

Environmental Rights Module 6: Access to Justice and the Right to be Heard

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The Environmental Law Centre is publishing a series of educational materials concerning legal rights related to environmental quality. This work is in support of enacting laws that will foster environmental quality for future generations of Albertans.

Environmental Rights Module 6: Access to Justice and the Right to be Heard

“Is anyone out there? Why won’t anyone listen?” When delving into legal processes about the environment it may often feel like you are in the hinterlands. Central to the notion of access to justice in an environmental context is the right to be heard and the right to a hearing in which you can test evidence and seek independent review of decisions that impact the environment.

Module 6 of the ELC’s Environmental Rights series focuses on the access to justice in the environmental regulatory context, with a particular focus on the right to a hearing in Alberta. The module provides a summary of the legal avenues available to review or appeal decisions made by government. The review of the decisions may be done by the courts or by an independent review tribunal set up for a prescribed purpose.

The module also touches on some of the challenges in “being heard” and triggering a hearing. These challenges will be addressed in our forthcoming proposal for an Environmental Bill of Rights.

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The Environmental Bill of Rights Program:

*Phase 1 of the Environmental Law Centre’s **Environmental Bill of Rights Program** examines the current state of environmental rights in Alberta and several other jurisdictions, and makes a number of recommendations.*

[ENVIRONMENTAL RIGHTS IN ALBERTA:PHASE I: DO WE HAVE THE RIGHTS WE NEED?](#)

The ELC is advocating for a provincial bill of rights to provide that substantive and symbolic legal framework to ensure clean water, clean air, clean soil and biodiversity are not only a legal framing today but so that they can be in the future. The ELC sets out key recommendations in its report A

Road Map for Environmental Rights in Alberta: Rights for a Sustainable Future.

[A ROAD MAP FOR ENVIRONMENTAL RIGHTS IN ALBERTA: RIGHTS FOR A SUSTAINABLE FUTURE](#)

Each of the modules within the ELC's Environmental Bill of Rights Program take a more in-depth look at key issues we've identified along with our recommendations for them to be addressed in Alberta.

[ENVIRONMENTAL RIGHTS IN ALBERTA: MODULE 1: SUBSTANTIVE ENVIRONMENTAL RIGHTS](#)

[ENVIRONMENTAL RIGHTS IN ALBERTA: MODULE 2: THIRD PARTY OVERSIGHT AND ENVIRONMENTAL RIGHTS](#)

[ENVIRONMENTAL RIGHTS IN ALBERTA: MODULE 3: CITIZEN ENFORCEMENT FOR ENVIRONMENTAL QUALITY](#)

[ENVIRONMENTAL RIGHTS IN ALBERTA: MODULE 4: ACCESS TO INFORMATION](#)

[ENVIRONMENTAL RIGHTS IN ALBERTA: MODULE 5 – COSTS IN COURT AND REGULATORY PROCEEDINGS](#)

The ELC would like to thank the Alberta Law Foundation for its support of the ELC's *Environmental Bill of Rights* program.



ABOUT THE ENVIRONMENTAL LAW CENTRE:

The Environmental Law Centre (ELC) has been seeking strong and effective environmental laws since it was founded in 1982. The ELC is dedicated to providing credible, comprehensive and objective legal information regarding natural resources, energy and environmental law, policy and regulation in Alberta. The ELC's mission is to educate and champion for strong laws and rights so

all Albertans can enjoy clean water, clean air and a healthy environment. Our vision is a society where laws secure an environment that sustains current and future generations.

*As a charity, the Environmental Law Centre depends on your financial support. [Help us](#) to continue to educate and champion for strong environmental laws, through tools such as [our blog](#) and all of [our other resources](#), so that all Albertans can enjoy a healthy environment. **Your support makes a difference.** [Donate online today](#)*

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