

(The) Good, the Bad and the Ugly! Managing Environmental Risks & Liabilities – Civil Liability

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Recent decisions from the Supreme Court of Canada, provincial courts across the country and environmental tribunals are re-shaping environmental risks, and regulatory and civil liabilities in Canada.

Part 1 – Civil Liability

Courts have clarified, and in some cases expanded, environmental liability and available causes of action in civil lawsuits, finding defendants liable for actions that lead to contamination. The Courts have also provided guidance on when environmental civil claims may be brought in accordance with limitation periods and applicable legislation.

More than ever, property owners, businesses, and their professional advisors need to understand the evolving risks and potential liabilities, and how to manage them in their day-to-day operations.

Jacquelyn Stevens

Jacquelyn Stevens is a Partner at Willms & Shier Environmental Lawyers LLP and is a Certified Specialist in Environmental Law by the Law Society of Ontario. Jacquie has significant expertise representing a wide range of clients in environmental civil litigation, defence of prosecutions by environmental regulators, and at administrative appeals and hearings. Jacquie also provides effective advice and solutions for environmental due diligence and compliance, brownfields/contaminated site remediation, and environmental approvals for air, odour, noise and waste. Jacquie advises on cross-boundary migration of contamination and remediation options and has significant expertise involving contamination issues at dry cleaning operations and gas stations. Jacquie is called to the Bar in Alberta and Ontario.

Anand Srivastava

Anand Srivastava is an Associate at Willms & Shier Environmental Lawyers LLP. Anand's practice focuses on environmental legal advice and environmental litigation. With prior education and experience in environmental toxicology, Anand assists clients to facilitate practical solutions to complex environmental legal issues. Anand works with a wide variety of clients on issues relating to environmental regulatory compliance with federal, provincial and municipal laws, contaminated sites, environmental due diligence, and exposure to environmental risks and liabilities. He prosecutes and defends environmental civil lawsuits and environmental regulatory prosecutions, orders and appeals. Anand is called to the Bar in Ontario.