

## Green Policing, Prosecution and Court Adjudication

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**ABSTRACT:** This paper explores the concept and practical implementation of green policing, prosecution and adjudication. Globally, police, prosecutors and courts have begun incorporating eco-friendly functions and operations as part of the effort to protect the environment. However, the implementation remains low. For instance, greening practices have not yet been entrenched as part of their strategic focus areas. To bridge this practice gap, greening investigations and arrests should include proactive upstream interventions to prevent the commission of environmental harms and crimes. Whenever environmental crimes occur, timely investigations and arrests are crucial. The arrests should be followed by prompt prosecution and efficient adjudication. In jurisdictions experiencing extensive environmental crimes and violations, establishing specialised investigation and prosecution offices and courts would yield a focused legal process. Furthermore, enhancing legal, policy and procedural reforms that govern policing, prosecution and adjudication is vital for practical greening. These reforms should be supported by embedding green values within personnel and having infrastructure standards that foster environmental responsibility. Integrating these efforts with eco-conscious technologies and heightened societal engagements would ensure swift remedies for environmental rights violations.

**KEYWORDS:** Greening, Policing, Prosecution, Adjudication

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### 1. INTRODUCTION

With the overarching need for nations to provide public goods and other social amenities to their growing populations, coupled with the ever-increasing quest to industrialise, the urgency to address the impacts of climate change has remained at the forefront of their policies and strategies. Indeed, global stakeholders have been concerned with green justice, underscoring it as a cornerstone of an environmentally conscious society (Skinnider, 2013; & South, 2014). Arising from these concerns, there has been an increasing global commitment to align the investigation, prosecution and adjudication with the greening agenda. For this reason, this study has focused on law enforcement agencies, prosecutors and the courts in greening. Drawing from Aleknevičienė and Bendoraitytė (2022) and Pozo-Llorrente et al. (2021), greening refers to the process of making space, institutions or activities more environmentally friendly to reduce the emission of greenhouse gas (GHG) and consequently mitigate against the adverse impacts of climate change. An effective response to address severe or potentially severe environmental disputes and crimes requires enforcing the rule of law through timely investigations, prosecution and adjudication. The ultimate aim is to promote deterrence, rehabilitation and restitution. Moreover, the institutions responsible for investigation, prosecution and adjudication are required to be environmentally conscious in the execution of their duties and operational practices. While there is literature on green practices in the broader justice sector, there is limited integration of such practices in the investigation, prosecution and adjudication processes, signifying a knowledge and practice gap.

Consequently, this paper explores the intersection of green practices with the law enforcement, prosecution and adjudication processes. Green policing, prosecution, and adjudication generally involve integrating environmental considerations into both institutional functions and day-to-day operations and processes. It emphasizes a multidisciplinary approach that links justice with green culture to protect the environment and foster sustainability. While police, prosecutors and court officials have distinct mandates, their roles in the administration of justice are interconnected, including their collective responsibility to safeguard the environment.

To realize the study objective and taking cue from among others, the research work by Aleknevičienė and Bendoraitytė (2022), Arnold and Wade (2015) and Tourangeau (2022), the paper adopted a systems approach to greening, emphasising the interdependent nature of the investigation, prosecution and adjudication functions. An analysis and synthesis of literature from diverse sources supports the study's focus on applied and policy-relevant questions related to greening investigations and the trial process. By

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utilising a conceptual framework with diverse greening elements, the study discusses practical application, making recommendations for enhancing greening within policing, prosecution and adjudication.

## **2. LEGAL, THEORETICAL AND CONCEPTUAL FRAMEWORKS**

### **2.1. Legal and Normative Frameworks on Greening the Justice System**

Clear legal and normative frameworks that align national efforts and actions with regional and international obligations are crucial for promoting environmental sustainability and addressing the global challenge of climate change. Such alignment is crucial to ensure that responsible institutions collaborate to protect the environment, recognising it as a shared heritage for the humanity. Notably, several instruments emphasise state obligations regarding environmental conservation, where a key role is played through the investigation, prosecution and adjudicatory processes.

At the international level, diverse treaties and protocols serve as essential frameworks for national environmental regulation. One of the key treaty is the 2015 Paris Agreement on Climate Change (United Nations Framework Convention on Climate Change (UNFCCC), 2025). This requires state parties to develop transparent climate action plans aimed at limiting global temperature rise (UNFCCC, 2025). For the conventions to be effective, and in instances where environment crimes are committed, the role of investigations, prosecution and adjudicatory agencies is pivotal.

Furthermore, normative global agreements such as the Sustainable Development Goals (SDG) 2030 and the Rio Declaration of 1992 are crucial in promoting environmentally sustainable practices within national legal systems. Specifically, SDG 16 emphasises accountable institutions, thriving rule of law and access to justice, which are vital for resolving environmental disputes (McDermott et al., 2019). Likewise, the 1992 Rio Declaration urges states to ensure adequate access to judicial and administrative proceedings in environmental issues, including the provision of redress and remedies (Keller & Zhang, 2017).

At the national level, many countries enforce environmental legislation through criminal and civil sanctions. National sustainability plans often inform the basis for judicial enforcement in cases of ecological harm. These national and international legal and normative frameworks operate in tandem to safeguard the environment. However, effective and proper implementation depends on the proactive involvement of law enforcement, prosecution and the judicial authorities in adopting environmentally responsible practices and responding to environmental violations.

### **2.2. Theoretical Framework on Greening Policing, Prosecution and Adjudication**

Diverse theories underscore the relevance of the investigation, prosecution and adjudicatory institutions in mitigating harms and crimes. One such theory is systems thinking, which explores the interconnection of institutional elements and functions that yield synergistic behaviour (Arnold & Wade, 2015). Like all complex social challenges, environmental protection requires justice institutions to act as interdependent components of a larger ecosystem working toward collective impact. Tourangeau (2022) affirms that systems thinking enables tackling complex issues through diverse perspectives, even amid incomplete information. The system theory, when applied to greening, positions law enforcement, prosecutors and courts as subsystems of the wider justice system. These institutions must collaborate to effectively execute their mandate and produce a more significant effect than the sum of each institution (Arnold & Wade, 2015).

Other theories draw connections between justice and environmental ethics. The eco-justice theory merges environmental sustainability and social justice, emphasizing the interconnectedness of ecological health and human rights (Anguelovski & Alier, 2014). It promotes interventions that empower vulnerable populations while restoring ecological balance, roles that the police, prosecutors and the judiciary are well placed to champion.

As advanced by Lovelock (2009) and Reiche (2020), Gaia's theory proposes that life on Earth functions as a synergistic system where living and non-living elements self-regulate to sustain life. The investigation, prosecution and adjudication institutions are part of this larger system and must support reducing GHG emissions, conserving resources and promoting biodiversity.

Similarly, the restorative justice theory adds further relevance. It supports reconciliation-based approaches to environmental harm, particularly in civil cases. For instance, after investigating and prosecuting pollution offences, courts should enforce their findings by requiring the responsible parties to take actions that restore the affected environment.

### **2.3. Conceptual Framework for Green Investigation, Prosecution and Adjudication**

Greening the police, prosecution and courts involves integrating environmental sustainability goals across multiple institutional dimensions. These include functional, legislative, policy, procedural, physical, technological, rights-based, community involvement and human resources aspects. These elements form the conceptual framework for greening police, prosecution and adjudicatory institutions.

In this context, functional greening refers to integrating measures to protect the environment into the investigation, prosecution and adjudicatory functions. This includes investigating environmental crimes, apprehending and prosecuting offenders, and enforcing court decisions related to environmental disputes and crimes. Upon investigations, the prosecution agencies represent the state or government in court, seeking penalties, fines, or other legal remedies to deter future violations and promote compliance with environmental laws. For their part, courts resolve disputes and enforce environmental protection by interpreting and applying

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environmental and other laws, clarifying legal standards as per regulations. Some adjudicatory agencies also regulate environmental licensing and permitting processes, ensuring that projects comply with environmental standards before they proceed.

It is also vital to integrate greening into the legal and policy frameworks governing the investigation, prosecution and adjudicatory institutions. Legislative greening entails developing or reviewing laws related to policing, prosecution and adjudication to ensure compliance with the emerging dictates of environmental protection. According to Osofsky (2014), countries have varied environmental legislations. Muhtar et al. (2024) support this notion by arguing that nations are at different levels of entrenching environmental constitutionalism. Moreover, institutional policies guide the core functions of investigation, prosecution, and adjudication processes and other operational processes aimed at promoting environmental sustainability.

Procedural greening emphasises efficiency and sustainability in workflows. This approach incorporates environmentally friendly practices into the investigation, prosecution and adjudicatory procedures. A pertinent approach to this has been the adoption of modern technology in existing institutional processes and procedures (White & Graham, 2015). Notably, enhanced internet connectivity and the integration of ICT systems have reduced the need for physical interaction in the legal sector, thereby decreasing transport costs and greenhouse gas emissions in many countries (Maas, 2003). In undertaking their mandates, police, prosecutors, judges and magistrates use technology. They require IT materials, notably computers and the internet, to conduct virtual meetings and hearings. In this respect, therefore, technology reduces environmental degradation by reducing paper usage, minimising travel to physical meetings, and consequently reducing the emission of greenhouse gases (Maas, 2003).

Another key greening concept is physical greening, which entails transforming the physical infrastructures of agencies to make them compliant with environmental protection standards (White & Graham, 2015). Physical greening comprises many elements, such as using sustainable building materials, energy-saving and proper wastewater management (White & Graham, 2015). Adopting energy-saving transport solutions across the justice sector, such as using a green fleet to minimise carbon emissions, also forms part of physical greening.

The investigation, prosecution and adjudicatory institutions are also core employers. Hence, having employees who are competent in environmental sustainability is crucial when making decisions related to the environment. Therefore, it is essential to promote Employee Green Behaviour, which focuses on increasing employees' understanding of environmental protection. Arulrajah et al. (2015) highlight that greening human resources must encompass sustainability during employee selection, training, performance management and compensation.

Lastly, community involvement by institutions in greening efforts requires a focus on people-centred engagement. Justice system agencies, including the police, prosecutors and courts, should intentionally mobilise the community and advocate for eco-friendly activities while fulfilling their core responsibilities of investigation, prosecution and adjudication.

### **3. GREEN POLICING, PROSECUTION AND ADJUDICATION**

#### **3.1. Green Policing, Prosecution and Adjudication Functions**

##### **A. Green Policing**

The growing threat of climate change demands that police agencies worldwide evolve and play a proactive role in responding to environmental crimes. The police serve as the first point of contact in enforcing environmental laws by deterring violations, investigating offences, and executing arrests. These functions are vital for upholding the rule of law and mitigating environmental harms and crimes. Matczak and Bergh (2023) emphasise that police officers routinely handle various environmental crises, including floods and civil unrest triggered by climate events. Similarly, White (2017) notes that drought-induced food insecurity can provoke unrest, necessitating police intervention. Sida (2018) adds that climate-related changes tend to cause or worsen conflicts.

While discharging their duties, the police, like other justice sector institutions, also contribute to GHG emissions through office operations and fieldwork. Given the escalating climate crisis, it is essential for the police to not only enforce green laws but also embody sustainability principles in their operations (Interpol, 2022). Further, the Association of Police and Crime Commissioners (2022) argues that failure to embrace greening may expose police forces to resource-driven organised crime and environmental protests, hence the need for adaptive policing.

In response, various police jurisdictions have been mainstreaming sustainability into their practices. These efforts aim to reduce carbon footprints and build climate resilience. Green initiatives by the police include adopting solar energy, greening buildings, using bicycles and electric vehicles, and increasing foot patrols to cut fuel consumption (White & Graham, 2015). In the United Kingdom, for example, the Police and Crime Commissioners support the decarbonisation through sustainable social programmes and green policy advocacy (Association of Police and Crime Commissioners, 2022).

In Hong Kong, the police have actively raised environmental awareness through eco-themed fundraisers and charity events (Hong Kong Police Force, 2014). They have prioritised instilling environmental consciousness amongst their staff through comprehensive training programs. The force has embraced electronic platforms such as e-green corners and transitioned to paperless conferences and electronic data. Additionally, the force has made strides in reducing wastage by installing water-saving showers, greening existing building spaces, and implementing recycling programs for industrial waste, glass bottles, paper and used cartridges. The force has also implemented energy-efficient lighting, solar water heating systems, air conditioning and recycling waste paper.

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Moreover, the force publishes annual environmental reports that track paper, petrol and gas consumption trends as accountability measures (Hong Kong Police Force, 2014).

In Canada, the Vancouver Police Department developed a Sustainability Strategy (2012-2016) that promotes energy efficiency and resource conservation. This includes deploying electric vehicles with anti-idling systems and setting measurable waste reduction goals (Konyk, 2018). Elsewhere, the Calgary Police Service introduced a green fleet, reduced paper use, carpooling, bicycle patrols and transit to minimise its environmental footprint.

In the USA, Ranson (2014) asserts that climate change could trigger spikes in violent crimes such as murder, rape, aggravated assaults, and robberies. As a response, the Los Angeles Police Department initiated sustainability programs by introducing a Green Team that uses bicycles and hybrid vehicles (Konyk, 2018). The Department also limits water use and electricity consumption. In Seattle, the City of Seattle Green Fleet Action Plan (2014) targets reducing the carbon footprint by shifting to clean energy, using electric vehicles and zero waste initiatives.

In Turkey, the police have a unit that provides justice services to areas inaccessible to cars, using bikes to respond to various issues and reduce carbon footprint (Sabah, 2014). In Nigeria, a Strategy aimed at combating wildlife and forest crime provides interventions for the police to protect the environment (Republic of Nigeria, 2024). In Kenya, the Directorate of Criminal Investigations has a specialised unit to handle environmental and wildlife-related crimes. This unit investigates and prevents offences that harm the environment, endanger wildlife, or concern natural resources (Republic of Kenya, 2024). The Directorate also has a land fraud investigations unit, given the centrality of protecting land as an essential resource (Republic of Kenya, 2024). Evidently, as ecological crimes rise in frequency and complexity, police agencies must continuously enhance their knowledge and adopt flexible, sustainable-oriented practices.

### B. Green Prosecution

Prosecution plays a pivotal role in criminal justice by connecting investigative work to judicial determination. Prosecutors enforce the law, including environmental statutes, by ensuring accountability for ecological offences. Lehrer (2022), however, highlights that climate justice movements often overlook prosecution despite its centrality.

Criminologists define criminality as acts prohibited by law, while social legalists expand this definition to include acts that cause harm, even if not technically illegal (White & Graham, 2015; & White, 2017). This distinction reveals a challenge as many harmful environmental practices evade prosecution due to legislative gaps or enforcement inertia. In several jurisdictions, environmental regulators, not police or prosecutors, are tasked with addressing such offences, often opting for administrative or civil penalties rather than criminal action (South, 2014).

However, streamlining the prosecution role would be crucial in environmental protection and conservation. In the USA, the Department of Justice created the Environmental Crimes shifting from selective prosecution to systematic enforcement (US Department of Justice, 2024). In some countries, industries violating pollution laws may face fines and criminal penalties. The *People v Southern California Gas Co.* case illustrates a creative approach to litigation of environmental crime with the possibility of a financial settlement. In this case, the Los Angeles County District Attorney negotiated a plea deal in which the company admitted guilt for failing to promptly report a methane gas leak. The firm paid approximately USD 550,000 in costs and committed to installing an advanced leak detection system.

In South Africa, the court applied and enforced criminal sanctions against environmental crimes in the case of Blue Platinum Ventures. The case concerned severe soil erosion caused by a newly formed company called Blue Platinum Ventures, which dug clay to mould bricks. In this case, the prosecution charged both the company and the owner.

Furthermore, environmental crimes may be prosecuted privately. In 2012, in Navarre, Spain, for example, there was a mass poisoning of at least 138 specimens of several endangered raptors. *Ecologistas en Acción*, a non-governmental organization, undertook private prosecution, and a heavy fine was imposed on appeal even though *Ecologistas en Acción* found this insufficient as it had also sought prison sentences for the responsible individuals (Orueta et al., 2023).

In the European Union, a report on prosecution and judicial practice in EU environmental law recommends that prosecutors be trained to enhance their knowledge and understanding of environmental crimes and harms (European Network of Prosecutors for the Environment (ENPE), 2017). It has also been recommended that gravity factors for each environmental crime be considered in the sentencing guidelines to enhance prosecution (ENPE, 2017).

Elsewhere, the prosecution wing of the International Criminal Court appreciates the essential role of prosecuting international environmental crimes that involve the illegal exploitation of natural resources (Office of the Prosecutor, 2016). It provides guidelines on exercising prosecutorial discretion in selecting and examining cases. However, Pereira (2020) notes that the office does not clarify the scope of the ICC's jurisdiction on ecocide which is essential.

Thus, strengthening prosecutorial capacity in environmental law is essential, as it reinforces the rule of law and ensures environmental justice. Further, enhancing prosecutorial mechanisms and discretion contributes to climate-responsive governance.

### C. Green Adjudication through Courts

Judicial institutions globally have become central players in enforcing environmental protection and driving climate accountability. A growing body of research demonstrates that courts influence environmental outcomes through litigation and legal precedent. The Global Climate Litigation Report (UNEP, 2023) has six broad categories of environmental litigation. These include rights-based claims under international or national constitutional law, legal challenges to weak enforcement of climate regulations and suits aiming to keep fossil fuels unexploited. Other cases demand greater transparency and assigning liability to corporations for climate harm, or address failure in climate adaptation.

In recognition of these issues, several countries have institutionalised special environmental courts. These courts predominantly ensure the observance of the rule of law on environmental matters. Percival (2016) affirms that the growth of specialised environmental courts and the application of environmental laws benefit the environment. In Kenya, the environment and land court exclusively deals with environmental and land cases (Judiciary, 2024).

During litigation, jurisprudence of significant value continues to emerge globally, with courts interpreting environmental constitutionalism and setting precedents that shape law and policy (May & Daly, 2019). Collectively, these cases demonstrate a maturing global jurisprudence anchoring environmental protection. A few examples are exemplified below.

In the case of *Massachusetts v EPA* (2007), the Supreme Court of the USA contributed to the growth of jurisprudence. In this case, the petitioners had asked the Environmental Protection Agency to regulate the emission of greenhouse gases from motor vehicles (*Massachusetts v EPA*, 2007). The petitioners advocated for emission limits as per the Kyoto Protocol. Consequently, the court held that the state had failed to take necessary actions to regulate greenhouse gases (*Massachusetts v EPA*, 2007). Elsewhere in the USA, the federal trial court overturned a ruling to terminate a lawsuit challenging a Clean Water Air permit issued to an ExxonMobil terminal in Massachusetts for allegedly failing to consider the impact on climate and the hazards created by allegedly discharged pollutants (*Conservation Law Foundation v ExxonMobil Corporation*, 2021). The court rejected Exxon's argument that the litigation should wait for the EPA to take action (*Conservation Law Foundation v ExxonMobil Corporation*, 2021).

In Australia, restorative justice principles have been applied in sentencing environmental cases. In *Garrett v Williams* (2007), mining operations had destroyed numerous Aboriginal artefacts and desecrated a sacred site. Before the court's ruling, a conference was convened based on restorative justice principles. The conference resulted in an agreement between the Aboriginal community and the mining company, which complemented the penalties imposed by the court (*Garrett v Williams*, 2007).

In Germany, *Luciano Lliuya v RWE AG* (2015), the issue of corporate liability and responsibility for climate harm was addressed. The plaintiff alleged that the German electric power company RWE AG's substantial greenhouse gas emissions contributed to the melting of a glacier, which increased the levels of the glacial Lake Palcacocha (*Garrett v Williams*, 2007). Although a German District Court initially found the claim inadmissible, the High Court reversed that decision, finding that the plaintiff's claims were sufficiently well-founded to proceed (*Garrett v Williams*, 2007). The High Court acknowledged that a private company is, in principle, responsible for its share of climate damages resulting from its emissions.

In South Africa, the Court in *EarthLife Africa Johannesburg v Minister of Environmental Affairs and Others* (2017) addressed human rights provisions to clarify unclear legislative requirements related to environmental impact assessments. This was in response to the climate change impacts of a proposed coal-fired power station project. The court stated that considerations regarding climate change were important, even if not explicitly provided for in domestic laws, acknowledging South Africa's commitments under the Paris Agreement (*EarthLife Africa Johannesburg v Minister of Environmental Affairs and Others*, 2017).

In India, the *MC Mehta v Union of India* case addressed pollution of the Ganga River by tanneries and soap factories on the banks of the river at Kanpur. The tanneries and soap factories argued that they were discharging waste into municipal drains and that it was the Municipality's responsibility to prevent the drainage into the river (*MC Mehta v Union of India*, 1988). In addition, they argued that the equipment required for regulatory mechanisms was costly and would result in a loss of business and jobs. The Supreme Court directed Kanpur Municipal Corporation to establish proper drainage and sewage systems to prevent and control pollution of the River Ganga at Kanpur (*MC Mehta v Union of India*, 1988). The court's view was that the need to protect the environment was a fundamental duty under the Constitution and that the right to public health was not comparable to unemployment and loss of revenue (*MC Mehta v Union of India*, 1988).

In Kenya, in *Save Lamu & 5 others v National Environmental Management Authority (NEMA) & another* (2016), the National Environmental Tribunal set aside the issuance of a license by the NEMA to Amu Power Company to construct the Lamu Coal-fired Power Plant. The Tribunal ordered the Power Company to undertake a fresh Environmental Impact Assessment (EIA) that would include all approved and legible architectural and engineering plans for the plant (*Save Lamu & 5 others v NEMA & another*, 2016). Further, the Tribunal ordered NEMA to engage with the lead agencies and the public on the findings of the EIA and subsequently share its decision widely on whether to grant or refuse an EIA license. The Tribunal found that these extraordinary measures were necessary to ensure sufficient access to information by the public on the project (*Save Lamu & 5 others v NEMA & another*, 2016). At the international level, the International Court of Justice (ICJ) considered Hungary's non-compliance with a treaty it made with Czechoslovakia in 1977 regarding the construction of dams in the Danube River as part of the Gabčíkovo-Nagymaros project in the case of *Gabčíkovo-Nagymaros Project* (1997). Whereas Hungary claimed that it had the right to end the Treaty based on

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international environmental protection laws, the court noted that new environmental laws could be applied to the Treaty and that both parties could include these laws in their agreement to make sure that water quality in the Danube was preserved and that nature was protected (Gabčíkovo-Nagymaros Project, 1997). In its judgment, the ICJ noted that historically, humanity, primarily driven by economic motives, has frequently intervened in nature without considering the environmental consequences (Gabčíkovo-Nagymaros Project, 1997). The court further acknowledged that protecting the environment would yield better quality of life and human health for present and future generations and that a Treaty is not static and incapable of adapting to emerging norms of international law (Gabčíkovo-Nagymaros Project, 1997). Moreover, the court specified that States involved in armed conflict have a duty to consider environmental factors when determining what is necessary and proportionate in the pursuit of legitimate military objectives (Gabčíkovo-Nagymaros Project, 1997).

### 3.2. Green Policing, Prosecution and Adjudication through Cross-Cutting Initiatives

Beyond their core functions, police, prosecution and courts should implement other greening initiatives on physical, policy, legislative, human resource, technology and rights-based fronts.

Regarding physical greening, having architectural designs of buildings with green installations during construction and using sustainable and non-toxic materials is crucial. In this respect, Sheldon and Atherton (2011) emphasize that low usage of toxic products during construction significantly yields financial savings. White and Graham (2015) recommend green rating the buildings and using appropriate architectural designs to incorporate elements of nature and maximise natural light. Moreover, the American Institute of Architects, proposes that the justice system buildings should maximize resource use and reduce pollution to positively impact the environment (Academy of Architecture for Justice, 2010).

Another element of physical greening is energy saving. For instance, having solar panels to decrease carbon footprint, reduce dependency on traditional energy sources, and mitigate vulnerability to power outages is crucial. Long-term investments in local energy production can save costs (Sheldon & Atherton, 2011). For instance, the Ministry of Justice in the Netherlands has been utilising renewable energy sources, such as electric vehicles, and promoting sustainable procurement to mitigate the environmental impact of the justice sector (White & Graham, 2015). Physical greening also covers mobility initiatives like green fleets that minimize carbon emissions. Moreover, housing agencies in one building to reduce travel distance, fuel consumption and vehicle carbon emissions (Academy of Architecture for Justice, 2010). Sheldon and Atherton (2011) further emphasise the need for cooling, ventilation and air conditioning as significant opportunities for waste reduction. Proper waste management also forms part of physical greening.

It is also crucial to implement policy changes that promote environmental sustainability. These changes are evident in various countries. For instance, an Executive Order issued in 2013 in USA aimed to prepare the country for the impacts of climate change. Following this, several State Departments established the Strategic Sustainability Performance Plan to enhance climate change readiness, reduce waste and pollution and promote sustainable practices. In Canada, the Federal Government committed to reducing greenhouse gas emissions from the justice sector by 30 per cent by 2025 (White & Graham, 2015). Additionally, Green City Action Plan of Vancouver targeted to reduce greenhouse gas emissions by 50 per cent (Konyk, 2018). In the United Kingdom, the government introduced the Greening Government Commitments, which include reducing carbon emissions by 40 per cent by 2020 and 80 per cent by 2050 (White & Graham, 2015).

Another crucial element of green police, prosecution and courts is technology adoption. For instance, conducting electronic meetings between clients and attorneys, video arraignments, and visits can help reduce carbon emissions through low fossil fuel usage. One reference material is the Green Technology Book of 2023, which was prepared by the World Intellectual Property Organisation (WIPO) to inform and thus bridge the technology gap between providers of climate mitigation technologies and those in need of such technologies (WIPO, 2023).

By greening the human resources of the police, prosecutors and courts, the ethos of environmental protection is inculcated. Specifically, having positive and supportive human resource practices significantly predict and enhance employees' green behaviours (Paillé & Meija Morelos, 2019; & Peng et al., 2020). An initial intervention is through the leadership of these institutions to influence greener practices through psychological techniques, performance feedback and comparative information is elaborated by Paillé et al. (2019). Further, the police, prosecution and courts should prioritise sustainability in their recruitment processes by targeting job seekers with green knowledge and values. Upon recruitment, green training and offering roles related to environmental sustainability are essential to retaining employees with a strong pro-environmental attitude (Paillé et al., 2019; & Pham & Paillé, 2020). Additionally, setting green performance goals and evaluating and giving feedback on employee's performance based on their contribution to environmental protection are essential (Tang et al., 2018).

Another vital element of greening police, prosecution and adjudication is rights-based greening. Knox and Morgera (2022) argue that human rights relates with the environment. The United Nations General Assembly (2018) concurs that human rights and climate protection have an intrinsic connection. This connection is particularly crucial to addressing existing vulnerabilities and marginalisation brought about by climate change. Moreover, IDLO (2021) highlights that integrating rights-based approaches into national climate commitments links observance of human rights to tackling pre-existing vulnerabilities and inequalities brought

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about by climate change. Additionally, McLeod, Barr and Rall (2019) assert that climate crises hamper the ability of vulnerable groups to build resilience. It is, therefore, paramount that greening policing, prosecution and adjudication should entail entrenching safeguards for human and other rights.

### **4. CONCLUSION AND RECOMMENDATIONS**

#### **4.1. Conclusion**

The paper explored green policing, prosecution and adjudication. It examined institutional functions like investigation, arrest, prosecution and trial alongside other greening elements such as physical, legal, policy, procedural, technological, rights-based and human resource. Overall, the paper established that the police, prosecutors and courts have made notable yet fragmented attempts to embed greening in their operations and to reduce greenhouse gas emissions. Further, these efforts remain largely piecemeal, with greening yet to be deeply internalised and mainstreamed in policing, prosecution and adjudication. As such, deliberate and structured greening programmes are imperative to align policing, prosecution and adjudication functions with national and global environmental sustainability agenda.

#### **4.2. Recommendations**

At the upstream level of the criminal justice system, environmental protection requires proactive strategies. Institutions should prioritise sustained surveillance and pre-emptive interventions, particularly in ecologically sensitive areas such as forests, oceans and dumpsites. This includes monitoring individuals or entities with histories or tendencies of environmental violations. To facilitate such efforts, police departments must be adequately resourced and staffed with officers trained in environmental crime prevention. Whenever environmental crimes occur, swift investigation and apprehension of offenders is vital to deter and reduce the likelihood of others committing similar crimes. Upon the arrest of perpetrators, timely and effective prosecution is central to achieving environmental justice. Civil environmental disputes should be fast-tracked, especially those with significant ecological damage. Moreover, it is vital for courts to enforce timelines for expediting environmental trials. Strict enforcement of court orders should reinforce judicial authority and public confidence.

For minor criminal offences, prosecution authorities and courts could divert perpetrators to serve in eco-friendly community service projects as part of their rehabilitation programme. Such mechanisms would serve as an alternative to prosecution, court trial and incarceration, providing restitution to the community. To ensure these alternative mechanisms work appropriately, having community justice centres championing restorative and reparative justice would be innovative.

In areas where environmental crimes and disputes are rampant, establishing specialised police units, prosecution offices and courts dedicated to environmental crimes and disputes is necessary to guarantee a more focused and effective legal process. For instance, specialised courts would ensure that the handling of environmental cases is not delayed and also create avenues for the growth of environmental jurisprudence. Promoting the growth of jurisprudence is vital to championing environmental sustainability as a cornerstone of greening courts.

Environmental protection through green policing, prosecution and adjudication also requires re-examining the existing environmental protection laws and accompanying regulations to ensure adherence. Since environmental challenges transcend national borders, reviewing international environmental regulations and rules to align with emerging issues and global standards is required. For effectiveness, continuous training on ecological theories, laws and practices is vital to enlighten practitioners. It is also crucial for legal professionals to counsel their clients on the eco-centric ramifications of their actions for accountability.

Embedding green values and having specialised training programs for police, prosecutors, and judiciary employees is crucial. Making green behaviour part of staff performance evaluation and reward systems is particularly desirable. Continuous monitoring of greening progress and adjusting to emerging issues is also crucial during the greening process.

Incorporating environmental sustainability standards in the physical structures housing the police, prosecutors, and court officials is vital. Such buildings should be constructed or refurbished with non-toxic and environmentally sustainable materials. Building a single structure to house police prosecution and courts would reduce energy consumption occasioned by travel. Furthermore, office equipment used should be environmentally friendly, and, where possible, recycling should be the norm. The procurement of machinery and vehicles should ensure the minimisation of carbon emissions by favouring ethanol, biodiesel, and electric options. Moreover, the use of alternative energy sources like solar, wind and geothermal should be upscaled..

It is essential to integrate technology into policing, prosecution and adjudication of disputes to promote environmental sustainability and improve efficiency. Adopting paperless practices like videoconferencing and digital document sharing would reduce physical presence and lower deforestation and greenhouse gas emissions. Strengthening internet connectivity and electronic storage is crucial for effective communication, data management, and environmental conservation. Digitalising case management and operations systems are also recommended to facilitate e-reporting, e-filing, e-assessments and e-payments. Additionally, equipping police, prosecutors and court employees with ICT equipment to support the systems is recommended. Aligning the recurrent institutional procedures, like the procurement procedures, to comply with green standards is desirable to minimise GHG emissions. Green procedures should cover investigations, arrests, prosecutions and trials, and other institutional procedures.

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While greening, the police, prosecutors and court officials must engage the broader society to promote a shared responsibility for environmental sustainability. They can realise this through joint community social responsibility programs and the provision of effective remedies for violations or threats to environmental rights. Police, prosecution authorities and courts should undertake sustainable practices such as tree planting within and beyond their institutions.

To enforce environmental rights, court orders should compensate victims of climate change-related violations. Additionally, green policing, prosecution and adjudication should be supported by a robust progress monitoring and reporting framework for accountability.

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