

PROGRAM

2011 OJEN

SUMMER

LAW

Tuesday, August 30
& Wednesday, August 31

INSTITUTE

Osgoode Hall, 130 Queen St. West, Toronto



OJEN • ROEJ

ONTARIO JUSTICE EDUCATION NETWORK

RÉSEAU ONTARIEN D'ÉDUCATION JURIDIQUE

A CIVIL SOCIETY THROUGH EDUCATION AND DIALOGUE

TUESDAY, AUGUST 30

830 ^{AM}	REGISTRATION AND COFFEE <i>Convocation Hall, Osgoode Hall, 2nd Floor</i>
9 ^{AM} -10 ^{AM}	THE IMPACT OF JUSTICE EDUCATION Chief Justice Annemarie Bonkalo, Ontario Court of Justice; Honourable Patrick LeSage; Justice Andromache Karakatsanis, Court of Appeal for Ontario; Elliott Behar, Crown Counsel, Ministry of the Attorney General
10 ^{AM} -11 ^{AM}	KEYNOTE ADDRESS ON CIVIL LIBERTIES Alan Borovoy, General Counsel, Emeritus, Canadian Civil Liberties Association
11 ^{AM} -1115 ^{AM}	BREAK
1115 ^{AM} -1215 ^{PM}	JUSTICE THROUGH ANISHINAWBAY EDUCATION: GETTING REAL WITH INDIANS IN THE CLASSROOM Dawnis Kennedy
1215 ^{PM} -1 ^{PM}	LUNCH
1 ^{PM} -230 ^{PM}	EXAMINING THE CONSTITUTIONAL CHALLENGE TO CANADA'S PROSTITUTION LAWS: <i>BEDFORD V. CANADA</i> Alan Young, Professor, Osgoode Hall Law School; Sandra Nishikawa, Counsel, Department of Justice Canada
230 ^{PM} -3 ^{PM}	BREAK
3 ^{PM} -5 ^{PM}	BAIL HEARINGS UNDER THE YOUTH CRIMINAL JUSTICE ACT <i>Ontario Court of Justice, Old City Hall, Courtroom 124</i> Justice Mavin Wong, Ontario Court of Justice – Metro East Toronto Court; Beverley Olesko, Assistant Crown Attorney, Ministry of the Attorney General; John Erickson, Defence Counsel; Lucas Andersen, Student, Claude Watson School for the Arts; Allison Dellandrea, Ministry of the Attorney General; Detective Constable Sandra Arruda, Toronto Police Service
5 ^{PM} -730 ^{PM}	PRESENTATION OF HUX-KITELEY EXEMPLARY JUSTICE EDUCATOR AWARD TO PAT NOBLE <i>Upper and Lower Barristers' Lounge, Law Society of Upper Canada</i> Wine & cheese reception to follow

WEDNESDAY, AUGUST 31

8:30 ^{AM} -9 ^{AM}	ARRIVE AT SUPERIOR COURT OF JUSTICE
9 ^{AM} -10 ^{AM}	CORPORATE LAW CASE STUDIES <i>Superior Court of Justice, 361 University Avenue</i> Justice Paul Perell , Superior Court of Justice; Benjamin Zarnett , Partner, Goodmans LLP
10 ^{AM} -10:15 ^{AM}	BREAK
10:15 ^{AM} -11 ^{AM}	JUSTICE AND OTHER ANTIQUATED IDEAS: WHAT PHILOSOPHY CAN TEACH US ABOUT THE LAW (AND WHY WE SHOULD CARE) Louis-Philippe Hodgson , Associate Professor, Department of Philosophy, Glendon College, York University
11 ^{AM} -12:00 ^{PM}	REFUGEE LAW 101: THE GOOD, THE BAD AND THE UGLY Carole Dahan , Director, Refugee Law Office; Hilary Evans Cameron , Staff Lawyer, Refugee/Immigration Division, Downtown Legal Services
12 ^{PM} -1 ^{PM}	LUNCH
1 ^{PM} -2 ^{PM}	CAMPAIGNING FOR A FULLY ACCESSIBLE ONTARIO FOR ALL PEOPLE WITH DISABILITIES David Lepofsky , Chair, Accessibility for Ontarians with Disabilities Act Alliance
2 ^{PM} -2:15 ^{PM}	BREAK
2:15 ^{PM} -3 ^{PM}	REVIEW OF NEW OJEN RESOURCES AND PROGRAMS
3 ^{PM} -4 ^{PM}	THE TOP FIVE SIGNIFICANT CASES OF 2011 Justice Stephen Goudge , Court of Appeal for Ontario
4 ^{PM} -5 ^{PM}	CLOSING REMARKS & DISTRIBUTION OF RESOURCES



ABOUT OJEN

The Ontario Justice Education Network is a non-profit, charitable organization that brings together leading institutions and individuals from the legal and education sectors to collaborate on initiatives designed to foster public understanding of the justice system. With the commitment of hundreds of volunteers, including judges from all levels of the courts, members of the bar, the Crown Attorney's office, court staff, legal aid clinics, law schools, teachers, and community representatives, OJEN reaches thousands of youth across the province each year.

SUPPORT FOR TEACHERS AND HIGH SCHOOL STUDENTS

OJEN supports teachers and high school students in Law and Civics classes through a variety of programs like courthouse visits and mock trials, as well as by facilitating the exposure of students to the justice system and the professionals who work in it. OJEN's *Courtrooms & Classrooms* program is an umbrella initiative that supports and facilitates new and ongoing links between the education and justice sectors. Mock trial programs utilize a full complement of justice sector volunteers, both in the classroom and in the courtroom. Each year, teachers have the opportunity to meet directly with judges and lawyers through OJEN's *Law Institutes for Teachers*, which provide professional development for teachers through a series of lectures and interactive sessions with legal professionals.

CURRICULUM RESOURCES

With the help of volunteers, OJEN develops curriculum-linked classroom resources for Civics and Law courses. OJEN's educational resources include *Landmark Cases* and *The Top Five*, which both summarize important Canadian legal decisions; *Making The Case*, a mock trial toolkit for teachers; *Everyday Law*, a 20-lesson resource designed for the workplace level law course; and *Values of the Justice System*, a curriculum-linked resource for Civics teachers. These resources, developed and reviewed by both education and justice sector volunteers, provide up-to-date, age-appropriate classroom resources for teachers around the province. All of OJEN's resources are available for free download, in French and English, at www.ojen.ca.

OUTREACH

OJEN's outreach projects focus on the experiences and needs of communities of youth with a historically challenging relationship with the justice system. OJEN offers outreach programming and justice education initiatives for Aboriginal youth, Newcomer youth, Francophone youth, and youth living in underserved communities. Information on all of OJEN's programs and resources can be found on the OJEN website, www.ojen.ca.

2011 SPEAKERS

LUCAS ANDERSEN

Lucas Andersen is a student attending the Claude Watson School of the Arts. Lucas' love for drama started when he was in grade 8 and performed in his first musical, *We Go Together*. Since then Lucas has involved himself in the artistic community with musical performances such as *Rent*, *Hair*, and various cabaret performances, a majority of which have been with the Toronto Youth Theatre organization. Lucas is currently working on writing and producing various musical productions in hopes of soon being a successful amateur theatre playwright. Lucas is very grateful for the opportunity to be working with the Summer Law Institute and looks forward to his experience.

DETECTIVE CONSTABLE SANDRA ARRUDA

Sandra Arruda is a Detective Constable with the Sex Crimes Unit of the Toronto Police Service. She joined the Toronto Police Service in 2001 as a civilian doing wiretaps, including listening to and deciphering phone calls. In 2004, she was hired as a police officer with 54 Division. After four years, she joined the youth bureau where she investigated child abuse, domestic assaults and sexual assaults. She remained there for two years and joined the Sex Crimes Unit in April 2011.

ELIOTT BEHAR

As Crown Counsel with the Crown Law Office-Criminal, Elliott Behar has argued numerous appeals at the Ontario Court of Appeal, appeared twice at the Supreme Court of Canada, and provided legal advice to the Attorney General on issues ranging from hate crimes to dangerous offender designations. He is currently working as part of a small, dedicated trial unit that prosecutes police officers charged with serious criminal offences. From 2008 to 2010, Elliott prosecuted war crimes in The Hague on behalf of the International Criminal Tribunal for the Former Yugoslavia. In July of 2010, his trial team completed a large-scale prosecution focused on the ethnic cleansing of Kosovo.

CHIEF JUSTICE ANNEMARIE BONKALO

Annemarie E. Bonkalo was appointed Chief Justice of the Ontario Court of Justice in 2007. She holds a B.A. (Honours) from Queen’s University, an M.A. Criminology from University of Toronto and an LL.B. from Queen’s University. Called to the bar in 1978, Chief Justice Bonkalo was appointed the first female Assistant Crown Attorney in Peel Region in 1978. She was appointed as a judge of the Ontario Court (Provincial Division) in 1990, a Regional Senior Judge in 2004 and Associate Chief Justice in 2005. She has lectured in the areas of criminal law, advocacy and court administration.

The Ontario Court of Justice is one of Ontario’s two trial courts and deals primarily with criminal and family law cases as well as youth criminal justice matters. It is also the largest trial court in Canada and is currently composed of 286 judges and 350 justices of the peace, serving a population of more than 12 million in a province that has a surface area of over 1 million square kilometres.

A. ALAN BOROVOY

Alan Borovoy was General Counsel of the Canadian Civil Liberties Association from May, 1968 until June, 2009. Prior to coming to CCLA, Alan worked with other human rights and civil liberties organizations such as the National Committee for Human Rights of the Canadian Labour Congress, the Ontario Labour Committee for Human Rights, and the Toronto & District Labour Committee for Human Rights.

As General Counsel of CCLA, Alan made presentations to public inquiries and gave testimony before parliamentary committees on issues such as mandatory drug-testing in the workplace, wiretapping, and police race-relations. His community organizing activities included delegations to the federal and provincial governments on issues of capital punishment, religious education in the public schools, the War Measures Act, campus speech codes, and national security and intelligence. In addition to his work as General Counsel, Alan was a columnist for the Toronto Star from 1992-1996.

Alan received his B.A. from the University of Toronto in 1953, and his LL.B. from the University of Toronto in 1956. He was admitted to the Ontario Bar in 1958. He has also received four Honourary Doctor of Laws Degrees, the Law Society Medal from the Law Society of Upper Canada in 1989, an Award of Merit from the City of Toronto in 1982, and was inscribed in the Honour Roll of the aboriginal people of Treaty Number 3 in 1991. He was made an Officer of the Order of Canada in 1982.

CAROLE SIMONE DAHAN

Carole Simone Dahan is the Director of the Refugee Law Office, a staff office of Legal Aid Ontario where she practices immigration and refugee law. She obtained a bachelor's degree in Political Science from Concordia University and a Master of Arts degree in Political theory from the University of Toronto before pursuing a law degree at Osgoode Hall, York University. Prior to joining the RLO, she worked with Green & Spiegel; Jackman, Waldman & Associates; and Parkdale Community Legal Services. She frequently appears before all divisions of the Immigration and Refugee Board, the Federal Court of Canada and has appeared before the Supreme Court of Canada.

Carole is a member of the legal affairs committee of the Canadian Council for Refugees, and a member of the Board of Directors of Metropolitan Action Committee on Violence Against Women and Children (METRAC). Carole est aussi membre de *l'Association des juristes d'expression française de l'Ontario (AJEFO)*.

ALLISON DELLANDREA

Allison Dellandrea is the Lead Education counsel for the Ontario Ministry of the Attorney General's Provincial Strategy on Internet Child Exploitation (ICE) Crimes, Canada's first multi-disciplinary ICE team. In this role, she lectures frequently to Crowns and law enforcement members across Canada on digital search and seizure, and child pornography law. Allison has served as an Assistant Crown Attorney in Toronto for over 10 years, prosecuting a wide variety of cases, dealing with both adults



and youth. Since joining the Crown Law Office, she has continued to prosecute at both the trial and appellate level. She has been an active participant in OJEN initiatives throughout her career, and is currently the Chair of the Toronto OJEN “Take your Kids to Work Day” Committee.

JOHN ERICKSON

John Erickson is a criminal defence lawyer with over 15 years of experience. John earned his B.A. from the University of Toronto and his law degree from UBC Law School in Vancouver. He began his career as a lawyer when he joined the law firm of Orris, Burns in Vancouver, BC in 1992. In 1994, he moved to Ontario where he joined the Ministry of the Attorney General, first as an articling student and then as an Assistant Crown Attorney. In 1997, he left the Crown Attorney’s Office and opened his own law office in Toronto, where he continues to practice criminal and quasi-criminal defence law exclusively. Outside of work, John’s passions are being a Dad to his 6 year old son, soccer, and coaching his son’s soccer teams which, for John, is the best of all possible worlds.

HILARY EVANS CAMERON

Hilary Evans Cameron has practiced refugee and immigration law since her call to the Bar in 2003. She teaches at the University of Toronto’s student legal clinic, and is pursuing a Doctoral degree in Refugee Law. She has recently published articles on risk perception and memory in the *International Journal of Refugee Law* and lectures widely. Hilary is a former puppeteer and street performer.

LOUIS-PHILIPPE HODGSON

Louis-Philippe Hodgson is an Associate Professor of Philosophy at Glendon College, York University, where he has taught since 2004. He earned a B.A. from Université Laval (1996), a M.A. from the University of Toronto (1997), and a Ph.D. from Harvard University (2006). He was a Postdoctoral Scholar in the UCLA Law and Philosophy Program from 2008 to 2010. He has recently published a series of articles about Kantian political and legal philosophy that have appeared, among other places, in *Ethics*, the *Kantian Review*, and *Legal Theory*.

JUSTICE ANDROMACHE KARAKATSANIS

Justice Andromache Karakatsanis was appointed a judge of the Court of Appeal for Ontario in March 2010 and a judge of the Ontario Superior Court of Justice in December 2002. She has also served as Administrative Judge for the Small Claims Court in Toronto. Prior to her appointment as a judge, Justice Karakatsanis served as Secretary of the Cabinet and Clerk of the Executive Council (2000-2002). As the senior public servant in Ontario, she provided leadership to the Deputy Ministers and the Ontario Public Service. During her career in public service, she also served as Deputy Attorney General (1997-2000) and as Secretary of the Ontario Native Affairs Secretariat (1995-1997). Following her call to the Bar in 1982, Justice Karakatsanis was appointed law clerk to the Chief Justice of Ontario, clerking for the Ontario Court of Appeal. In private practice, she practiced criminal, civil and family litigation in Toronto. From 1988 to 1995, she was Chair and Chief Executive Officer of the Liquor Licence Board of Ontario. She is married to Tom Karvanis and has two children Paul Karvanis and Rhea Karvanis.

DAWNIS KENNEDY

Minawaunagogiizhigok is an Ojibwe Marten Clan woman from Roseau River Anishinabe First First Nation and a first degree Midewiwin of the Three Fires Lodge. Also known as Dawnis Kennedy, she is a Trudeau Scholar, a SJD Candidate at the Faculty of Law, University of Toronto, a Lecturer at Algoma University and Shingwauk Kinoomaage Gamig, Centre of Excellence in Anishinaabe Education. Her dissertation, *Onawkonigaywin: Rekindling the Fire Within*, asks how we might strengthen our selves by learning to work with the laws given to Anishinawbe. Much of Minawaunagogiizhigok's time is spent singing, drumming, beading, harvesting, pursuing the Ojibwe language, participating in ceremony and relating with family. Rather than detracting from her research, these endeavors provide a firm foundation for Minawaunagogiizhigok's academic pursuits.

DAVID LEPOFSKY

David Lepofsky received his LL.B. from Osgoode Hall Law School (1979) and his LL.M. from Harvard Law School (1982). Since his admission to the Ontario Bar in 1981, he has practiced law in Toronto in the areas of constitutional, civil, administrative and most recently, criminal law. Since 1991, he has also served as a part time member of the University of Toronto Faculty of Law, where he teaches an advanced constitutional law seminar on freedom of expression and press. Since the late 1970s, he has been active in a volunteer capacity, advocating for new laws to protect the rights of persons with disabilities in Canada. In 1980, he appeared before the Joint Committee of the Senate and the House of Commons on the Constitution of Canada, on behalf of the Canadian National Institute for the Blind for an amendment to the proposed Charter of Rights, to guarantee equality rights to persons with disabilities. The efforts of a great many combined to lead Parliament to pass the disability amendment to the Charter. From 1980 to 1982, he was on the leadership team of a broad disability coalition that successfully advocated for inclusion of protection against discrimination based on disability in the Ontario Human Rights Code.

From 1994 to 2005, he led the Ontarians with Disabilities Act Committee. That coalition successfully campaigned for ten years to win passage of two new Ontario laws to make Ontario fully accessible to persons with disabilities, the Ontarians with Disabilities Act 2001 and the Accessibility for Ontarians with Disabilities Act 2005. As of late February, 2009, he became the chair of the Accessibility for Ontarians with Disabilities Act Alliance. In 2010 they succeeded in getting Ontario election legislation amended to address accessibility barriers impeding voters with disabilities, although they have more to do to get telephone and internet voting to become a reality in Ontario elections. Starting in 1994, he campaigned to get the Toronto Transit Commission to announce all subway stops, and later all bus stops, for the benefit of passengers with vision loss. Between 2001 and 2007 he fought two cases against TTC. In 2005, the Human Rights Tribunal ordered TTC to consistently announce all subway stops (*Lepofsky v. TTC #1*). In 2007, the Human Rights Tribunal ordered TTC to announce all bus and streetcar stops. (*Lepofsky v TTC #2*).

Awards include investiture in the Order of Canada (1995), the Order of Ontario (2007), and the Terry Fox Hall of Fame (2003), honorary doctorates from Queen's University and the University of Western Ontario, and awards from other organizations including e.g. the City of Toronto, the Law Society of Upper Canada, the Ontario Bar Association Public Lawyers Section, the Advocates Society, the Ontario Crown Attorneys Association, the Ontario March of Dimes and Community Living Ontario. He was very flattered and humbled when the Canadian Lawyer Magazine August 2010 edition listed him among Canada's 25 most influential lawyers. However he was left wondering: "If I am so influential, why doesn't anyone listen to me?"

He is the author of one law book, and the author or co-author of 30 law journal articles or book chapters on topics including constitutional law, criminal law, administrative law, human rights, and the rights of persons with disabilities. He has lectured on topics including these across Canada, and in the U.S., Israel, Ireland, Denmark and Belgium.

HON. PATRICK LESAGE

Patrick LeSage, CM, OOnt, QC, former Chief Justice of the Ontario Superior Court, joined Gowlings in February 2004, when he retired from the bench. His practice is focused on providing advice on complex disputes and he also acts as a mediator, arbitrator, and/or fact finder in significant private and public sector matters. Patrick began his distinguished career as a Crown Attorney in the Ontario Ministry of the Attorney General where he rose to the position of the Director of Crown Attorneys for Ontario. In 1975, he was appointed to the County and District Court and became Associate Chief Judge of that Court in 1983. In 1994, he became Associate Chief Justice and in 1996, was appointed Chief Justice of what is now the Superior Court of Justice for Ontario, a position he held until September 2002.

During his remarkable 29 years on the bench, Patrick presided over some of Canada's most publicized and complex cases. He lectured extensively to judges, law students and law societies. He was involved in introducing gender and racial equality seminars for judges in the late 1980s. Patrick was a member of the Equality Committee and the Administration of Justice Committee of the Canadian Judicial

Council and is a past director of the Canadian Judges Conference. Patrick has been appointed by the Government of Ontario to conduct an Extensive Review of Ontario's Police Complaints System (2004); the Attorney General of Manitoba to conduct an Inquiry into the first-degree murder conviction of James Driskell (2005); the Attorney General to conduct a review of large and complex criminal case procedures (2008); the Board of Directors of The Toronto Community Housing Corporation to conduct an Independent Review of the Eviction of Al Gosling and the TCHC's Eviction Prevention Policy (2009); the Ministry of the Attorney General in connection with matters involving the Special Investigations Unit and the police in Ontario (2009); the Ontario Society for the Prevention of Cruelty to Animals to conduct an Independent External Review of events that occurred in May 2010 at the York Regional Branch of the OSPCA (2010); and by the Minister of National Defence to conduct an Independent Review of the Military Justice provisions of the *National Defence Act* (2011).

In October 2008, Patrick accepted an invitation to attend in Tanzania to address the United Nations International Criminal Tribunal for Rwanda on the issues involved in managing complex trials. In December 2005, Patrick was appointed as a Commissioner of the Ontario Securities Commission and served in that capacity until February 2011. He is a founding Director of the Ontario Justice Education Network (OJEN).

SANDRA NISHIKAWA

Sandra Nishikawa has been Counsel in the Business Law Division of the Ontario Regional Office of the Department of Justice since 2003. She is engaged in a wide range of litigation matters, including crown liability, employment and human rights cases. Previously, Sandra practiced litigation at a New York law firm for four years. Sandra obtained her common and civil law degrees from McGill University in 1997 and was called to the bar in 1999. In 2009, she completed an LL.M. at the University of Toronto, Faculty of Law, and wrote a thesis on the value of diversity on adjudicative administrative tribunals. She is Vice-Chair of the Equity Advisory Group of the Law Society of Upper Canada. Sandra and her spouse, Vincent, have three children, ages 3, 6 and 9.

BEVERLEY OLESKO

Beverley Olesko is an Assistant Crown Attorney with the Scarborough Crown's Office (Toronto East Courts). She graduated from Osgoode Hall Law School in 1993 and was called to the Bar of Ontario in 1995. Her first few years of practice were with the Duty Counsel Office of Legal Aid Ontario. She joined the Federal Crown Attorney's Office in 1997 and moved over to the Ontario Crown Attorney's Office in 2007.

JUSTICE PAUL PERELL

Paul Perell, B.A., LL.B., LL.M., Ph.D., L.S.M., a judge of the Ontario Superior Court of Justice was appointed in May 2005. He is an adjunct professor at Osgoode Hall Law School and the University Of Toronto Faculty Of Law. He was a former partner at WeirFoulds, LLP, where he practiced civil litigation and legal research. Additionally, he was an editor of the Ontario Reports and the author of the books *The Law of Civil Procedure in Ontario* (with John W. Morden), *Conflicts of Interest in the Legal Profession*, *The Fusion of Law and Equity and Remedies and the Sale of Land* (2nd ed. with Bruce H. Engel). Justice Perell has been awarded numerous honours, including the Law Society Medal, the Ontario Bar Association's Award for Excellence in Real Estate, the James L. Lewtas Professorship in Commercial Law at Osgoode Hall Law School, the Ontario Bar Association's Distinguished Service Award, and the David W. Mundell Medal for excellence in legal writing.

JUSTICE MAVIN WONG

Madam Justice Mavin Wong graduated from Osgoode Hall Law School in 1984 and was called to the Bar of Ontario in 1986. Justice Wong was a defence lawyer from 1986 to 2000. One area of particular interest to her was youth justice and she has addressed the topic on many Law Society and justice related panels and committees. Justice Wong co-authored a book on young offender law. She was appointed to the Ontario Court of Justice in June 2000 and presided in York Region from 2000 to 2002 before transferring to Toronto. Justice Wong currently presides in criminal court in Toronto East (Scarborough).

ALAN YOUNG

Alan Young received his B.A. from York University, his LL.B. from Osgoode Hall Law School, and his LL.M. from Harvard University. He is an associate professor of law at Osgoode Hall Law School, where he teaches in the area of criminal law and procedure. He is the co-founder of the Innocence Project at Osgoode Hall. Professor Young is a member of the Law Society of Upper Canada, and practices in the area of criminal litigation. He was a law clerk to the Chief Justice for the Supreme Court of Canada, the Right Honourable Bora Laskin, and has served as policy consultant to the Department of Justice on the police powers project, and as a legal researcher for the Canadian Sentencing Commission. Professor Young has published many articles on criminal law issues and has served as counsel (pro bono) for victims' rights groups. He was counsel of the Wakeford case (re: medicinal marijuana), the Bedford case (re: the legality of sadomasochistic activity) and the Clay case (re: the constitutionality of the marijuana prohibition). In recent years, he has brought constitutional challenges to the obscenity laws, the gambling prohibition, the drug literature prohibition and the marijuana prohibition. He is the author of *Justice Defiled: Perverts, Potheads, Serial Killers and Lawyers* (Key Porter, 2003). In 2010 he was selected as one of the top 25 most influential lawyers in Canada by Canadian Lawyer magazine.

BENJAMIN ZARNETT

Benjamin Zarnett is a partner in the Litigation Group at Goodmans. He practises as trial and appellate counsel with a special emphasis on commercial cases involving public and private companies, financial institutions and government. He has practiced before the Supreme Court of Canada, Federal Court of Appeal, Federal Court Trial Division, and all levels of courts in Ontario as well as various administrative tribunals including the Ontario Securities Commission. Ben has been lead counsel in some of the most important and high-profile commercial cases to be decided by Canadian courts including the Asset Backed Commercial Paper restructuring case, the litigation concerning the acquisition of BCE

Inc., the Danier Leather securities class action, the Bre-X Minerals litigation, the Canadian Red Cross restructuring litigation, and the Confederation Life Insurance Company insolvency proceedings. Ben was awarded the 2006 Law Society Medal by the Law Society of Upper Canada, the 2007 Award of Distinction by the Toronto Lawyers Association for outstanding contributions to the legal profession and the 2009 Ontario Bar Association Award of Excellence in Civil Litigation. He was named "Toronto Bet-the-Company Litigator of the Year" for 2010 and "Toronto Class Action Litigator of the Year" for 2011 by The Best Lawyers in Canada. He is a past President of The Advocates' Society, a Fellow of the American College of Trial Lawyers, and a member of the Regional Committee for Ontario of the Supreme Court Advocacy Institute. He has lectured at conferences and seminars of the Law Society of Upper Canada, Canadian Bar Association, the Canadian Institute, Insight and The Advocates' Society.

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