

Environment and Climate Practice

A spectrum of forensic expertise Authority & clarity

Environmental disputes are increasing in frequency and diversity.

HKA's expanding Environment and Climate practice offers clients a pool of over 100 environmental experts, many of them recognised as world leaders in their fields.

Our people are equipped with the necessary professional qualifications, accreditations, industry memberships and experience to make an incisive contribution across a vast range of environmental disputes (nuisance cases, class actions, investor treaty, arbitration etc) and advisory. They also benefit from our in-house expert training programme, high-calibre support teams, and the knowledge-sharing possible within a multi-disciplinary global organisation.

Clients appoint our specialists as individual experts, as an integrated team of technical experts, or to work in collaboration with our colleagues specialising in quantum, delay, forensic accounting or commercial damages.

Rising risks

Changing climate, increased legislation and policy along with societal expectations are increasing the business and legal risks arising from environmental issues.

The cumulative total of litigation cases related to climate change has more than doubled since 2015. Disputes arising from the energy transition, investor treaty claims, and group actions are all on the increase.

Pressures are growing also for more accountability, greater regulatory scrutiny, and credible ESG disclosure backed by better data and global convergence in performance and reporting.

Businesses and their stakeholders must be clear on the impacts of their activities on nature and biodiversity, human health and people's rights. It is increasingly challenging to balance these environmental and social commitments with competitiveness, operational efficiency and shareholder returns. As more assets are stranded, they also trigger investment-treaty and investor-state disputes.

Investigating and decoding the complex issues involved in environmental disputes and distressed projects demands the highest expertise so they can be explained clearly and credibly to counsel, clients and courts. We have the track record of supporting clients – from companies to governments – in diverse cases including the following areas: land, water, and air, waste management, product stewardship, and climate together with ESG .

Air

Our line-up of air and noise experts includes specialists in industrial air emissions, and air quality assessment, management and modelling. Our experts have provided advisory and dispute services in sectors such as energy, transport, waste management, urban planning, industrial processes, and mining. Specialist areas of expertise include landfill gas, radon, emissions from industry and vehicles.

Specialist Disciplines for Air Quality

Air Quality Monitoring, Modelling, Assessment and Management
Ammonia Assessments
Atmospheric modelling
Combustion Plant Emissions
Environmental Impact Assessments (EIA)
Indoor (BREEAM)
Indoor Air Risk Assessment
Industrial Emissions Assessments (fixed and mobile plant, monitoring and permitting)
Landfill Gas Modelling
Mine Gas Risk Modelling
Noise Monitoring, Modelling, Assessments and Management
Radon Assessments
Tyre Wear Rates and Toxicity
Vehicle Interior Air Quality
Vehicle Tail Pipe Emissions (eg Deisel Particulate filters)

Water

HKA's expertise includes the assessment of both clean and dirty water, and onshore and offshore environments. Regarding clean water, our advisory and dispute resolution services have been retained in relation to abstraction licences, enforcement proceedings and judicial review. Dirty water commissions have drawn on our expertise in contaminant fate and transport modelling, hydrogeology and groundwater remediation. Our offshore work ranges from permitting and environmental assessment of marine infrastructure to spills and pollution, including causation, biodiversity impacts and coastal remediation.

Specialist Disciplines for Water

Clean Water Resource Modelling, Assessment and Management

Contaminant Fate and Transport Modelling (chemical and Radiological)

Environmental Impact Assessment (EIA)

Flood Management & Engineering

Flood Risk Assessments

Freshwater and Marine Ecology

Groundwater Flooding

Groundwater Flow Assessments

Groundwater Remediation Options and Design

Human Health and Ecological Risk Assessment

Landfill Leachate Assessments

Marine Oil Spill And Remediation

Mine Waters Assessment and Management

New and Emerging Contaminants (e.g. PFAS)

Permitting and Consents (including offshore)

Sustainable Urban Drainage Design and Assessments (SUDs)

Temperature modelling

Waste Water and Water Chemistry

Land

Our land experts are experienced in decoding complex soil, ground gas, vapour, and water environmental liabilities, and providing testimony. These cases have included asbestos, chemical and radiological contamination. We have specialists in site investigation, hydrogeology, human health, gas, vapour, and the assessment of ecological and water environment risk, as well as toxicology, remediation and waste management. Emerging contaminants such as PFAS are a particular area of focus in which HKA has global experience.

Specialist Disciplines for Land

Asbestos in soils (and buildings)

Chemical and Radiological Contaminant Fate and Transport

Contaminant Toxicology

Geochemistry

Green Remediation and Sustainable Urban Remediation Strategies

Human Health Risk Assessment (soils and air)

Hydrogeology

Landfill Design and Discharges

Molecular Diagnostics

Monitored Natural Attenuation

New and Emerging Contaminants (e.g. PFAS)

Remediation Design and Costing

Remediation Options Appraisals and Strategies

Site Investigation Design

Terrestrial Ecology

Product Stewardship

Our experts in product stewardship advise on ESG matters and act in greenwashing and other disputes. Their capabilities cover all potential impacts of a product – human health, safety, environmental fate and transport – and at every stage of its lifecycle from raw material extraction and manufacturing, through product usage to end-of-life disposal. HKA's related specialisms range from alternative substances, chemical exposure assessments, and toxicology to responsible sourcing and producer responsibilities.

Specialist Disciplines for Product Stewardship

Alternative Substances

Biocides/Pesticides

Chemical Exposure Assessments

Cosmetics

ESG

Environmental and Ecological Risk Assessment

Producer Responsibility

Product Practice Compliance

REACH (Registration, Evaluation, Authorisation And Restriction of Chemicals)

Responsible Sourcing

SCIP Database

Toxicology

Waste

The experts within our ranks include specialists in waste facility construction, commissioning and testing, as well as all aspects of managing and handling waste. They – along with colleagues who are expert in water and waste permitting, treatment and re-use – are retained for environmental appeals and inquiries together with disputes, including post-construction enforcement and prosecutions, and permitting/consent issues.

Specialist Disciplines for Waste

Asbestos Management
Circular Economy Assessments
Definition of Waste Code of Practice (DoW COP)
Environmental Impact Assessment
Landfill Design
Landfill Gas Remediation Design and Implementation
Landfill Gas and Leachate Risk Assessments
Landfill Operations and Permitting
Materials Management Plans (MMP)
Odour and Air Quality Nuisance
REACH (registration, evaluation, authorisation and restriction of chemicals)
Tailings Assessments
Treatment facility construction, commissioning and testing
Waste Classification
Waste Stabilization and Reuse
Wastewater Treatment and Operation and Design
Water and Waste Water Permitting

Climate & ESG

Climate-related litigation is increasingly affecting sectors beyond those associated directly with greenhouse gas emissions, such as energy and heavy industry. Businesses involved in food, agriculture, transport, plastics and finance are among those that have been subject to claims. As storms and other extreme events impact construction projects, the need for weather attribution experts is also increasing. Meanwhile, ESG has evolved into a comprehensive framework embracing governance structures for maximising stakeholder wellbeing as well as social and environmental impacts. HKA's supporting expertise ranges from climate adaptation and environmental due diligence to ESG reporting and supply chain assessments.

Specialist Disciplines for Climate & ESG

Alternative Substances
Climate Adaptation
Climate Impacts and Weather Attribution
Corporate Governance Codes
Directors Duties
Disclosure Transparency
Environmental Assessments and Compliance
Environmental Due Diligence
Emissions Trading
Fiduciary Duties
Greenhouse Gas and Sustainability reporting/trading
Greenwashing Claims
Paris Agreement Principles of Responsible Investment (PRIs)
Producer Responsibility Issues
REACH (registration, evaluation, authorisation and restriction of chemicals)
Stewardship Codes

Professional Standing & Recognition



HKA Ranked No. 2 in the Global Arbitration Review (GAR) Top 100

HKA has been instructed by 86% of the GAR top 30 International Arbitration Law Firms

HKA has been instructed by 83% of the leading Contentious Construction Law Firms*

*according to Chambers & Partners



Top of the Who's Who Legal Construction Expert Witnesses analysis for seven consecutive years

For further information, please contact your local HKA office or:



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