

Canadian Environmental Law Research Foundation

Ramsey Wright Building 25 Harbord Street Toronto 101 Ontario Phone 926-7155

INFORMATION BRIEF

ON THE

FOUNDATION'S

OPERATION AND ACTIVITIES

August, 1971.

CANADIAN ENVIRONMENTAL LAW RESEARCH FOUNDATION

A BEGINNING

A coalition of scientists, lawyers and citizens, dedicated to the protection of environmental quality through implementation of existing legal remedies and through development of legal reforms, established the Canadian Environmental Law Research Foundation (CELRF).

The Foundation is a non-profit corporation formed solely to serve the public in pursuing environmental quality. It is registered as a charitable organization under The Canadian Income Tax Act, with registration No. 0380584-53-13.

RATIONALE FOR BEGINNING

Citizens' groups have sprung up across Canada to work against the degradation of our environment. These action groups have often been hindered in pursuing their objectives by a seemingly expensive, inaccessible legal system and by their unfamiliarity with existing legal remedies.

^A CELRF assists citizens' groups and private citizens by dealing directly with the legal impediments forestalling the attainment of environmental quality objectives. Through research, education and development of the law, the Foundation will implement and supplement the work of existing environmental groups (e.g. Federation of Ontario Naturalists, Pollution Probe, National & Provincial Parks Association.)

AIMS AND OBJECTIVES OF CELRF

1. To promote through legal channels, standards and objectives that will ensure the maintenance of environmental quality in Canada.
2. To develop an awareness within the legal community of how the law may be employed to attack the problems of pollution.
3. To inform the general public of legal remedies available to secure their rights to a healthy environment.
4. To assure the maximum involvement of all affected interests in the decision making process of administrative agencies regulating the environment.

5. To assess and challenge government decisions through reports evaluating the environmental costs of government policy.
6. To study existing remedies, examine legal solutions in other jurisdictions and evaluate the effectiveness of government agencies, in order to propose feasible legislative reforms for the protection of our environment.
7. To stimulate the vital co-operation required among the various disciplines in order to foster reforms that reflect all aspects of environmental problems.
8. To establish a reference library of environmental law to serve both litigant and researcher.

THE PEOPLE

CEIRF is governed by a Board of Directors consisting of scientists, lawyers, and citizens from the community at large. From this Board of Directors an Executive Committee has been selected to administer the Foundation's activities and to establish policy guidelines. All Directors are volunteers.

Presently the Board of Directors is comprised of the following members:

Dean H. W. Arthurs	Dr. James Lorimer
Anthony Barrett	Arthur Maloney, Q.C.
Andrew Brewin, M.P., Q.C.	Peter Middleton
Dr. Ralph Brinkhurst	Harvin Pitch
Dr. D. A. Chant	Dean Walter Pitman
David Estrin	Dr. Vivian Rakoff
E. A. Goodman, Q.C.	D. Paul Emond
Maurice Green	Dr. H. B. Stewart
Ron Haggart	Dr. Colin Wolf
Clayton Hudson	Stanley Stein
Clifford Lax	Alan D. Levy

THE ORGANIZATION

The operation of the Foundation is basically divided into two divisions: Legal Research Office and Law Advisory Office.

LEGAL RESEARCH OFFICE

OPERATION

The research activities of the Foundation are co-ordinated and directed from the office of the Executive Co-ordinator of the Foundation. Projects for research will emanate from a "Think Tank" consortium of experts from numerous different fields meeting to assess the nature of different pollution problems.

For each problem area, a team of experts representing various disciplines will be established to serve as consultants and to provide a basis for concurrent input of ideas for research in that particular area. For example, a lawyer, an ecologist, a biologist and a chemist all specializing in problems of water pollution form a team engaged in water pollution research. Through their interaction the different aspects of a problem emerge, provoking the integrated and comprehensive problem solving required in environmental planning.

Each area: water, noise, air, soil and aesthetic pollution, is served by a similar inter-disciplinary team of experts.

ACTIVITIES

The activities of the Legal Research Office include the following projects:

1. Compilation of all legal materials relevant to environmental issues.
2. Publication of pamphlets dealing with specific questions of procedural and substantive law relating to pollution.
3. Establishment of a reference library of materials crucial to legal remedies for environmental abuse.
4. Research of legal problems of particular concern to environmental actions, e.g. -
 - Standing to sue
 - Sufficiency of evidence
 - Class Actions
 - Private Prosecutions
 - Administrative Review
 - Public Trust Doctrine.
5. Examination of existing remedies and of the remedies available in other jurisdictions in order to prepare proposals for effective legislative reform.

6. Encouragement and provision for closer working co-operation among various disciplines in order to generate legislative reforms that reflect all interests and all aspects of environmental problems.
7. Preparation and presentation of submissions to the Government regarding areas of environmental concern, such as the following:
 - (a) The preservation of our parklands and sites of natural beauty and historic significance.
 - (b) The environmental protective measures governing the exploitation of our natural resources.
 - (c) The basis, duration and scope of approvals for the disposal of effluents granted to industry and municipalities by government agencies.
 - (d) Procedures for appeal and methods of compensation available to persons adversely affected by pollution.
 - (e) The use of supersonic transport in light of the resultant atmospheric pollution and threatened sonic boom.
 - (f) The protection of valuable wildlife and plantlife from the irrational use of pesticides and herbicides.

ENVIRONMENTAL LAW ADVISORY OFFICE

OPERATION

The office is administered by an Executive Co-ordinator. In addition to running the office, he is charged with the overall responsibilities of co-ordinating all activities of CEHRT. Thus he will be charged with responsibility of:

1. Supervision of all volunteers.
2. Editing and publication of all pamphlets and other publications.
3. Scheduling and organizing conferences and seminars for purposes of educating the general public.
4. Providing speakers on environmental law for conferences or public meetings.
5. Arranging interdisciplinary co-operation.
6. Direction of research.

7. Organization and administration of all special projects.
8. Under the direction of the Executive Co-ordinator, the Environmental Law Advisory Office provides a telephone complaint service eight hours a day, Monday to Friday, to inform the public of effective procedures to pursue in dealing with all types of pollution problems.
9. Law Advisory Office advises all citizens' groups dedicated to environmental quality.

Complainants are assisted in attaining available relief from the appropriate government agency. If satisfactory relief is not provided by the government agency, a team of "fact-finders" is assigned by the Executive Co-ordinator to research the problem and prepare a report. A representative of the Law Advisory Office will then discuss the report with the polluter and government agency involved. If negotiations prove fruitless, the problem may then be referred to the Environmental Law Association for possible legal action.

A detailed file is kept on all steps taken regarding each problem to be employed in research projects of the Foundation.

YOUR ACTIVE SUPPORT IS URGENTLY REQUIRED.

It is all too easy to complain about pollution but until we lend our support to effective organizations - we are not committed.

All donations to the Canadian Environmental Law Research Foundation are tax-deductible and may be mailed to:

The Canadian Environmental Law Research Foundation,
Ramsay Wright Building,
25 Harbord Street,
Toronto 181, Ontario.

Telephone 928-7156

THE CANADIAN ENVIRONMENTAL LAW RESEARCH FOUNDATION " " needs your support.

WE NEED OUR ENVIRONMENT.

Publications list Available on Request.

"Environmental Law News", published 6 times a year.