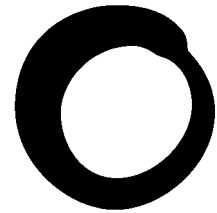


# Welcome to your Friends of the Earth

## Community Rights Resource Pack

May 2010



**Friends of  
the Earth**

### **DISCLAIMER:**

The folder you hold in your hands contains dangerous materials – the explosive kind that can achieve environmental justice and transform the place you live in and the community you are part of. The more you read this material, the more powerful it becomes.



### **Instructions for use:**

Please DO NOT use this sparingly. Read about the Freedom of Information Act over breakfast. Laminate the Planning System briefing so you can read it in the shower. Tell your dog about how cool Judicial Review is. Seriously though, this information is here to help you and your community use your rights to bring about change in the places you care about.

Download this Community Rights Resource Pack from the Friends of the Earth website, share it around and let's get Powered Up!

***'This pack and the information it holds is like gold dust for us.'*** Power Up 2009 participant

## Environmental Justice - why is it important?

*Environmental problems are serious and impact most heavily on the most vulnerable members of society: the old, the very young and the poor.*

**Michael Meacher, Former UK Minister for the Environment**

*While the rich can ensure their children breathe cleaner air, that they are warm and well housed and that they do not suffer from polluted water supplies, those at the bottom of the socio-economic ladder are less able to avoid the consequences of motor vehicle exhausts, polluting industry and power generation or the poor distribution of essential facilities*

**Dr Julian Agyeman, professor on environmental justice issues in the US**



Sometimes it feels like those with the most money and connections make the decisions about where you live – building that road over the local playground, knocking down the market where you get your veg or building a belching incinerator in your neighbourhood. It seems that those with less power are the ones who have to put up with the consequences, affecting their health and quality of life.



This can change. This Community Rights Resource pack was written to help you reverse these trends and achieve **Environmental Justice**.

## Environmental Justice across the world.

The concept of environmental justice emerged in the United States in the early 1980s. The growth of a grassroots, community-led movement around the concept of environmental justice was fuelled by evidence that industrial pollution and hazards were mainly affecting those who were poor, especially from Black, Hispanic and Indigenous backgrounds.



*Poor children in urban areas are poisoned in their homes. And when they go to school, they get another dose. And when they go outside and play, they get another dose. It's a slow-motion disaster: the most vulnerable population in our society is children, and the most vulnerable children are children of color. If we protect the most vulnerable in our society -- these children -- we protect everybody.*

- Bob Bullard, a founder of the environmental justice movement in the US

Environmental Justice campaigns are also to be found in a number other countries – from **India** (for example, village dwellers campaigning to stop soft drinks companies depleting groundwater sources) to **Australia** (indigenous communities standing up to coal mining companies) to areas worst affected by flooding and extreme weather events due to climate change. Worldwide, poor communities depend most on the land, sea, rivers and the weather – so are hit hardest when forests are destroyed or floods cause devastation.

Friends of the Earth has been working with communities in **Nigeria** (on gas flaring), **Indonesia** (on industrial palm oil plantations) and in **Paraguay** (on the impacts of the mass production of soy). Friends of the Earth focuses on working directly with those worst affected by the problems, offering training on how to use their rights to stand up to these industries and promote positive alternatives. See [www.foe.co.uk](http://www.foe.co.uk) for more information.



*Running a workshop with people whose communities and livelihoods are adversely*

*affected by the palm oil industry in Indonesia*

## Environmental Justice in the UK

Within the UK, as well as globally, deprived communities are disproportionately affected by environmental problems

- **River water** and **air quality** are much worse in the most deprived areas of England.
- Many people in lower socio-economic groups live in areas at risk of **flooding**, yet they are less likely to be prepared to cope with the impact of floods.
- Of all the **cancer-causing chemicals** emitted by large factories in England, over 80 per cent are emitted in the most deprived areas
- Children from poorer communities are five times more likely to be killed in **road accidents** than those from richer areas – yet car ownership is lower in areas with the worst traffic levels
- **Heat waves** and **air pollution** particularly affect the elderly, the very young, or the chronically ill



There are a number of organisations in the UK working on environmental justice – from local community campaign groups to organisations providing advice on legal tools and the planning system to campaigners lobbying for changes in the law.

**Friends of the Earth believes everyone has the right to live somewhere free from pollution, protected from floods and severe weather, with clean and safe open spaces and access to affordable food and transport.**

- We're campaigning to **change the rules of the courts**, so people who challenge environmental decisions don't get saddled with massive costs.
- We're pushing for **better access to information** – so people can find out about major projects planned for their area and get involved in local decisions.
- We're **helping people to use their existing rights** - the right to know what's going on in their local area, the right to have a say in decisions that affect them and their right to legally challenge bad environmental decisions

Your community has **powerful rights**, enshrined in the law. These rights can help you **make sure you have a say** about the places you live, work, play, learn and shop in. But you need to know what these rights are and how to use them to help you achieve **environmental justice**.

**Keep reading to find out more about how this pack can help you!**

## **What does this pack contain?**

The resource pack covers the *three most important areas where people have rights* in being involved in decision-making about your local environment:

- **Your Right to Know (Section 1)**

Information is power. It really is. The Right to Know is enshrined in two main laws: the Freedom of Information Act 2002 and the Environmental Information Regulations 2004. It grants everyone the opportunity to access information held by public authorities such as national and local government and the Environmental Agency. This section explains how you can use these laws effectively to get hold of information to help your campaigning.

- **Your Right to Participate (Section 2, 3 and 4)**

The Right to Participate section provides all the information you need to help shape planning decisions about your local area. You'll find detail on the development plan system (how plans are made) and the development control system (how to respond to planning applications), as well as information on community strategies, local strategic partnerships and the new Planning Act 2008.

- **Your Right to Challenge (Section 5)**

The Right to Challenge section focuses on Judicial Review, a form of court proceeding that allows you to ask a judge to review the legality of a public body's decisions. Judicial review is the single most important way of holding public authorities to account in law for their actions. Find out here what judicial review is, how it works and when you might think about using it.

The resource pack has a final section containing a **glossary** for commonly used terms and also a **referral directory** to point you in the direction of other contacts and organisations that could help.

## **So is this pack just for serious 'anorak' campaigners?**

No way! The individual guides inside this pack are aimed at providing accessible information to anyone with an interest in their local area. Some of the detail on subjects like environmental impact assessment is quite complicated, but don't be put off! Just remember that local knowledge is often as important if not more important than the 'expert' opinion. The briefings in this pack should



help you to understand and have an important say in the decision-making process.

## How does this pack work?

It's not expected that you read this pack from cover to cover but to simply dip into it and pick out the briefings that are relevant to you. If, for example you're interested in a planning case you'll find a general guide about the planning system. As you get more involved you might require more detailed information on environmental impact assessment or how to get information out of your local council using a freedom of information request.

This pack is available on CD and downloadable at Friends of the Earth's Community pages at [http://community.foe.co.uk/campaigns/fair\\_future/resource/rights\\_resource\\_pack.html](http://community.foe.co.uk/campaigns/fair_future/resource/rights_resource_pack.html)  
Please do share this link or photocopies of this pack with other people in your networks.

**Updating the pack:** this pack is designed to be updated when government policy changes or when we produce new guides. Check here for updates:

[http://community.foe.co.uk/campaigns/fair\\_future/resource/rights\\_resource\\_pack.html](http://community.foe.co.uk/campaigns/fair_future/resource/rights_resource_pack.html)



## Other resources

- Visit the **Right's and Justice team online** at [http://www.foe.co.uk/campaigns/fair\\_future/resource/rights\\_justice\\_centre16424.html](http://www.foe.co.uk/campaigns/fair_future/resource/rights_justice_centre16424.html)
- **Rights Online Email list:** a monthly mailing on Rights issues – contact [powerup@foe.co.uk](mailto:powerup@foe.co.uk) to sign up or call 0207 566 1650.
- **The Friends of the Earth Rights and Justice Centre Advice Line** is a source of free legal advice on your environmental issues – call 0808 8010405, Wednesdays, 6.30-8.30pm
- **Friends of the Earth Community website** – for resources on campaigning skills and other Friends of the Earth campaigns, see <http://www.foe.co.uk/community/index.html>
- Friends of the Earth does currently do not have the capacity to offer detailed planning advice over the phone. For this, we are currently referring people to your local Planning Aid branch, see <http://www.planningaid.rtpi.org.uk/>

## Your feedback

We're really keen to get feedback on the Community Rights Resource pack – particularly on how you have used it in your campaigning. Please send us your stories or ideas for improving the pack to [powerup@foe.co.uk](mailto:powerup@foe.co.uk) or call 0207 566 1650.