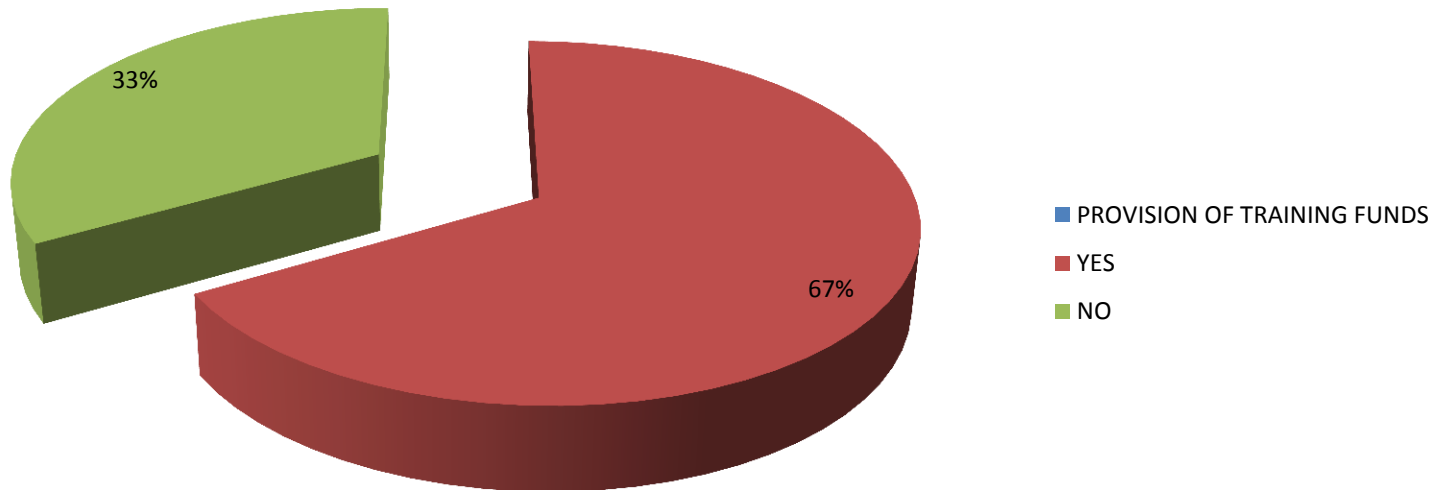
Some preliminary information – Cont'd

- Whether a requirement exists for continuous Judicial Education;



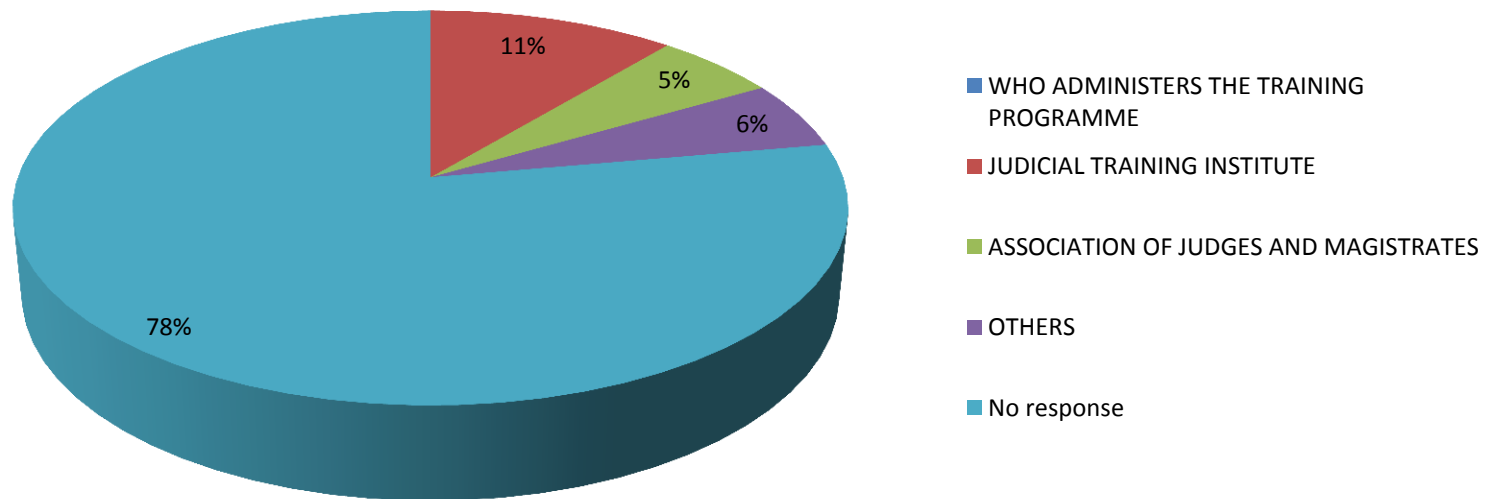
Some preliminary information – Cont'd

- Whether funds set aside for judicial education and training;



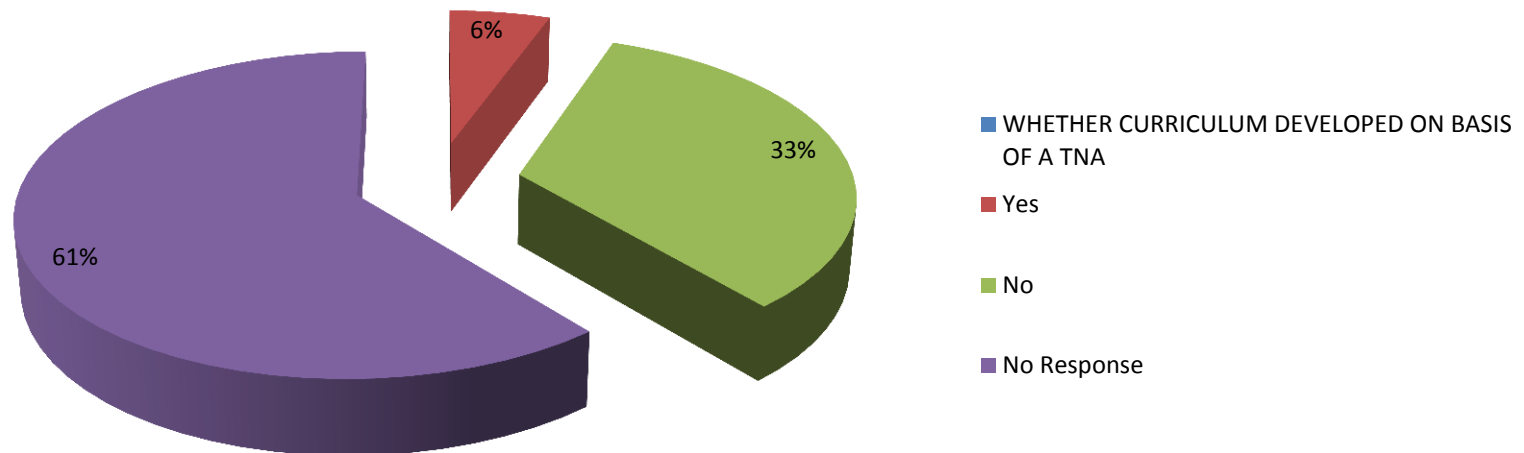
Approaches

- Who administers the environmental law training programme;



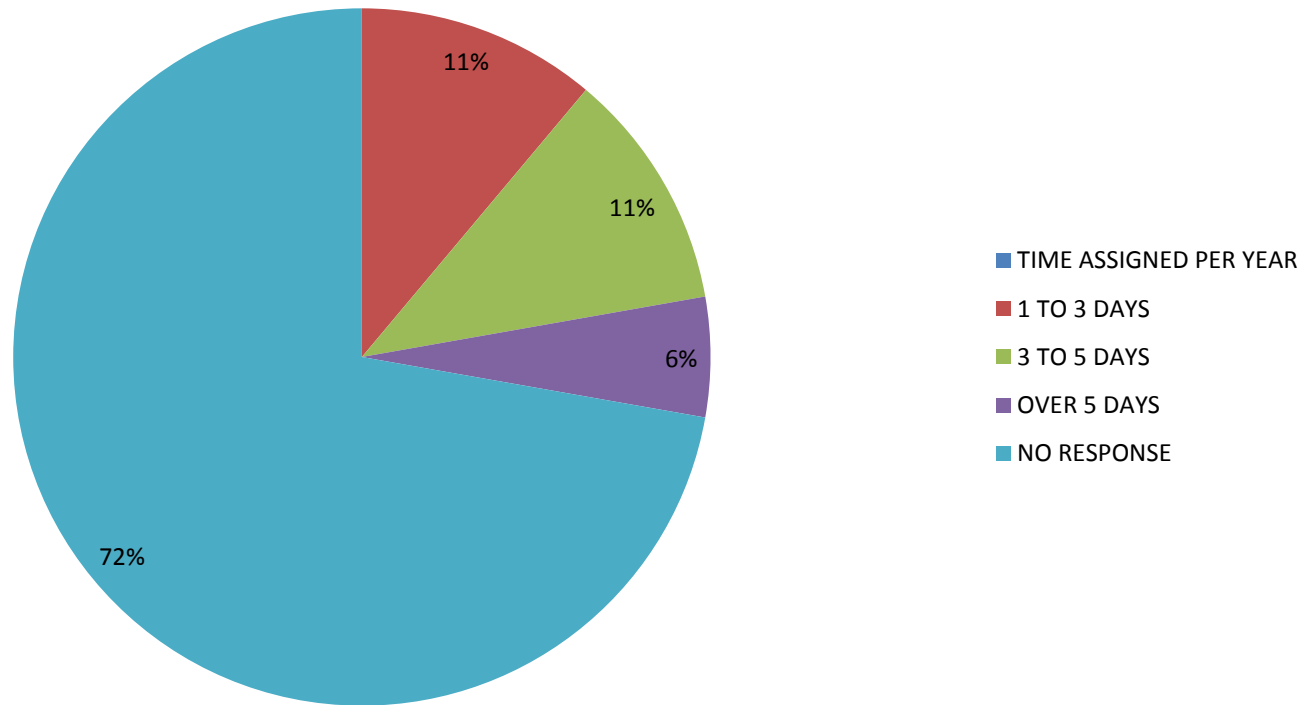
Approaches – Cont'd

- Basis of developing the training programme –
Training Needs assessment;



Approaches – Cont'd

- Proportion of time assigned to each individual Judicial Officer

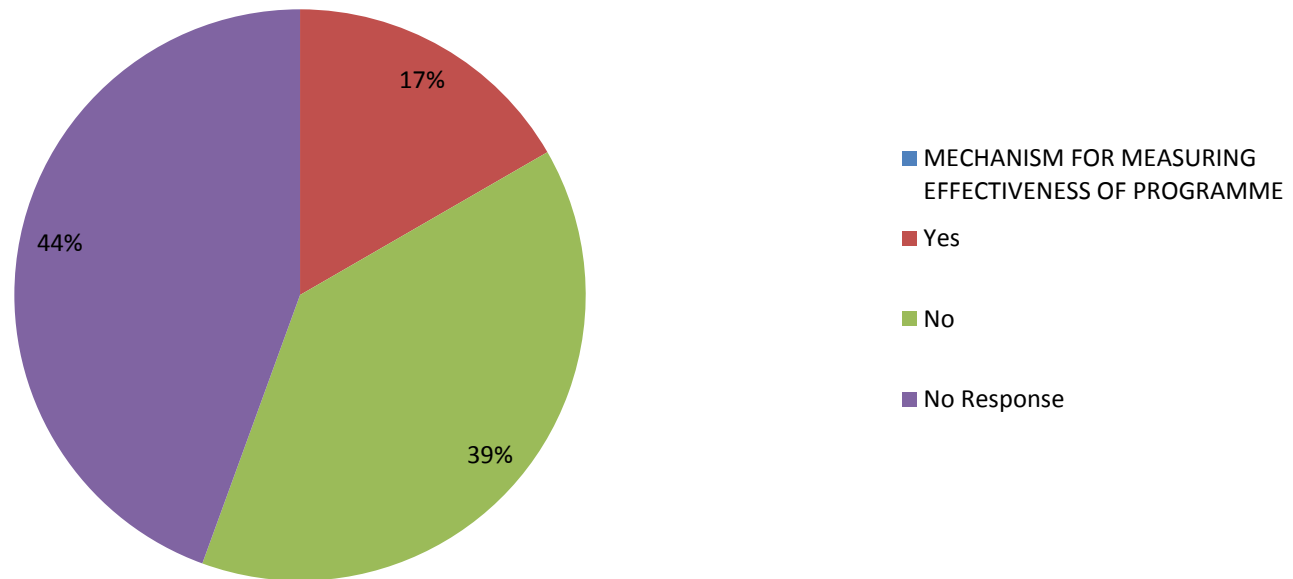


Approaches – Cont'd

- Training Methods and delivery;
 - Face to face programmes – 57%
 - Modules – 29%
 - Integrated programmes for Judges and Court Personnel – 14%

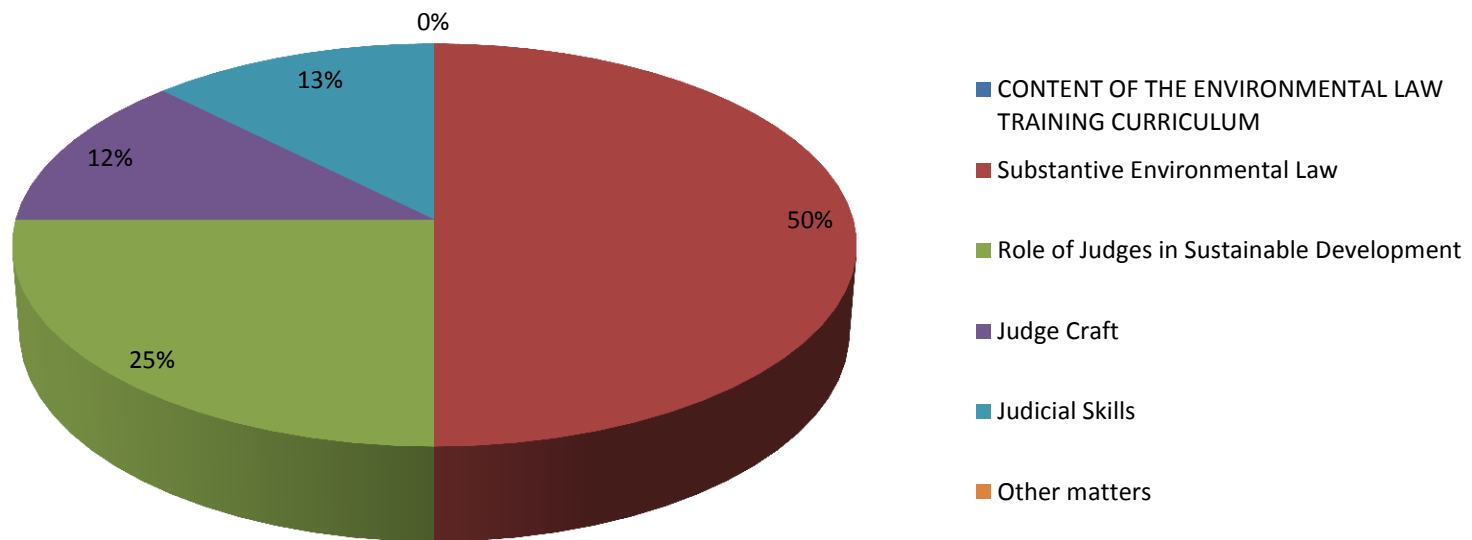
Approaches – Cont'd

- A mechanism for measuring effectiveness of the programme;

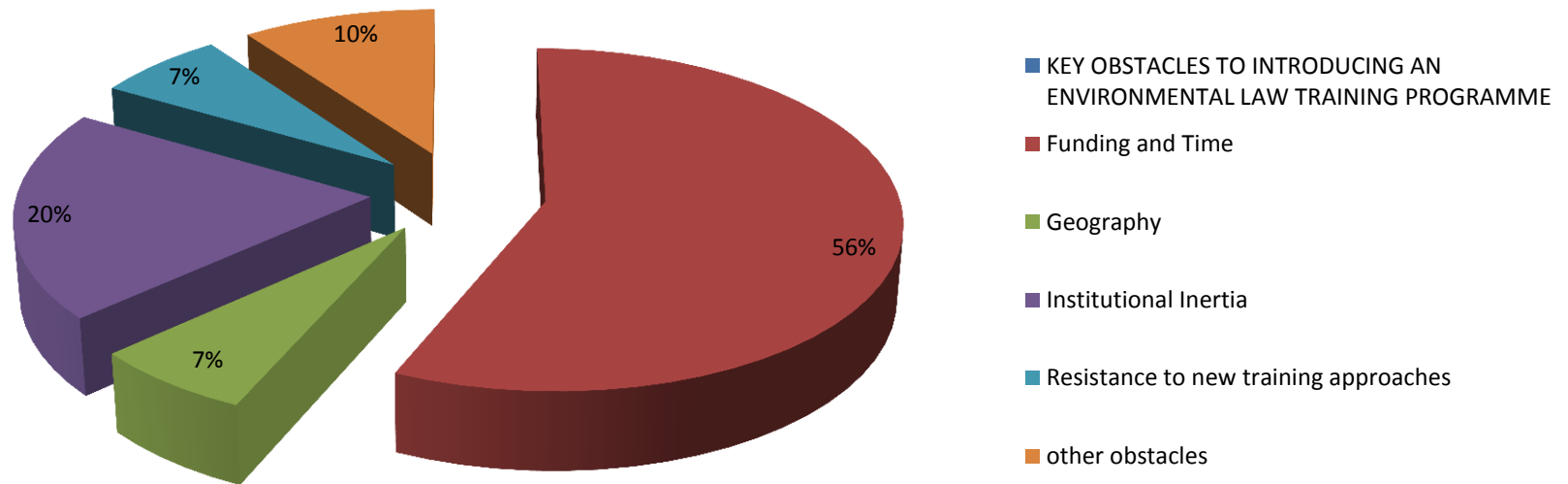


Content and Scope

- Scope and content of the programme;



Key Challenges



Conclusions and recommendations

- Funding a key challenge among a majority of countries. This could be addressed by incorporating the training programme in induction courses and in the existing continuous professional development programmes

Conclusions and recommendations

– Cont'd

- A majority of countries do in fact set aside funds for Judicial education and training. A clear case therefore exists for environmental law training to benefit from these funds

Conclusions and recommendations – Cont'd

- The absence of a formal judicial education programme on environmental law in a majority of the countries could act as a catalyst for the region to come together and establish a platform for the regular exchange of information, experiences and best practices in environmental law judicial education

Conclusions and recommendations

– Cont'd

- Most of the environmental law training programmes are administered by either the Training Institute or the Judges Association. This is a good practice as it ensures judicial education is credible and that judicial independence is not undermined

Conclusions and recommendations

– Cont'd

- A very small proportion of countries develop their programmes on the basis of a training needs assessment. In essence therefore, the programme may not be capable of responding to concrete problems facing the continent. A radical shift is required in this regard

Conclusions and recommendations

– Cont'd

- The matters raised in this study could form a good basis for developing an Africa-wide framework or guiding principles on environmental law judicial training