



Association pour la santé environnementale du Québec  
Environmental Health Association of Québec



**Workshop:** [Accessible justice and human rights for persons with Multiple Chemical Sensitivity \(MCS\)](#)

**Date:** **January 30, 2024**

**Time:** **11:30 AM – 1:30 PM PST**

**Location:** **Online legal workshop**

**Registration:**

[https://us02web.zoom.us/meeting/register/tZEgcu-ugD8gH9PLltYD-vBW7\\_vPbiqp9mmv](https://us02web.zoom.us/meeting/register/tZEgcu-ugD8gH9PLltYD-vBW7_vPbiqp9mmv)

### **ASL Interpretation Available**

Please click on the link below to learn more about our legal project, speakers, partners, and upcoming legal events across Canada:

<https://aseq-ehaq.ca/en/legal-events-across-canada/>

#### **Who is this event for?**

Given the increasing prevalence of MCS and the barriers people with MCS experience accessing legal support, this event is for all legal professionals to assist in removing barriers, providing appropriate support, and improving access to justice and human rights. The event is included by the Law Society of British Columbia on the list of courses accredited for continuing professional development:

<https://www.lawsociety.bc.ca/support-and-resources-for-lawyers/professional-development/continuing-professional-development/>

### **About the event:**

People with MCS face many barriers to accessing justice because the disability is not well known. They are our family members, colleagues, neighbors, and friends. Each one is entitled to the same rights and protections as everyone else. However, many individuals with disabilities continue to face stigma, exclusion and barriers that hold them back from succeeding in our society. The event reflects ongoing efforts to become a better, more accessible, and inclusive society, and offers the possibility to discuss legal aspects related to access to justice, in order to advance equity, diversity, and inclusion within the legal profession. The presentation will cover both the medical and legal aspects of MCS, including lived experience of the condition and human rights specific to each province across Canada.

We have requested the participation of the Canadian Law Societies in these events. The project's first partnership with a regulating body of legal practitioners began with the Law Society of Ontario in delivering an event on May 31st, 2023, titled National AccessAbility Week 2023. The recording of that program is available here: [Law Society of Ontario – ARCH Archived Webcast](#). The event reached over 1000 participants, including legal professionals.

Hosted by the Environmental Health Association of Quebec (EHAQ), the Environmental Health Association of Canada (EHAC), in partnership with the ARCH Disability Law Centre, La Confédération des organismes de personnes handicapées du Québec (COPHAN), Indigenous Disability Canada/British Columbia Aboriginal Network on Disability Society (BCANDS), NB Lung, the Council of Canadians with Disabilities and Spinal Cord Injury Canada, this event will focus on providing insights into the current state of the law regarding MCS, with an emphasis on human rights issues and legal resources available for people with the disability of MCS.

### **Topics Addressed at the Event:**

#### ***Medico-legal aspects of MCS***

**Dr. John Molot** - Adjunct Professor, Faculty of Medicine, University of Ottawa

- Biological mechanisms of MCS
- The weight of evidence
- Requirements for medical expertise in MCS
- Questions lawyers should ask to better understand client's accommodation needs.

Dr. John Molot will review and clarify the up-to-date evidence regarding the pathophysiological mechanisms of MCS and how to use the weight of evidence in support of clients facing litigation challenges. He will explain what should be required to qualify as an expert, informing the court in these cases.

### ***Lived Experience of MCS***

Pre-recorded video presentation from speaker with lived experience

### ***Accommodation Measures for People with MCS***

Rohini Peris, President and CEO, Environmental Health Associations of Canada and Québec

- Accommodation measures for MCS, that would ensure equity, inclusion and accessibility.

### ***The Applicability of Human Rights Laws for People with the Disability of MCS***

**Guuduniia LaBoucan** - Lawyer, British Columbia's Office of the Human Rights Commissioner

- British Columbia's legal-specific rights for people who experience the disability of MCS.

### **Guest Speakers** – Lawyers from the Province of British Columbia

The guest speakers will focus on providing insights into the current state of the law regarding persons with disabilities, with an emphasis on human rights issues, WorkSafeBC and legal resources available for people with disability of MCS. While the primary focus is on these aspects, they will touch on other relevant topics pertaining to MCS. Their expertise and insights will greatly benefit the legal community in this field.

### ***An Overview of Long-term Disability Insurance and Rights of Individuals in the Workplace under the BC Human Rights Code***

**Jenson K. Leung**, CIPP/C

- Insights into the current state of law regarding persons with disabilities, with an emphasis on human rights issues and long-term disability insurance

### ***New Duties to Cooperate and to Maintain Employment under the BC Workers Compensation Act***

**Ale Henao**

- Insights into upcoming rights and responsibilities for employees under BC's workers compensation legislation.

### ***British Columbia's Community Participation:***

**Heather Walkus**, National Chair, Council of Canadians with Disabilities

- How disability must be taken into consideration in all areas of community life.

### ***Access to justice issues facing MCS***

**Robert Lattanzio** LLB– Lawyer & Executive Director, ARCH Disability

- Access to justice issues facing MCS communities drawn from ARCH's legal practice
- The duty to accommodate in the delivery of legal services
- Effective strategies for an accessible practice as it relates to MCS
- About the ECROB project (Empowering Community and Removal of Barriers)

Robert will speak about how disability is understood in law and within human rights law in particular. He will also offer some consideration on how to support patients with disabilities with their accommodation requests to their employers, education service providers or other contexts. Robert will also offer some reflections on the duty to accommodate that healthcare providers have toward their patients with disabilities.

### ***Audience Q&A***

### ***Closing***

**Rohini Peris**, President & CEO, Environment Health Associations of Canada and Québec