



ERCS AGM 2023

Key achievements

Our vision is of a Scotland where every person's right to a healthy environment is respected, protected and fulfilled

Operational journey Jan 2020–Oct 2023

...in numbers

Staff team

- 1.2 -> 5 full-time equivalents / 7 staff members
- Chief officer, Solicitor, Assistant Legal Officer, Rights Officer, Policy & Advocacy Officer, Finance & Admin Officer, sessional Events Administrator
- Recruiting Policy & Comms Officer, Operations & Development Manager -> 9 staff
- 2024 – expansion of our advice service

Income

- £68k -> £101k -> £168k -> £236k -> £315k

Members – thank you

- 137 and over 800 subscribers

Our mission: what we do

- **Awareness-raising** of legal rights and remedies and supporting participation in environmental decision-making
- **Advice**, assistance and representation to increase access to justice and holding public authorities and polluters to account on the environment
- **Advocacy** in policy and law reform to improve environmental law
- **Strategic public interest litigation** to tackle systemic environmental problems

Key achievements October 2022–2023

- ERCS with good governance, clarity of purpose and vision
- Strong relationships within networks of environmental, legal and human rights organisations
- Open communication with Scottish Government civil service teams
- Establishing relationships with the press media and regular coverage of our advocacy
- Online briefings, FAQs and guides – 2000 unique downloads/ 13,000 visits
- Voices for Justice Blogs and Environmental Justice Network

Key achievements October 2022–2023

- Jan 23 - Snapshot of the Advice Service June 21 – Dec 22 – 150 enquiries
- Feb 23 - Roundtable on the barriers to access to justice and the need for an environmental court
- March 23 - Parliamentary event on Environmental Rights for Scotland
- March 23 – SNAP 2 and an Action on the right to a healthy environment
- March 23 – Collaborations to scope the criminalisation of ecocide in Scots Law
- Sept 23 – Only environmental NGO on the Human Rights Bill Wider Implementation Group
- Sept 23 – Eleven representations to Environmental Standards Scotland (30%)
- Sep 23 – SG admission of climate law breach under the threat of legal action

Key achievements October 2022–2023

Sept 23 – Environmental Rights Summit



Oct 23 – Consultation responses to the Human Rights Bill and Review of the Effectiveness of Environmental Governance



Take Action

Join us in responding to the Scottish Government's [Human Rights Bill](#) and [Environmental Governance](#) consultations, using our template responses to help guide your input:

Strategic outcomes: what we will achieve

- Our resources and outreach have **increased awareness of environmental rights and how to exercise them**
- Our advice, assistance and representation has **enabled action on holding public authorities and polluters to account on the environment**
- Our advocacy on policy and legal reforms has **secured concrete progress on environmental rights** in Scotland and reduced barriers to access to justice
- Our strategic public interest litigation has **improved accountability and enforcement of environmental law**

Our advice, assistance and representation have enabled action on holding public authorities & polluters to account

Priorities

- Grow Scotland's only free legal advice service on environmental law to strengthen democratic accountability
- Monitor outputs and outcomes from the Advice Service to evidence impact, environmental improvements, trends and areas for reform
- Encourage a public law culture in Scotland so that the credible threat of legal action encourages better environmental governance

Advice Service activity

- 227 enquiries since launch June 21 – 20% from the most deprived areas
- Initial assessment, advice letters, drafting and submitting complaints and appeals
- 11 representations submitted to ESS on systemic failures to the enforcement of environmental regulations



Advice Service wins

- Access information through FOI rights –and submitted appeals to the Scottish Information Commissioner and Information Commissioner’s Office – all successful
- Suspension to the demolition of the Wynford tower blocks, Glasgow
- Withdrawal of the application for an Incinerator at Clydebank
- Network rail conceded an appeal to the Information Tribunal and disclosed information on closure of level crossings
- Quashed planning decision to destroy Slochy Woodlands, Moray.

ERCS Advice Service and strategic litigation

Next steps

- Provide advice to at least 80 individuals/community groups and at least 20 people with protected characteristics
- Establish our own law practice unit for legal representation
- At least one strategic litigation arising from our advice service or in partnership with another organisation p.a

Our rights awareness and outreach have increased understanding of environmental rights and how to exercise them

Priorities

- Increase awareness of how environmental decisions affect our health and connect to social justice issues.
- Build people's capacity to exercise their environmental rights and participate in environmental decision-making.
- Collaborate with equality groups and places of disadvantage to improve the policy and practice of public authorities.

ERCS rights awareness and outreach

Key milestones

- Outreach and awareness raising to areas of disadvantage and numerous organisations representing/supporting equality groups
- Resources
 - Animation on the Right to a Healthy Environment
 - 'Voices for justice' - interviews, case studies, blogs
 - FAQs
- Community support
 - Landfill expansion
 - Development of Whisky Maltings
 - Pollution on public Gypsy/Traveller sites



ERCS rights awareness and outreach

Next steps

- Upcoming FAQs and regular webinars on environmental issues
- Supporting the development of the Environmental Justice Network and consolidating relationships with community networks
- Ongoing work with the Gypsy/Traveller Community in partnership with MECOPP on exercising their environmental rights
- IncluADAPT research with disabled people's organisations and research with the University of Glasgow

Our advocacy in policy and law reform has secured concrete progress on environmental rights and reduced barriers to access to justice

Priorities

- Advocate for an enforceable **human right to a healthy environment** to be incorporated into Scots Law.
- Advocate for full compliance with the **access to justice** obligations of the Aarhus Convention
- Advance the debate on the **intrinsic value of nature** and non-human rights
- Build support with **civil society**

Advocacy in policy and law reform

Key milestones

- **Human right to a healthy environment:** influenced design of the Human Rights Bill consultation and guided the response of Scottish civil society (substantive rights report, workshops, animation, and template resources).
- **Access to justice:** hosted a n SEC roundtable, and published reports and briefings restating the case for a dedicated environmental court, secured concessions from Ministers on the Review of Environmental Governance.
- **Equal Rights of Appeal:** Forced to the Scottish Government to defend its position to the ACCC and galvanised public debate on the issue.
- Consultation responses to **Freedom of Information, Land Reform and Human Rights Bills, and Review of Environmental Governance**
- Our first ever **Parliamentary Event**, hosted by Maggie Chapman MSP, and national **Environmental Rights Summit**
- Increased visibility of our **petition**, with 1,814 individuals and 66 organisational supporters

Advocacy in policy and law reform

Next steps

- Ensure the **right to a healthy environment** is introduced with adequate enforcement mechanisms
- Advocate to reform **legal expenses** and make access to justice affordable
- Gain political support for an **environmental court or tribunal**
- Scope domestic legal framework for **ecocide** and incorporating the **rights of nature**
- Build **cross-party consensus** on key advocacy priorities