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IN REPLY PLEASE REFER

TO: Marie Corbett

May 30th, 1974.

Canadian Environmental Law
Association,
Suite 303,
One Spadina Crescent,
Toronto, Ontario.
M5S 2J5

Attention: Alanna Quinn

RECEIVED JUN - 3 1974

Dear Alanna:

I enclose Preliminary Staff Report for circulation to NEC with Analysis of Activities prior to the next meeting.

Yours very truly,

Marie

Marie Corbett.

MC/ts

Encl.

PRELIMINARY STAFF REPORT

We attach analysis of activities at the CELA office as performed by the existing staff of 10 persons. Of these all except Gar Mahood, Elizabeth Block, John Low and John Swaigen are expected to leave in September, 1974.

BACKGROUND

At the beginning of its activities, CELA had 7 persons on staff as a result of a L.I.P. grant who performed the complaint advisory function. Then this number was increased to 9, the same function was performed but divisions in various areas occurred, e.g., land, air, noise. Since then the number of staff has been approximately 10 to 12 persons. A staff member stays about one year.

Emphasis shifted from the complaint function in the summer of 1973 and an increasing law reform has developed. Litigation was rare and it mainly arose out of the complaint function. Two persons devote most of their time to the law reform function in environmental impact assessment.

COMPLAINTS ADVISORY FUNCTION

The complaints service has one person (Debbie Fox) almost full-time and one person (Alanna Quinn) part-time with assistance from others on mainly legal matters.

There is less demand for this service now because of the following factors:

- a) Persons are more sophisticated now than in the past. Much of the screening function of complaints is now in the community. More complaints now start immediately in the litigation service.

- b) The complaint service is less advertised.
- c) More demand exists for information services.

Complete records have been kept of all calls and all assisted. The complaints service involves telephone advice, correspondence and various attendances.

It was felt that this area should be continued as a public service and as fodder for litigation.

It was recommended that this area needs more legal input and the skills of someone familiar with community organizing.

INFORMATION REQUESTS

This involves constantly increasing requests for information, literature, speakers, etc. It was agreed that this function should continue.

LITIGATION

At present there are 6 major litigation files in the office:

- a) Muirhead;
- b) Action not yet commenced concerning reparian rights in the Ottawa area;
- c) O.M.B. hearing, London, Ontario, in August, 1974;
- d) Elora Gorge action, not yet commenced for declaration and possibly an injunction;
- e) Niagara Street lead case. Mr. Greenspan has been contacted to assist.
- f) O.M.B. hearing in Kingston (Swaigen).

This caseload has been growing. In the past there has been only one major case at a time. David Estrin feels that perhaps 2 or 3 of these cases may leave with his absence.

The litigation function involves advising other lawyers (e.g., reviewing pleadings) and talking to various persons drafting by-laws and the like.

John Swaigen is desirous of doing more litigation and complaints with legal problems are presently referred to him.

CANADIAN ENVIRONMENTAL LAW NEWS

This publication involves David Estrin for one full week every two months and Elizabeth Block two full weeks every two months.

John Low and David Estrin gather material. Maurice Green contributes articles.

David Estrin may continue as editor in any event.

Consideration should be given to having a person from NEC involved in the News.

Investigations are taking place with a view to having an environmental law reporter (similar to the Criminal Law Quarterly) which would include articles and not only reported cases. The Law Society will be asked for a grant and this would mean editors could be paid. Some publishers have expressed interest. If funds were made available another lawyer could be hired.

LAW REFORM AND ENVIRONMENTAL IMPACT ASSESSMENT

The emphasis on law reform will continue to increase particularly if an honorary counsel is obtained. This function has 2 major aspects; legal research and lobbying.

One does not have to be a lawyer to do either of these but certainly some familiarity with legal materials is needed for legal research. It was seen as increasingly important to have a strong lobby person in this area. ~~Both~~ Gar Mahood, ^{John Law} and Elizabeth Block are interested in the lobby function.

ADMINISTRATION

For discussion, we include in this category the following:

1. Fund Raising: almost exclusively done by Gar Mahood who gives as much time to this as possible. The writing and editing of briefs and proposals with P/R, NEC, CELRF and co-ordination of programs takes 3/4 of Gar's time.

2. Office Management: this involves the personnel function and internal information, e.g., cheque requisitions, vacations, fund allocation, supervision of incoming materials and the like. David Estrin spends a great deal of time doing this.

Office Management is not an enjoyed activity by present staff. There is a great need for someone, perhaps full time, to handle this. Much material that comes in is not properly indexed and circulated.

3. Secretarial: Marianne Ravet is almost exclusively involved in secretarial work. Many now type their own letters.

4. Memberships and the Handbook: bookkeeping -
a bookkeeper is badly needed 1 to 1½ days a week.
Something may be worked out with Pollution Probe
to share bookkeeping.

OVERVIEW

At present individuals working almost full time ^{in a function} are
1 secretary, 1 office supervisor (if fundraising included),
2 on complaints and information and 2 in law reform. Other
functions are shared.

There was agreement that an office manager-type be found.
It would not be necessary that this individual be particularly
interested in environmental law reform if one could be obtained
for \$120.00 per week. One problem existing at the present time
is that persons are not doing "what they would like to do".
Much of what is done is felt to be boring and tedious although all
recognize the necessity of such work.

New persons like to know that they can move from one area
to another with increases in expertise and expanding interests.

It was felt to be singularly important that a good law reform
team be established. Both the litigation and law reform function
may need an additional lawyer.

It was felt that a law student was needed for the coming
year.

This report is submitted for consideration by NEC so that
we may have a discussion and guidance in obtaining staff in the
fall of 1974.

DATED AT TORONTO this 30th day of May, 1974.

Marie Corbett

Marie Corbett

ANALYSIS OF ACTIVITIES IN THE OFFICE

1.

<u>Activity</u>	<u>Personnel</u>	<u>Time Allocation (%)</u>
Fund raising	David Estrin	2
	Gar Mahood <i>. Mar. 73</i>	40
General PR, NEC, CELRF	<u>S</u> Gar Mahood	20
Coordination of Programs	Gar Mahood	15
Environmental Impact Assessment	<u>S</u> Elizabeth Block	15
	Joe Castrilli	80
	David Estrin	7
	<u>S</u> John Low <i>. Dec. 72</i>	65
	Gar Mahood	5
	<u>S</u> John Swaigen	10
Law Reform other than EIA	Joe Castrilli	20
	David Estrin	3
	Gae Hutchinson	20
	John Low	10
	John Swaigen	25
Litigation	David Estrin	40
	Gae Hutchinson	50
	John Swaigen	25
Complaints Advisory Team	David Estrin	20
	Debbie Fox	80
	Gae Hutchinson	10
	John Low	5
	Alanna Quinn <i>. Nov. 73</i>	50
	John Swaigen	25

<u>Activity</u>	<u>Personnel</u>	<u>Time Allocation (%)</u>	
✓ Information Requests	Debbie Fox	20	
	Gae Hutchinson	10	
	Alanna Quinn	35	
✓ Canadian Environmental Law News	Elizabeth Block	25	
	Joe Casrtilli	5	
	David Estrin	10	65
	John Low	20	
	John Swaigen	5	
Office Management (facilities and/or administration)	Elizabeth Block	5	
	David Estrin	20	50
	Gar Mahood	15	
	Alanna Quinn	5	
	Marianne Rovet	5	
Memberships, book,	Elizabeth Block	25	
Secretarial	Elizabeth Block	20	
	Marianne Rovet	95	
Clerical	Elizabeth Block	10	
	Gae Hutchinson	10	
	Alanna Quinn	10	
Public Speaking	Everyone to varying degrees.		

Members involved in report:

Marie Corbett

David Estrin

Gar Mahood

Elizabeth Block

John Low

Alanna Quinn