

Environmental Health Equity, and Law: Making the Links



CANADIAN ENVIRONMENTAL LAW
ASSOCIATION



The Law Foundation of Ontario
Building a better foundation for justice in Ontario



Overview

I- Organizational Background

II- “Environmental Health, Equity, and Law: Making the Links” Project

III- Experiences-to-Date: What Communities are Saying

IV- Legal Tools and Collaborative Opportunities

I. Organizational Background

- **Canadian Environmental Law Association**
 - Specialty Legal Aid Clinic
 - Legal representation and law reform work (incl. toxics, community right-to-know, children's health)
- **Environmental Health Institute of Canada**
 - Focus on programs to address research, educational, and front-line clinical and community environmental health needs
- **Law Foundation of Ontario**
 - Grant making organization funded by interest on Ontario lawyers' mixed trust accounts
 - Goal: promoting and enhancing access to justice

II. “Making the Links” Project

- Funded by the Law Foundation of Ontario
- Undertaken by CELA and EHI Canada
- Focus: environmental health and access to justice issues in six Ontario communities with high pollution burden and incidence of environmental health issues, and a high percentage of low income and sensitive populations

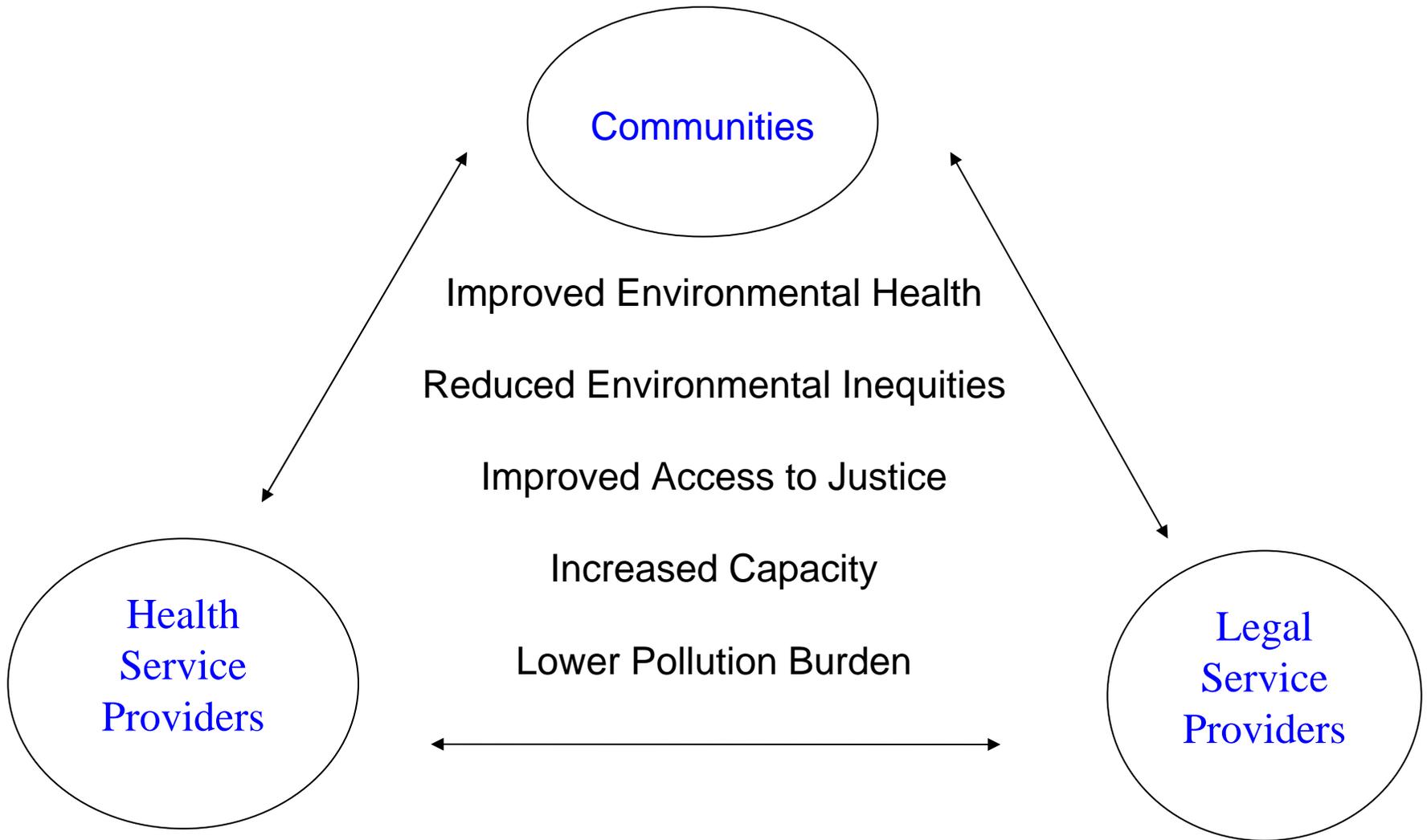
“Making the Links” Project Contd.

- Founded on recognition that:
 - low income families and other sensitive populations are disproportionately exposed to and affected by environmental contaminants; and
 - in turn, these groups are often most likely to lack the legal and health information and services necessary to address their exposures and health outcomes

Project Objectives

- Enabling and empowering communities to reduce environmental inequities
- Enhanced community environmental health through:
 - increased engagement in the legal system;
 - enhanced community knowledge of environmental laws and available legal tools; and
 - improved capacity of frontline environmental groups and health service providers to protect their constituents from environmental threats to health.

Project Objectives Contd.



Project Approach: Building Phase

- Identifying Pilot Communities:
 - South Sarnia
 - Northwest Windsor
 - District of Kenora
(First Nations Community)
 - North Hamilton
 - South Brantford
 - North Glengarry
- Building on and Forming New Relationships in Communities
- Discussing Local Concerns and Needs

Map of Communities



Project Approach: Next Steps

- Formal group sessions in communities to discuss and identify key environmental health issues (based on our informal discussions to-date)
- Establishing community-specific oversight teams
- Planning initial workshops, training sessions, etc.

III. Experiences To-Date: What Communities are Saying

- General consensus that there is a need for this type of interdisciplinary project
- Interest in increasing local health service providers' knowledge of relevant diagnostic tools, and of chemicals to which individuals may be exposed (in the community and in the workplace) and the potential results of exposures

What Communities are Saying Contd.

- **Common Concerns:**
 - Disproportionately high rates of certain diseases (cancer, asthma, etc.)
 - Proximity of facilities (industrial, sewage treatment plants, etc.) to community
 - Brownfields
 - Air emissions from industrial facilities, transit corridors, and scrap yards
 - Lack of enforcement of environmental standards
 - Exposure to harmful substances in the workplace (e.g. agricultural workers and pesticides)
 - Children's exposure to lead (air and water sources)
 - Inadequate access to green space

What Communities are Saying Contd.

- Law/Policy Reform Needed:
 - Brownfields development strategies
 - Provincial sustainable transportation plan
 - Environmental approvals reform (need to incl. cumulative effects & equity considerations)
 - Substitution requirements for certain substances (e.g. benzene)
 - Need to make connections btwn. environmental, occupational health, and public health legislation
 - Schemes for voluntary industrial emissions reductions of specified substances during times of esp. poor air quality

IV. Legal Tools and Collaborative Opportunities

- Environmental Bill of Rights
- National Pollutant Release Inventory
- Drinking Water Standards
- Accommodation for Environmental Sensitivities
- Pesticides Ban
- Brownfields Development
- Land Use Planning
- Environmental Assessments

Discussion

- **Participants' Experiences:**
 - Common environmental health issues
 - Key legal information needed by local health service providers to address patients' environmental health concerns
 - Key medical and diagnostic information needed by local health service providers to address patients' environmental health concerns
 - What do local legal service providers need to know?
- **Participants' Views:**
 - Is this type of interdisciplinary project needed?
 - How can we maximize the Project's Benefits?