

**POLICY FORUM FOR WALES KEY NOTE SEMINAR: The way forward for sustainability in Wales**

**22<sup>nd</sup> November 2012 at The Cardiff Marriot Hotel, Mill Lane, Cardiff CF10 1EZ**

***Angela Davies-Jones was a panel member at the above event when she gave a presentation expressing her view as to whether the Sustainable Development Bill should include a legal definition of the term "Sustainable Development". The following is a transcript of her speech:***

"This morning I intend to consider whether the Sustainable Development Bill ought to include a legal definition of "sustainable development". I think it should, so that people and organisations subject to the duty clearly understand what Sustainable development means and what's expected of them.

Should it be a fuzzy definition (the argument being that such an approach can be useful in forging a consensus to promote sustainable development)? I think not! Why? Fuzziness equals misunderstanding and confusion. General, vague and unenforceable obligations give the impression that something isn't important, it doesn't matter and that you don't care.

So, do we need a clear legal definition within the Bill? Being a Solicitor, I'm sure it comes as no surprise to you that I like things to be clearly set out with no ambiguity and that's the view I take on this issue. Why? Because clarity equals consistency of delivery and compliance. Such an approach shows that the issue is important, that it does matter and that you do care.

But what about the working definition which has already been proposed?

I accept that it isn't an easy task to define the term `sustainable development` - it's such a vague concept with a wide variety of definitions and interpretations. To add to the confusion, `sustainable development` and `sustainability` have become overused. The danger with over usage is that this can lead to loss of meaning.

I'm not in favour of adopting the definition which has been proposed. The definition is all about us – us human beings. It prioritises humans without respecting the state of the environment. It confuses sustaining natural systems with human goals and values. The definition talks about `wellbeing` (that`s so subjective – what does it mean and how do we measure it?).It also talks about “social justice” and “fair share of the earth`s resources”. It seems to include everything but isn`t there a danger that we could end up embracing absolutely nothing? How can such vague terms be applied and be capable of standing up to legal scrutiny? Ambiguous wording may be appropriate for policy documents but not for legislation.

I think that we need to go back to the drawing board and by that, I mean let`s go right back to the Bruntland definition of sustainable development. It`s as relevant today as it was a quarter of a century ago (and it`s likely to be around for another quarter of a century). It`s one which is internationally recognised and accepted – not only to those directly involved in seeking to achieve sustainable development but, to an extent, to the wider public.

By adopting a clear definition in line with the Bruntland definition, (rather than some other home grown version), the Welsh Government would demonstrate that it sees sustainable development as something which extends beyond Wales`s borders and coastline and looks at the global impact on Welsh Government, providers of public services, businesses and consumers as part of an approach which is internationally responsible.

We've got to get the language right. We need a simple, straightforward, practical and clear definition embracing the three dimensions:

1. Environmental responsibility
2. Economic return
3. Social development (which could include a cultural/welsh language dimension)

But there musn`t be any scope for confusion about the equal importance of all three aspects of sustainable development

We need a definition which will make a big difference on the ground (not a mere tick box exercise, adding to bureaucracy). The definition has to be meaningful to organisations, with government and providers of public services being held to account. But, to be held to account, the language has to be clear with a strong legal duty. To comply with the duty, people need to have a clear common understanding. What has to be avoided is a continuation of a contested concept of sustainable development with inconsistent and ad hoc decisions and actions being taken leading to fractured and multi-layered approaches being adopted, with short term fixes.

Sustainable development is a bit like happiness – we all want to be happy but what constitutes happiness varies between one person and the next. That’s the problem with sustainable development. We must make sure that there’s no difficulty in understanding the concept of sustainable development as this will prevent its progress. We need clear communication to avoid a situation where different people have differing views or use different vocabulary. Precise wording within the legislation (not just the definition) will make it easier to implement and enforce the bill that is consistent with what was intended. Such certainty will result in practice which steers our economy and society into activities which are resource efficient so that we live within our environmental limits, but also deliver improvements to our quality of life for now and the future.”